

Agenda Item:	5.2
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Site:	Land to the south of, Forest School Street, Rolleston on Dove, Staffordshire, DE13 9AZ
Proposal:	Reserved matters application for the construction of 100 dwellings with associated garages, including details of access, appearance, landscaping, layout and scale

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

[Hyperlink to Application Details](#)

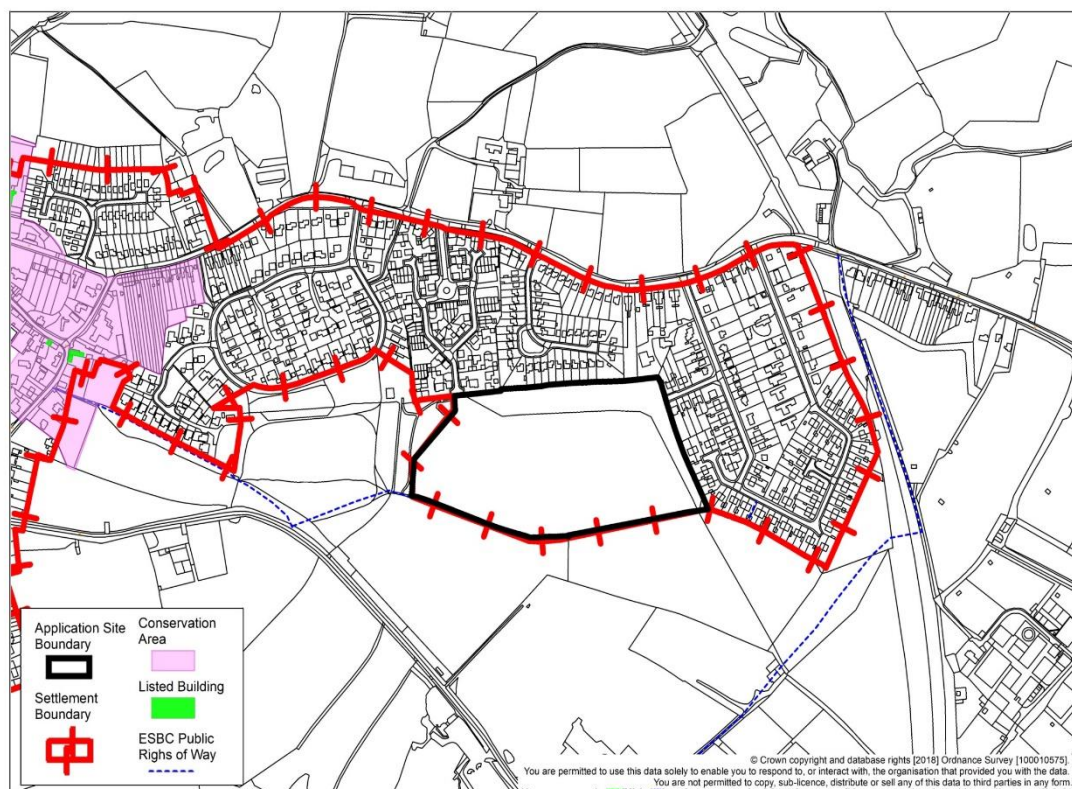
Application Number:	P/2018/00384	
Planning Officer:	Sachin Parmar	
Type of Application:	Reserved Matters	
Applicant:	Mr Chris O'Hanlon, Bellway Homes	
Ward:	Rolleston on Dove	
Ward Member:	Councillor Mrs B Toon	
Date Registered:	02 May 2018	
Date Expires:	Extension of time to 16 August 2018 has been agreed with the applicant.	

1. Executive Summary

- 1.1 The principle of development for a scheme of 100 houses at the application site is already established through outline permission ref: P/2012/00636 which was granted in November 2016 by the Secretary of State.
- 1.2 This application relates to the details of all reserved matters which in this instance is for Access, Appearance, Landscaping, Layout and Scale.
- 1.3 Although the heart of this proposal aims to deal with the above reserved matters the application is also an opportunity to discharge some technical details pursuant to the original outline ref: P/2012/00636. All conditions relating to technical matters that are attached to permission ref: P/2012/00636 would therefore still need to be complied with or discharged separately at a later date.

- 1.4 As part of this application the developer has submitted full details for how the scheme will give priority to a sustainable drainage system and therefore a drainage layout is included. The County Lead Local Flood Authority (LLFA) has advised that the drainage strategy is acceptable. The Environment Agency has also raised no objections to the development on the grounds of fluvial flood risk. With these technical opinions to mind it is considered that the scheme as proposed would be appropriately flood resilient, flood risk would not increase elsewhere and surface water flows would be suitably managed.
- 1.5 191 letters of objection have been received from local residents. Within the representations received one of the key concerns relates to a Construction Management Plan (CMP). The host outline permission ref: P/2012/00636 included a pre-commencement condition for a CMP to be approved prior to the commencement of development. This application does not deal with the CMP as these details will be subject to a future discharge of conditions application, prior to the commencement of any development on site, in order to ensure compliance with the terms of the host permission ref: P/2012/00636.
- 1.6 It is considered that full details for each reserved matter has been provided and an acceptable layout has been designed to bring forward house types that would achieve a high standard of appearance in built form.
- 1.7 Accordingly, it is considered that there are insufficient grounds for a refusal based on any of the reserved matters details being unacceptable as the layout as proposed would achieve good design in compliance with the aims and criteria of policies from the Local Plan, the Design Guide and the National Planning Policy Framework.

Map of site



2. The site description

- 2.1 The application site is a greenfield site, covering 5.95 hectares with no notable features. The topography of the site is generally an even profile which gently falls across from west to east. The site was formerly playing fields associated with a college campus that was re-developed for housing.
- 2.2 The site is landlocked to the north and east by residential properties. Beyond the north boundary are the gardens of dwellings at Forest School Street and Twentylands. Beyond the east boundary are properties at Fairfield Avenue and Walford Road. To the south there are open fields and some sports pitches beyond a line of mature trees and a hedgerow. To the west there is a children's play area and public open space which serves the local estate.
- 2.3 The application site sits within the settlement boundary of Rolleston-on-Dove which is identified as a Strategic Village under Policy SP2 from the Local Plan. The site is also identified as a Strategic Site Allocation for housing in Strategic Policy 4 and on the policies map.

