Dear Members

Special Planning Committee (Large Scale Major Application)

A special meeting of the Planning Committee will be held in the Council Chamber, County Buildings, Martin Street, Stafford on Tuesday 30 April 2019 to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

The Committee will meet at the rear of the Civic Centre and depart at 9.30am to visit the site(s) as set out in the agenda and re-convene at the Council Chamber at approximately 11.30am to determine the application(s).

Members are reminded that contact officers are shown in each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

A. R. Well

Head of Law and Administration
SPECIAL PLANNING COMMITTEE
(LARGE SCALE MAJOR APPLICATION)
30 APRIL 2019
Chairman Councillor R M Sutherland
Vice-Chairman Councillor A S Harp

AGENDA

1 Apologies
2 Declaration of Member's Interests/Lobbying

Page Nos
3 Planning Application(s) 3 - 81

MEMBERSHIP

Chairman Councillor R M Sutherland

C A Baron W J Kemp
G R Collier D B Price
B M Cross J K Price
I E Davies G O Rowlands
M G Dodson R M Sutherland
A S Harp C V Trowbridge
E G R Jones

(Substitutes - F Beatty, R P Cooke, A P Edgeller, J Hood, S Learoyd)
## Planning Applications

**Report of Head of Development**

### Purpose of Report

To consider the following planning applications, the reports for which are set out in the attached *APPENDICES*:

<table>
<thead>
<tr>
<th>Ref</th>
<th>Address</th>
<th>Page Nos</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>15/22013/FUL</td>
<td>Land Adjacent Trent and Mersey Canal, Old Road, Barlaston</td>
<td>5 - 29</td>
<td>This application is a large scale major development and as such is excluded from the Council’s Scheme of Delegation for planning applications and requires determination by the Planning Committee. Called in by Councillor E G R Jones Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
</tr>
<tr>
<td>18/28423/OUT</td>
<td>Land off Fairway, Littleworth, Stafford</td>
<td>30 - 81</td>
<td>This application is a large scale major development and as such is excluded from the Council’s Scheme of Delegation for planning applications and requires determination by the Planning Committee. Called in by Councillor C A Baron Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</td>
</tr>
</tbody>
</table>
Previous Consideration

Nil

Background Papers

Planning application files are available for Members to inspect, by prior arrangement, in the Development Management Section. The applications including the background papers, information and correspondence received during the consideration of the application, consultation replies, neighbour representations are scanned and are available to view on the Council website.
Application 15/22013/FUL  Case Officer Sian Wright
Date Registered 13 October 2015  Target Decision Date 12 January 2016
Address Land Adjacent Ward Barlaston and
Trent And Mersey Canal Oulton
Old Road Barlaston
Parish Barlaston

Proposal Formation of canal marina and associated facilities including marina reception/facilities building, redistribution of material to form canal basin, car parking, access and associated works

Applicant WWRD (UK) Ltd
Recommendation Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

The application is a large scale major development and as such is excluded from the Council's Scheme of Delegation for planning applications and requires determination by the Planning Committee.

This application has been called in by Councillor E G R Jones (Ward Member for Barlaston) for the following reason:-

“This application is for a major development to the north of the village which will have significant implications on the existing infrastructure of Old Road”.

Context

This application proposes a new canal marina with associated facilities at Wedgwood Drive in Barlaston. The proposal comprises a 141 birth marina (including 1 service berth and 1 disabled berth) with a car park and facilities building. Additional associated facilities are also proposed which include a refuelling and pump out facility, a refuse store and a bio-disc waste water treatment tank. It is proposed that the marina will operate 7 days per week.

The site comprises two areas of land to the north and south of Wedgwood Drive totalling approximately 17.8 acres. The site for the marina is situated north of Wedgwood Drive and covers an area of approximately 5.99 acres (2.42ha). This area is currently accommodates a disused car park and open land, which is bounded to the west by the Trent and Mersey Canal and by the railway line to the east. It is proposed to use the area to the south of Wedgwood Drive, which is approximately 11.8 acres (4.7ha), for depositing spoil. This land comprises open fields and is bounded to the west by the Trent and Mersey Canal and by the railway line to the east.
The site is located in the North Staffordshire Green Belt and is situated immediately adjacent to the Trent and Mersey Canal Conservation Area. The site is also situated outside the settlement boundary for Barlaston.

The Wedgwood factory and visitor Centre are situated immediately to the east of the application site on the other side of the railway line and fall within the Local Authority area of Stoke-on-Trent City Council. This proposal will compliment the adjacent site and help to expand this successful tourist attraction.

The site would also accommodate a single storey facilities building to the south of the site which would provide toilet facilities, office, storeroom and kitchen. The proposed building is 14m x 11m and would be timber clad with a slate roof.

The northern part of the site would provide an amenity space and picnic area.

The application is supported by the following documents:
- Design and Access Statement
- Phase 2: contamination Investigation and Environmental Assessment report
- Preliminary Ecological Appraisal
- Ecological Update Survey
- Landscape and Visual Report
- Heritage Statement
- Noise and Vibration Statement
- Planning Statement
- Transport Statement

Officer Assessment – Key Considerations

1. Principle of development

Paragraph 83 of the National Planning Policy Framework (NPPF) gives strategic planning support to sustainable new development in rural areas. This includes sustainable rural tourism and leisure developments, as in this application, which respect the character of the countryside.

Policy E7 of the Plan for Stafford Borough states that proposed new development away from settlements (in the settlement hierarchy), marinas and moorings with limited service facilities will be accepted provided a number of criteria are satisfied which are summarised below:
- Canal related proposals constitute uses that are essential to be located in proximity to the canal;
- The countryside is protected, in terms of its openness, rural character and attractiveness;
- The development respects the character of the canal conservation area and the setting of heritage assets along its route;
- The proposal is appropriate in scale to its locality;
- The development proposal has minimum or sensitively located lighting;
- Facilities, including car parking, have adequate landscaping and screening;
- The proposal is consistent with Green Belt policies; and
h. There are no permanent moorings for residential purposes. It also states:

Proposals for new canal facilities and associated infrastructure will be supported where:
1. Public access is improved and integrated with the canal frontage;
2. The development does not have an adverse effect on water quality;
3. Canalside development is of high quality and takes into account conservation area and listed building designations;
4. It does not create conflicts between different users of the canal;
5. Adequate car parking facilities can be provided;
6. Adequate provision for short-stay moorings and related facilities are incorporated;
7. The wildlife value of the locality is conserved and, where possible enhanced;
8. The proposal does not have any detrimental affects on area designations
9. The proposal does not conflict with landscape or nature conservation policies.

The principle of a new marina in the location proposed is therefore dependant on satisfactorily fulfilling the above criteria which are considered in the relevant subsections below.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 83, 92, 118,124

The Plan for Stafford Borough
Policies: E6 Tourism, E7 Canal Facilities and New marina

2. Character and impact upon the Landscape

The application is supported by a landscape and visual report which considers the potential landscape and visual impacts of the proposed marina and landfill proposals.

The report seeks to identify significant impacts upon the landscape in addition to suggested mitigation.

The report identifies that the marina site is located to the north of Wedgwood Drive and the landfill site to the south on pastoral land that is situated between the railway line and the Trent and Mersey canal.

The report identifies several landscape receptors. High sensitivity receptors include the setting of Barlaston Hall and the setting of Trentham Park. The report also identifies some residential properties on Old Barlaston Road potentially affected and catagorises the sensitivity of these dwellings as medium. Other properties with a view onto the landfill area are considered to have low sensitivity.

The report in its executive summary notes the area is influenced by other major infrastructure, in particular the sewage treatment Works off Old Barlaston Road operated by Severn Trent which represents a prominent feature in the surrounding landscape.
The executive summary also highlights mitigation measures that have been incorporated into the proposals which are summarised below:

- During the construction period, activity will take place behind well maintained hoardings;
- Mature trees retained where possible;
- Well-designed public realm and materials;
- Picnic areas and events spaces together with landscape planting including alongside Wedgwood Drive to strengthen this boundary and restrict views from the Drive into the site;
- Scheme has been designed to respect the intrinsic character of the local landscape.
- The remodelled landform in the landfill area will feather into existing contours and provide integration around the existing trees and woodland copses in accordance with the arboriculture report.
- Sensitive grading with the Trent and Mersey Canal.
- The scheme has developed to respond positively to retained avenue tree.

Considering the proposed development and mitigation incorporated within it, the report states that there are no predicted landscape effects (adverse or beneficial) that are considered to be significant for the purposes of this landscape and visual appraisal.

Paragraph b) of Policy E7 of the Local Plan refers to the protection of the countryside in terms of its openness. It can be appreciated that certain proposed canal-related functions have to be located in buildings. This application proposes only one simple and functional building which is an appropriate scale, together with the marina births which are appropriately landscaped. Looking specifically at the surrounding area, its character and uses and, the supporting LVIA it is not considered that the proposal would have an unacceptable impact upon the surrounding landscape. The development would be subject to a condition so that the construction of buildings would not commence until the marina basin has been excavated and filled with water. This would help to ensure that the proposed main function of the site would be as a canal marina, and limit the possibility of unrelated or unnecessary buildings and uses emerging on the site.

The Tree Officer has also assessed the proposal and initially raised concern about the loss of a high category oak tree and commented that the loss of this important ecological feature could not be mitigated for with replacement planting and therefore the plans should be altered to reflect the retention of this specimen. An amended plan was subsequently submitted showing this tree for retention and the objection has now been removed. The Tree officer went on to comment that other trees highlighted for removal could be mitigated for with a submitted landscape proposal.

Policies and Guidance:

National Planning Policy Framework
Paragraphs: 124, 127, 128, 130, 192, 193, 194, 195, 196

The Plan for Stafford Borough
Policies: N1 Design; N8 Landscape Character; N9 Historic Environment
Supplementary Planning Document (SPD) – Design
3. Heritage conservation

The site lies immediately adjacent to the Trent and Mersey Canal Conservation Area. The application is supported by a Heritage Statement which aims to identify and detail the potential for encountering archaeological sites and features and other elements of cultural heritage on the site and to evaluate their importance. This report highlights that the construction of the proposed marina and facilities building will involve the excavation of much of the site, which will potentially impact on archaeological features, most likely of prehistoric or post-medieval date. The report therefore suggests that an archaeological watching brief attached to excavation works should be conditioned as part of any planning permission.

The report also states that the proposed facilities building is unimposing with a design characterised by natural materials and that its impact on the landscape is expected to be negligible.

The initial plans proposed to locate some of the service elements of the proposal in the south-west corner of the development site adjacent to the canal and bridge which, was not considered to be acceptable in conservation terms as this area is readily visible to public views both looking south from the canal towpath and the waterway itself, and from the road to the south edge of the proposed marina. The Conservation Advisor stated that this would cause harm to the significance and amenities of the conservation area for which there was no overriding public benefit. Revised plans were subsequently submitted which relocate the service elements of the proposal to the east of the proposed facilities building resulting in them being screened from view from the conservation area. The Conservation Advisor now raises no objections to the layout of the site or to the design of the facilities building.

The Canal and Rivers Trust recognise that the Trent & Mersey Canal is designated as a conservation area. They state that the submitted section drawing suggests that the marina will be quite visible in long views from the north and consequently suggest that a detailed landscape planting scheme should be secured by condition, incorporating a mix of native tree and hedge planting across the site to soften the visual impact of the development and help to integrate it with the conservation area.

Overall the proposal is considered acceptable having regard to heritage considerations, in particular Policy N9 of the Plan for Stafford Borough.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 124, 127, 128, 130, 192, 193, 194, 195, 196

The Plan for Stafford Borough
Policies: N1 Design; N9 Historic Environment
Supplementary Planning Document (SPD) – Design
4. **Green Belt**

The NPPF states that inappropriate development is by definition harmful to the Green belt and should not be approved unless there are very special circumstances. Paragraph 145 of the NPPF states that local Planning Authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are however various exceptions to this including the provision of appropriate facilities for outdoor sport and recreation provided that the facilities preserve the openness of the Green Belt. Paragraph 146 of the NPPF also states that material changes of use of land are also considered to be appropriate development in cases such as this i.e. a disused car park to a recreational facility.

The principle element of the proposal would be a marina with births at ground level. Whilst it is recognised that this will have some visual impact, it is not considered that it would have an unacceptable impact upon the openness of the green belt.

The infrastructure associated with the proposal would have a greater impact than the marina basin. The proposal includes a facilities building necessary for the operation of the marina. This building is however an appropriate scale for its required functions and has been designed to compliment the overall site. Having regard to paragraph 145 of the NPPF, it is considered that the proposed marina and associated development would provide a facility appropriate to the green belt and, would not harm its openness.

The proposal involves importing excavated spoil from the construction of the marina to the land to the south of the marina site. This will be spread over a large area of land and will not be any higher than 1.0m in height. The LVIA comments that grading will occur to integrate the landfill to the existing contours of the land to avoid any detrimental visual impacts on the landscape. In terms of the green belt, given that the spoil will be spread over a large area and integrated into the existing landscape, it is not considered that this would have any adverse or significant impacts upon openness or character.

**Policies and Guidance:**

National Planning Policy Framework  
Section 13: Protecting Green Belt Land.

The Plan for Stafford Borough  
Policies: N1 Design; N8 Landscape Character;

5. **Residential Amenity**

No permanent residential moorings are proposed and a condition would restrict such use. The Environmental Health Officer does not raise any objections subject to conditions relating to: timing of site works and deliveries, no burning on site during development, demolition materials shall be removed from site and properly disposed of, facilities to be provided at the site and used when necessary for damping down to prevent excessive dust, road sweeping, any equipment which must be left running outside the allowed working hours to be inaudible at the boundary of occupied residential dwellings, screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. However, as there is no demolition involved there is no requirement for demolition materials to be removed from site. It should also be noted that as road sweeping would be outside the red edge of the site this is unable to be controlled.
In addition conditions are also recommended to ensure that there shall be no permanent moorings for residential purposes at any time, details of lighting and any odour and noise control for the proposed building, and for a construction environmental management plan.

There are no residential dwellings immediately adjacent to the proposed site however there are dwellings in the wider vicinity. Provided that the appropriate conditions suggested by the Environmental Heath Officer are attached to any permission then it is not considered that the proposal would have any adverse impacts upon residential amenity.

The Plan for Stafford Borough
Policies: N1 Design
Supplementary Planning Document (SPD) - Design

6. Access and Parking

The application is supported by a Transport Statement which looks specifically at all relevant highway issues and the impact of the proposal on the local highway network. The report summarises that the proposal would result in a very small increase in traffic flow and, as a result, no remedial measures are proposed to accommodate the development in highway safety terms. The report also looks at construction traffic and states that a construction environmental management plan would be implemented at the appropriate time and heavy construction traffic routed via major roads to minimise inconvenience and disturbance to residents and traffic.

The submitted plan shows that the two access points to the existing car park will be retained to provide access to the proposed development. The eastern junction will provide access to the car park and the western junction will provide access to the staff parking areas, fuel pump, disabled parking bays and refuse store.

The submitted plans show a total of 56 parking spaces on site, including 2 disabled spaces. In addition, there are a further 27 spaces at the main Wedgwood site. A total of 83 spaces are therefore proposed. In order to secure the parking at the main Wedgewood site, which falls outside the red edge and outside the boundary of Stafford Borough Council, a condition is required which essentially restricts the number of births to the level of parking. Calculations show that the on site parking would only be adequate for 94 of the 141 births. A condition is therefore necessary to ensure that if for any reason the off site parking is not available then the proportionate number of births would have to be removed. In addition it is also necessary to condition that not more than 141 boats are birthed at the marina at any one time.

The Highway Authority do not raise any objections subject to the conditions relating to provision of the on site car parking, a condition to secure the provision of off site car parking (as discussed above) and the submission of a construction management plan.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 105 & 106
7. Ecology

The application is supported by a preliminary ecological appraisal and an ecological update survey.

An updated ecological walkover survey was done in January 2019. This survey and report was done as an update to the preliminary ecology report due to the time lapse since the initial survey.

The report concludes that the development of the marina on the northern part of the site will cause disturbance to local wildlife on a temporary basis but there will be no destruction of habitats that are being used by notable species. It also states that the deposition of spoil from the proposal on land to the south of Wedgwood Drive will cause a local temporary disturbance to local wildlife but this is a low impact.

