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Dear Members

### **Special Planning Committee (Large Scale Major Application) (2)**

A special meeting of the Planning Committee will be held in the **Council Chamber, County Buildings, Martin Street, Stafford on Monday 12 June 2017** 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 as set out in the agenda and re-convene at the County Buildings at approximately **11.30am** to determine the application.

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 (2)**  
**(LARGE SCALE MAJOR APPLICATION)**

**12 JUNE 2017**

**Chairman Councillor A S Harp**  
**Vice-Chairman Councillor R M Sutherland**

**A G E N D A**

- 1 Apologies**
- 2 Declaration of Member's Interests/Lobbying**

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<b>3 Planning Application(s)</b>	<b>3 - 26</b>

**MEMBERSHIP**

C A Baron	P W Jones
G R Collier	A J Perkins
I E Davies	J K Price
M G Dodson	G O Rowlands
R J Draper	R M Sutherland
A S Harp	C V Trowbridge
E G R Jones	

**(Substitutes - F Beatty, A P Edgeller, J Hood, W J Kemp, S Learoyd)**

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SPECIAL PLANNING COMMITTEE - 12 JUNE 2017 (2)

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**Ward Interest - Nil**

**Planning Applications**

*Report of Head of Economic Development and Planning*

**Purpose of Report**

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

		<b>Page Nos</b>
<b>16/25189/FUL</b>	<b>Land off Fairway, Littleworth, Stafford</b>	4 - 26
	<p>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.</p> <p>Officer Contact - Richard Wood, Development Lead (Large Scale) - Telephone 01785 619324</p>	

**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.

<b>Application</b>	<b>16/25189/FUL</b>	<b>Case Officer</b>	Sian Wright
<b>Date Registered</b>	29 November 2016	<b>Target Decision Date</b>	28 February 2017
<b>Address</b>	Land off Fairway Littleworth Stafford	<b>Ward</b>	Forebridge
		<b>Parish</b>	-
<b>Proposal</b>	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		
<b>Applicant</b>	St Modwen Developments Ltd		
<b>Recommendation</b>	Approve 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 Planning Committee.

### Context

This is a hybrid application which seeks full planning permission for 85 dwellings on the front part of the site fronting Fairway and an outline application with all matters reserved for the remainder of the site. The exact number of dwellings proposed for the outline part of the site remains unknown at this stage.

The site forms part of a wider development site where outline permission and reserved matters approval have already been granted immediately to the east of this site for residential development.

The site is within the urban area of Stafford and is accessed from a roundabout between Fairway and St Leonards Avenue. The site has previously been occupied by Alstom, Areva and GE Grid Solutions.

The western boundary of the site abutting Fairway contains a belt of trees which screen the site and form a noticeable feature which contribute to the character of the immediate area. The application site is bordered to the north by the Forebridge Drain and further to the north by the River Sow, and to the south by the Hough Drain. Due to these and the topography of the surrounding land the northern, eastern and southern boundaries of the site fall within Flood Zone 2.

An area to the south of the site is also owned by the applicant and is to be retained as Public Open Space.

The application is supported by a range of documents including:

Design Statement  
 Planning Statement  
 Ecological report  
 Arboricultural Report  
 Transport Assessment  
 Travel Plan  
 Flood Risk Assessment  
 Geo-environmental Assessment  
 Statement of Community Involvement

## **Officer Assessment – Key Considerations**

### **1. Principle of Development**

The site is situated in a sustainable location in Stafford close to other residential properties. Stafford is situated at the top of the sustainable settlement hierarchy where the majority of new residential development is being steered.

Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. This emphasis is also made in a core planning principle (paragraph 17 of the NPPF) to proactively drive and support sustainable economic development to deliver homes that the country needs.

The site is situated in a residential area and in policy terms the principle of new dwellings in this location is considered to be acceptable subject to other material planning considerations.

In addition, the principle of the redevelopment for part of this overall site has been established under permission 09/12207/OUT and 15/22793/REM.