3. Planning history

- 3.1 The site currently has outline planning permission under application ref: P/2012/00636 which was granted on appeal in November 2016 by the Secretary of State.

4. The proposal

- 4.1 The proposal seeks approval for details of all reserved matters which in this instance is for Access, Appearance, Landscaping, Layout and Scale in relation to outline permission ref: P/2012/00636.
- 4.2 As part of the application technical details have also been submitted in order to agree the drainage layout and how the scheme will deal with flooding including priority towards a sustainable drainage system. These details would aim to fully discharge the drainage related condition (No.10) attached to the outline permission ref: P/2012/00636.
- 4.3 A Biodiversity and Enhancement Plan has been included within the application which seeks to discharge the requirements of Condition No.14 of the original outline permission. Condition No.14 related to a scheme for biodiversity protection and enhancement including roosting facilities for bats and nesting opportunities for birds.

List of supporting documentation

- 4.4 The following documents have been provided as part of the application:

- P_2018_00384 Application Form.pdf
- P_2018_00384 Arboricultural Assessment.pdf
- P_2018_00384 Biodiversity Protection Plan.pdf
- P_2018_00384 Boundary Treatment Plan.pdf
- P_2018_00384 Building Storey Height Plan.pdf

- P_2018_00384 Design & Access Statement Part 1.pdf
- P_2018_00384 Design & Access Statement Part 2.pdf
- P_2018_00384 Design & Access Statement Part 3.pdf
- P_2018_00384 DOUBLE Garage.pdf
- P_2018_00384 Drainage Plan.pdf
- P_2018_00384 Fire Tender Tracking Sheet 1.pdf
- P_2018_00384 Fire Tender Tracking Sheet 2.pdf
- P_2018_00384 Flood Risk Assessment Appendices A_G.pdf
- P_2018_00384 Flood Risk Assessment Appendix H.pdf
- P_2018_00384 Flood Risk Assessment Appendix J & K.pdf
- P_2018_00384 Flood Risk Assessment.pdf
- P_2018_00384 Location Plan.pdf
- P_2018_00384 Materials Layout Plan.pdf
- P_2018_00384 Planning Statement.pdf
- P_2018_00384 Plot 10 Floor Plans.pdf
- P_2018_00384 Plot 10.pdf
- P_2018_00384 Plot 100.pdf
- P_2018_00384 Plot 11 Floor Plans.pdf
- P_2018_00384 Plot 11.pdf
- P_2018_00384 Plot 16.pdf
- P_2018_00384 Plot 18.pdf
- P_2018_00384 Plot 21.pdf
- P_2018_00384 Plot 22.pdf
- P_2018_00384 Plot 25 Floor Plans.pdf
- P_2018_00384 Plot 25.pdf
- P_2018_00384 Plot 28.pdf
- P_2018_00384 Plot 29.pdf
- P_2018_00384 Plot 33.pdf
- P_2018_00384 Plot 58.pdf
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- P_2018_00384 Plot 60.pdf
- P_2018_00384 Plot 61.pdf
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- P_2018_00384 Plot 66.pdf
- P_2018_00384 Plot 67.pdf
- P_2018_00384 Plot 68.pdf
- P_2018_00384 Plot 70.pdf
- P_2018_00384 Plot 75.pdf
- P_2018_00384 Plot 77.pdf

- P_2018_00384 Plot 8.pdf
- P_2018_00384 Plot 81.pdf
- P_2018_00384 Plot 88.pdf
- P_2018_00384 Plot 89.pdf
- P_2018_00384 Plot 91.pdf
- P_2018_00384 Plot 96.pdf
- P_2018_00384 Plot 97.pdf
- P_2018_00384 Plot 99.pdf
- P_2018_00384 Plots 6 22 Floor Plans.pdf
- P_2018_00384 Plots 1 9 14.pdf
- P_2018_00384 Plots 2 24 4 15.pdf
- P_2018_00384 Plots 23 20.pdf
- P_2018_00384 Plots 26 64 98.pdf
- P_2018_00384 Plots 27 69.pdf
- P_2018_00384 Plots 3 17.pdf
- P_2018_00384 Plots 30 34.pdf
- P_2018_00384 Plots 31 38.pdf
- P_2018_00384 Plots 32 36 40 83.pdf
- P_2018_00384 Plots 35 80.pdf
- P_2018_00384 Plots 37 39 76 78 79 82.pdf
- P_2018_00384 Plots 41 42 43 floor plans.pdf
- P_2018_00384 Plots 41 42 43.pdf
- P_2018_00384 Plots 44 46.pdf
- P_2018_00384 Plots 45 47.pdf
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- P_2018_00384 Plots 57 85.pdf
- P_2018_00384 Plots 63 13 19.pdf
- P_2018_00384 Plots 71 73.pdf
- P_2018_00384 Plots 72 74.pdf
- P_2018_00384 Plots 8 18 Floor Plans.pdf
- P_2018_00384 Plots 90 92 94.pdf
- P_2018_00384 Plots 93 95.pdf
- P_2018_00384 Proposed Site Layout.pdf
- P_2018_00384 Proposed Substation.pdf
- P_2018_00384 Refuse Vehicle Tracking Sheet 1.pdf
- P_2018_00384 Refuse Vehicle Tracking Sheet 2.pdf

