

## **DEFERRED ITEM**

**16/00678/FUL**

**Heyford Developments  
Ltd**

**Cllr Cox & Cllr Wright  
Wheaton Aston,  
Bishop's Wood &  
Lapley**

### **Land West Of Ivetsey Road, Wheaton Aston**

**Outline planning application for residential development of up to 30 dwellings (C3 use class) with all matters reserved except access.**

#### **1. SITE DESCRIPTION AND PLANNING HISTORY**

1.1 – 1.3 See Appendix B

#### **2. APPLICATION DETAILS**

##### **2.1 Proposal**

2.1 Proposal Description See Appendix B

2.2 Agent Submissions See Appendix B

#### **3. POLICY CONTEXT**

See Appendix B.

#### **4. CONSULTATION RESPONSES**

**County Highways** (received 23/11/2016) *I can confirm acceptance of the drawings attached and have no further comments to make.*

See Appendix B for other consultee responses

#### **5. APPRAISAL**

5.1-5.9 See Appendix B

5.10 After conducting a site visit for November's committee a query was raised in relation to an existing tree and the visibility splays for the proposed access. The applicants have sent additional plans that show the relevant distances can be achieved with the retention of the tree. There are also calming measures proposed that will include dragons teeth, a virtual speed hump as well as a reduction in speed limit from national to 30 miles per hour. These proposals will be added to the Section 106 stipulating when and how the measures will be put in place, including costs to be incurred by the developer.

5.11 County Highways have confirmed that County Councillor Sutton will need to approve the 30 mile per hour changes at the site (Traffic



the road. The site is bound along the north, south and west with a well-established hedgerow. Along the southern boundary positions two large trees.

#### **1.1.4 Relevant Planning History**

None

#### **1.1.5 Pre-application Discussions**

Pre-application discussions have taken place.

### **2.1 APPLICATION DETAILS**

Consent is sought for outline planning consent for residential development (C3) with all matters reserved for future consideration with the exception of access.

2.1.1 An indicative masterplan (IM-02 G1) has been provided which states that there will be approximately 30 dwellings. It should be noted that as the application is in outline with access only, this plan showing the layout of the scheme can be subject to change in any future Reserved Matters application. Therefore, the amount of dwellings may change or the layout, proposed landscaping etc.

#### **2.1.2 Agent Submission**

- o Agricultural Land Classification Report
- o Arboricultural Constraints Report
- o Cultural Heritage Report
- o Design and Access Statement
- o Ecological Appraisal - confidential
- o Flood Risk Assessment & Drainage Strategy
- o Great Crested Newt Survey Report - confidential
- o Landscape and Visual Appraisal
- o Noise Assessment
- o Objectively assessed housing needs
- o Phase 1 Geo - Environmental Desk Study
- o Planning Statement
- o Site Waste Management Plan
- o Statement of Consultation
- o Transport Statement
- o Utilities Assessment.

### **3. POLICY CONTEXT**

3.1 The application site is within the Open Countryside and outside of Wheaton Aston Development Boundary. The local and national planning policies relevant to the determination of this application area as follows:

Core Strategy Development Plan Document, December 2012:  
National Policy 1 - The Presumption in Favour of Sustainable Development  
Core Policy 1 - The Spatial Strategy for South Staffordshire

## Core Policy 6 - Housing Delivery

OC1 - Development in the Open Countryside Beyond the West Midlands Green Belt

EQ1 - Protecting, Enhancing and Expanding Natural Assets

EQ4 - Protecting and Enhancing the Character and Appearance of the Landscape

EQ5 - Sustainable Resources and Energy Efficiency

EQ7 - Water Quality

EQ8 - Waste

EQ9 - Protecting Residential Amenity

EQ11 - Wider Design Considerations

EQ12 - Landscaping

EQ13 - Development Contributions

H1 - Achieving a Balanced Housing Market

H2 - Provision of Affordable Housing

H4 - Delivering Affordable Housing

EV11 - Sustainable Travel

EV12 - Parking Provision

3.4 Housing Market Assessment (2012)

3.1.1 National Planning Policy Framework (NPPF), March 2012

3.1.2 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. This document sets out the national overarching aims for planning with a presumption in favour of sustainable development. Development that is sustainable should be favoured, without delay, and should be seen as a golden thread running through both plan-making and decision-taking.