Policies and Guidance:-

National Planning Policy Framework:  
 Achieving Sustainable Development  
 Section 6 – Delivering a wide choice of high quality homes

The Plan for Stafford Borough:  
 SP1 – Presumption in favour of sustainable development  
 SP2 – Stafford Housing and Employment Requirements  
 SP3 – Settlement Hierarchy  
 SP7 – Location of new development  
 C1 – Dwelling Types and Sizes  
 C2 – Affordable Housing

## 2. Design and Layout

The layout of the scheme as originally submitted has been significantly revised to ensure that the proposal delivers an appropriate overall balance in design quality. The most significant changes to the scheme have been those concerning the pedestrian connectivity, surveillance and legibility of the layout, and the modification of the principle frontage of the site to retain and reinforce the landscaped character of Fairway. The modifications to the layout's pedestrian network now ensures that most of the available opportunities to improve the sites connectivity with its wider setting have been secured. The indicative layout provided for the outline part of the proposal illustrates how the application site will potentially link through to the rear part of the site granted under 09/12207/OUT and 15/22793/REM.

The revisions to the sites principal frontage to Fairway have altered the previous schemes relatively formal arrangement to a less rigid urban form. Given that this has enabled the retention and reinforcement of the existing landscaped character of Fairway at this location, this less formal arrangement is not considered to be detrimental to the overall character of the scheme and has alleviated the previous concerns in regard to unit 1 being an inappropriate and unacceptable visual stop end in the street scene as the arrangement of this particular unit is now more aligned with the disposition of units to the sites principal frontage.

The Design Advisor does not now raise any objections to the layout. The layout for the outline part of the site will be considered at the reserved matters stage.

A total of 85 dwellings are proposed on the part of the site being considered as a full application. These comprise the following:-

### Private sale

- 2 x 5 bedroom dwellings
- 14 x 4 bedroom dwellings
- 32 x 3 bedroom dwellings
- 9 x 2 bedroom dwellings
- 8 x 1 bedroom dwellings

### Affordable

- 8 x 2 bedroom dwellings
- 8 x 3 bedroom dwellings
- 4 x 4 bedroom dwellings

The total of 20 affordable units are shown clustered together towards the rear part of the site of the full application. The Housing Strategy and Research Officer comments that the full part of the proposal should deliver 30% affordable housing which equates to 26 affordable homes. The remaining 6 units will therefore need to be secured on the central part of the site which is being considered in outline form.

A number of house types are proposed to provide variety to the development and street scenes. The material finish of the dwellings would be predominantly red brick with grey or brown slate roofs. Some dwellings would however have elements of white render and

others would be clad with coloured 'hardi plank' to provide a contemporary appearance. Contemporary styled steel and glass balustrading and Juliet balconies are also proposed.

The character and design of the proposed housing ties in with the rear part of the site, already approved therefore there will be continuity across the site as a whole in design terms. Street scene elevations have been submitted which illustrate that the differing house types and materials proposed will help to create a varied and interesting development. The front part of the site, which forms part of the full application, provides an acceptable frontage with Fairway. Trees are to be retained and the housing designs and siting have been carefully considered to ensure that the development has an acceptable visual impact upon the character of the area.

The landscaping shown on the full part of the application is noted as being illustrative only on the submitted plans. Full landscaping details will therefore need to be secured via conditions.

The applicant states that the area of public open space to the south which is within their ownership would serve this application proposal and the development to the east granted under 09/12207/OUT and 15/22793/REM. This can be secured via a S106 obligation.

Additionally, an area of open space is shown in the north west corner of the site being considered under the full application and has an informal footpath running through its centre. No comments have been received from Leisure Services to date so these will be provided verbally to committee.

Policies and Guidance:-

National Planning Policy Framework:  
Section 7 – Requiring Good Design

The Plan for Stafford Borough:  
N1 - Design  
C1 – Dwelling Types and Sizes  
C7 – Open space, Sport and Recreation  
N4 – Natural Environment and Green Infrastructure

### **3. Residential Amenity**

The development is well distanced from the existing residential properties in terms of Tixall Road and surrounding streets to the north, and St Leonards Avenue and Queensville Avenue and surrounding streets to the west. Due to the separation distances involved the development would not result in any loss of privacy, amenity, outlook or daylight to existing residential properties.

The layout has been amended to address some of the concerns in relation to breaches with SAD guidance. It is noted that front to front distances between the proposed affordable units is 19.5m and 18m. Whilst this falls short of the recommended 21m suggested by SAD guidance, it is considered on balance to be acceptable.