- P_2018_00384 SINGLE Garage.pdf
- P_2018_00384 Soft Landscape Proposals Sheet 1.pdf
- P_2018_00384 Soft Landscape Proposals Sheet 2.pdf
- P_2018_00384 Soft Landscape Proposals Sheet 3.pdf
- P_2018_00384 Street Scenes.pdf
- P_2018_00384 Sub Station Details.pdf
- P_2018_00384 SUPREME Garage a.pdf
- P_2018_00384 SUPREME Garage.pdf
- P_2018_00384 Transport Addendum Report Appendices.pdf
- P_2018_00384 Transport Addendum Report.pdf
- P_2018_00384 TWIN GF Garage.pdf
- P_2018_00384 TWIN GS Garage.pdf
- P_2018_00384_REVISIED_AMENDED Planning elevations Part 1- BECKBURY 325-1_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Boundary Treatment Plan 17073-2003H_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Cedar House Type Image_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_DRAINAGE STRATEGY P_ENG_002_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Fairfield Avenue Street Scene_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Great Crested Newt Walkover Survey_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Housetype The Cedar Roof Options_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_LIST OF CHANGES and Supporting Statement_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Materias Layout 17073-2004C_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Planning elevations Part 1-BECKBURY 325-3_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Planning elevations Part 1-BECKBURY 41-43 ELE_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_Poplar House Type Image_RECEIVED 03.07.18.pdf
- P_2018_00384_REVISIED_SITE LAYOUT 17073-2000L_RECEIVED 03.07.18.pdf
- Sewer Capacity Report
- Sewer Records
- ROD - ENG_100 RevA - Engineering Layout
- ROD - ENG_171 Rev# - Porous Paving Layout & Details
- ROD - ENG_290 RevA - Pond Construction Details
- ROD - SWS - 100yr +40%CC [critical results] 23 07 18
- Reasoned Justification for Market Housing Mix November 2017

4.5 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non-statutory consultee		Response
5.2	Rolleston Parish Council	Object to application on following grounds: 1. Surface water flooding – The application relies only on provisional reports. Local knowledge is that surface water from the development will cause significant issues as it is released via the ditch at Netherfield Grange. The Parish as riparian owners of the water courses would object to more water being released into them. 2. The reports within the application are inaccurate as they refer to 119 dwellings. 3. A car park for residents during the building stage was a requirement at outline stage. 4. Absence of a Construction Management Plan (CMP). Application should not be considered until a CMP is received and consulted on as this will have a huge detrimental impact upon local residents. 5. The percentage of housing types does not match the Local Plan strategic policy.
5.3	SCC Highways	No objection subject to conditions in relation to providing parking and turning areas and requiring garages not to be converted in the future.
5.4	SCC Lead Local Flood Authority	No objection subject to condition requiring drainage strategy and mitigation measures to be implemented.
5.5	The Environment Agency	Raise no objections to the proposed development on the grounds of fluvial flood risk.
5.6	Severn Trent Water	Raise no objection
5.7	Rolleston Civic Trust	Object to application as until a practical access arrangement is proposed for construction then the scheme is not feasible. Comments within separate letter about inconvenience and potential safety problems involved for people in the locality due to difficulties during construction period and ongoing problems of easy and safe access for normal and emergency vehicle flows afterwards. Additional grounds for objection relate to drainage/flooding which has not been addressed and issues with the pond which would be unfenced and therefore unsafe for children.

Internal Consultees		Response
5.8	Environmental Health Division	A contaminated land pre-commencement condition (No.12) is attached to the host outline permission ref: P/2012/00636 which would have to be complied with. No contaminated land conditions are therefore necessary for this reserved matters application.
5.9	Environment Manager	Comments made requesting confirmation of whether refuse container provision has been secured under any planning obligation.
5.10	Communities, Open Spaces & Facilities Manager	Advice given for the total open space requirements and comments made that generally the layout is logical. Open space requirements have already been agreed under the Section 106 Agreement linked to the host outline permission ref: P/2012/00636.
5.11	Tree Officer	Happy with proposal and that new planting on the site will mitigate removals. Advised that a method statement and tree protection plan would be required prior to the commencement of development.

6. Neighbour responses

6.1 191 objection letters were received. This includes objection letters from the local MP and from a County Cllr. The concerns raised within objections are summarised below:

Neighbour responses	
Principle	<ul style="list-style-type: none"> • Application does not comply with the terms of the outline permission as no CMP is included • No affordable houses are being provided • 100 houses in unsuitable for the site
Impacts upon Amenity	<ul style="list-style-type: none"> • Widening of the emergency access road at Fairfield Avenue will significantly reduce the amenity of occupiers at Fairfield Avenue. • Loss of daylight/sunlight • Invasion of privacy and overlooking issues • Some of the new dwellings will appear overbearing • Outlook from rear gardens will be destroyed • Major changes in the height difference between existing dwellings and the proposed new houses • Noise and disturbance due to proximity of new houses • Proposed substation is too close to an existing dwelling
Character of the Area	<ul style="list-style-type: none"> • Area is designated as an area of natural beauty which is used for recreation by local people. Loss of community area and harm to open character. • Too many houses are located near Twentylands • Suburbia type design will not integrate well into the village • Loss of existing boundary treatments and tree screen

	<ul style="list-style-type: none"> • Higher density of housing has been purposely placed closer to existing properties towards the northeast corner of the site • Fairfield Avenue would become an extension of the new estate and would lose its character as a cul-de-sac • 3 storey houses would not appear in keeping with the area
Highways Impacts	<ul style="list-style-type: none"> • Access to site is very limited so development and increase in cars will make the accesses more dangerous • Highways safety concerns • Risks to public safety on the highways • Congestion and traffic • Lack of any Construction Management Plan (CMP) • Access for construction through Fairfield Avenue would be unfeasible • Safety concerns for traffic and disruption during construction phase. • Large truck movements will cause highways safety issues and is very dangerous for the public and residents. • Excessive noise, debris and volume of traffic during construction works
Flood and Drainage Impacts	<ul style="list-style-type: none"> • Development will exacerbate flooding issues within the area • Development will add extra pressure upon the existing drains • Surface water run-off has not been appropriately dealt with • Drainage scheme is a sketch proposal only • Riparian owners do not want to accept additional water through the watercourse
Other Matters Raised	<ul style="list-style-type: none"> • Current village amenities cannot cope with the influx of additional families moving into the village • Overloading of facilities within the area and local schools are already fully subscribed. • Money through a planning obligation should be used towards repairing some of the local roads. • Lack of a wildlife corridor • There is evidence of newts on site so development should not be allowed • Impact upon endangered newts and their habitats • Detrimental effect to other wildlife species • Noise disturbance when occupiers are within their gardens that back onto the site • Developer does not legally own the site • Removal of hedgerows will harm ecology • Loss of green areas and habitats • Site should be developed for village infrastructure instead