Since the original survey was undertaken Great Crested Newts have been recorded to the east of the site and European Protected Species Licenses have been obtained. This was for disturbance of resting places for Great Crested Newts and not breeding sites. These sites are separated from the development by the main line railway and commuting into the development site is therefore considered to be highly unlikely.

The reports summarises the following:
There has been no change in the site since the Preliminary Ecological Assessment was undertaken.
- There has been no change in the habitats on the site since the original surveys.
- The conclusions of the preliminary ecological assessment remain valid.
- The surveyor identified additional trees with bat roosting potential but these will not be affected by the proposed development.

The Biodiversity Officer does not raise any objections subject to conditions requiring six bat boxes to be installed in appropriate locations on retained trees and external lighting to be designed to avoid light spill on the bat boxes which can be secured by condition.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 170, 175

The Plan for Stafford Borough
Policies: N4 The Natural Environment & Green Infrastructure
8. Flood Risk & Drainage

The site lies within Flood Zone 1 the lowest zone of flood risk.

A Drainage Assessment supports the application. This report considers the potential drainage impacts of the proposed landfill exercise required as part of the proposal. The report considers the areas to be used for landfill and compares how they are likely to drain in comparison to how they currently drain.

The proposed marina is to be formed by excavating material from the northern part of the site and depositing it over a total of four areas. This report demonstrates that land levels will not be significantly altered and that the proposal will not have a detrimental effect on the drainage of the site. Furthermore it is not considered that the proposal will significantly alter the volume of water being drained into the River Trent.

The Lead Local Flood Authority do not raise any objections subject to a condition requiring the proposal to be carried out in accordance with the initial drainage assessment and the mitigation measures detailed.

No comments regarding drainage have been raised by the Environment Agency.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 155, 163

The Plan for Stafford Borough
Policies: N4 The Natural Environment & Green Infrastructure

9. Land Contamination & Ground Stability

A Contamination Investigation and Environmental Assessment report also supports the application. This report looks specifically at subsurface ground conditions and any contamination. The report highlights that whilst there is some ground contamination this would be removed to facilitate the construction of the marina. Asbestos was also identified which requires appropriate disposal. The report states that all made ground and potentially contaminated soil will be taken to a licensed waste disposal facility.

The Environment Agency have reviewed the Contamination Investigation and Environmental Assessment report in terms of controlled waters and do not raise any objections subject to a condition.

The Environmental Health Officer states that the conclusions and recommendations of contamination report are accepted in terms of impacts upon human health and the recommendations should be adopted.

The site is adjacent to the railway line therefore there are potential implications on land stability and the railway line.
Network Rail have been consulted and have provided several responses. No objections are raised however a number of conditions have been suggested requiring the following:

- Details of ground levels, earthworks and excavations to be carried out near to the railway;
- Details of a risk assessment and method statement prior to any vibro-impact work;
- Details of the marina basin;
- Details of a suitable trespass proof fence adjacent to the boundary with the railway;
- Details of appropriate vehicle safety protection measures along the boundary with the railway.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 178, 179

**Conclusion**

It should be noted that Policy E7 of the Plan for Stafford Borough does not require a test for the need for new canal marinas and contains robust planning criteria for their assessment. In this case, the criteria are sufficiently met and there are no objections from statutory consultees. The proposal is therefore considered to be sustainable development.

**Consultations**

**Highway Authority:**
No objections subject to conditions.

**Conservation Advisor:**
No objections

**Canal and River Trust:**
After due consideration of the application details, the Canal & River Trust has no objections to the proposed development, subject to the imposition of suitably worded conditions relating to the following matters:

- Drainage
- Installation of oil/fuel interceptors in car parking areas
- Land contamination
- Redistribution of excavated material
- Impact upon the canal conservation area
- Lighting
- Marina facilities building
- Construction work/materials
- Bridge over marina entrance

Advisory note to be included: Please be advised that the connection of the marina to the adjacent Trent & Mersey Canal will require the prior consent of the Canal & River Trust. Such consent can only be obtained by successfully completing the Trust’s New Marinas application process. Please contact Tammy Plant, Business Boating Support, at tammy.plant@canalrivertrust.org.uk or on 01942 405722 for further advice.
Environment Agency:
No objections subject to a condition relating to ground contamination

Natural England:
Statutory nature conservation sites – no objection

Environmental Health Officer:
No objections. The following conditions are recommended in order to safeguard nearby residential occupiers from undue disturbance during development:
1. All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
2. Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays. Delivery vehicles shall not park on the access highways to the site.
3. There should be no burning on site during development
4. All demolition materials shall be removed from site and properly disposed of.
5. Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust.
6. Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust.
7. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.
8. Screening shall be provided to the site to protect residential dwellings from exposure to excessive noise. Details of such work shall be agreed with the local authority and carried out before other works begin.

It is assumed that there will be no permanent residential moorings at the marina. If this is not the case then a noise report should be submitted in order to ensure adequate mitigation for noise from the nearby railway line can be provided.
1. There shall be no permanent moorings for residential purposes at any time.
2. No boat shall be occupied or used permanently as tantamount to a dwelling at any time.
3. Before the commencement of the development, details of the location, design, light spread and intensity of all external lighting for the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter only the approved lighting scheme shall be constructed and it shall be retained.
4. No development shall commence until details of the design and operation of odour and noise control for proposed building including any external ducting have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first used until the approved equipment has been constructed and is fully operational as designed and it shall be retained.

The conclusions and recommendations of report CG/JW/SR/15254/CIEAR are accepted and the recommendations should be adopted.
Tree Officer:
1st response:
The proposed tree removals to facilitate the scheme, include a high value Category B Oak tree located in the northern area of the proposal (T556), the loss of this important ecological feature could not be mitigated for with replacement planting and therefore the plans should be altered to reflect the retention of this specimen. The remaining trees highlighted for removal (G1, G3, 548, 549) could be mitigated for with a submitted landscape proposal. The removal of G1 will have an initial detrimental visual impact, however due to the arboricultural quality of these specimens within the group, proposed replacements within a landscaping scheme will mitigate for this loss.

2nd response:
Following receipt of the revised layout drawing indicating the retention of the mature Oak tree located adjacent to the rail lines (T556) there are no objections to the proposals. Please refer to previous comments relating to other highlighted tree removal. No objections subject to conditions.

Biodiversity Officer:
Any tree with the potential for bats will require the appropriate level of surveying by a suitably qualified ecologist before any works are carried out on it. If bats are found then mitigation will also be required.
External lighting should be designed to avoid light spill onto commuting areas such as hedgerows and canal.

Otters
Recommendations concerning otter should be undertaken as stated and will include:
- An exclusion zone around the bridge
- Works within 10m of the woodland plot in Area 2 should be avoided. If any works are to take place then a full otter survey must first be carried
- The canal must be kept open for otters during works

Reptiles
The pre-cautionary measures should be undertaken as stated.

Nesting birds
All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that any works to trees or hedgerows should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by requesting a method statement for protection / avoidance of nesting birds as a condition – this may include timing of work, pre-work checks, avoiding nesting areas etc,

Habitat
Trees and the hedgerow should be retained where possible. Any landscaping scheme should include locally native and wildlife attracting species.
The habitat creation outlined in the report should be undertaken as stated and will include:
- Grassland buffer strips adjacent to railway line -
- Area 2 should be restored to meadow grassland using appropriate seed mix
Surveys of the Local Wildlife Site should be undertaken and a management plan should be written to enhance the site, taking into account older site records for its flora. A Method Statement detailing the above and including an overall management plan should be provided. A Construction Environmental Management Plan (CEMP) should be prepared and submitted for approval.

**Network Rail:**
There have been 5 responses in total from Network Rail. The most recent is dated 5th June 2018 stating that they had provided comments to the council and to the applicant on the 15/1/16 and 8/3/16 – there are no further comments to add and the comments on these dates still apply.

Response dated 15/01/2016:
Network Rail has received comments on our holding objection with regards to the Wedgwood Level Crossing. The applicant has provided comments that broadly state that they do not believe the development will impact upon the level crossing in the ways Network Rail outlined in our original response. Network Rail are therefore removing the objection but add that we will be monitoring the impact of the proposal on the Wedgwood Level Crossing, and that if Network Rail determines in the future that the proposal is impacting the level crossing then we will undertake any necessary measures to mitigate or eliminate the risk, and that we would seek support in principle from the Local Planning Authority (LPA), Highways, Rights of Way and the development owners for said measures. We would also need to be assured that the LPA, Highways, Rights of Way and site owners would not seek to oppose said measures. Network Rail is required by the Office of Road and Rail Regulation (ORR) to reduce or eliminate risk(s) at level crossings etc from their works to the nearest railway tracks.

We would request a condition is included in the planning consent as follows:

**Condition:**
"Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail."

Response dated 12/04/2016:
If vibro-impact equipment is to be used we would request a condition is added to the planning consent as follows:

"Prior to any vibro-impact works on site, a risk assessment and method statement shall be submitted to the LPA and Network Rail."

"Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail."

"Prior to the commencement of the development details of the marina basin shall be submitted to the Local Planning Authority and Network Rail."
“Prior to occupation of the dwellings the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway. Details of the fencing to be submitted to the LPA and Network Rail.”

“Details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to the Local Planning Authority (in consultation with Network Rail.)

**Lead Local Flood Authority:**
No objections subject to condition

**Inland Waterways:**
No response received

**County Archaeology**
Comments will be available at the meeting

**Stoke-on-Trent City Council:**
No response received

**National Trust:**
No comment response

**Police Crime Prevention Design Advisor:**
In order to prevent crime and reduce the fear of crime on site I recommend reference is made to document “Under Lock and Quay” written by British Waterways and the Metropolitan Police.
I note that the Design and Access Statement makes no mention of permanent moorings being available, boats being hired or repaired on site and that the only boats to have regular occupancy will be the site managers, there are no café or shop facilities leading me to the conclusion that this development is in essence a canal “service station” for persons to re-fuel, use the facilities and visit the Wedgwood Estate or continue their journey through the area by water. Advice given on the following matters:

- Entrances
- Car parking
- Bike storage
- Fuel Bund
- Lighting
- Office illumination
- Roofs and windows
- Perimeter, emergency and interior doors
- WC facilities
- Alarm & CCTV systems
Barlaston Parish Council:
1. There will be a significant environmental impact on the area and significant disturbance of the area if the Marina is built.
2. This will lead to significant movement of vehicles moving soil and sub soil that although on private land will increase traffic issues on the Wedgwood estate.
3. The Council believe that there has not been any public consultation specifically related to this Marina proposal- the discussions held back in 2012/13 related and focused on the housing development and the WWRD factory redevelopment.
4. To date landowners backing onto the proposed site living on Old Road has not been consulted but several local residents will submit objections.
5. The proposed development is in the Greenbelt and a careful consideration of whether this meets the local plan policies is requested. If so then there is a view that a Marina might be beneficial to the area.
6. Within the Stafford Local Plan the Tourism Policy (E6) states, in summary, that "opportunities will be promoted in locations where it can be demonstrated, through a business case, that the use can be sustained in the long term". The Parish Council are concerned that there is no robust business case within the application that demonstrates either current need or long term sustainability. There are already 3 established marinas on a 20 mile stretch of this canal, with a further proposal at Hixon, as well as this proposal by WWRD, and thus the Council feel that "oversupply" is a very real possibility, leading to lack of economic viability. It is felt that a possible "redundant" marina at some stage in the future would be far more damaging to the openness of the Green Belt, than the existing car park and fields.

Trent and Mersey Canal Society:
No objection to the creation along this part of the canal and, in particular, when associated with the Wedgwood Factory and Visitor Centre. However, we do have considerable concerns about the financial credibility of the proposal when the number of possible mooring spaces as shown is extremely optimistic.
The layout showing mooring positions indicates no appreciation of the space needed to manoeuvre as, say, a 50 feet narrow boat (this being the most usual length) - such boats each need as much space, if not more, as perhaps a large articulated lorry. In addition, boats are steered by the back (not front like road vehicles) and pivot in the middle. This basic principle does not seem to be understood by the designers.
The result of a remodelling to a more realistic moorings capacity would show a major reduction on the number suggested and may make the project not viable.

Neighbours
(57 consulted): 2 letters of objection have been received objecting on the following grounds:
Concern raised about access arrangements for construction traffic; use of the canal bridge is unacceptable
Concern about the spoil resulting from the excavations; would cause noise, dust, smells and flies.

2 further letters have been received supporting the proposal;
Ideal site that will help bring life to the area
Opportunity to redevelop a derelict area however issues such as land contamination, timing of site works and road sweeping, traffic routing scheme, light pollution and landscaping and ground maintenance need to be considered.
Site notice expiry date: 11.11.2015

Newsletter advert expiry date: 11.11.2015

Relevant Planning History

No relevant planning history.

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-
   - proposed masterplan Rev K
   - drawing no: 2820-060 Rev A - marina location plans
   - drawing no: 2820-061 Rev A - marina topographical survey
   - drawing no: 2820-062 Rev A - marina topographical survey
   - drawing no: 2820-063 - marina topographical survey
   - drawing no: 2820-66 - facilities building
   - drawing no: 2820-68 - existing services plan
   - drawing no: 2820-69
   - drawing no: 2820-070 Rev A
   - drawing no: 2820/801
   - drawing no: 001 - Swept path analysis
   - proposed landform sections
   - southern fields proposed landform - Rev J

3. No more than 141 boats shall be moored at the marina at any time.

4. There shall be no permanent moorings for residential purposes at any time.

5. No boat shall be occupied or used permanently as tantamount to a dwelling at any time.

6. No above ground construction works shall commence on the facilities building until the marina basin has been excavated, constructed and filled with water to its operational capacity and level.
7. Notwithstanding any details in the application documents and before the commencement of any above ground construction works on the facilities building samples the materials for the external roofs and walls of the facilities building shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, only the approved materials shall be used in the construction of the facilities building unless alternatives have otherwise first been approved in writing by the Local Planning Authority.

8. The development shall not be brought into use unless and until the access, on-site car parking spaces, pedestrian/cycle access, servicing and turning areas have been provided in accordance with the approved plans.

9. Before the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include but not be confined to the following details:
   - The routeing and operational characteristics of construction vehicles to and from the site;
   - Parking facilities for vehicles of site personnel, operatives and visitors;
   - Arrangements for the loading and unloading of plant and materials;
   - Areas of storage for plant and materials used during the construction of the proposed development;
   - Measures to prevent the deposition of deleterious material on the highway during the construction of the proposed development;
   - Traffic Management Proposals for vehicles crossing Wedgewood Drive between construction site and deposit site.

   The Construction Management Plan shall be adhered to for the duration of the construction phase.

10. Before the development is first brought into use details of 'Keep Clear' road markings on Wedgewood Drive at the entrance of the car park and also at the entrance to the staff car park area shall be submitted to and approved in writing by the Local Planning Authority. The approved road markings shall be thereafter be provided before the development is brought into use.

11. No more than 94 berths shall be provided for the mooring of boats within the marina as shown on drawing Masterplan revision K, unless and until the 27 additional off-site car parking spaces shown on drawing Masterplan revision K have been made available in perpetuity for users of the marina. In the event that any of the additional off-site car parking spaces shown on drawing Masterplan revision K become unavailable for users of the marina the number of berths made available for the mooring boats shall be reduced at a ratio of 1.69 berths per car parking space rounded down to the nearest whole number.

12. The development shall implemented in accordance with the Initial Drainage Assessment (Mayer Brown, April 2014) and Southern Fields Proposed Landform Drawing (Rev J) and the following mitigation measures detailed:
   1. The proposed landform shall replicate existing drainage patterns, with surface water draining generally towards the Trent and Mersey Canal
   2. No excavated material shall be deposited within 5m of any existing watercourse.
   3. On completion, the area used for spoil deposition shall be restored to meadow grassland in accordance with the Design and Access Statement.
13. No development shall commence until a scheme for the provision and implementation of a surface water drainage system to serve the development has first been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall include full details of the design and operation of any attenuation and flood storage measures and details of the long-term management and maintenance arrangements for these and any other SUDS elements. The development shall thereafter be carried out in accordance with the approved scheme.