Plot 29 has a garden length of just 7.5m and some of the affordable units have gardens which extend to 9.5m. SAD guidance suggests that gardens should be a minimum of 10.5m for at least half the width of the garden. Whilst some units have smaller gardens it is not considered that they would compromise amenity for the future residents. Plot 29 is a corner plot and has other non private garden area and does not back directly onto another dwelling.

The Environmental Health Officer raises no objection subject to conditions.

On balance it is considered that the layout would ensure that the future occupiers of the development would have acceptable outlook, privacy and amenity.

Policies and Guidance:-

National Planning Policy Framework:  
Section 7 – Requiring Good Design

The Plan for Stafford Borough:  
N1 - Design

Space About Dwellings SPG

#### **4. Access and Parking**

The site is within the urban area of Stafford and is in a sustainable location. The site would be accessed via the existing limb off the roundabout at the junction of Fairway.

The layout also shows an informal footpath cutting across open space in the north western part of the site and provides a pedestrian link from Fairway. A footpath is also provided along the entire site frontage

The adopted parking standards set out within the Local Plan identify the level of parking that should be provided by the proposed development. The proposed layout shows that each property would have allocated parking. A number of properties would also have garages and some visitor parking spaces are also provided. The overall level of parking provided is acceptable.

The Highway Authority comment that applicants have submitted a full detailed Transport Assessment (TA) and additional modelling as requested. The TA deals in detail with the access to the site from Fairway and also considers other relevant details such as highway safety, impact on the surrounding highway network and sustainability. The site is well located in terms of walking and cycling distances to most services within the town and benefits from good walk/cycle route connectivity. The modelling of the surrounding network, shows that the highway network will work with less queuing and delay under the revised proposals than those, previously approved under outline permission 09/12207/OUT. The proposals would therefore have no demonstrated impact on the wider highway network. The proposals are a revision from the previously approved scheme but would result in a reduction of both AM and PM peak trips.

The Highway Authority do not raise any objections subject to conditions and a travel plan monitoring fee of £11,325.

Policies and Guidance:-

National Planning Policy Framework:  
Section 4 – Promoting Sustainable Transport.

The Plan for Stafford Borough:  
T1 - Transport  
T2 – Parking and Manoeuvring Facilities  
Parking Standards

## 5. Ecology

An ecological report supports the application. Ecology Solutions undertook an Ecological Assessment in 2015 and updated bat surveys in 2016.

The report concludes that the majority of the development footprint is of very limited ecological value and that the development proposals will retain, enhance and safeguard habitats present within the application site which are of comparatively greater ecological value, and will mitigate for minor losses to habitats through new landscape planting.

The Biodiversity Officer does not raise any objections subject to the recommendations made in the report to be undertaken which include:-

Trees on site are retained if possible. If any tree with potential for bats is due for removal it would first require a further bat survey at the appropriate time of year and include mitigation;

To enhance the site for bats it is recommended that four Schwegler woodcrete bat boxes are erected in suitable locations;

External lighting would need to be designed to avoid light spill onto commuting areas and bat boxes;

All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that vegetation 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;

A selection of four Schwegler woodcrete bird boxes should be installed in suitable mature trees in appropriate locations;

Where possible, tree lines should have additional planting of native species.

Policies and Guidance:-

National Planning Policy Framework:  
Section 11 – Conserving the natural environment

The Plan for Stafford Borough:  
N4 – The Natural Environment and Green Infrastructure

## 6. Flood Risk and Drainage

The application is supported by a Flood Risk and Drainage report. This report highlights that the development site is bounded to the west by the Spittal Brook and to the north by the Forebridge Drain. The River Sow and River Penk are also the primary Main Rivers to the south of Stafford and they both lie within close proximity to the site. These rivers constitute a potential source of flood risk to the site.

The report highlights that the vast majority of the site is located in Flood Zone 1 (low risk) with an annual probability of flooding of less than 0.1% (less than 1:1000). The extreme south east corner of the site is indicated to lie in the medium risk Flood Zone 2 indicating that this area would be at risk of flooding in a 0.1% (1:1000 year) probability flood event due to flooding from the River Penk. Isolated small areas of high flood risk a Flood Zone 3 are noted in the north west and north east corners of the site. These areas would be at risk of flooding in a 1.0% (1:100 year) probability flood event due to flooding from the River Sow.