	<ul style="list-style-type: none"> • Restricted room for emergency services to get to the new houses • It would be unacceptable for traffic regulation orders to be placed on Forest School Street or Fairfield Avenue during construction. • Inaccuracies within the Planning Statement
MP for Burton	<p>Object to application on grounds that the construction is not appropriate for the village and overrides the original Neighbourhood Plan for Rolleston. Concerns also raised that there is a current Village Green application on the site and therefore no development should take place until a full Village Green application procedure has been completed. Construction traffic is a major issue and restrictions should not be introduced that prevents residents from parking outside their own homes simply to allow construction traffic. A full Construction Management Plan needs to be updated following consultation with residents. Also oppose any development which increases the risk and possibility of flooding.</p>
Ward Member	No formal comments received in writing

7. Policy Framework

National Policy

- National Planning Policy Framework 2018
- National Planning Policy Guidance

Local Plan

- Principle 1: Presumption in Favour of Sustainable Development
- SP1: East Staffordshire Approach to Sustainable Development
- SP2 Settlement Hierarchy
- SP3: Provision of Homes and Jobs 2012-2031
- SP9 Infrastructure Delivery and Implementation
- SP10 Education Infrastructure
- SP16 Meeting Housing Needs
- SP17 Affordable Housing
- SP23 Green Infrastructure
- SP24 High Quality Design
- SP25 Historic Environment
- SP27 Climate Change, Water Body Management and Flooding
- SP29 Biodiversity and Geodiversity
- SP35 Accessibility and Sustainable Transport
- DP1 Design of New Development
- DP2 Designing in Sustainable Construction
- DP3 Design of New Residential Development, Extensions and Curtilage Buildings
- DP7 Pollution and Contamination
- DP8 Tree Protection

Rolleston on Dove Neighbourhood Plan

The Neighbourhood Plan was examined in October 2013 however, to date the status of the plan remains in draft. The Council have yet to take a formal decision on the Neighbourhood Plan and therefore full weight cannot be given to it. The Secretary of State on 10th November 2016 issued a decision on the appeal for outline permission for 100 dwellings at the application site. The Secretary of State decision reconsiders the report of the Planning Inspector who held the public enquiry for the application in March 2014. The Appeal Inspectors Report recognises that the Neighbourhood Plan has reached an advanced stage, but granting permission would fall short of undermining the neighbourhood plan-making process. The Secretary of State considered that the policies in the Neighbourhood Plan, with the modifications recommended by the Neighbourhood Plan Examiner, carry significant weight. However since this time the Neighbourhood Plan Group have published a further draft of the plan and are committed to submitting a final draft in the near future. Therefore the examined draft is unlikely to proceed in its current form and such can only be given limited weight.

8. Principle of Development

8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 11 of the NPPF states that for decision-taking this means:

- approving development proposals that accord with an up to date development plan without delay; and
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - the application of policies in the Framework that protect areas of assets of particular importance provides a clear reasons for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

8.2 Annex 1 of the NPPF states that 'existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the Framework (July 2018). Due weight should be given to them, according their degree of consistency with the NPPF. The closer the policies in the plan to policies in the framework, the greater the weight that may be given'.

8.3 The principle of development for a scheme of 100 houses at the application site is already established through outline permission ref: P/2012/00636 which was granted in November 2016 by the Secretary of State.

9. Local Plan

9.1 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan

provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.

9.2 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

9.3 The site has been approved for housing development and an outline permission is in place. There is desirability for the site to be delivered in order to play a part in meeting the boroughs housing requirements and

achieving sustainable growth. It is considered that the layout as proposed can suitably accommodate the required number of dwellings as approved in outline. The general principles for sustainable development can be integrated within the layout and are discussed further in the assessment below in addition to relevant technical matters.

10. Design and Impact on the character and appearance of the area

- 10.1 The NPPF expects the creation of high quality buildings and places, which are fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps to make development acceptable to communities. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision maker as a valid reason to object to development.
- 10.2 Strategic Policy 1 and 24 state that development proposals must contribute positively to the area in which they are proposed. The policy lists a number of criteria developments are expected to achieve including creating a sense of place, reinforcing character, reflecting densities and where possible minimise the production of carbon through sustainable construction.
- 10.3 Policy DP1 of the Local Plan re-iterates the design principles set by SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.
- 10.4 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.
- 10.5 The East Staffordshire Design Guide is equally applicable to the policy aspirations of SP24. It states that:
- (a) Residential layouts should be designed with focus on the streets and spaces between dwellings rather than the individual buildings themselves;
 - (b) The location of buildings in relation to streets should create interesting streetscapes including consciously arranged views and vistas within and out of the development;
 - (c) Long straight and sweeping roads should be avoided with a preference for traffic calming inherent in the design of the development;
 - (d) Repetitive house types should be avoided;