14. The car parking areas shall not be brought into use until detailed arrangements for the installation of oil/fuel interceptors through which all surface water draining from the car parking and other hardstanding areas on the site shall be passed prior to discharge to the drainage system have first been submitted to and approved in writing by the Local Planning Authority. The car parking areas shall not be brought into use until the interceptors have been installed as approved.

15. If during development any contamination not previously identified is found to be present at the site no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until amendments to the mitigation and remediation strategy detailing how this contamination is to be dealt with have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only proceed in accordance with the approved amended strategy.

16. Notwithstanding the provisions of condition 35 no redistribution of material on the southern fields as identified in Drawing "Southern Fields: Landform Sections Rev E" shall take place until a method statement detailing how the works are to be undertaken, including measures to be incorporated to protect existing trees to be retained and to minimise the risk of material being washed into the adjacent Trent & Mersey Canal, either during or after the works, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved method statement.

17. The marina shall not be brought into use until a landscape planting scheme together with a timetable for its implementation and a landscape management plan have first been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall thereafter be implemented in accordance with the approved timetable. Any planting which within a period of 5 years of implementation of the landscaping dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation, and the landscape management plan shall be implemented as approved.
18. No external lighting shall be installed on the site unless and until details of the location, design, light spread and intensity of the external lighting have first been submitted to and approved in writing by the Local Planning Authority. Such details shall also include measures to avoid light spill to bat commuting areas. The external lighting shall thereafter be installed and retained in accordance with the approved details.

19. No works shall commence on the construction of the footbridge over the marina entrance onto the Trent & Mersey Canal until full details of the design, construction and appearance (including any cladding, surfacing materials, colour scheme and parapet/railing design) of the footbridge have first been submitted to and approved in writing by the Local Planning Authority. The footbridge shall thereafter be constructed in accordance with the approved details.

20. A risk assessment and method statement for any vibro-impact works on the site shall be submitted to and approved in writing by the Local Planning Authority prior to any such works commencing on site. The vibro-impact works shall thereafter be carried out in accordance with the approved details.

21. Prior to the commencement of development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

22. Prior to the commencement of development details of the marina basin shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

23. The marina shall not be brought into use until details of a suitable trespass proof fence adjacent to the boundary with the railway have been submitted to and approved in writing by the Local Planning Authority. The marina shall thereafter not be brought into use until the approved trespass proof fence has been installed and shall be retained as such.

24. The marina shall not be brought into use until details of appropriate vehicle safety protection measures along the boundary with the railway have been submitted to and approved in writing with the Local Planning Authority. The marina shall thereafter not be brought into use until the approved vehicle safety protection measures have been provided and shall be retained as such.

25. The development shall be implemented in accordance with the recommendations set out in the preliminary ecology appraisal (dated February 2014) and the updated walkover ecological survey (dated 4th January 2019) which shall also include the provision of six bat boxes to be installed in appropriate locations on retained trees for which details shall be first submitted to and approved in writing by the Local Planning Authority.
26. All construction works including associated deliveries shall only take place between the hours of 08.00 and 18.00 Monday to Friday, 08.00 and 14.00 on Saturdays and not at all on Sundays or bank or public holidays.

27. There shall be no burning on site during development.

28. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as it may be amended, no gates, fences, walls or other means of enclosure shall be constructed without the prior written permission of the Local Planning Authority.

30. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as it may be amended, no machinery, plant or extract points shall be installed on/at the facilities building except in accordance with details to have previously been approved in writing by the Local Planning Authority.

31. The facilities building shall only be used for the purposes shown on drawing 2820-66 revision A.

32. All trees, shrubs, hedges and bushes which are to be retained in accordance with the approved plans and particulars shall be protected in accordance with BS 5837: 2012 "Trees in Relation to design, demolition and construction" recommendations for tree protection. This shall include establishing a Root Protection Area (RPA) around each tree, shrub, hedgerow or bush, in accordance with the recommendations of BS 5837: 2012. All RPAs shall be enclosed by suitable fencing, as specified by BS 5837: 2012 or as agreed in writing with the local authority or, where specifically approved, protected using ground protection measures to the satisfaction of the local planning authority. No works or alterations to existing ground levels or surfaces shall be undertaken within the RPAs without the prior written approval of the local planning authority. No materials, equipment or vehicles are to enter or be stored within the RPAs. No materials that are likely to have an adverse effect on tree health such as oil, bitumen or cement shall be stored or discharged within the RPAs. No fires shall be lit within 20 metres of the trunk of any tree that is to be retained. All tree protection measures shall be agreed in writing with the local planning authority and their installation undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

33. Where the approved plans and particulars indicated that specialized construction work is to take place within the Root Protected Area (RPA) of any retained trees, hedgerows or shrubs, prior to the commencement of any development works, an Arboricultural Method Statement (AMS) detailing how any approved construction works will be carried out shall be submitted and agreed in writing by the local planning authority. The AMS shall include details on when and how the works will take place and be managed and how the trees etc. will be adequately protected during such a process.
34. No development shall commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include but not be confined to the following measures:

the location of the contractors compounds, cabins, material storage areas, visitors and contractors parking; site waste management plan; sales office and a scheme for the management and suppression of mud from construction activities including the provision of vehicle wheel wash facilities. Details of escalation and communication procedures (e.g. site meetings, toolbox talks) between agents, office/site office staff and sub contracting staff regarding details of condition discharge and condition restrictions within any planning approval on the site. The approved CEMP measures shall thereafter be carried out and maintained throughout the construction period of all phases of development.

35. The excavated spoil from the construction of the marina shall be distributed over the site to the south of the marina in accordance with the sections shown in drawing titled "landform sections revision J", unless otherwise first agreed in writing with the Local Planning Authority.

36. Notwithstanding any details within the application documents and before the commencement of development, a Dust Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures within the approved Dust Management Plan shall thereafter be carried out and maintained throughout the duration of the construction period of the development.

The reasons for the Council’s decision to approve the development subject to the above conditions are:

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To define the permission.
4. To define the permission (Policy E7h of The Plan for Stafford Borough).
5. To define the permission (Policy E7h of The Plan for Stafford Borough).
6. The building is only permitted as an ancillary facility to the proposed marina and would be unnecessary if constructed in isolation, and would not be sustainable development (Policy E7b of The Plan for Stafford Borough).
7. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
8. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
9. To safeguard the amenities of the area. (Policy N1 of the Plan for Stafford Borough).

10. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).

11. To ensure the provision of adequate off-street facilities in the interests of the convenience and safety of users of the highway. (Policy T2d of The Plan for Stafford Borough).

12. To maintain existing drainage patterns and rainfall runoff characteristics and prevent the increased risk of flooding. (Policy N2 of the Plan for Stafford Borough).

13. To ensure that surface water from the site is disposed of in a safe and appropriate manner which minimises the risk of flooding to adjoining land. (Policy N2 of the Plan for Stafford Borough).

14. To minimise the risk of contaminated surface water run-off entering the adjacent Trent & Mersey Canal and adversely affecting water quality. (Policy N2 of the Plan for Stafford Borough).

15. To prevent pollution. (Paragraph 178 of the National Planning Policy Framework).

16. To ensure that the redistribution of material is carried out in an appropriate manner which minimises the risk of adversely affecting the setting of the adjacent Trent & Mersey Canal Conservation Area and the risk of adversely affecting water quality in the canal from redistributed material being washed into the canal. (Policies N2 and N9 of the Plan for Stafford Borough).

17. To ensure that any adverse visual impact from the development on the character, appearance and setting of the adjacent Trent & Mersey Canal Conservation Area is minimised. (Policies N8 and N9 of the Plan for Stafford Borough).

18. In order to minimise adverse impacts arising from glare or unnecessary light spillage on local wildlife using the canal corridor and to protect the character and appearance of the adjacent Trent & Mersey Canal Conservation Area. (Policies N8 and N9 Historic Environment of the Plan for Stafford Borough).

19. To ensure that the footbridge is appropriately designed and detailed and thus preserves or enhances the character and appearance of the adjacent Trent & Mersey Canal Conservation Area. (Policies N8 and N9 of the Plan for Stafford Borough).

20. In order to prevent any piling works and vibration from de-stabilising or impacting the railway. (Paragraph 178 of the National Planning Policy Framework).

21. To protect the adjacent railway (paragraph 178 of the National Planning Policy Framework).
22. To protect the adjacent railway from the risk of flooding and pollution (Policy N2 of the Plan for Stafford Borough).

23. To protect the adjacent railway from unauthorised access (Paragraph 127 of the National Planning Policy Framework).

24. In order to prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion. (Paragraph 127 of the National Planning Policy Framework).


26. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

27. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

28. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

29. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

30. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

31. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

32. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development (Policy N4 The Natural Environment & Green Infrastructure)

33. To safeguard and protect the retained natural features that contribute to the amenity of the local area and that are important to the appearance of the development (Policy N4 The Natural Environment & Green Infrastructure)

34. To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).

35. To safeguard the character and appearance of the area (Policy N1h of The Plan for Stafford Borough).

36. To safeguard the occupiers of nearby residential properties from undue nuisance caused by dust. (Policy N1 of the Plan for Stafford Borough).
Informative(s)

1. The Local Planning Authority consider the proposal to be a sustainable form of development and therefore complies with the provisions of the National Planning Policy Framework.

2. The applicants attention is drawn to the comments of Network Rail as submitted in response to consultations on this application. All comments can be viewed online through the planning public access pages of the Council's website at (www.staffordbc.gov.uk)

3. The applicants attention is drawn to the comments of the Canal and River Trust in that the connection of the marina to the adjacent Trent & Mersey Canal will require the prior consent of the Canal & River Trust. Such consent can only be obtained by successfully completing the Trust's New Marinas application process. Please contact Tammy Plant, Business Boating Support, at tammy.plant@canalrivertrust.org.uk or on 01942 405722 for further advice.
Application 18/28423/OUT  Case Officer John Dolman

Date Registered 25 April 2018  Target Decision Date Extended To 25 July 2018

Address Land off Fairway Littleworth Stafford  Ward Forebridge

Proposal Outline planning permission for up to 430 dwellings, local retail units up to 575 sq m of A1/A2/A3 or A5 floor space.

Applicant St Modwen Developments Ltd

Recommendation Approve subject to Section 106 Agreement and subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This is a Large Scale Major planning application and as such it is excluded from the Scheme of Delegation and must be determined by Committee.

This application has also been called in by Councillor C A Baron (Ward Member for Forebridge) for the following reason:-

"Doubts that the area will cope with the extra traffic in an already congested area."

Context

The overall application site extends to approximately 23 ha of land and is bounded by St Leonard’s Avenue/Fairway to the west, the West Coast Main Railway Line (WCMRL) to the south and by open land to the east and north, leading to the River Sow, with housing on Tixall Road beyond.

The site was previously occupied by the company Aviva, who had industrial buildings occupying the central northern section of the site, covering approximately 50% of the overall site area. The northern section of westernmost part of the site fronting St Leonard’s Avenue is open land, with a mature tree screen along the site frontage. This tree screen, which is subject to group protection status within TPO 612 (2017), extends along the whole of the western site boundary. The whole of the eastern section of the site comprises scrubland which had significant tree coverage on what is made-up ground. Much of this area has been cleared over the last 12 months. The southern section of the site comprises poorly drained rough grazing land.

The site is accessed from St Leonard’s Avenue with a single access point in a central position along the western frontage. St Leonard’s Avenue runs due east from Lichfield Road (A34) to a traffic island, just to the west of the site entrance. The access into the site is essentially a short continuation of St Leonard’s Avenue, with the public highway continuing to the north as Fairway parallel to the northern section of the western site boundary.
There is also a long-established track that runs from Fairway north of the site into the northern edge of the site and follows an west-east alignment close to the northern boundary, before taking a north-west to south-east alignment on the eastern part of the site. Within the main part of the site this track is bounded by hedgerows, which in places include significant numbers of trees, most of which are subject to area /group protection in TPO 177 (1994) and TPO 189 (1996).

The current application is for outline planning permission for the construction of up to 430 dwellings, together with an unspecified number of small retail units with a total floor area not exceeding 575 sq m of floor space.

Only details of access have been submitted for approval at this stage, with all other details reserved for subsequent approval. Access details submitted show only a short 15 m long, 7 m wide continuation of the existing carriageways into the site boundary, with a 1 m wide verge and a 3.2/3.5 m wide footway on both sides of the extended carriageway.

An illustrative Development Framework drawing has been submitted with the application. This shows the area for retail units on the western frontage of the site to the south of the proposed access. Housing is proposed on north-western, central and south-eastern sections of the site. The existing grazing land on the southern part of the site is shown as Public Open Space/Ecology Management Area and the easternmost part of the site is also shown as Public Open Space. In addition both the tree belt and an adjoining wedge of land along the western boundary of the site and a wedge of land along the northern boundary are indicated as Existing Retained Trees/Green Infrastructure.

Outline planning permission was granted for a mixed use development including business units, residential development and a small scale retail development on the whole site in March 2010 (09/12207/OUT). Within that scheme it was proposed to construct new business premises for Aveva on the western and central sections of the site, with residential development (maximum of 263 units) on the eastern part of the site. Retail units were proposed in the same area as proposed in the current application. The grazing land on the southern part of the site was identified as potential Public Open Space. This was a hybrid application, with full details of 35,789 sq m of business floorspace submitted at that stage. It was anticipated that Aveva would continue to be based at the site within the new business development.

Reserved matters approval was subsequently granted in December 2015 (15/22735/REM) for the development consisting of 194 dwellings, together with public open space, access, parking and landscaping. This approved scheme related to the eastern part of the site and involved development of the whole of the area identified for residential development in the previous outline application.

At around the same time, in November 2015, reserved matters approval was granted for two retail units (15/22793/REM).

Although at the end of 2015 there were detailed consents for the redevelopment of the site in accordance with the outline consent 09/12207/OUT, Aveva subsequently moved to new premises elsewhere in the Borough.
A further hybrid application was submitted in February 2017 (16/25189/FUL) for residential development on the whole of the area previously designated for business development. The application was in outline for the central section of the site, but with full details submitted for the construction of 85 dwellings on the western section of the site above the access point. Committee resolved to approve this application in June 2017, subject to a Section 106 Agreement and to amended conditions to secure affordable housing, open space, education contributions and a Cannock Chase SAC contribution. The Section 106 Agreement has not yet been completed and consequently a decision has yet to be issued.

The current application was subsequently submitted for the redevelopment of the whole site superseding the two then still extant reserved matters approvals for residential development on the eastern section of the site (15/22735/REM) and for retail development in the south-western corner of the site (15/22793/REM) as well as the more recent application for the central section of the site (16/25189/FUL).

The current application as originally submitted was for the construction of up to 490 dwellings and included the construction of houses on the easternmost part of the site that it is now intended to be given over to Public Open Space. The previous reserved matters approval (15/22735/REM) also included development on this part of the site. Following the submission of this application, however, a Viability Assessment has been submitted for the development and additional site investigations have been undertaken. This has resulted in the applicant acknowledging that the easternmost part of the site is unsuitable for residential development. The current application, therefore, has been amended to reduce the potential maximum number of dwellings that could be accommodated on the site from 490 to 430 units and to designate the area unsuitable for residential development to Public Open Space on the Illustrative Development Framework Plan submitted with the application.

Officer Assessment - Key Considerations

1. Principle of Development: Residential Development

In the Plan for Stafford Borough the majority of future development is to be delivered through the Sustainable Settlement Hierarchy (SP3), which includes Stafford Town, with 70% of the annual target to be in Stafford Town (SP4). The application site and the surrounding area is within the Stafford Urban Area identified in Map 3 Stafford Town Key Diagram (MM25). SP7 states that housing proposals that are consistent with the delivery of the proportions of development intended by SP2, 3 and 4 will be supported within Settlement Boundaries. In Policy Stafford 1 - Stafford Town housing requirements are to be met in part through the development of strategic sites allocated to the north, west and east and also through sites within the urban area of Stafford, which have good accessibility to services and facilities by walking, cycling and public transport.

Although bounded by green Infrastructure to the north and to the east and south, which includes the land designated for open space within the application site, the area proposed for development is a brownfield site, with existing residential development to the west and beyond the Green Infrastructure to the north and south. The site lies only one kilometre to the east of Stafford Town Centre where a full range of services is available including a wide range of public transport links.
The housing element proposed is considered to constitute sustainable development in accordance with the core aims of the NPPF and specifically paragraphs 59 and 68. The Plan for Stafford Borough seeks to provide 500 dwellings per year, with 70% of housing development located in Stafford Town and designated sites around Stafford Town. Consequently, the current proposal is in accordance with Spatial Principles SP1, SP2, SP3, SP4, and SP7 and with Policy Stafford 1 in The Plan for Stafford Borough.