A number of recommendations are made in the report, including minimum floor levels and the implementation of SuDs techniques.

Neither the Environment Agency or the Lead Local Flood Authority raise any objections on flood risk or drainage grounds subject to appropriate conditions.

Policies and Guidance:-

National Planning Policy Framework:

Section 10 – Meeting the challenge of climate change, flooding and coastal change

The Plan for Stafford Borough:

N2- Climate Change

## 7. Trees and Landscaping

The site contains a number of trees and the application is supported by an arboricultural assessment.

The originally submitted layout plan showed numerous trees to be removed, many of which were along the frontage with Fairway. The Tree Officer originally raised an objection specifically to the extent of the tree removal proposed to the Fairway frontage. The trees along the frontage of Fairway are covered by Tree Preservation Order 612 of 2017. A revised plan has however been submitted and the Tree Officer has subsequently commented that all the relevant trees can now be retained subject to the submission of a method statement and the effective use of tree protection fencing. Subject to conditions the proposal is considered to be acceptable from an arboricultural point of view.

Policies and Guidance:-

National Planning Policy Framework:

## Section 11 – Conserving and enhancing the natural environment

The Plan for Stafford Borough

N1 – Design

N4 – The Natural Environment and Green Infrastructure

### **8. Other matters**

#### **Ground Contamination**

The Environment Agency do not raise any objections in principle however an updated investigation of the site and assessment of the contamination present is required to determine the risk posed to 'Controlled Waters' receptors and the need for remediation. A condition is therefore suggested.

The Council's Environmental Health Officer does not raise any objections and comments that a condition should be attached to ensure that any remedial works are conducted in accordance with the recommendations of the contaminated land reports particularly where 'discovered' contamination occurs and that verification of such works should be required.

#### **Gas pipeline**

The south east corner of the site is within the Health and Safety Executive's (HSE) consultation zone for the underground gas pipeline. The HSE states that it does not advise against the use in terms of safety. The advice is however based on the density per hectare of the development not exceeding 40 dwelling units in this area. A condition can secure this control.

National Grid also have no objection.

#### **Planning Obligations**

A Section 106 Obligation would secure affordable housing, open space, education contributions and a SAC contribution.

#### **Conclusion**

The principle of the development is considered to be acceptable. The adjoining part of the site already benefits from permission for residential development. There are no objections raised by statutory consultees. The proposed development complies with the relevant policies of the Local Plan and NPPF.

#### **Consultations**

##### **Design Advisor**

(Latest comments dated 21/05/17)

Although there remain some finer grained aspects of the proposals that are still considered could be improved, the vast majority of the many issues raised during the application process have been sufficiently modified to bring the scheme up to an acceptable level in regard to delivering an appropriate overall balance in design quality. The most significant changes to the scheme have been those concerning the pedestrian connectivity, surveillance and legibility of the layout, and the modification of the principle frontage of the site to retain and reinforce the landscaped character of Fairway Avenue.

Although the inherent nature of the entire site essentially negated it being able to be developed as a fully integrated element of its wider urban setting, the modifications to the layout's pedestrian network now at least ensures that most of the available opportunities to improve the sites connectivity with its wider setting have been taken.

The recent modifications to the sites principle frontage to Fairway Avenue altered the previous schemes relatively formal arrangement to a less rigid urban form. Given that this has enabled the retention and reinforcement of the existing landscaped character of Fairway Avenue at this location, this less formal arrangement is not considered to be detrimental to the overall character of the scheme and in fact has alleviated the previously expressed concern in regard to unit 1 being an inappropriate and unacceptable visual stop end in the street scene as the arrangement of this particular unit is now more aligned with the disposition of units to the sites principle frontage.

#### **Tree Officer:**

The two principle arboricultural assets associated with the site are the group of *Populus nigra* ssp. (Black Poplar) along the northern boundary, and the group of mixed broadleaf species along the boundary with Fairway to the west.

Having reviewed drawing P02, Rev F (Proposed Site Layout) I am satisfied that the new design can be made to work during any construction phase such that the relevant trees identified in the site meeting on 17/3/17 can be retained.