- (e) The cramming together of large numbers of detached properties should be avoided.
 - (f) High proportions of frontage car parking will not be acceptable.
- 10.6 The 'layout' reserved matter relates to the way in which buildings, routes and opens spaces within the development are provided, situated and orientated to each other and to buildings and spaces outside the development. The 'scale' reserved matter relates to the height, width and length of each building proposed within the development in relation to its surroundings.
- 10.7 Within the proposed layout new plots have been arranged to maximise back-to-back garden relationships with existing properties to the north and east. All new houses which are more prominent in height of 2.5 storeys, and more dominant in terms of massing, are also situated away from the north and east boundaries. As a result these plots would not share a direct relationship with established residential properties around the site. Along the east boundary it has been ensured that new plots which back onto properties at Fairfield Avenue and Walford Road would be occupied by single storey bungalows in order to achieve a neighbourly relationship through design which also takes account of the changes in land level.
- 10.8 It is considered that there is a sense of spaciousness within the layout as all houses are set-back from internal roads with landscaped frontages. Gaps between buildings and the incorporation of side detached garages would also help to ensure that visual breaks are perceived between buildings which in turn helps to develop a street scene rhythm.
- 10.9 The site is approved in outline for residential development and it is considered that the proposed layout makes efficient use of available land where from a design view houses of a suitable scale would not appear shoe-horned in or crammed around new streets. One of the areas of public open space is also in a central location which is easily accessible and with passive surveillance from nearby new houses. Overall, it is considered that there are insufficient design grounds to refuse the application based on the layout or scale of individual house types resulting in any harm upon the character or appearance of the area.
- 10.10 Policy D2 from the Draft Neighbourhood Plan states that all new residential development should be restricted to a maximum of two storeys in height. The proposed scheme includes 7 plots where the house design is of 2.5 storeys with rooms within the roof space served by dormers and rooflights. As set out, Policies in the Draft Neighbourhood Plan are given only limited weight. Taking into account the variety of house designs and that only a small proportion of houses would be 2.5 storeys it is considered that the scale of buildings in relation to their surroundings would not be unacceptable.
- 10.11 The 'appearance' reserved matter relates to the aspects of the buildings within the development which determine the visual impression of the place including the external built form, its architecture and materials. A variety of house types would be introduced which share some traditional architectural elements such as bay windows however it has been ensured

that excessive detailing which draws attention has been avoided. The external facing materials has been clarified on the plans and a good balance of house design has been achieved, avoiding all buildings appearing the same and avoiding too many different designs which would lead to a confused and unrelated appearance. Overall, it is considered that the development would achieve a good standard of appearance in built form.

10.12 The 'landscaping' reserved matter deals with the treatment of land other than buildings and has the purpose of enhancing the amenities of the site and area in which it is situated. This includes screening by boundary treatments, the planting of trees, hedges, shrubs or grass, the laying out or provision of gardens and other amenity features. Full landscaping plans have been submitted which outlines new hedging and planting within the site and turfed open frontages to plots which can help to support an element of green within the street scenes. It has been clarified on the plans that all existing boundary treatments to existing properties to the north and east would be retained and new fences erected beside them within the application site for the new plots. Each plot would also have the provision of sufficient size garden areas which would be turfed. Overall, it is considered that the details for landscaping are acceptable and would help to enhance the experience of the new housing estate. In the interests of ensuring landscaping is completed efficiently a condition should be attached to any decision which requires planting to be completed for that respective plot prior to first occupation and managed, not only during the construction phase of the development but into the initial phase of the lifetime of the development.

10.13 Policy D1 from the Draft Neighbourhood Plan states that all new houses built shall include front gardens of sufficient size to plant at least one tree per dwelling. The Neighbourhood Plan Examiner recommended that this policy should be changed. It is considered that the requirements of the policy would not be practical to impose however the heart of the policy relates to a sense of spaciousness within the design with front gardens that can add greenery and it is considered that the layout does give priority to landscaping and front gardens in order to provide a setting for each dwelling and creating pleasant street scenes.

11. Residential Amenity

11.1 Policies DP1 and DP3 of the Local Plan seeks to ensure new residential development will not have an adverse impact on the amenities of new or existing residents by way of loss of light, overlooking or overbearing.

11.2 With regards to neighbouring amenity it is considered that the scheme as proposed would not result in any significant adverse impact. The back-to-back garden relationships to the north and east boundaries would help to ensure that new houses in built form are not in direct close proximity to the primary habitable room windows of existing neighbouring dwellings.

11.3 Concerns have been raised within some objections about the relationship of the proposed dwelling in Plot 65 to No.11 Forest School Street. The house within Plot 65 would be orientated in a similar manner to No.11 in order to have the principal elevation facing the new access point into the

site. This orientation means that No.11's garden would not be enclosed by the new dwelling and would instead share a relationship with the garden of the new plot. No.11 does have openings within its south side elevation including a kitchen window and a window serving an ensuite. However, this elevation faces the application site and these windows rely on outlook outside of No.11's own boundary. As a result it is considered that these windows are a secondary source of light and No.11's ground floor is served by primary windows within its rear elevation which has outlook over its own garden. It should also be taken into account that the dwelling within Plot 65 would be positioned with a gap of over 2.5 metres to the boundary with No.11 and would have a hipped roof sloping away from the neighbour. With these points to mind it is considered that there are insufficient grounds for a refusal based on any significant loss in daylight/sunlight to the occupiers of No.11 Forest School Street as a result of the arrangement of proposed houses.

- 11.4 Amended plans have been negotiated in order to ensure that a more neighbourly relationship is achieved between the proposed bungalow within Plot 43 and No.5 Fairfield Avenue. The plans clarify that this bungalow would sit on a slightly elevated level however the roof design has been hipped in order to greatly reduce the bulk. Whilst a gap of over 2 metres would be retained to the boundary with No.5, No.5 is a 2 storey detached property and the windows within its west side elevation are secondary sources of light relying on outlook outside of No.5's own boundary. There is a single panel first floor window within No.5's side elevation which serves a bedroom. However, this bedroom is also served by a large 4 panel window within No.5's principal elevation. Taking this into account it is considered that the bungalow as proposed within Plot 43 would result in no significant loss in daylight/sunlight to No.5 Fairfield Avenue.
- 11.5 The scheme has been designed with a neighbourly layout in terms of the positioning of new houses. Therefore, it is considered that there are insufficient grounds for a refusal based on any significant loss in daylight/sunlight to any neighbouring dwellings. Furthermore, as there is a reliance on back-to-back garden relationships with properties to the north and east it is considered that there are insufficient grounds for refusal based on any overbearing sense of enclosure to the occupiers of neighbouring dwellings when within their own gardens.
- 11.6 The houses have been designed with main habitable room windows within the front and rear elevations which have outlook over that respective plot rather than directly into neighbouring properties. The plots which back on to the north boundary and are occupied by 2 storey houses would each have garden depths of at least 10 metres. This would help to maximise the separation distances to the properties at Forest School Street and Twentylands. The plots which would back onto the east boundary would be occupied by single storey bungalows only and have garden depths of at least 9 metres. Ground floor openings would generally be screened from properties to the east by the new domestic boundary fences to be erected. Overall, with these points in mind it is considered that the scheme as proposed would not give rise to unacceptable invasion of privacy or undue overlooking to neighbouring occupiers.