In addition, the principle of redevelopment of all parts of the site scheduled for housing development has been established through permissions 09/12207/OUT and 15/22735/REM and through the resolution to approve application 16/25189/FUL.

Policy N4 in part relates to the Green Infrastructure. This policy requires that the Borough’s green infrastructure network, as defined on the policies map, will be protected, enhanced and expanded. With the removal of the easternmost part of the site from the area scheduled for housing development and the designation of this area as public open space, there is no conflict with Policy N4.

National Planning Policy Framework
Paragraphs 7, 8, 11, 47, 59, 63, 68

The Plan for Stafford Borough
Policies: SP1 Presumption in favour of Sustainable Development, SP2 Stafford Borough Housing & Employment requirements, SP3 Stafford Borough Sustainable Settler hierarchy, SP4 Stafford Borough Housing Growth distribution, SP7 Supporting the Location of New Development, Policies Stafford 1 - Stafford Town, C1 Dwelling Types and Sizes, N4 The Natural Environment & Green Infrastructure

2. Principle of Development: Retail Development

The retail development proposed on part of the site needs to be considered in the context of Policy E8 - Town, Local and Other Centres.

This policy sets out the network and hierarchy of centres across Stafford Borough seeking specific measures including the requirement that new development proposals at Stafford providing greater than 1000 square metres of gross floorspace for town centres uses in an edge or out-of-centre location should be the subject of an impact assessment. Although this is an outline application, consent is being sought for local retail units up to a maximum of 575 sq m A1/A2/A3 or A5 of floor space. This is well under the threshold, above which retail proposals should be the subject of retail impact assessment to assess the impact of such proposals on the vitality and viability of Stafford Town Centre.

It should also be noted that E8 also seeks to support village and neighbourhood shops, outside the hierarchy of Town and Local Centres, but which serve the immediate locality. Apart from existing groups listed, it is also stated that such facilities be supported at Strategic Development Locations (SDL’s) to meet local needs. While the current application site is not an SDL, it is of a scale, in excess of 400 dwellings, where the provision of small scale retail facilities to serve local needs would surely be justified and consistent with this part of Policy E8.
In addition, the principle of the retail development in the south-western corner of the site has been previously been established through permissions 09/12207/OUT and 15/22793/REM.

National Planning Policy Framework
Paragraphs 7, 8, 11, 47, 86, 87, 89, 90

The Plan for Stafford Borough
Policies: Spatial Principle 1 - Presumption in favour of Sustainable Development, Spatial Principle 2 - Stafford Borough Housing & Employment Requirements, Policy E8 Town, Local and Other Centres

3. Design and Amenity

All details apart from means of access into the site have been reserved for subsequent approval.

A Design and Access Statement together with an illustrative Development Framework Plan have been submitted with the application, intended to inform future reserved matters applications, guiding the overall layout of the development, indicating those areas proposed for housing, retail and the public open space/green infrastructure.

It is envisaged that dwellings of various sizes ranging from one bed flats to five bedroom detached houses will be constructed.

Although the scale of development is reserved for subsequent approval, it is pointed out that the residential style of the site surroundings predominantly comprises two-storey dwellings, that Stafford could not be described as a “High Rise” town, with relatively few tall buildings and consequently that a predominantly two-storey residential development would be most appropriate for this site.

Massing Table and Building Heights Plan have been included. This envisages significant amounts of two-storey terraced dwellings predominantly around the outer edges and in the south-eastern section of the site. Two-storey detached and semi-detached units are mainly grouped in the central parts of the site, but with smaller numbers of 2.5 and 3-storey dwellings.

The masterplan defines three character areas: Site Gateway contains the area set aside for local shops and includes the site entrance and reflecting the neighbouring Forebridge area; Countryside Edge, less dense than the adjacent areas, with housing arranged less formally fronting onto the landscaping to the north and open space to the south; and Formal Residential area, the main area of housing in the centre of the site including a smaller area of open space, partially enclosed by built development.

A main west-east roadway is indicated through the centre of the site, with a number of interlinked roadways off. To prevent monotony along the main street, a number of “events” are envisaged along the way. These will take the form of planted spaces, feature trees, key vistas and of differing development form such as defined squares and a crescent. It is claimed that these designed-in differences will ensure an interesting overall feel to the development which would set it apart from other modern housing estates.
Two existing footpaths are identified, the first off Fairway to the north of the main part of the site running along the northern boundary of the site before running south-eastwards between the developed area and the eastern Public Open Space and a second alongside the south-western edge of the site between the suit access and the railway line. It is also proposed to provide a pedestrian loop within the proposed Public Open Space on the eastern section of the site.

The closest neighbouring properties are sited on Queensville Avenue to the south-west of the application site. Rear boundaries of these properties are approximately 100 m from the section of the site proposed for retail development, with the rear elevations of the dwellings a further 20 m from the site. The existing screening on the western boundary of the site would also significantly filter views of retail buildings. Given the separation distances involved, it is not considered that the proposed retail development would result in any loss of privacy, amenity, outlook or daylight to residential properties.

The proposed residential development areas are all a considerable distance from the existing residential properties on Tixall Road and surrounding streets to the north and properties on St Leonards Avenue and Queensville Avenue and surrounding streets to the west. Consequently, there will be no impact on residential amenities of occupiers of existing properties.

The provision of adequate levels of residential amenity for prospective occupiers will be a matter for consideration at the time of submission of reserved matters.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 127, 180

The Plan for Stafford Borough
N1 Design
Supplementary Planning Document (SPD) - Design

4. Drainage

The Site is located predominantly within Flood Zone 1; Flood Zones 2 and 3 are present along all Site boundaries, except the entrance road.

A Flood Risk Assessment has been submitted with the application.

The National Planning Policy Framework requires that a sequential approach is followed to steer new development to areas with the lowest probability of flooding.

The applicants have stated in their Flood Risk Assessment that as the proposed development site has already been deemed to have passed the sequential test under all previous planning approvals, it is considered that this would still be the case for any subsequent applications. The applicants have also pointed out that: the site lies within the defined settlement boundary for Stafford; it is previously developed land: and all proposed development falls within land which has previously been approved for development as part of previous planning applications.
An exception test is required if development is: highly vulnerable and in Flood Zone 2; essential infrastructure in Flood Zone 3a or 3b; or more vulnerable in Flood Zone 3a. As nearly all of the proposed development will be on land within Flood Zone 1 and none of the proposed development falls within the highly vulnerable category, a sequential test is not required in this case.

The Environment Agency has advised that any development permitted should be carried out in accordance with the Flood Risk Assessment submitted with the application and subject to a condition requiring that: there is to be no built development in Flood Zone 3; there is to be no increase in ground levels within the floodplain unless a scheme for floodplain compensation is submitted and approved for any ground raising within the 1 in 100 year plus climate change extent; and finished Floor Levels be set at a minimum of 600 mm above the modelled 1 in 100 year plus climate change flood of the River Sow of 73.87 m AOD, setting the minimum floor level at 74.47m above Ordnance Datum (AOD).

Flood Risk Assessment and The Drainage Strategy submitted has been updated to address the issues raised by the Lead Local Flood Authority. They are now satisfied that the amended document demonstrates that an acceptable Drainage Strategy can be achieved as part of the proposed development.

They have advised that some additional details will be required following detailed design, including modelling of the pipe network and storage structures to demonstrate compliance with the technical standards, details of SuDS for water quality treatment, layout and levels for exceedance flow routing, and arrangements for ongoing maintenance and have recommended that conditions be attached to any planning permission requiring that no phase of development begin until a detailed surface water drainage design has been submitted and approved with the design being in accordance with the overall strategy and key design parameters set out in the Flood Risk Assessment and Drainage Strategy.

The application lies within the Sow and Penk Internal Drainage District, who have pointed out that the application will increase the impermeable area to the site. They have requested that the applicants ensure that any existing or proposed surface water discharge system has adequate capacity for any increase in surface water run-off to the area.

Severn Trent Water have requested that a drainage related condition be applied requiring that drainage plans for the disposal of foul and surface water flows be submitted, approved and be implemented in accordance with the approved details.

Policies and Guidance:-
National Planning Policy Framework
Paragraphs 155, 157, 158, 159, 160, 161, 163, 165

The Plan for Stafford Borough
Policy N2 Climate Change
5. Ground Conditions

A Ground Conditions Report has been submitted with the application. This acknowledges that the site has been subject to various previous contaminative uses. Two historic landfills are identified for the site and previous uses of the site have included a sewage works and most recently an engineering manufacturing facility. Such land uses have the potential to have caused contamination.

In amending the current application following the original submission by reducing the developable area and allocating the easternmost part of the site for public open space, the applicants advised the Council that this followed further detailed intrusive site investigations on this part of the site which concluded that it would not be viable to develop this part of the site for housing.

The Environment Agency has requested condition to ensure the protection of controlled waters. They have requested that a condition be attached requiring that a remediation strategy to deal with the risks associated with contamination be submitted and approved to ensure the protection of the underlying Principle and Secondary Aquifers.

They have also requested a condition requiring the submission and approval of a scheme to treat and remove suspended solids from surface water run-off during construction works. They advise that without this condition, the impact could cause deterioration of a quality element to a lower status class of the Rivers Sow and Penk.

With regard to potential impact on human health, the Environmental Health Officer has advised that the site in general is brownfield and former reports have revealed impacts by contaminants, some of which are mobile in the ground. The investigation analysis and methodology submitted with the application is old (2007) and needs to be refreshed to include areas that have not been possible to investigate in the past (once access allows). He has advised that a new site wide intrusive contamination investigation is required to enable confident remediation of the site particularly of the former landfill in line with the report recommendations and recommends that this be required in a condition attached to any planning consent. Once remediation, where shown to be necessary, has taken place, a verification report should also be required.

Clearly further investigation has been undertaken since this application was originally submitted, resulting in the exclusion of the easternmost part of the site from the proposed developable area. As no additional information relating to land contamination has been submitted as apart of the application, it is considered that the conditions requested by the Environment Agency and by the Environmental Health Officer should be attached to any consent granted.

Policies and Guidance:

National Planning Policy Framework
Paragraphs 178, 179, 180

The Plan for Stafford Borough
Policy N1 Design
6. Access and Parking

Current access to the site is directly off the eastern arm roundabout that connects Fairway (north) and St Leonards Avenue (west). Minor amendments will be made to the access road within the site in order to provide wider footways and grass verges.

Fairway is a single carriageway road with a width of around 7.5m and is subject to a 30 mph speed limit. Double yellow lines are on both sides of the carriageway adjacent to the site access, but there is often on street parking further north towards the Kingston Centre.

Details of access into the site have been submitted for approval at this stage. This involves the use of the access, continuing 15 m into the site, with a carriageway width of 7 m and also with a 1 m wide verge and a 3.2/3.5 m wide footway on both sides of the carriageway.

An emergency vehicle access is to be retained in the location of the existing emergency access to the north of the site.

The highway authority has raised no objections to the proposal subject to a number of conditions including: requiring full layout details with the provision of adequate parking, turning and servicing; road construction details; implementation of improvements to access into the site; the approval and implementation off a Construction Management Plan; the implementation of the Travel Plan submitted; and the approval of full details of and subsequent construction and retention of the emergency access to the site.

Two footpaths / cycle links are shown through the site, although neither is an adopted public right of way. The route through the northern fringe of the site will also serve as an emergency access.

There is also an existing footpath/cycle path running south from a point immediately below the site access along the south-western edge of the site to a railway underbridge and then continuing south through to Baswich. This path runs within the application site alongside the grazing land, although currently separated by a fence line. While this path is part of a National Cycle Route it is not part of a public right of way, a point that Network Rail have been quick to emphasise, with particular reference to the status of the railway underbridge to the south of the site. Nevertheless, it is an established route through the site that features in the Development Framework Plan and is referenced in the Design and Access Statement.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs 102, 103, 108, 109, 110, 111

The Plan for Stafford Borough
Policies: T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B - Car Parking Standards
7. Biodiversity

An Ecological Assessment of the site was undertaken in April 2018, just before the submission of the current application. Survey results are broadly similar to previous ecological assessments of the area undertaken in 2006/7 and 2015/6, though there are some notable differences with badgers.

With regard to protected species, the Council’s Biodiversity Officer has made a number of recommendations.

All trees with bat roosting features should be retained and if any of these trees require works, then surveys and any resultant mitigation should be carried out. He has also recommended that four bat boxes should be correctly installed on retained trees in appropriate locations and that a sensitive lighting scheme should be submitted that avoids light spill on commuting and foraging areas.

He advises that works concerning badgers should be undertaken as recommended in the report. This will include a further walkover survey prior to commencement of works and any further recommendations that result from any new information. The report also lists a number of precautionary measures that should be carried out as stated.

While no Great Crested Newts were found to be present on site, other common amphibian species are present on site and it is recommended that new habitat be created for them.

With regard to nesting birds, all wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. Consequently vegetation clearance works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by attaching a condition to any consent requiring a method statement for protection/avoidance of nesting birds. He has also recommended that a further five nest boxes be installed on retained trees on site. The report recommends the retention and enhancement of new scrapes within wetland areas.

He has, however, expressed some concern that the Development Framework Plan does not convey enough information on the design of the public open spaces from an ecological perspective. He has pointed out that the ecology report makes a number of general recommendations on ecological enhancement, but this lacks a spatial plan or any specific definitions. Further information should be submitted that develops these ideas into a coherent landscape ecological plan.

He has also identified three areas of cleared ground, which should be assessed as being scrub woodland in moderate condition. The Biodiversity Impact Calculator assesses the loss of this land as being equivalent to 41.04 biodiversity units. A full impact assessment, however, cannot be made as there is no specified plan for habitat creation within the public open space, though this area will record a biodiversity loss as parts are developed for play provision. As the NPPF states that a development should result in no net loss of biodiversity, there may be the requirement for an off-site contribution to address this.

Natural England have assessed the proposed development with regard to impact on the Cannock Chase Special Area of Conservation (SAC), the Cannock Chase SSSI and the
Baswich Meadows SSSI. They have no objection to the proposed development subject to appropriate mitigation being secured to safeguard the Baswich Meadows Site of Special Scientific Interest. These will require the applicant to undertake a Construction and Environmental Plan which would detail how run-off will be prevented during the construction period.

This recommendation is supported by the Borough Biodiversity Officer. He has advised that the Construction and Environmental Management Plan must include detail on how the run-off would be prevented (of nutrients, pollutants and sediment) from entering the River Sow during construction and damaging the SSSI and additionally must ensure that all foul water sewage goes to the mains sewage and drainage system and that no surface water reaches the river from the development.

As the site is within the inner 8 km Zone from the Cannock Chase Special Area of Conservation (SAC), in line with the provisions of Policy N6 of The Plan for Stafford Borough a payment of £159.00 per dwelling is required to provide mitigation measures to avoid any adverse effects from increase in usage of the SAC. This is usually secured through a Section 106 Agreement.

In addition there are belts of trees along both the western site boundary, north of the access point along the northern boundary and along the eastern section of the site between the proposed development area and the area designated as public open space, which are covered by existing Tree Preservation Orders. A detailed Arboricultural Report has been submitted with this application. This recognises that the TPO tree group along the western application site boundary (Fairway) and particularly the northern boundary TPO group of black poplar will require a Schedule of Tree Works to be implemented prior to, or during, construction, given the historic lack of regular management to these tree groups.

The Council’s Tree Officer has no objections subject to conditions being attached requiring the submission of a Tree Protection Plan and an Arboricultural Method Statement. In addition, he requires that all measures within the approved Tree Protection Plans and Arboricultural Method Statements shall be implemented and maintained throughout development until completion of all construction related activity and that a comprehensive schedule of works for tree pruning and removal shall be agreed prior to the commencement of any ground works and construction activity.