A method statement for the construction of the footpath will need to be submitted and agreed to prior to commencement to ensure that an appropriate 'no-dig' construction type is to be used.

The effective use of tree protection fencing will be critical to ensure the success of this development with regard to tree retention. Given that the design of the frontage has such little room for error or deviation in relation to the root protection areas etc, the pre-commencement installation of tree protection fencing will need to be agreed in writing with the Local Planning Authority. To best facilitate this I would advise that the installation is therefore carried out under the supervision of the LPA Tree Officer so that any issues can be resolved at that stage.

The tree protection fencing used must comply with or be equivalent to the specification set out in BS5837:2012, including the requirement for it to be suitably fixed in position with back stays or similar.

#### **Highway Authority:**

No objections subject to conditions and a Travel plan monitoring fee of £11,325. The applicants have submitted a full detailed Transport Assessment (TA) and additional modelling requested by the highways authority, in support of the application. The TA deals in detail with the access to the site from the Fairway and also considers other relevant details such as highway safety, impact on the surrounding highway network and sustainability. The site is well located in terms of walking and cycling distances to most services within the Town and benefits from good walk/cycle route connectivity.

The modelling of the surrounding network, shows that highway network will work with less queuing and delay under the revised proposals that those, previously agreed and the proposals would have no demonstrated impact on the wider highway network. The proposals are a revision from a previously agreed application but would result in a decrease of both AM and PM peak trips.

**Environment Agency:**

We have no objections, in principle, to the proposed development. However, the following conditions recommended in our previous responses (reference UT/2016/115906/01-L01 and UT/2016/115906/03-L01) should be included if planning permission is granted.

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

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (ref: 15311/FRA-DS/Rev C, dated February 2017, prepared by BSP Consulting) and the following mitigation measures detailed within the FRA:

Finished floor levels are to be set at a minimum of 600mm above the modelled 1:1000 year flood level of the River Sow of 74.11m AOD. This sets the minimum floor level at 74.71m above Ordnance Datum (AOD) as detailed in section 4.1. There is to be no increase in ground levels within the flood plain extent as detailed in section 3.7.2

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

**Lead Local Flood Authority:**

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. This is addressed within the Flood Risk Assessment (Ref: 15311/FRA-DS Rev C, February 2017), and the Environment Agency should be consulted on the fluvial flood risk to the site. The Flood Risk Assessment and Drainage Strategy (Ref: 15311/FRA-DS Rev C, February 2017) and additional information subsequently submitted conclude that an acceptable drainage design can be achieved within the proposed development.

The existing land use and other site constraints restrict the available SuDS options. However considering the existing conditions it is argued that the proposals as a whole offer significant improvements in water quality, amenity and biodiversity, as well as surface water discharge rates.

Further information will be required at the detailed design stage to ensure that the proposed surface water drainage scheme meets the technical standards and provides an acceptable level of water quality treatment.

The detailed drainage design should be in accordance with the drainage strategy and design parameters established in the submitted documents.

We would therefore recommend that the condition below should be attached to any planning permission.

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

Please also consult us again on any future major changes to the proposed development or drainage scheme.

The proposed development will only be acceptable if the following measures are incorporated in an acceptable surface water drainage scheme, to be secured by way of a planning condition on any planning permission.

No phase of development shall take place until a detailed surface water drainage scheme for that phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme must be based on the design parameters and proposed strategy for the site set out in the Flood Risk Assessment and Drainage Strategy (Ref: 15311/FRA-DS Rev C, February 2017) and additional details submitted.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in accordance with 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).
- Limiting the total discharge rate for each outfall generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to the rates shown in Table 3 in the FRA to ensure that there will be no increase in flood risk downstream. The discharge from each phase must be restricted based on the proportion of the outfall catchment areas covered by that phase.
- 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 2 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.
- 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.

#### **School Organisation Team:**

This development falls within the catchment of St Leonard's Primary School. The development is now scheduled to provide 85 dwellings – 57 houses, 8 apartments, and 20 RSL. The expected primary school places will reduce from 17 to 16 however the expected secondary school places would remain at 9.

The primary contribution requested for this development would reduce from £187,527.00 to £176,496.00 (16 x £11,031). The secondary would remain at £251,703. This gives a total education contribution of £428,199.00.