11.7 Within the layout a substation is proposed close to the east boundary where Plot 44 is located. A substation can sometimes draw negative attention and assumptions in relation to health. However, electricity substations are common within housing schemes and under this proposal it has been designed to correspond with the surrounding development by virtue of its red brick construction and tiled hipped roof. The agent has clarified that the substation has been sited with sufficient buffers to the nearest building in line with recommendations from the electricity provider. Generally, there are no significant noise, vibration or radiation impacts related to these types of electricity substations and associated magnetic fields are understood to be undetectable at distances over 5 metres from the boundary. Due to the siting and design of the substation and the gap retained to the east boundary with No.6 Fairfield Avenue it is considered that any noise or vibration would be contained within the building and there are insufficient grounds for a refusal based on any health impacts. If there is a future nuisance with regards to noise, vibrations or health impacts from the substation then the Council's Environmental Health Division can take action under separate legislation and associated powers.

12. Highway Matters

12.1 The NPPF in section 9 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network, or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

12.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

12.3 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.

12.4 The 'access' reserved matter deals with accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding network. The housing development would be accessed via Forest School Street and the internal roads would be of adoptable standard that would allow emergency vehicles or the Council's fleet of refuse vehicles to safely service each plot. The main internal roads would also include pedestrian footways on either side whilst pathways are proposed

through the public open space areas and around the attenuation pond in order to link to walkways outside of the site. The County Highways Authority has raised no objections to the layout, internal roads and access arrangements from a highways safety point of view. With this technical opinion to mind it is considered that the scheme would not prejudice the safe or efficient use of the highway and there are insufficient grounds for a refusal based on detrimental impact upon highway safety.

- 12.5 The outline permission ref: P/2012/00636 includes pre-commencement conditions No.17 and No.18 which relate to the technical approval for all road construction and details for off-site highway works to provide a raised junction at the entrance of the development on Forest School Street. These details would be agreed in consultation with the Highway Authority under separate discharge of conditions applications.
- 12.6 From a parking point of view each plot has been designed with appropriate off-street parking spaces in accordance with the Council's Parking Standards guidance. In order to ensure adequate off-street parking exists to serve the development and to avoid excessive numbers of vehicles parking on the road and obstructing the free flow of movement of traffic, a condition will be attached to any decision which removes permitted development rights for converting garages.
- 12.7 Within representations received there are significant concerns raised in relation to a Construction Management Plan (CMP). Local residents in their view do not feel reassured about how the construction works can progress safely and in particular the routing and movement of heavy goods vehicles. This application includes no details for a CMP however the CMP is a technical matter which will be dealt with under a discharge of conditions application. Condition No.16 from the host outline permission ref: P/2012/00636 requires a CMP to be approved prior to the commencement of any development therefore no construction on site can commence until condition 16 has been discharged by the council. The condition wording includes a requirement to be broadly in accordance with the brief CMP which was included as part of the outline approval. There is no explicit requirement within the condition which restricts where construction vehicles can be routed through the site. It is understood that discussions are ongoing between the developer and County Highway Authority regarding the CMP and to find reasonable solutions which can minimise disruption to local residents. The developer is also keen to consult with local residents through the Parish Council on this matter.
- 12.8 Overall, it is considered that this application can only be assessed on its own merits and in relation to details relevant to each reserved matter. The lack of a CMP is not therefore not a material consideration to be considered as part of this reserved matters application and is not a reason to refuse this application. The details of the CMP will be dealt with under the specific condition of the host outline permission.

13. Historic Environment

- 13.1 Paragraph 184 of the NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance, so that they can be

enjoyed for their contribution to the quality of life of existing and future generations.

- 13.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.
- 13.3 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 13.4 The housing development would become an extension to the existing residential estate and is over 460 metres away from the heart of the village which is designated as Conservation Area. There is no inter-visibility between the application site and the Conservation Area. As a result it is considered that there would not be no demonstrable harm upon the characterful aspects and appearance of the Conservation Area.
- 13.5 The nearest Listed Building to the site is No.1 Beacon Road which is a 17th century house. The house is a Grade II Listed Building and sits within its own setting over 570 metres away to the west to the other side of the village. The proposed development would not therefore affect the experience or route past any Listed Buildings and there are no Listed Buildings in close proximity to the application site. Therefore, it is considered that the character, significance and setting of heritage assets within Rolleston-on-Dove would not be harmed.
- 13.6 It is considered that the statutory duties under Section 66 and under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 have been considered as part of this application and are not engaged by it.

14. Flood Risk and Drainage

- 14.1 Section 14 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest risk of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.
- 14.2 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to

ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.