Policies and Guidance:-
National Planning Policy Framework
Paragraphs 170, 175, 176, 177

The Plan for Stafford Borough
Policy N4 The Natural Environment & Green Infrastructure, N5 Sites of European, National & Local Nature Conservation Importance, N6 Cannock Chase Special Area of Conservation (SAC), N8 Landscape Character
8. **Open Space**

The revised proposals indicate that existing grazing land on the southern part of the site to be Public Open Space/Ecology Management Area and the easternmost part of the site is to be Public Open Space. The tree belt and an adjoining wedge of land along the western boundary of the site and a wedge of land along the northern boundary are also shown on the Illustrative Master Plan as Existing Retained Trees/Green Infrastructure.

The Council’s Sport and Outdoor Leisure Policy Officer has advised that all open space provision should be on onsite.

She has also pointed out that previous applications 09/12207/OUT and 15/22735/REM required open space including the provision of teen facilities, including a MUGA, wheeled sport area and teenage facility and an equipped local play area.

In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the capital contribution required for this development would be £393,696.61 providing a space of 30,868.5 sq m (7.63 acres). She advises, however, that the Council would not be seeking to adopt the open space.

This has been calculated on a cost of open space per dwelling based on an open space requirement per person of 30.81 sq m, resulting in a capital cost of £915.57 per dwelling.

The open space developed should include facilities for all, including equipped children’s play space, casual play/amenity open space and teenage facilities, which in this case should comprise: Multi-Use Games Area (MUGA); a Wheeled sport area that would allow people to do wheeled sport e.g. grind rails, low level ramps; Teen facilities (to the size of 0.03 ha); and an Equipped local play (to the size of 0.05 ha).

She noted that the initial submission as in previous applications identified the southern part of the site as being the main open space area. As in previous cases, she has raised concern in having the open space in this location due to this part of the site being in Flood Zone 3, the unsuitability of the ground conditions and risk of flooding and the land not being integrated within the housing development, lacking any natural surveillance. Additionally she also expressed concern that having the site removed from the housing area, would not allow for maximum use of the area and would not promote social cohesion.

She recommended, therefore, that the open space should be located centrally to the development to ensure maximum use, natural surveillance and social cohesion. She also advised that when designing the open space, minimum distances in regard to wheeled sports area and residential area should be kept in mind.

Consideration as to how it might be possible to integrate the open space and the retail facilities together was also recommended.

She has also recognised the dual use open space can provide in terms of sustainable drainage (SuDS). Whilst it is recognised that SuDS has been identified as being part of the site, she has expressed a keenness to promote the SuDS being a feature of the landscaping of the built form. If the schemes are well designed, it should be possible for SuDS to make a positive contribution to the open space. It should also be possible to design the scheme so that certain elements can be accessed by the public.
Due to the amount of land that cannot be developed, the potential to use this land to enhance/create biodiversity value should also be promoted.

The significance of the revision to the application is that the main area to be allocated for open space will be the easternmost section of the site, rather than the southern section of the site. While this poorly drained southern area, which is also within Flood Zone 3, will still serve some public open space function, it is now indicated that it will also function as an Ecological Management Area. The main area now designated as the main public open space area, however, is within Flood Zone 1.

The Councils Open Space, Sport and Recreation Assessment update has identified a need for an additional 6 ATP pitches required due population increase.

Sport England and the Open Space, Sport and recreation Assessment has also identified a shortfall of 300 sq m of pool space. Consequently, any future developments will further increase the deficiency in swimming capacity.

The current Sport England Facilities calculator has been applied to the proposed development as there will be an impact upon facilities in the local area as residents join local sporting clubs either as adults or through schools and increased usage on swimming pools. The calculator is based upon the population of the new development and how many visits the development will generate at peak times to sport facilities.

This has resulted in a request for the following contributions to the provision pf Sports facilities per dwelling/contribution for 430 units: Sport Courts/Halls - £324 per dwelling, £185,105; Pool £343 per dwelling, £195,899; Artificial Turf Pitches (3G) - £53 per dwelling.

Contributions should be directed towards either the sport facilities to be developed on the North Stafford SDL and/or facilities at Walton High School.

All open space and sports provision/contributions are normally be secured by a Section 106 Agreement to be linked to any planning consent issued.

Policies and Guidance:-
National Planning Policy Framework
Paragraph 96

The Plan for Stafford Borough
Policy C7 Open Space, Sport and Recreation

9. Viability

Having undertaken standard consultations, a number of obligations have been requested to satisfy relevant local plan policies, thereby ensuring that the proposed development would be policy compliant. These obligations are normally secured by a Section 106 Agreement to be linked to any consent granted.

In this specific case the required obligations would include, based on the maximum number of 430 dwellings being constructed: the provision of 129 dwellings as affordable (30% of the total number); education contributions of £2,363,173 (£992,790 primary and £1,370,383 secondary); leisure contributions of £804,959.61 (£393,696.61 open space and £411,263 sports); Cannock Chase SAC mitigation contribution of £68,370: and a Travel Plan monitoring fee of £11,325.
Following the original submission of the application a Viability Assessment was submitted. At the time of submission, the applicants stated that report confirmed the viability challenges resultant from the abnormal costs of the development which are also detailed in the report. It does point to a residual sum which is still available to s106/affordable housing, the precise balance between which we would be keen to discuss with you further to achieve the best and most appropriate balance of mitigation and affordable housing from the development.

The report concluded that the development would be viable with a contribution that would have covered the financial contributions request, with an additional £300,000 available, but without any provision of affordable dwellings. The importance of both affordable housing and financial contributions, however, were acknowledged and it was suggested that a commercially pragmatic Offer Position should be put forward to Stafford Borough Council, recognising both elements to deliver sustainable development and ensure that the project proceeds.

An independent appraisal of the applicants' Viability Assessment has been undertaken by the District Valuation Service. This has basically accepted the conclusions of the assessment and the approach suggested in order to enable the scheme to advance.

The applicants have subsequently advised that it is clear that the development will not be able to support a full policy compliant Section 106 package and affordable housing. In terms of obligations, they believe that primary education provision is a particular priority. They also suggest that public open space could be provided in the location designated in the Development Framework Plan and which has already been accounted for in the development cost plan. They propose:

- Primary school education contribution to be directed to St Leonards Primary School, formula based, but 430 dwellings expected to be circa £1,003,821 (91 primary pupil spaces at £11,031)

- Areas for Public Open Space and Ecology Management to be provided on site as proposed on the Development Framework Plan and to include the provision of a LEAP on the eastern are of public open space to the value of £287,500

- Affordable Housing provision at 10% with a 50/50 tenure split between shared equity and social rent.

They acknowledge that acceptance of these provisions would require secondary education and off-site recreation requirements to be set aside. They state, however, that the proposals have been put forward particularly in respect of the provision of affordable housing, with the applicants taking a significantly greater risk on the development viability and is not such that the consequential development profit that results at this stage is at an acceptable, precedent level. They suggest that the Section 106 should also include a Review Mechanism at 50% of the scheme occupation which would give the opportunity to revisit actual costs and values achieved, ensuring full transparency for both the Council and the applicants.
The relevant consultees been contacted and advised of the situation. To date, the Council’s Health and Housing Manager and Staffordshire County Council Education have indicated that they are satisfied with the revised contributions/obligations.

The leisure contribution would be reduced from £804,959.61 to £287,500. This would involve the loss of the whole of the contribution to off-site spots provision. While it would also entail the loss of a number of the on-site equipped facilities requested, a LEAP would still be provided, with the overall capital committed, comprising 72% of the capital cost of the on-site open space provision requested.

The viability issues also impact on the requests from the Council’s Biodiversity Officer regarding the submission of an ecological management plan and particularly regarding any off-site contribution to off-set loss of biodiversity scrub woodland.

It should be pointed out that a financial contribution of £159 per dwelling is required towards Cannock Chase SAC mitigation measures. This would amount to £68,370 if the maximum number of houses proposed was constructed. This contribution is required by the Habitats Regulations and consequently must be included in any Section 106 Agreement required in this particular case.

While the applicants have made no reference to the Travel Plan monitoring fee requested by the highway authority, as this is such a relatively small amount, it is considered that this obligation should also be included in any subsequent Section 106 Agreement.

In the circumstances, as it has been demonstrated and independently verified that the proposed development would not be viable if all the requested obligations required by policy were to be maintained, it is considered that the development should be accepted with a reduced level of obligations proposed. It is considered appropriate to accept reduced level of contributions offered for leisure and education in order to achieve a minimum level of on-site affordable housing.

Policies and Guidance:-
National Planning Policy Framework
Paragraphs 64, 91, 92, 94, 96, 176

The Plan for Stafford Borough
Policies: C2 Affordable Housing, C7 Open Space, Sport and Recreation, N2 Climate Change, N6 Cannock Chase Special Area of Conservation

10. Conclusion

The proposed development is acceptable in principle being in accordance with relevant Spatial Principles and with Policies Stafford Town 1 and C1 of The Plan for Stafford Borough and will secure the redevelopment of a significant brownfield site. The proposed retail element of the development is consistent with the provisions of Policy E8. There is no conflict with Policies T1 and T2 subject to conditions requested by the highway authority. Flooding and drainage issues and biodiversity can be satisfactorily dealt with by conditions recommended, satisfying the provisions of Policy N2, N4 and N6.
It has been demonstrated that the development of this site would not be viable without a reduction in obligations required and it is considered that the reduced provisions now proposed will secure the satisfactory development of this site, while providing the optimum mix of on-site affordable housing, open space provision and educational contributions, achievable in the circumstances.

Consultations

Highway Authority:
No objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

Before the Proposed work commences details shall be submitted for the written approval of the local planning authority for that part of the development indicating:

- layout of site including disposition of buildings and provision of adequate parking, turning and servicing within the site curtilage;
- means of surface water drainage from all areas intended to remain in private full road construction including longitudinal sections and a satisfactory means of draining roads to an acceptable drainage outfall.

which shall thereafter be implemented in accordance with the approved details.

Before any development commences, and notwithstanding the submitted plans, details of an emergency access to the site, including details of the route through the site shall be submitted to and approved in writing by the local planning authority which shall thereafter be constructed in accordance with the approved drawings and retained for the life of the development.

The development hereby approved shall not be occupied until the improvements to the access to the site as indicated on approved plans have been implemented.

Before construction works of any kind are commenced on site a Construction Management Plan shall be submitted to, and approved in writing by, the local planning authority. The submitted Construction Management Plan shall include the following details:

- The routeing and operational characteristics of construction vehicles to and from the site;
- Parking facilities for vehicles of site personnel, operatives and visitors;
- Arrangements for the loading and unloading of plant and materials;
- Areas of storage for plant and materials used during the construction of the proposed development;
- Measures to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

The Construction Management Plan shall be adhered to for the duration of the construction phase.
The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.

Reasons

In the interest of Highway Safety

To comply with the Plan for Stafford Borough 2014

Informative

This consent will require approval under Section 7 of the Staffordshire Act 1983 and the proposed adoption of the roads will require a Section 38 agreement of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

Section 38 Agreement Manager contact: sharon.daniels@staffordshire.gov.uk Should the details for the emergency access require a new access to the Highway a S184 notice will be required from Network Management.

Note to Planning Officer

This Form is issued on the assumption that the developer enters into a Section 106 Agreement to secure the following: - Travel Plan monitoring fee of £11,325.

Environment Agency:

Flood Risk

The site boundary falls within Flood Zone 3 of the River Sow and River Penk according to our Flood Map for Planning (Rivers and Sea). We have reviewed the Flood Risk Assessment (FRA) by PJA Engineering, ref. R006, dated April 2018.

The proposed development will only meet the requirements of the National Planning Policy Framework (NPPF) if the following measure(s) as detailed in the FRA submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Project Code 02910, Document No. R006, dated April 2018, prepared by PJA Engineering) submitted with this application are implemented and secured by way of a planning condition on any planning permission:

1. There is to be no built development in Flood Zone 3 as detailed in Section 4.1.
2. There is to be no increase in ground levels within the floodplain extent as detailed in Section 4.1, unless a scheme for floodplain compensation is submitted too, and approved in writing by, the local planning authority for any ground raising within the 1 in 100 year plus climate change extent.

3. Finished Floor Levels are to be set at a minimum of 600mm above the modelled 1 in 100 year plus climate change flood of the River Sow of 73.87m AOD. This sets the minimum floor level at 74.47m above Ordnance Datum (AOD) as detailed in Section 4.1.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

To reduce the risk of flooding to the proposed development and future users. To ensure flood risk is not increased elsewhere.

Advice to Applicant

The applicant and all future occupiers should sign up to the Environment Agency’s free flood warning service. The service offers three levels of flood warning and can give the applicant vital time to prepare their property for flooding. Warnings can be received by telephone, fax, text message, pager and email. To sign up call Floodline on 0345 988 1188 or visit www.gov.uk/flood.

Any ground levels raised in the floodplain Floodplain compensation must be provided on a “level for level” and “volume for volume” basis within the red line boundary of the application site for any ground raising in the 1 in 100 year plus climate change flood extent. The compensation area must be hydraulically connected to the watercourse which the site floods from and adhere to the following design principles:

1. The equal (or larger) volume must apply at all levels between the lowest point on the site and the design flood level.
2. This must be calculated by comparing volumes taken by the development and the volume offered by the compensatory storage for a number of horizontal slices through the range defined above.
3. The thickness of a slice must be 0.2 metres.
4. Compensatory storage must be provided equal to or exceeding the development for each of these slices.
5. Details of the floodplain compensation scheme including plans and calculations must be provided as part of the site specific flood risk assessment. The calculations must include the upper and lower levels over which the compensation works will apply, the slice thickness to be used and the location of the works.
6. Any flood compensation works must be completed and in place before development takes place.
Groundwater & Contamination

We have the following comments to make on this application (18/28423/OUT), which relate solely to the protection of controlled waters. Matters relating to human health should be directed to the relevant department of the local authority.

We have reviewed the report 'Land at Fairway, Stafford Phase 1 Desk Study Addendum Report' by PJA Engineering, Project Code 02910, Document No. R005, dated April 2018 submitted in relation to this Planning Application.

Reference to the 1:50,000 scale geological map indicates that the eastern area of the site is located on the Principle Aquifer of the Kidderminster Sandstone Formation. The western area of the site is located on the bedrock of the Mercia Mudstone Formation, designated as a Secondary B Aquifer. Superficial deposits are indicated to be present in the form of glacio-fluvial deposits, designated as a Secondary A aquifer. Several surface water bodies are located in proximity to the site, including the Spittal Brook, River Sow and River Penk.

The information submitted in the above referenced report identifies that the site has been subject to various previous contaminative uses. The presence of two historic landfills are identified for the site. Previous uses of the site include a sewage works and engineering manufacturing facility. Such land uses have the potential to have caused contamination which may currently be impacting 'Controlled Waters' receptors of the groundwater in the underlying Principle and Secondary Aquifers. Furthermore there is potential for re-mobilisation of any contaminants during site development.

Government Policy, as detailed in the National Planning Policy Framework (paragraph 120), states that ‘where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner’. Therefore we recommend that the following planning conditions be attached to any Planning Permission granted to require the applicant to investigate the presence of contamination. The work undertaken to fulfil these (or any similar planning conditions that may be used) should focus on the potential impact on ‘Controlled Waters’ receptors.

We consider that planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on the PJA Engineering Desk Study Addendum Report (April 2018) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons

To ensure the protection of the underlying Principle and Secondary Aquifers.

The request for this condition is based on the potential for contamination to be present on the site as indicated by the preliminary risk assessment included within the aforementioned report. Any contamination present has the potential to impact on the ‘Controlled Waters’ receptors of groundwater in the underlying Principle and Secondary Aquifers identified in the preliminary risk assessment. Consequently the extent of any contamination and significance to these receptors should be assessed to determine the need for remedial actions.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Advice to Applicant

We recommend that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency document ‘Guiding principles for land contamination’ for the type of information that we required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

Refer to our website at www.gov.uk/environment-agency for more information

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:
- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The Environmental regulations page on GOV.UK.

Contaminated soil that is, or must be, disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12 month period the developer will need to register with us as a hazardous waste producer. Refer to the Hazardous Waste pages on GOV.UK for more information.