#### **Environmental Health (Contamination)**

A condition should be applied to ensure that any remedial works are conducted in accordance with the recommendations of the contaminated land reports particularly where 'discovered' contamination occurs.

Verification of such works should be required.

The adjoining site is the subject of an outline application, this site is very likely contaminated by mobile contamination (TCE) which as yet may not be fully known because of the presence of functioning buildings,

‘Land at Fairway Report 2008

From the results obtained a degree of TCE contamination by historic site based activities cannot be discounted.

However, the impact appears confined to the north eastern margin of the site, possibly migrating eastwards in the presumed direction of groundwater flow. Although raised the levels measured are not considered excessive or indicative of gross contamination and at present no specific risk management measures, including remediation, are considered necessary to allow redevelopment of the site to proceed. However, it is recommended that additional groundwater and surface water samples are taken on at least two more occasions before redevelopment begins to confirm the likelihood that impact on groundwater quality will remain negligible throughout the redevelopment.’

There should be further consideration of protecting 16/25189/FUL against the risk of such mobile contaminants subsequently migrating laterally towards 16/25189/FUL- particularly when the protective buildings and floor slabs are removed in the future.

### **Forward Planning**

Payment of £159 per house for the ‘Cannock Chase Special Area of Conservation – mitigation project delivery’ within the S106 agreement.

### **Biodiversity Officer:**

#### Protected Species

Ecology Solutions undertook an Ecological Assessment in 2015 and updated bat surveys in 2016. The site was found to have low ecological value overall though there are opportunities for biodiversity gain. Recommendations made in the report should be undertaken as stated and will include:

#### Bats

Surveys found the site is used by various common species of bats with one building used as a feeding site.

It is recommended that trees on site are retained if possible. If any tree with potential for bats is due for removal it would first require a further bat survey at the appropriate time of year and include mitigation.

To enhance the site for bats it is recommended that four Schwegler woodcrete bat boxes are erected in suitable locations.

External lighting will need to be designed to avoid light spill onto commuting areas and bat boxes.

#### 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 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,

A selection of four Schwegler woodcrete bird boxes should be installed in suitable mature trees in appropriate locations.

#### Habitat

A number of recommendations are made to maintain and enhance the habitat on site for biodiversity. Importantly these include the retention of the existing trees lines that are important for bats using the site. Where possible, the tree lines should have additional planting of native species.

The ditch and attenuation drainage features for should be enhanced with suitable native species of wetland and marginal plants. Grassland habitats could be sown with species rich meadow mixes.

All the above should be included within a site management plan, to be renewed every five years.

### **Parks and Open Space Officer**

Comments will be presented verbally to committee

### **Housing Strategy and Research Officer:**

This development of 89 dwellings is therefore required to deliver 30% affordable housing, which equates to 26 affordable homes.

### **National Grid:**

National Grid has identified that it has apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform National Grid, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of National Grid apparatus, we will not take any further action.

### **Health and Safety Executive**

Does not advise, on safety grounds, against the granting of planning permission

### **Police Architectural Liaison Officer:**

Recommends that this development attains Police Secured by Design (SBD) accreditation.

### **Ramblers Association**

My concerns relate to the National Cycle Route. The developer should provide a refuge crossing across the access road into the site for the safety of pedestrians and cyclists. Ideally they should provide a raised crossing table to accommodate the cycle route. They have not even shown the cycle route on their plans and have not explained how it will be accommodated and linked to the development

### **Severn Trent Water**

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution

If you feel that a more site specific/Grampian condition is required, please let me know as soon as possible, with all supporting documents and I shall address this with the Senior Evaluation Technicians immediately.

### **Archaeology**

All phases of work should be undertaken by a suitably experienced archaeological organisation working to the Chartered Institute for Archaeologists (CIfA) Code of Conduct and their standards and guidance for 'Archaeological Evaluations' (2014). This work should also make contingencies for the sampling and processing of palaeoenvironmental remains (and the use of appropriate dating techniques) should suitable deposits be identified during groundworks. This work would most appropriately be secured via a condition being attached to any permission issued.

### **SCC Rights of Way:**

The Design Statement recognises the existence of Public Footpath No 10 Stafford which runs to the north of the proposed development site and the cycleway which runs to the south of the site.