- 14.3 The application site falls within Flood Zone 1 and The Environment Agency has therefore raised no objections to the development on the grounds of fluvial flood risk. It is understood that there are known local drainage issues in the area, including the system where the sites water would discharge into. However, the developer's drainage consultant has been working closely with the County Lead Local Flood Authority to find solutions.
- 14.4 The technical view of the LLFA is that the drainage engineering which would be put into place would definitely improve the existing drainage situation in terms of dealing with surface water. The attenuation pond has also been designed at a capacity to store the volume of surface water run-off that would be generated from the site being developed. Consequently, the LLFA has advised that the drainage related Condition No.10 from the host outline permission ref: P/2012/00636 can be discharged.
- 14.5 Severn Trent Water Company has also been consulted on the application. The Water Company has confirmed that there are some drainage issues outside of the application site and discussions are ongoing with the developer about how this situation can be improved. In terms of the drainage layout as proposed for the site the Water Company has raised no objections and advised that the details for disposal of foul and surface waters are acceptable. The drainage related Condition No.10 from the host outline permission ref: P/2012/00636 can also be discharged.
- 14.6 Within objections from the Parish Council and nearby residents issues have been raised about riparian ownership of the watercourse which water would be discharged to. The legal ownership and control over waterways is a private legal matter and is not a matter to be considered or taken into account in determining this reserved matters application.
- 14.7 Overall, taking into account the technical opinion of the LLFA, The Environment Agency and Severn Trent Water Company it is considered that the proposed scheme would be appropriately flood resilient, flood risk would not increase elsewhere and surface water flows would be suitably managed by giving priority to a sustainable drainage system. A condition should be attached to any decision which requires the drainage engineering to be implemented and operational prior to the first occupation of any houses.

15. Affordable Housing and Housing Mix

- 15.1 Section 5 of the NPPF expects Local Authorities to address the need for all types of housing, including affordable housing and the needs of different groups in the community. Strategic Policies 16 and 17 along with the guidance set out in the Housing Choice SPD responds to this requirement.
- 15.2 Strategic Policy 16 states that residential development in the main towns and Strategic Villages shall provide an appropriate dwelling or mix of dwellings given the mix required in that part of the Borough according to the Council's evidence base or other evidence.

15.3 The Housing Choice SPD expects the market housing mix for Strategic Villages as shown below in the table. A column has been included which includes how the proposed scheme compares. The scheme includes the following open market homes:

- 28 x 2 bed bungalows
- 4 x 2 bed houses
- 15 x 3 bed houses
- 23 x 4 bed houses
- 23 x 5 bed houses

	Strategic Villages	<i>Proposed Scheme</i>
1-bedroom homes (flats, houses or bungalows)	2%	0%
2-bedroom homes (flats, houses or bungalows) and Housing for Older People	61%	34%
3-bedroom houses	23%	16%
4-bedroom houses	10%	25%
5-bedroom houses	4%	25%

15.4 The outline consent specifies the delivery of 7% of units on site to be affordable. SP17 states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings.

15.5 The Housing Choice SPD provides guidance on the expected affordable housing mix of sites.

15.6 Policy H2 from the Draft Neighbourhood Plan states that across the allocated housing sites in Rolleston on Dove, up to 50% of the new dwellings shall be appropriate for occupation by older persons. Such properties shall fulfill all of the following criteria; Achieve Lifetime Homes standards, particularly in respect of wheelchair access; be either 1- or 2-bed properties. This overall requirement can be delivered either across all allocated housing sites or predominantly on a single allocated housing site, with lower levels of such housing provided on the remaining allocated housing sites. Any planning application coming forward proposing housing on one of the allocated sites will be assessed against the outstanding 'balance' of housing appropriate for older persons which is still required to be delivered during the plan period in the parish. Any development should aim to protect the environment and meet recognised best practice.

15.7 The proposed layout includes 7 affordable units out of which 2 would be rented and the remaining 5 would be in shared ownership. The affordable houses would each be of 2 storeys. Five of the affordable units would each have 2 bedrooms and the remaining two units would each have 3 bedrooms. The affordable units would be located centrally within the layout surrounded by market houses, complying with Strategic Policy 16 which states that clusters of affordable housing within a site should be of no more than 8 dwellings. The provision of 7 units on site is in accordance with the

Section 106 Agreement linked to the host outline permission ref: P/2012/00636 which states a requirement for 7% of the dwellings to be affordable units on site. There are no reasonable grounds to reopen any discussions in relation to affordable housing as the reserved matters layout complies with the agreed planning obligation associated with the outline permission.

- 15.8 The scheme would bring forward an appropriate mix of housing with 28 bungalows and a mix of 2, 3, 4 and 5 bedroom houses within the layout. It is considered that the scheme does make sufficient priority for housing for older people taking into account that not all older people only prefer single storey bungalows. The majority of the 2 storey houses would have level access and benefit from having a downstairs toilet with most readily convertible to include showers. Overall, it is considered that there are no reasonable grounds to seek any changes to the housing mix and no specific market housing mix requirements were attached to the original outline permission.
- 15.9 The applicant has confirmed that the four ‘Luddington’ housetypes have been designed to meet the Building Regulations M4(2) standard. In addition to these, all units over 1,200 sqft would meet the space standards anyway. Therefore, 53 out of the 100 units would meet the Building Regulations M4(2) standard meaning that they may be more easily accessed and adaptable should the need arise in future.

16. Biodiversity

- 16.1 Paragraph 175 of the NPPF states that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission should be refused.
- 16.2 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 16.3 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.
- 16.4 A Biodiversity and Enhancement Plan has been included within the application which seeks to discharge the requirements of Condition No.14 of the original outline permission. Condition No.14 relates to a scheme of biodiversity protection and enhancement including roosting facilities for bats and nesting opportunities for birds. Within the scheme layout opportunities for new habitats and for fauna would be created within the native tree/scrub planting, meadow grassland, pond edge habitat and installation of bird and bat boxes to some of the retained trees. A condition should be added to ensure that the bird and bat boxes are installed in accordance with the enhancement measures as specified within the Biodiversity and Enhancement Plan.