Pollution Prevention

Paragraph 109 of the NPPF recognises we must achieve net gains in biodiversity, conserve and enhance the natural environment and reduce pollution. It identifies River Basin Management Plans (RBMPs) as a source of evidence for the water environment paragraph 165). RBMPs are the local delivery driver for the Water Framework Directive WFD). Regulation 17 of the Water Environment (WFD)(E&W) Regulations 2003 places a duty on each public body including Local Planning Authorities to ‘have regards to’ River Basin Management Plans, including assessing the risk of failing to improve water bodies when opportunities arise.

The WFD 2016 classification year categorised waterbody ID GB104028046790 (Sow - Doxey Bk to R Penk) and GB104028047121 (Penk - Whiston Bk to R Sow) as being currently at Poor Ecological Potential. We have responsibility to prevent the deterioration of rivers and under the WFD there is a requirement for all waterbodies to meet ‘Good Ecological Status or Potential’ by 2027.
The proposed development will be acceptable if the following measure(s) are implemented and secured by way of a planning condition on any planning permission. Without this condition, the impact could cause deterioration of a quality element to a lower status class of the Rivers Sow and Penk.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason

The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies.

Advice to Applicant


In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one direction, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at http://www.netregs-swmp.co.uk

Traditional drainage by surface sewers cause run-off to be directed away from the site and Sustainable Drainage Systems features can contribute to recharging local groundwater reserves using such features as:

- Porous Pavements. Paved surfaces that allow water to pass through into the ground.
- Swales. Strips of vegetation in urban areas that allow rainwater to seep into the ground.
- Storage Basins and Ponds.
- Infiltration Devices. Soakaways and infiltration basins that enhance the natural capacity of the ground to store and drain water.

Sustainable Drainage Systems and treatment systems to improve water quality and minimise surface water runoff should be designed using DEFRA’s ‘National Standards for Sustainable Drainage Systems’ guidance.
Any landscaping as part of the development should incorporate planting during autumn or spring to encourage deep rooting. Dry weather tolerant plant species should be chosen and water retaining granules or mulches used.

Water Resources

We recommend the installation of fittings that will minimise water usage such as low or dual flush WC’s, spray taps and economical shower-heads in the bathrooms. Power showers are not recommended as they can consume more water than an average bath. Water efficient versions of appliances such as washing machines and dishwashers are also recommended. In the gardens, water butts should be installed to provide a natural supply of water for plants.

Lead Local Flood Authority:

Flood Risk

The majority of the site is within Flood Zone 1, but parts of the site and surrounding land fall within Flood Zone 3 from the River Sow and associated Drains. The Environment Agency should be consulted on the fluvial flood risk to the site.

The Surface Water Flood Map shows minor potential ponding that would be rationalised through development.

Drainage Strategy

Following our previous response, the Drainage Strategy and Flood Risk Assessment has been updated to address the issues raised. The amended document (PJA Engineering Project Code: 02910, Document Number: R006, Version C, 17 July 2018) demonstrates that an acceptable Drainage Strategy can be achieved as part of the proposed development.

The proposed Sustainable Drainage Strategy includes proposed discharge rates and attenuation volumes for each sub-catchment and outlines the SuDS components required to provide the necessary water quality treatment. Open detention basins will provide the necessary attenuation in all but one sub-catchment. Details of the proposed SuDS Management Train for each sub-catchment will be required at the detailed design stage. This should be demonstrated using methods set out in the CIRIA SuDS Manual.

Some additional details will be required following detailed design, including modelling of the pipe network and storage structures to demonstrate compliance with the technical standards, details of SuDS for water quality treatment, layout and levels for exceedance flow routing, and arrangements for ongoing maintenance.

We would recommend that the following conditions should be attached to any planning permission.
Condition

No phase of development shall begin until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The design must be in accordance with the overall strategy and key design parameters set out in the Flood Risk Assessment and Drainage Strategy (PJA Engineering Project Code: 02910, Document Number: R006, Version C, 17 July 2018).

The design must demonstrate:

- Surface water drainage system(s) designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).

- SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual 2015), to include suitably designed online detention basins and permeable paving where required.

- Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain storm to the rates specified in FRA section 5.2, to ensure that there will be no increase in flood risk downstream.

- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Site layout and levels should provide safe exceedance routes and adequate access for maintenance.

- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.
**Severn Trent Water:**

Request a drainage related condition be applied.

**Condition:**

The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

**Reason:**

This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

**Sow and Penk Internal Drainage District:**

The application lies within the IDB (extended) district and indicates that:

The application will increase the impermeable area to the site. Therefore, the applicant should ensure that any existing or proposed surface water discharge system has adequate capacity for any increase in surface water run-off to the area.

If the surface water were to be disposed of via a soakaway system, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

If surface water is to be directed to a mains sewer system the IDB would again have no objection in principle, providing that the Water Authority are satisfied that the existing system will accept this additional flow.

If the surface water is to be discharged to any watercourse within the Drainage District, Consent from the IDB would be required in addition to planning permission, and would be restricted to 1.4 litres per second per hectare or greenfield runoff.

No obstructions within 9 metres of the edge of a watercourse are permitted without Consent from the IDB.

Should consent be required from the IDB as described above then we would advise that this should be made a condition of any planning decision. Any surface water discharge into any watercourses in, on, under or near the site requires consent from the Drainage Board.
County Education:
I would advise that the above planning application would result in an education contribution of £2,363,173 (index linked) to be sought from the developer to mitigate the impact on education from the development.

The response is based on the information contained within the planning application and should the number and/or mix of dwellings change we would wish to be consulted so that a revised contribution can be calculated.

In determining that this level of contribution is necessary and in accordance with CIL legislation, the requested education contribution is deemed to be:

(a) necessary to make the development acceptable in planning terms;
(b) directly related to the development; and
(c) fairly and reasonably related in scale and kind to the development.

The majority of Staffordshire schools include residence in the school’s catchment area as a high priority within their admission arrangements. Even where this is not the case schools still give high priority to children who live in the local area. This is taken into consideration when assessing the impact of a housing development on local school places.

Based on the location of the proposed development we have considered the impact on school places at St Leonards Primary and The Weston Road Academy.

To understand the impact of this development on education infrastructure analysis has been undertaken using:

- Pupil Number on Roll;
- Net capacity/funding agreement of the schools;
- Pupil projections which include committed developments

As the data analysed can change over time we would wish to be consulted on any further changes to the application for this site.

In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that 430 dwellings would require 90 primary school places and that 327 dwellings would require 49 secondary places. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group, using 7, year groups for primary places and 5 for secondary places. 103 RSL dwellings have been deducted in line with our Education Planning Obligations Policy from the secondary calculation and is based on the development providing 30% affordable homes with an 80/20 split between RSL and intermediate dwellings.

There are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at both primary and secondary phases of education.

It is proposed that the primary education contribution from this development will be used towards an early years and reception facility on the existing but separate St Leonards school playing field land. The proposal would free up capacity in the main school building allowing for the mitigation of the development for all primary aged year groups and based on the cost multipliers used prior to April 2019, would be £992,790, the indicative cost of the proposal is £1,112,000.
It is proposed that the secondary education contribution from this development will be used towards the provision of additional secondary school places in Stafford and would be directed towards the proposed new secondary school.

The primary school education contribution has been calculated as follows:
Cost multiplier £11,031 x 90 = £992,790

The secondary school education contribution has been calculated as follows:
Cost multiplier £27,967 x 49 = £1,370,383.

Please note that we reserve the right to amend the use and the amount of the requested education contributions should circumstances materially change from this analysis to the point that the use(s) of the education contributions are finalised within the S106 Agreement.

Based on an agreed set of standard triggers the size of this development will necessitate payment of the education contribution at the following point(s):

• 30% on commencement of the development;
• 30% on commencement of 30% of the dwellings to be provided on the development site;
• 40% on commencement of 60% of the dwellings to be provided on the development site.

**Health and Housing Manager:**

**Affordable Housing Policy**

Policy C2 in the Plan for Stafford Borough states that developments of 12 or more dwellings within Stafford, Hixon, Great Haywood, Little Haywood, Haughton and Weston must deliver 30% affordable housing.

Policy C2 in the Plan for Stafford Borough states that developments of 12 or more dwellings within Stone, Eccleshall, Gnosall, Woodseaves, Barlaston, Tittensor and Yarnfield must deliver 40% affordable housing.

Other areas of the borough are expected to deliver 30% affordable housing in developments of 10 or more dwellings.

This development of 430 dwellings is therefore required to deliver 30% affordable housing, which equates to 129 affordable homes.

**Housing Need and Type**

The Strategic Housing Market Assessment completed in October 2012 suggests that Stafford Borough has an annual affordable housing shortfall of 210 dwellings.

The Strategic Housing Market Assessment identified an annual shortfall in general needs accommodation of approximately 154 units and a shortfall of 55 for older person’s accommodation.
This development will help to reduce the housing shortfall.

Housing Tenure

Council Policy suggests that affordable housing should be provided at a ratio of 80% social rent and 20% intermediate affordable housing.

The affordable element of this development should therefore deliver 104 social rented homes and 25 intermediate affordable housing.

Housing Size and Standards

The Strategic Housing Market Assessment identifies an undersupply of 1 and 2 bedroom homes and an oversupply of 3 bedroom homes. A mix of these required properties would be expected on site.

Affordable housing must at least meet the standards recommended by Homes England in terms of size (floor area) and rent level as well as other factors, which affect the work of Registered Providers.

It is recommended that sites not only provide a mix of bedroom numbers but also a mix of property sizes, able to accommodate more than the minimum persons. For example, some 2 bed homes may be expected to accommodate 4+ occupants rather than the minimum of 2.

It is preferred that any 1 bedroom accommodation contain a minimum of 3 habitable rooms, particularly in units designed for older people that are not part of flexi-care style scheme.

Where a 2 or more bedroom affordable home is intended for rent, it is recommended that this is not delivered as part of flat/apartment units. These is because such properties are unaffordable for single people or couples on benefits and are not favoured by Registered Providers as being the best environment for families with young children.

On large developments with a mix of affordable and open market housing, it is expected that the affordable housing be spread across the development in clusters of roughly 15 units to allow for easy management by Registered Providers. The look of the affordable properties should be indistinguishable from the open market housing on the site.

The affordable housing on this development should provide a mix of properties to meet the identified needs of residents and must meet the identified design standards.

Sport and Outdoor Leisure Policy Officer (original consultation):
Sports pitch provision and built associated facilities within the area fall short of national standards as identified within the Open Space, Sport and Recreation Facilities Strategy 2009 Assessment and are in need of refurbishment to address significant quality deficiencies. This has been supported by the draft revised 2013 assessment and the Sport and Recreation Investment Strategy 2017.
The National Planning Policy Framework, (NPPF) supports the Council current policy by ensuring that all developments are designed to be sustainable both now and in the future. Paragraph 7 states that sustainable developments must support health, social and cultural well-being and contribute to protecting and enhancing the natural environment.

Paragraph 69 states planning policies should promote accessible developments with high quality public open space, which encourage the active and continual use of public areas.

Paragraph 70 requires planning policies and decisions to plan positively for the provision and use of shared space, community facilities, (such as meeting places and sports venues), to enhance the sustainability of communities and residential environments.

The Council’s policy reflects this by ensuring that new developments contribute to enhancing or providing green space.

Contributions towards open space:

Due to the size of this development the Council is reasonably entitled to request a quantitative provision of 30.81m² per person of open space provision under its current policy. Given the outline nature of the development it is not possible at this stage to provide a full break down in terms of capital investment nor the area of POS required as part of this proposal.

All open space provision should be on onsite.

Previous applications 09/12207/OUT and 15/22735/REM required open space including the provision of teen facilities, including a MUGA, wheeled sport area and teenage facility and an equipped local play area.

In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the capital contribution required for this development would be £448,631.02 providing a space of 35175.8 sq m (8.69 acres). Stafford Borough would not be seeking to adopt the open space and therefore a calculation for maintenance costs has not been provided.

In order for developers to calculate the open space requirements, the cost of open space per dwelling is based on an open space requirement per person of 30.81 sq m: capital cost - £915.57; onsite maintenance - £1,705.60; and offsite maintenance - £119.06.

Like previous applications the open space developed should include facilities for all, including equipped children’s play space, casual play/amenity open space and teenage facilities.

We consider that this application needs to the following:

- MUGA;
- Wheeled sport area - this does not need to be to the scale of Victoria Park but something that would allow people to do wheeled sport e.g. grind rails, low level ramps;
- Teen facilities (to the size of 0.03 ha);
- Equipped local play (to the size of 0.05 ha).
Like the previous applications the open space has been identified as being in the south of the site. As raised in previous responses concern is raised in having the open space in this location due to the site being in Flood Zone 3 and the unsuitability of the ground conditions and risk of flooding, not being integrated within the housing development and therefore not having any natural surveillance. Additionally having the site removed from the housing the development does not allow for maximum use and does not promote social cohesion.

Therefore the location of the open space should be located centrally to the development to ensure maximum use, natural surveillance and social cohesion. When designing the open space minimum distances in regard to wheeled sports area and residential area need to be kept in mind.

Consideration on how it may be possible to integrate the open space and the retail facilities together is also recommended.

It is also important to recognise the dual use open space can provide in terms of SuDS. Whilst we recognise that SuDS has been identified as being part of the site, we are keen to promote the SuDS being a feature of the landscaping of the built form. We consider if the schemes are designed well it is is possible for SuDS to make a positive contribution to the open space. It is also possible to design the scheme so that certain elements can be accessed by the public.

Due to the amount of land that is unable to be developed we are keen to promote this land to be used to enhance/create biodiversity value.

Sports Provision

The Councils Open Space, Sport and Recreation Assessment update identifies that there will be a need for an additional 6 ATP pitches required due to an increase in the population of the borough and demand.

Sport England and the Open Space, Sport and recreation Assessment identifies there is currently as shortfall of 300 sq m of pool space and that that Stafford Leisure Centre is currently operating at capacity along with Alleyne’s. Any future developments will further increase the deficiency in swimming capacity.

We have applied the current Sport England Facilities calculator to the proposed development as there will be an impact upon facilities in the local area as residents join local sporting clubs either as adults or through schools and increased usage on swimming pools. The calculator is based upon the population of the new development and how many visits the development will generate at peak times to sport facilities.

Sports Contributions per property

Per dwelling (based on 2.33 occupation) contribution for 490 units: Sport Courts/Halls - £319 per dwelling, £182,078; Pool £344 per dwelling, £196,342; Artificial Turf Pitches (3G) - £48 per dwelling, £27,131. Total - £405,551
Contributions should be directed towards either the sport facilities to be developed on the North Stafford SDL and/or facilities at Walton High School.

Total Contributions (amount for 430 units)
Open Space £448,631.02: Sport Facilities £405,551; Total £854,182.02

Adoption of footpaths and cycle ways and associated lighting.

Sport and Outdoor Leisure will not be seeking the adoption of any footpath or cycle way and associated infrastructure including lighting as part of this development. These paths should be adopted by the County Council who are the Highways authority for the Borough.

Flood Attenuation/Sustainable Drainage Systems.

Stafford Borough Council will not adopt any land forming part of a flood attenuation scheme as a result the Council will not be seeking adoption of any of the open space upon site and alternative management methods must be secured. This should be discussed with Severn Trent Water as we are aware they will be unlikely to adopt the drainage system on the development site.

Site planting.

All trees should be native to the UK. Sycamore should not be planted under any circumstances.

Where trees are planted adjacent to footpaths or hard standing, trees should be planted in tree pits and liner pavement protection should be installed.

Sport and Outdoor Leisure Policy Officer (revised figures following amendment):
In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the capital contribution required for this development would be £393,696.61 providing a space of 30,868.5 sq m (7.63 acres). She advises, however, that the Council would not be seeking to adopt the open space.

Sports Contributions per property
Per dwelling (based on 2.33 occupation) contribution for 430 units: Sport Courts/Halls - £324 per dwelling, £185,105; Pool £343 per dwelling, £195,899; Artificial Turf Pitches (3G) - £53 per dwelling, £30,259. Total - £411,263

Total Contributions (amount for 430 units)
Open Space £393,696.01: Sport Facilities £411,263; Total £804,959.61

Environmental Health Officer (Noise and Vibration):
No objection is made to this application subject to the following conditions made in order to safeguard nearby residential occupiers from undue disturbance during development:
No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison arrangements for liaison with the Council’s Pollution Control Team;
- All works, including demolition, site works and construction shall only take place between the hours of 08.00 am and 18.00 Monday to Friday; 08.00 to 14.00 Saturdays and not at all on Sundays or bank holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- There should be no burning on site during development;
- Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust;
- Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust;
- Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings;
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

If piling work is proposed for the construction phase, in order to demonstrate the use of best practicable means, there must be sufficient justification for the use of driven piles over other piling methods.