The attention of the developer should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. If the path does need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The County Council will need to be formally consulted on the proposal to divert this footpath. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development.

We would ask that trees are not planted within 3 metres of the footpath unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility.

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.

### **Network Rail:**

No comment response.

### **Neighbours**

293 neighbour letters.

On letter of representation received raising the following objections:-

Impact on traffic and congestion

Too many houses already being built in Stafford without consideration for residents

Homes are not affordable  
Many homes in Stafford stand empty.

### **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 restaurants/cafes and/or food takeaways; and residential (outline); change of use of part of site to public open space; highway works to St Leonards Avenue. Approved 18 March 2010 (Approved with 6 year time condition).

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. (Amended Description 28.09.2015 to include access). Approved 11 November 2015.

### **Recommendation**

Approve, subject to the following conditions:

1. No development shall commence until a scheme setting out the phasing for the overall site development, including the demolition of buildings, has been submitted to and approved in writing by the local planning authority. Thereafter, development shall only proceed in accordance with the approved phasing 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. Any demolition in a phase shall be carried out before construction is commenced.
2. Part of this consent is an outline planning permission and no development phase of the area with the benefit of outline consent, the area highlighted yellow on drawing 15-503-005-P05 revision A, shall commence until details of layout, scale, appearance, landscaping and access for each phase of the development (hereinafter called "the reserved matters") have been approved by the local planning authority.
3. Application(s) for approval of 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.
4. The part of the development with the benefit of full planning permission, the area highlighted green on drawing 15-503-005-P05 revision A, shall be begun before the expiration of three years from the date of this permission, with that part of the development benefiting from outline consent, the area highlighted yellow on drawing 15-503-005-P05 revision A, being begun before the expiration of two years from the date of the approval of the last of the reserved matters for any phase to be approved.
5. 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:-

drawing no: 15-503-003-P01C

drawing no: 15-503-003-P02G

drawing no: 15-503-003-PO3E

drawing no: 15-503-003-P04

drawing no: 15-503-003-P05A

drawing no: 15311-SK146 B

drawing no: 15311-SK241

drawing no: 15311-SK240 B

house type 2B-706-A

house type 2B-637-A

house type 2 BDQR-A

house type 3B-791-A

house type 3B-839-A

house type 3B-920-A

house type 3B-DQR-A

house type 4B-1475-A

house type 4B-1209-A

house type 4B 1335-A

house type 4B 1381-B

house type 4B-DQR-A

house type 5B-1516-A

house type 5B-1665-A

house type 938-A

house type: plot 111,113,126-A

house type 4B-1203-A (elevations and floorplans)

house type 4B-1348-A (elevations and floorplans)

drawing 1473-02

6. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans.
7. The development hereby approved shall not be occupied until the improvements to the access to the site as indicated on plan 1473-02 have been completed.
8. Before construction works of any kind are commenced on site, including site preparation works, 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 routing 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.

9. Before the proposed development commences details shall be submitted to and approved in writing by the local planning Authority indicating all road construction, street lighting and drainage which shall thereafter be constructed in accordance with the approved drawings
10. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise first 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.
11. Before any development commences, and notwithstanding the submitted plans, emergency access to the site shall be constructed in accordance with the approved drawings and retained for the life of the development.
12. No trees, large shrubs or hedgerows shall be uprooted, felled, lopped, topped, or cut back in any way until a scheme has been approved that specifically allows such works. The works shall then take place in accordance with the agreed scheme unless the local planning authority gives written consent to any variation.
13. 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 BS5837:2012 "Trees in Relation to design, demolition and construction, recommendations". This shall include establishing a Root Protection Area (RPA) around each tree, shrub, hedgerow or bush, in accordance with the recommendations of BS5837:2012. All RPAs must be enclosed by suitable fencing, as specified by BS5837:2012 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 will be stored or discharged within the RPAs. No fires will 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 once installed, with the installation being 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.
14. If, within a period of 5 years from the completion of the development any of the trees or shrubs planted in accordance with the approved soft landscaping plan, or any tree or shrub planted as a replacement for any of those trees or shrubs is cut down, felled, uprooted, removed or destroyed or dies or becomes, in the opinion of

the local planning authority, seriously damaged or defective, (a) the local planning authority shall be notified as soon as is reasonably practicable; and (b) another tree or shrub of the same species and size shall be planted at the same location, at a time agreed in writing with the local planning authority, unless the local planning authority agrees in writing to dispense with or vary this requirement.