- 16.5 Nearby residents have raised concerns that there are great crested newts on the site. Pictures have also been sent which show newts within the garden ponds of some of the neighbouring properties which back on to the application site to the north. However, there is no evidence of any newts within the application site boundary. Nevertheless, the concerns regarding newts have been discussed with the applicant and a Site Walkover Survey has been conducted during the application process on 29 June 2018 by a Natural England licensed surveyor. The survey results report that the site comprises a large field compartment with limited area of tall vegetation and well-trodden paths are evident around the field edges indicating regular use by dog walkers. The grassland is also subject to regular cutting and the professional opinion of the surveyor is that this further decreases the suitability of terrestrial habitats within the site boundary for great crested newts. With this professional opinion in mind it is considered that at this stage there are no reasonable grounds to suggest that the development could harm any protected species.
- 16.6 An informative note can be added to any decision to remind the applicant that in the unlikely event that great crested newts are encountered within the site boundary then all works should stop immediately and further advice provided by an ecologist. The applicant has been made aware during the application process that it is a criminal offence to intentionally or recklessly kill, injure or capture great crested newts or obstruct access to, damage or destroy the resting places used by these animals.
- 16.7 The application includes an Arboricultural Assessment which reports that all trees on the site are either of moderate quality/value or low quality/value. It is considered that the new tree planting as part of the landscaping plan would form an integral part of the development and would help to mitigate the losses of trees which are currently located at the site. A landscaping condition is proposed which would require plants and trees to be replaced within a period of 5 years with others of a similar size or species if they die, are removed or become seriously damaged or diseased.
- 16.8 The Council's Tree Officer has visited the site to assess each tree and is happy with the proposal in terms of the new planting to mitigate removals. It is considered that there are no trees which are worthy of special protection by way of a formal TPO. A condition is already included on the host outline permission (No.13) which requires details for a scheme of measures to protect the trees which are to be retained. This would help to ensure that trees are suitably protected during construction phase. A pre-commencement condition requiring a method statement and tree protection plan is not therefore required.

17. Open space

- 17.1 The NPPF states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.
- 17.2 SP32 and SP33 set out the requirements of open space provision across the Borough.

- 17.3 Policy D1 from the Draft Neighbourhood Plan requires that all major residential schemes provide areas of public green open space within the development boundary. This space shall be located and designed so that it can practically be used by residents and other members of the public passing through the development.
- 17.4 The layout includes suitable provision for public open space and landscaping details have been clarified on the plans. The Council's Open Spaces Manager has raised no objections and advised that the open spaces would be situated in logical areas with links to the existing children's play area to the northwest.
- 17.5 The Section 106 Agreement associated with the host outline permission requires the open spaces to be provided prior to the occupation of any dwellings immediately adjacent or adjoining the public open space areas. A commuted sum of £60,000 for future upkeep of the open spaces would also be paid to the Council within a reasonable time period after the landscaped open space areas have been completed.

18. Section 106 Contributions

- 18.1 Paragraph 56 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- 18.2 There are no reasonable grounds to reopen any discussions in relation to developer contributions as a Section 106 Agreement is already agreed in association with the host outline permission.
- 18.3 The following contributions are already secured under a Section 106 Agreement dated 6th March 2014 which is linked to outline permission ref: P/2012/00636:
- Contribution of £535.062 to the County Education Authority for the provision of educational facilities within the vicinity of the land
 - A commuted sum of £60,000 to the Council for future upkeep and maintenance of the public open space areas.
 - Payment of £6,200 towards the monitoring and review of a Travel Plan
 - Contribution of £50,000 paid to the Council for the provision and maintenance of community facilities which may include play equipment or a contribution towards a parish room within the vicinity of the development.
 - Waste Collection Container Contribution of £65.00 per dwelling.
 - Contribution of £3,000 paid to the County for the introduction of a Temporary Traffic Regulation Order on Forest School Street, Garrett

Square and/or Needwood Avenue if in its sole opinion the Highways Authority deems such a measure to be necessary due to traffic congestion resulting from vehicle accessing and egressing the land during construction phase.

- 7% of the dwelling as on-site Affordable Housing Units and an Affordable Housing Contribution based on a sum calculated in line with the Council's Housing Choice SPD.

19. Conclusions

19.1 The principle of the development for housing is already established by the approval on appeal of the outline permission. There is desirability for a scheme to be delivered on the site in order to play a part in meeting the boroughs housing requirements and achieving sustainable growth. It is considered that the details submitted in respect of each reserved matter are acceptable and the layout as proposed integrates the principles for sustainable development. The house types as arranged would also achieve a high standard of appearance in built form and there are insufficient grounds for a refusal based on any significant un-neighbourly relationships to existing properties.

19.2 Furthermore, technical details for a drainage layout have been included with priority given to a sustainable drainage system which would ensure that the scheme as proposed would be appropriately flood resilient, flood risk would not increase elsewhere and surface water flows would be suitably managed.

19.3 It is considered that the scheme as proposed would not result in any demonstrable harm upon the character and significance of the historic environment and there are no other material considerations which should be added to the planning balance.

19.4 Accordingly, it is considered that there are insufficient grounds for a refusal based on any aspect of the reserved matters details being unacceptable as the layout would bring forward a housing scheme as per the terms of the host outline permission and the design would be in compliance with the aims and criteria of policies from the Local Plan, the Council's SPD's and the National Planning Policy Framework.

19.5 RECOMMENDATION

The Planning Committee is asked to resolve to **GRANT** planning permission for the development subject to the following conditions:

1. Time limit for commencement of development not later than 2 years in order to comply with the outline permission (bespoke)
2. Approved Plans (00002)
3. External facing materials in accordance with approved plans (bespoke)
4. Prior to first occupation ensure landscaping is carried out for that respective plot (bespoke)
5. Prior to first occupation ensure boundary treatments are erected for that respective plot and retained/repared as such (bespoke)

6. Prior to first occupation ensure driveways, parking and turning areas are provided for that respective plot (bespoke)
7. Implementation and subsequent maintenance of the sustainable drainage scheme prior to first occupation of any dwelling (bespoke)
8. Installation of bird and bat boxes as outlined in the Biodiversity Enhancement Plan (bespoke)
9. Remove permitted development rights for garage conversions (bespoke)

20. Background papers

20.1 The following papers were used in the preparation of this report:

20.2 The Local and National Planning Policies outlined in the report above.

20.3 Papers on the outline planning application file ref: P/2012/00636.

21. Human Rights Act 1998

21.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

22. Crime and Disorder Implications

22.1 It is considered that the proposal does not raise any crime and disorder implications.

23. Public Sector Equality Duty

23.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

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