Further comments shall be made at reserved matters stage.

**Environmental Health Officer (Ground Contamination):**
The site in general is brownfield and former reports have revealed impacts by contaminants, some of which (TCE) are mobile in the ground. The existing investigation analysis and methodology is old (2007) and needs to be refreshed to include areas that have not been possible to investigate in the past (once access allows). A new site wide intrusive contamination investigation is required to enable confident remediation of the site particularly of the former landfill in line with the report recommendations below - a planning condition to require this is required. Once remediation (where shown to be necessary) has taken place, a verification report is required by planning condition.
Design Advisor:
Apart from the removal of new development from the easternmost parcel of this site (which reduces the overall number of units by approximately 60), the remainder of the proposed layout (as illustrated on the “Development Framework” plan within the Design & Access Statement), is identical to the “Development Framework” associated with the previously approved scheme and so this proposal would appear to have no impact on the design of the remaining development and so I have no comment to make in relation to design matters.

However, given that this application is based upon all matters relating to design being reserved for future applications, the information within the Design & Access Statement relating to design is essentially valueless as all design aspects of any future reserved matters applications will be subject to fresh assessment and negotiation. We therefore have no certainty at this time as to the quality and character of development that will come forward in the future.

My own view is that Outline applications should provide sufficient information relating to design matters to impart a sense of what the spaces and buildings will be like and what the intended quality standards for urban, landscape and architectural design will be.

County Rights of Way:
The County Council’s Definitive Map of Public Rights of Way shows that no public rights of way cross the application site.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Ramblers Association:
I note that a public footpath runs just outside of the development area and from the information given the path is not affected.

County Archaeologist:
The application is supported by a historic environment desk-based assessment (HEDBA), which represents a review of an earlier HEDBA completed to support application 09/12207/OUT in 2009. The 2018 HEDBA provides an assessment of the archaeological potential across the site set against the likely impact from development (Figure A in the report). This assessment in supported in part by the results of an archaeological watching brief on Site Investigation works to the east of the current buildings which suggested a degree of disturbance from development in the mid-20th century. I would support the supposition that archaeological remains are unlikely to have survived the development of the current buildings and which is marked as ‘Known or Likely Disturbance’ on Figure A. I further agree with the conclusions of the report which identify the need for further archaeological investigation to be undertaken to fully understand the presence, nature, extent and significance of any surviving archaeological remains in the areas identified in
Figure A classified as ‘Unlikely Disturbance - to be developed’ and ‘Likely Disturbance’. I support the proposal to undertake further archaeological monitoring of enabling works including any further site investigation works particularly within the areas of ‘Known or Likely Disturbance’ and ‘Likely Disturbance’.

The archaeological monitoring of enabling works will not preclude the need for archaeological evaluation in the form of trial trenching in the areas of ‘Unlikely Disturbance – to be developed’ and ‘Likely Disturbance’. Trial trenching may also be required within the area of ‘Unlikely Disturbance - To remain undeveloped’ where any alterations during the design process for the scheme may result in development within this area. The need for evaluation or other archaeological investigation in this area should be agreed in discussion with the developer’s archaeological consultant. I would, however, advise that we would usually require at least a 4% sample for the trial trenching plus contingency trenching to enable further investigation should significant remains be encountered.

The approach to archaeological mitigation set out above is supported by NPPF paragraph 128, while any works which stem from the evaluation area supported by paragraph 141. All archaeological works must be undertaken by an appropriately experienced archaeological organisation (with suitably qualified personnel) working to the requirements of a brief prepared by this office, the Chartered Institute for Archaeologists (CIfA) Code of Conduct and the CIfA’Standard and guidance for an archaeological evaluation’ (2014).

This archaeological evaluation would be most satisfactorily secured via a condition attached to any planning permission granted for the scheme. This condition should read:

A. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation (‘the Scheme’) shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication.

B. The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A).

C. The development shall not be occupied until the site investigation and post-excitation assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

The Written Scheme of Investigation (WSI) identified in the condition above should consider any archaeological monitoring during the enabling works as well as the trial trenching. Any subsequent archaeological mitigation which may be required must be the focus of a separate WSI produced after the evaluation stage and following detailed discussions with the LPA’s archaeological advisor.
Biodiversity Officer:

Protected Species
Ecology Solutions undertook an Ecological Assessment of the site in April 2018. Survey results are broadly similar to previous ecological assessments of the area undertaken in 2006/7 and 2015/6, though there are some notable differences with badgers.

Bats
All trees with bat roosting features should be retained. If any of these trees require works then surveys and any resultant mitigation should be carried out.
One building (B23) was identified as having potential for bats and will require surveying at the appropriate time of year, (May - August).

Four Schwegler 2FN bat boxes should be correctly installed on retained trees in appropriate locations.

A sensitive lighting scheme should be submitted that avoids light spill on commuting and foraging areas.

Badgers
Works concerning badgers should be undertaken as recommended in the report. This will include a further walkover survey prior to commencement of works and any further recommendations that result from any new information.
The report also lists a number of precautionary measures that should be carried out as stated.

Nesting birds
All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that vegetation clearance works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by requesting a method statement for protection / avoidance of nesting birds as a condition - this may include timing of work, pre-work checks, avoiding nesting areas etc,

It is recommended that a further five Schwegler nest boxes be installed on a retained trees on site.

The report recommends the retention and enhancement of new scrapes within wetland areas.

Amphibians
No Great Crested Newts were found to be present on site. However there are other common amphibian species on site and it is recommended that new habitat be created for them.
Habitats
The Development Framework Plan does not convey enough information on the design of the public open spaces from an ecological perspective. The ecology report makes a number of general recommendations on ecological enhancement (paras 5.2.30 to 34) however this lacks a spatial plan or any specific definitions. Further information should be submitted that develops these ideas into a coherent landscape ecological plan.

Biodiversity Metric
The three areas of cleared ground, as indicated in Plan EC02, are assessed as being scrub woodland in moderate condition. The Biodiversity Impact Calculator assesses the loss of this land as being equivalent to 41.04 biodiversity units.

A full impact assessment cannot currently be made as there is no specified plan for habitat creation within the public open space, though this area will record a biodiversity loss as parts are developed for play provision.

The NPPF states that a development should result in no net loss of biodiversity, therefore there may be the requirement for an off-site contribution to address this.

Additional Comments
In light of Natural England’s comments in regard to Baswich Meadows SSSI, 07/02/19, a Construction and Environmental Management Plan must be prepared that includes detail on how the developer would prevent run-off (of nutrients, pollutants and sediment) entering the River Sow during construction and damaging the SSSI.
Additionally, the developer must ensure that all foul water sewage goes to the mains sewage and drainage system and that no surface water reaches the river from the development.

Natural England:
No objection - subject to appropriate mitigation being secured
We consider that without appropriate mitigation the application would damage or destroy the interest features for which Baswich Meadows Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required/or the following mitigation options should be secured: The developer undertakes a Construction and Environmental Plan which would detail how the developer would prevent run-off during the construction period.
We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Baswich Meadows SSSI - Further advice on mitigation

Set out further detail on what the condition/obligation needs to cover.

- The Construction and Environmental Plan should address how mitigation will be put in place to avoid nutrients, pollutants and sediment entering and damaging the SSSI via the hydrological link with the River Sow;
- The developer should ensure that no surface water reaches the River Sow and all foul water sewage goes to the mains sewage and drainage system.

Cannock Chase Special Area of Conservation (SAC) - No Objection.
The application site is within close proximity of the Cannock Chase Special Area of Conservation (SAC) which is a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2017, as amended (the ‘Habitats Regulations’). The SAC is notified at a national level as the Cannock Chase Site of Special Scientific Interest (SSSI). Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Natural England notes that your authority, as competent authority under the provisions of the Habitats Regulations, has undertaken an Appropriate Assessment of the proposal, in accordance with Regulation 63 of the Regulations. Natural England is a statutory consultee on the Appropriate Assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any permission given.

Cannock Chase SSSI - No objection

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

Tree Officer:
Having reviewed the submitted application and supporting material I can confirm that I have no objections.

As this is a basic Outline consent application I reserve the right to raise issues and objections at the reserved matters stage when details regarding layout, design and landscaping are submitted.
In the meantime I would ask that the following conditions are attached:

**Tree Protection Plan:**

A Tree Retention and Protection Plan showing all trees and tree groups which are classified as category A2, B2 and C2 in the Landscape Science Consultancy Survey (ref. M77.15e) as retained; and which is compliant with BS5837:2012 ‘Trees in relation to design, demolition and construction - Recommendations’; shall be submitted and agreed in writing with the local planning authority prior to the commencement of any demolition, ground works and construction activity, including the delivery to site of any materials or equipment.

**Arboricultural Method Statement:**

An Arboricultural Method Statement covering all aspects of development that are within the root protection areas of retained trees, or that have the potential to result in damage to those retained trees; shall be agreed in writing with the local planning authority prior to the commencement of any demolition, ground works and construction activity, including the delivery to site of any materials or equipment.

**Tree Protection:**

All measures within the approved Tree Protection Plans and Arboricultural Method Statements shall be implemented and maintained throughout development until completion of all construction related activity, unless agreed in writing with the local planning authority.

**Tree Pruning/Removal:**

A comprehensive schedule of works for tree pruning and removal shall be agreed in writing with the Local Planning Authority prior to the commencement of any demolition, ground works and construction activity, including the delivery to site of any materials or equipment. Thereafter no tree removals or pruning of any kind shall be carried out except as prescribed in the approved schedule of works, unless agreed in writing with the local planning authority.

**Staffordshire Badger Conservation Group:**
No response (consulted 03.05.2018)

**Network Rail:**

The applicant has stated that the underpass is an existing footpath link - it is a property (MAP) lease STA09801.

The underbridge is a private accommodation underbridge with a private right of way running through it that was created on 24 August 1961 when land north of the railway was sold to English Electric. That right of way was reserved to allow for continued access to the Pumping station over the land sold.
There is a national cycle route running across this way and under the Bridge (Cycleway No 5).

Having checked Staffs CC online Definitive Map for public rights of way we can confirm that no public right of way runs through this underbridge

The Transport Assessment states: “4.3.1 Consistent with the previous Transport Assessment, the site is a suitable and sustainable location for residential development in that: National Cycle Network 5 routes directly from the site, with a continuous traffic free foot/cycleway providing directly into Stafford Town Centre.

I have attached the Licence between Sustrans and Railtrack (and their successors in title) dated 08 November 2001.

The notice period to terminate this Licence is covered in 6.1 - the notice period is 6 months and has to comply with the requirements for service of that notice as set out in Clause 7. We would refer you to 4.4 which confirms that Railtrack does not bestow any public rights of way over this cycle way.

Health and Safety Executive:
Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Cadent:
I return our drawing indicating the approximate location of the WM1216 Cadent Gas High Pressure Pipeline. This pipeline is part of the transportation system and operates at a Pressure of; 14 bar is laid subject to easements and is cathodically protected by an impressed current system.

The Institute of Gas Engineers Standards (IGE/TD/1), states that no habitable buildings be constructed within 14 metres Building Proximity Distance of the proven pipeline position and with an approximate standard easement width of 12.2 metres furthermore, we strongly advise that you seek guidance from the Health and Safety Executive who may specify a greater distance than we require and the land use planning document, (PADHI).

NB. Any road crossings or parking areas over the pipeline will need protection to National Grid specification and at the developers cost.
I enclose a copy of the Cadent Gas Engineering Standard T/SP/SSW22 “Code of Practice for Safe Working on the Vicinity of the Pipelines”. All works carried out in the vicinity of the pipeline are to conform to this standard; in particular no mechanical excavation is to be carried out within 3 metres of the pipeline (Ref Section 9.2).

Before your works start we shall be pleased if you will contact this office to arrange a site meeting to trace our pipeline and agree the method of working in the vicinity of the pipeline. We require a minimum of 7 workings days' notice.

Our response relates to Cadent Gas Apparatus only, there may be other Public Gas Transportation Companies operating within the area. Information of other transporters can be obtained via Ofgem Telephone Number 0845 9060708.
Neighbours original consultation (294 notified):
8 responses from 7 properties: Material planning considerations summarised below:
- Numbers of houses proposed will result in excessive traffic on adjoining roads, particularly Queensville Avenue;
- Already experiencing high volume of traffic on Queensville Avenue;
- Elderly residents and young children at risk from increased traffic;
- Concern over the increased traffic down Fairway and St Leonards Avenue, not only from the large housing estate proposed but also linked to the retail outlets;
- The most direct access from fairway to the A34 is down a small residential street. (St Leonards Avenue), this simply isn't adequate to carry the additional volume of traffic;
- Queensville Avenue is a single lane road and cannot handle higher volumes of traffic;
- Particular concern over congestion caused by parked cars at the Kingston Centre impeding visibility for children crossing that will be exacerbated by the proposed developments;
- The developer has not shown how the National Cycle Route will be accommodated at this development;
- Essential that a pedestrian/cycle refuge across the access road into the site at Fairway is provided to safely address the safe movement of pedestrians and cyclists accessing the national cycle route;
- Applicants appear to be unaware of the existence of the national cycle route;
- Concerned about retention of mature trees and shrubs along northern and eastern perimeter of site - many trees have already been felled. Tree belt on this part of site skirts river and forms picturesque frame for river as it flows from Town Centre and gives illusion of a rural landscape;
- Tree belt contributes to biodiversity of the area - much work has been done at site on opposite side of valley to encourage wildlife along river corridor;
- Full protection should be given to all remaining trees;
- Have concerns regarding the proximity of the Rivers Sow and Penk, in particular the impact of run-off from the development causing a deterioration of river quality. This would only be exacerbated by the clearance of land right up to the watercourses, which has already been done, along the Sow;
- Clearance has been carried out prior to consent being granted - this should be put right or conditions imposed to rectify the damage caused, before any consent is granted;
- Pity that developers have not recognised in their assessments the current value of the surrounding fields and meadows to the existing residents and the impact of clearing the trees around the periphery of the site to make the development visible;
- The area is enjoyed by people recreationally - do not understand why contractors have already bulldozed trees at the eastern and northern edges of this site;
- Assume ecological assessment was carried out after the tree felling had already started, which were home to a lot of wildlife. As this development has been long in the planning, why did this assessment not happen earlier, taking into account the habitat as a whole, before this ground was cleared, the peripheral trees removed, and the habitat destroyed
- No more trees should be removed;
- Residents were advised at time of previous application that trees and hedgerows would not be touched;
- Concern given recent tree removal that even though the tree line seems to be still on the proposed plan that this will not remain once consent is granted;
- Woodland removed was overflowing with badgers, hedgehogs, foxes, pheasants and nesting birds;
Concern over lack of infrastructure to handle new houses - there is no A&E, dentists are few and far between, there aren't enough schools etc; These are issues which need addressing when considering any new development.

Development would benefit from a reduction in size, which limits the area to the footprint of the old GE site. The area which has been prematurely cleared, could be put to better use as a nature area, or similar, for the new residents. This would be an asset for current and any new residents;

This proposal includes 575 sq m of town centre uses (A1/A2/A3 or A5) which could impact on the Town Centre’s vitality and viability. As retail occupiers continue to rationalise the number of stores in response to a changing retail landscape, it is critical that Stafford Town Centre is able to perform its role in the retail hierarchy.