15. Where the approved plans and particulars indicated that specialised 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, construction design, and how the trees etc. will be adequately protected during such a process.
16. The development shall be carried out in accordance with the approved Flood Risk Assessment (ref: 15311/FRA-DS/Rev C, dated February 2017, prepared by BSP Consulting) and the following mitigation measures detailed within the Flood Risk Assessment:
- Finished floor levels are to be set at a minimum of 600mm above the modelled 1:1000 year flood level of the River Sow of 74.11m AOD. This sets the minimum floor level at 74.71m above Ordnance Datum (AOD) as detailed in section 4.1. There is to be no increase in ground levels within the flood plain extent as detailed in section 3.7.2

The mitigation measures shall be fully implemented prior to occupation and subsequently 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.

17. 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 preliminary risk assessment which has identified:
    - o all previous uses
    - o potential contaminants associated with those uses
    - o a conceptual model of the site indicating sources, pathways and receptors
    - o potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.
  4. 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 (3) 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.

18. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
19. No phase of development shall take place until a detailed surface water drainage scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the design parameters and proposed strategy for the site set out in the Flood Risk Assessment and Drainage Strategy (Ref: 15311/FRA-DS Rev C, February 2017) and additional details submitted. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:
- o Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
  - o SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual).
  - o Limiting the total discharge rate for each outfall generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to the rates shown in Table 3 in the FRA to ensure that there will be no increase in flood risk downstream. The discharge from each phase must be restricted based on the proportion of the outfall catchment areas covered by that phase.
  - o 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 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

- o Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
  - o 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.
20. All works shall be carried out in accordance with the recommendations set out in the ecological assessment undertaken by Ecology Solutions (2015 and updated bat surveys in 2016).
  21. 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 and interpretation. The Scheme shall thereafter be implemented in full in accordance with the approved details.
  22. The development shall not commence until drainage plans for the disposal of foul 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.
  23. The development shall not exceed 40 dwellings units per hectare within the Health and Safety gas pipeline consultation zone in the south east part of the site.
  24. Before the development is commenced details of hard and soft landscaping, including plot boundary treatments for the part of the development with the benefit of full planning permission, the area highlighted green on drawing 15-503-005-P05 revision A, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

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

1. In order to manage the implementation of the development.
2. Part of the application is made in outline only.
3. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
4. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
5. To define the permission.

6. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
7. In the interests of the safety and convenience of users of the highway. (Policy T1c 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. In the interests of the safety and convenience of users of the highway. (Policy T1c 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. In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
12. 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)
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16. To reduce the risk of flooding to the proposed development and future occupants (Policy N2 of the Plan for Stafford Borough)
17. To prevent contamination which has the potential to impact on the 'Controlled Waters' receptors of the groundwater in the underlying Secondary Aquifers and the adjacent watercourses (Policy N2 of the Plan for Stafford Borough)
18. To ensure that any remedial works required as an outcome of the site investigation and risk assessment are completed to a satisfactory standard (Policy N2 of the Plan for Stafford Borough)
19. To ensure the provision of adequate drainage facilities and to prevent the pollution of any adjacent watercourses, wells and aquifers. (Policy N2 of The Plan for Stafford Borough).

20. In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Policy N5 of the Plan for Stafford Borough and Paragraph 109 of the National Planning Policy Framework).
21. In order to afford proper archaeological investigation recording and protection. (Policy N9 of The Plan for Stafford Borough).
22. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce or exacerbate a flooding problem and to minimise the risk of pollution. (Policy N2 of The Plan for Stafford Borough).
23. In the interests of safety. (Paragraph 121 of the National Planning Policy Framework).
24. To ensure the satisfactory appearance of the development. (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 the Highway Authority, Environment Agency and National Grid 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](http://www.staffordbc.gov.uk))

**16/25189/FUL  
Land off Fairway  
Littleworth  
Stafford**



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Economic Development & Planning	OS Ref. SJ 9222	Not to Scale
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