Object on the grounds that a sequential assessment has not been undertaken - Policy E8 of the local plan requires that permission should not be granted unless and until a sequential test for the town centre uses proposed;

There are a number of units within Stafford Town Centre, including Guildhall Shopping Centre, that may be capable of accommodating the floorspace proposed - These must be thoroughly assessed as part of a sequential test;

if the Sequential Test were satisfied, and the Council minded to approve, conditions should be attached to ensure “no poaching” or similar obligations to safeguard Stafford Town Centre;

No mention of retail development at the time of the previous application;

Neighbours amended application (296 notified):

Five responses from five properties, three from addresses that have previously commented and two from new addresses: additional points raised summarised below:

- As they have already felled lots of trees, hope that they have left provision to plant a lot more especially down against the overflow stream;
- Concern over detailed landscaping and retention of mature trees on the site;
- Looking for response from Tree Officer;
- Applicant refers only to retaining TPO trees, which of course it is legally obliged to do; There is no mention of the other mature trees on the site, which contribute to the overall appearance and biodiversity value of the site;
- No information on what remains of the belt of mature trees on the northern perimeter of the site that skirts the River Sow valley and contributes greatly to the biodiversity of this area and helps mitigate the flood risk to the proposed development;
- Much work has been done at the Perkins Engines site on the opposite side of the valley to encourage wildlife along the river corridor and it would be a great shame if the applicants were to degrade any further the trees alongside their own site;
- Many trees were felled on site, in March 2018, just before the ecological and arboricultural surveys were conducted - believe this is in contravention of the Wildlife and Countryside Act 1981;
- Whilst pleased that the portion on the east side has been changed from residential development to a play area, concerned about the further removal of trees in this area which the plans seem to suggest;
- The retention of the trees in this area is vital to the preservation of the character of the landscape, much valued by residents, dog walkers, ramblers and visitors;
- Many species of birds and small mammals found within the site;
- In the case of the areas of land to the east of the site (the former landfill areas/"areas of cleared ground", question Ecological Assessment that site holds very limited ecological value. Since the land was largely cleared of trees and scrub it is now
apparent that a large number of plant species are more visible/have emerged across this area - there is a diverse mix of woodland species, plants of disturbed/open ground and other plants

- While not suggesting that it is realistic to retain the old tipped land and its associated plant community as it is within the development, would suggest that the level of ecological loss is re-evaluated and a higher degree of mitigation is incorporated into the development;

- The area of “public greenspace” proposed within this eastern area of the site should incorporate much more habitat/species diversity and resource for insects to mitigate for the diversity that will be lost (beyond planting some additional trees and shrubs) with the ground level not just comprising species poor amenity grassland. Also the ecological enhancement of the area of wet grassland/rush pasture to the south of the site could be more ambitious;

- Following felling large piles of brash have been left on site, which by now serve as habitat piles. Query what steps will be taken to ensure that no nesting birds or other wildlife are harmed when these piles are burned;

- As the huge piles of cleared trees and scrub that are still dotted around the site are probably now being used by breeding birds and other fauna, further ecological survey work should be carried out prior to these being moved/disturbed.

- Concern over the extra traffic on the narrow streets with cars parked on both sides, which are already used as a rabbit run;

- Particularly concerned over the impact of increased traffic generated on Fairway, St Leonard’s Avenue and on the primary school on St Leonard’s Avenue;

- Scale of this development has increased markedly since its inception with implications for surrounding area, particularly it’s wildlife and residents.

Site Notice:
Expiry date: 31.05.2018

Newsletter Advert:
Expiry date: 30.05.2018

Relevant Planning History

09/12207/OUT - Mixed use development involving buildings for Business, General Industrial and Storage or Distribution uses; local shops and/or financial and professional services buildings and/or restaurantscafes and/or food takeaways; and residential (outline); change of use of part of site to public open space - Approved 18.03.2010

15/22735/REM - Approval of reserved matters in respect of application 09/12207/OUT for residential development consisting of 194 dwellings, public open space, access, parking and landscaping - Approved - 03.12.2015

15/22793/REM - Approval of reserved matters for two retail units matters of access, appearance, landscaping, layout and scale submitted for approval in respect of outline application 09/12207/OUT- Approved - 11.11.2015

The above three applications were not implemented and have expired.
16/25189/FUL - Outline application for residential development with all matters reserved for future consideration (access, appearance, landscaping, layout and scale) and full application for 85 dwellings with details of access, landscaping, drainage and other associated infrastructure - Resolved to approved subject to Section 106 Agreement and amended conditions - Awaiting completion of Section 106 Agreement

18/27798/PDEM – Demolition of existing buildings – Prior Approval granted 01.03.2018

Recommendation

Approve, subject the applicant first entering into a Section 106 obligation within one month of the Committee resolution or an alternative period otherwise first agreed in writing with the Local Planning Authority and subject to the following conditions:

1. No development shall commence until a scheme of phasing for the implementation of the overall development has been submitted to and approved in writing by the local planning authority which sets out the phases of site development on which reserved matters applications will be submitted. Thereafter, development shall only proceed in accordance with the approved scheme or such alternative phasing schemes as may be agreed in writing by the Local Planning Authority before development of each phase commences and in accordance with other conditions of this permission.

2. Applications for approval of the reserved matters of any phase of the development shall be made to the local planning authority before the expiration of three years from the date of this permission.

3. This is a grant of outline consent only and before each phase the development is commenced details of the layout of all roads and buildings, the scale of all buildings and structures, the appearance of all buildings and structures and the landscaping of the site, (the reserved matters) shall be submitted to and approved in writing by the local planning authority.

4. Each phase of the development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved for that phase.

5. This permission relates to drawing numbers 15-503-003 P01 D and 3478-01 only. Drawings number 15-503-004 K03 A was submitted for illustrative purposes only and nothing in this permission shall be construed as granting or implying approval of the details shown on that plan.

6. The landscaping scheme(s) to be approved in pursuance of conditions 2 and 3 of this outline permission shall be implemented within eight months of that phase of the development being first brought into use or the occupation of 50% of the dwellings in that phase, whichever is earlier. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.
7. No development shall take place within each phase until details the proposed boundary treatment for that phase has been submitted to and approved in writing by the local planning authority. Thereafter, no building in that phase shall be first occupied until the approved works for that phase have been carried out and they shall be retained.

8. Before the Proposed work commences details shall be submitted for the written approval of the local planning authority for that phase of the development indicating:

- layout of site including disposition of buildings to show the provision of adequate parking, turning and servicing within the site curtilage;
- means of surface water drainage from all areas intended to remain in private;
- full road construction including longitudinal sections and a satisfactory means of draining roads to an acceptable drainage outfall.

which shall thereafter be implemented in accordance with the approved details.

9. Before any development commences, and notwithstanding the submitted plans, details of an emergency access to the site, including details of the route through the site shall be submitted to and approved in writing by the local planning authority and which shall thereafter be constructed in accordance with the approved drawings and retained for the life of the development.

10. No part of the development hereby approved shall be occupied until the improvements to the access to the site as indicated on approved plans have been implemented.

11. Before construction works of any kind are commenced on site for each phase of the development a Construction Management Plan shall be submitted to, and approved in writing by, the local planning authority. The submitted Construction Management Plan shall include the following details:

- The routeing and operational characteristics of construction vehicles to and from the site;
- Parking facilities for vehicles of site personnel, operatives and visitors;
- Arrangements for the loading and unloading of plant and materials;
- Areas of storage for plant and materials used during the construction of the proposed development;
- Measures to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

The Construction Management Plan shall be adhered to for the duration of the construction phase.

12. The Travel Plan shall be implemented in accordance with the timetable set out in that plan as submitted with this application unless otherwise agreed in writing by the local planning authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of
the date of the planning consent to the local planning authority for approval for a period of five years from first occupation of the development permitted by this consent.

13. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Project Code 02910, Document No. R006, dated April 2018, prepared by PJA Engineering) submitted with this application and shall include the following measures:

1. There is to be no built development in Flood Zone 3 as detailed in Section 4.1.
2. There is to be no increase in ground levels within the floodplain extent as detailed in Section 4.1, unless a scheme for floodplain compensation is submitted too, and approved in writing by, the local planning authority for any ground raising within the 1 in 100 year plus climate change extent.
3. Finished Floor Levels are to be set at a minimum of 600mm above the modelled 1 in 100 year plus climate change flood of the River Sow of 73.87m AOD. This sets the minimum floor level at 74.47m above Ordnance Datum (AOD) as detailed in Section 4.1.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

14. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A site investigation scheme, based on the PJA Engineering Desk Study Addendum Report (April 2018) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

15. The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
16. No phase of development shall begin until a detailed surface water drainage design has been submitted to and approved by the local planning authority.

The design must be in accordance with the overall strategy and key design parameters set out in the Flood Risk Assessment and Drainage Strategy (PJA Engineering Project Code: 02910, Document Number: R006, Version C, 17 July 2018) and must demonstrate:

- Surface water drainage system(s) designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).

- SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual 2015), to include suitably designed online detention basins and permeable paving where required.

- Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain storm to the rates specified in FRA section 5.2, to ensure that there will be no increase in flood risk downstream.

- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Site layout and levels should provide safe exceedance routes and adequate access for maintenance.

- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

17. No development hereby permitted shall commence until drainage plans for the disposal of foul and surface water flows for that phase of the development have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

18. No development shall take place until a site specific Construction Environmental Management Plan for that phase of the development has been submitted to and been approved in writing by the local planning authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:
- Procedures for maintaining good public relations including complaint management, public consultation and liaison arrangements for liaison with the local planning authority;
- All works, including demolition, site works and construction shall only take place between the hours of 08.00 and 18.00 Monday to Friday; 08.00 to 14.00 Saturdays and not at all on Sundays or on Bank Holidays or other Public Holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- There should be no burning on site during development;
- Facilities shall be provided at the site and used when necessary for damping down to prevent excessive dust;
- Road sweeping shall be carried out at regular intervals, both on the site and on the access highway to prevent excessive dust;
- Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings;
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.

19. Notwithstanding any details approved pursuant to condition 18 of this outline permission and before each phase of development is commenced other than site clearance works approved as part of this outline permission, details of the method of any piling/drilling works together with a timetable for the carryout of such works shall be submitted to and approved in writing by the local planning authority. Each phase of development shall thereafter be implemented in accordance with the approved details.

20. Prior to the commencement of each phase of the development hereby permitted, a written scheme of archaeological investigation shall be submitted for the written approval of the local planning authority. The Scheme shall provide details of the programme of archaeological works to be carried out within that phase of the site, including post-excavation reporting and appropriate publication. The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved. The development shall not be occupied until the site investigation and post-excavation assessment has been completed in accordance with the written scheme of archaeological investigation approved and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

21. All trees with bat roosting features should be retained. If any of these trees require works then surveys and any resultant mitigation should be carried out. In addition, four Schwegler 2FN bat boxes should be correctly installed on retained trees in appropriate locations prior to any part of the development hereby approved being first occupied.
22. No external lighting shall be installed for any phase of the development until a
detailed sensitive lighting scheme that avoids light spill on commuting and foraging
areas has been submitted to and approved in writing by the local planning
authority for that phase. The lighting shall subsequently be installed in accordance
with the approved details.

23. Mitigation measures to protect badgers shall be undertaken in accordance with the
mitigation measures recommended in Section 6 (paragraphs 6.32 - 6.34 of the
Ecological Assessment undertaken by Ecology Solutions dated April 2018
(reference 6861.EcoAss.vf).

24. Works to hedgerows and trees shall not be undertaken in the bird nesting season
(March to August) unless it can be demonstrated that breeding birds will not be
affected, through the submission, approval in writing by the local planning authority
and subsequent implementation in accordance with the approved details of a
method statement for the protection/avoidance of nesting birds. This may include
timing of work, pre-work checks, avoiding nesting areas.

25. Five Schwegler nest boxes be installed on a retained trees on site prior to any part
of the development hereby approved being first occupied.

26. Prior to the commencement of each phase of the development, a Construction and
Environmental Plan shall be submitted to and approved in writing by the local
planning authority. The Plan shall detail how run-off will be prevented during the
construction period, by addressing how mitigation can be put in place to avoid
nutrients, pollutants and sediment entering and damaging the Baswich Meadows
SSSI via the hydrological link with the River Sow and to ensure that no surface
water reaches the River Sow and all foul water sewage goes to the mains sewage
and drainage system. Each phase of the development shall subsequently be
undertaken in accordance with the approved Plan.

27. A Tree Retention and Protection Plan showing all trees and tree groups which are
classified as category A2, B2 and C2 in the Landscape Science Consultancy
Survey (ref. M77.15e) as retained and which is compliant with BS5837:2012 "Trees
in relation to design, demolition and construction - Recommendations" shall be
submitted and agreed in writing with the local planning authority for each phase of
the development prior to the commencement of any ground works and construction
activity, including the delivery to site of any materials or equipment.

28. An Arboricultural Method Statement covering all aspects of development that are
within the root protection areas of retained trees, or that have the potential to result
in damage to those retained trees shall be agreed in writing with the local planning
authority for each phase of the development prior to the commencement of any
ground works and construction activity, including the delivery to site of any
materials or equipment.
29. All measures within the approved Tree Protection Plans and Arboricultural Method Statements shall be implemented and maintained throughout development until completion of all construction related activity, unless agreed otherwise in writing with the local planning authority.

30. A comprehensive schedule of works for tree pruning and removal shall be agreed in writing with the Local Planning Authority prior to the commencement of any ground works and construction activity, including the delivery to site of any materials or equipment. Thereafter no tree removals or pruning of any kind shall be carried out except as prescribed in the approved schedule of works, unless agreed in writing with the local planning authority.

31. No residential development shall commence until a Specification and Management Plan for the laying out, equipping, management and maintenance of the proposed public open space has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the public open space shall be laid out and equipped in accordance with the approved details before the occupation of 25% of the total proposed residential units and shall be managed and maintained in accordance with those details.

32. Prior to the commencement of development a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. It shall also include proposals to enhance biodiversity. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The reasons for the Council’s decision to recommend approval subject to a Section 106 agreement and the conditions listed above are:

1. In order to manage the implementation of this large development site. 

2. The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

3. The application has been made for outline permission only.

4. The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

5. To define the permission.

6. To enhance the appearance of the development. (Policies N1 (g) and (h) of The Plan for Stafford Borough).

7. To ensure the satisfactory appearance of the development (Policy N1 of the Plan for Stafford Borough)
8. In the interests of the safety and convenience of users of the highway. (Policy T1 (c) of The Plan for Stafford Borough).

9. In the interests of the safety and convenience of users of the highway. (Policy T1 (c) of The Plan for Stafford Borough).

10. In the interests of the safety and convenience of users of the highway. (Policy T1 (c) of The Plan for Stafford Borough).

11. In the interests of the safety and convenience of users of the highway. (Policy T1 (c) of The Plan for Stafford Borough).

12. In the interests of the safety and convenience of users of the highway. (Policy T1 (c) of The Plan for Stafford Borough).

13. To reduce the risk of flooding to the proposed development and future users and to ensure flood risk is not increased elsewhere. (Policy N2 of The Plan for Stafford Borough).

14. In the interests of public safety and to ensure that any contamination identified during development is dealt with appropriately and to ensure the protection of the underlying Principle and Secondary Aquifers. (Paragraphs 170 and 178 of the National Planning Policy Framework and Policy N2 of The Plan for Stafford Borough).

15. The Humber river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. (Policy N4 of The Plan for Stafford Borough).

16. To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development. (Policy N2 of The Plan for Stafford Borough).

17. To ensure that the development is provided with a satisfactory means of drainage and to minimise the risk of pollution. (Policy N2 of The Plan for Stafford Borough).

18. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1 (e) of The Plan for Stafford Borough).

19. To safeguard the occupiers of nearby residential properties from nuisance from undue noise and vibration. (Policy N1 (e) of The Plan for Stafford Borough).


26. To ensure that nutrients, pollutants and sediment do not enter and damage the Baswich Meadows SSSI via the hydrological link with the River Sow. (Policy N5 of The Plan for Stafford Borough).

27. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of The Plan for Stafford Borough).

28. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of The Plan for Stafford Borough).

29. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of The Plan for Stafford Borough).

30. To safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important in the appearance of the development. (Policy N4 of The Plan for Stafford Borough).

31. In order to provide satisfactory public open space for the proposed residential development. (Policy C7 of The Plan for Stafford Borough).

32. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. (Policies N1 and N4 of The Plan for Stafford Borough).

Informative(s)

1. The local planning authority considers the proposal to be a sustainable form of development and therefore complies with the provisions of the National Planning Policy Framework.

2. The applicant's attention is drawn to the comments of the highway authority, the Environment Agency, the Lead Local Flood Authority, the Sow and Penk Independent Drainage Board, Natural England, the Borough Biodiversity Officer, Network Rail, County Rights of Way and Cadent as submitted in response to consultations on this application. All comments received can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
18/28423/OUT
Land off Fairway
Littleworth
Stafford