Para 6-10: Achieving Sustainable Development

Para 11-16: The Presumption in Favour of Sustainable Development

Para 17: Core planning principles

Para 47-55: Delivering a Wide Choice of High Quality Homes

Para 79-92: Protecting Green Belt Land

Para 109-125: Conserving and Enhancing the Natural Environment

Para 126 - 128 Conserving and enhancing the historic environment

Para 186-187: Decision-taking

3.1.3 National Planning Practice Guidance (NPPG), 2013

## **4. CONSULTATION RESPONSES**

4.1 A site notice was posted outside the site 16.08.2016 and expired 06.09.2016.

An advert was placed in the Express & Star Newspaper that expired 07.09.16

**Councillor Brian Cox:** no comments received.

**Councillor Roy Wright:** no comments received.

**Lapley, Stretton and Wheaton Aston Parish Council** (comments received 22.08.2016): *no comments*

**Ecology** (comments received 12.9.2016 and further comments 28.09.2016)

*Assessment of Submitted Documents and Recommendations*

*The Preliminary Ecological Appraisal identifies features on site - hedgerows and trees, likely to be of value to roosting and foraging bats. These are proposed for retention and incorporation into green infrastructure. It is recommended that a condition be applied requiring reserved matters applications to be in accordance with the Illustrative Masterplan Drawing IM-02 Rev G1 with the exception that hedgerows should not be incorporated into residential boundaries, as appears to be the case on the western boundary, as this removes protection. In line with recommendations in s.4.1.13 and 4.1.14 of the Preliminary Ecological Appraisal a condition is recommended requiring submission of a tree, hedgerow and pond protection plan to support reserved matters. A condition requiring submission of a detailed landscape plan, demonstrating enhancements for biodiversity is recommended*

*I note that the Transport Assessment identifies more hedgerow removal than appears to have been assessed by the Preliminary Ecological Appraisal, or is shown on the Development Framework drawing and Illustrative Masterplan. Drawing 2401-01 Rev A in the Transport Statement shows proposed hedgerow removal. It is not clear whether an oak of potential to support bat roosts would need to be removed. A revised assessment, including coverage of impacts of this hedgerow loss, and provision of mitigation, is required.*

*A condition is recommended for submission of a Construction Environmental Management Plan (CEMP) prior to commencement of development to prevent impacts on retained features and the local environment.*

*As the report notes there is potential for bats to be adversely affected by lighting of development, mainly highway lighting. A condition is recommended requiring submission of a lighting scheme that takes into account impacts on bats and Institute of Lighting Engineers/Bat Conservation Trust guidance. Lighting columns should be located as far as possible from retained trees and spill to hedgerows and trees minimised.*

*The Preliminary Ecological Appraisal fails to consider potential impacts on farmland birds of conservation concern. The timing of the survey was such that breeding birds could not be adequately assessed. Though not referenced by the report of the desk study, yellowhammer, a bird of conservation on the British Trust for Ornithology red list due to population decline, is recorded in this area. This, and other farmland birds, are likely to be affected by the proposal.*

*While tree and hedgerow-nesting species may not be directly affected by the proposed development, there are likely to be indirect effects, due to disturbance from both construction and occupation and from increased predation by domestic pets. While mitigation is not possible, compensation should be provided in the form of provision of nesting opportunities for birds of built development such as house sparrow, swift and house martin. In accordance with approvals elsewhere a condition could specify such provision for every 10th dwelling with details to be submitted.*

*A standard condition for protection of breeding birds is required to cover all vegetation removal, including in-field due to potential presence of ground-nesting birds.*

*The Preliminary Ecological Appraisal states that hedgehog, a species of principal importance (NERC Act 2006) is not recorded locally. This is an error. The CEMP should include measures to avoid harm to this species.*

*Unfortunately the great crested newt survey is not sufficient to support the proposal as almost all the ponds close to the site were not surveyed, including one adjacent to the site. I do not find the Great Crested Newt Survey Report conclusion that it is highly unlikely that GCN will be impacted by site development proposals robust as it is based on minimal*

*information and an unjustified assessment of the likelihood of newts to be present and breeding in ponds close to the site and therefore potentially present on the site.*

*While the completed development will provide enhanced habitat for great crested newts I believe that there is a substantial risk of impacts of site preparation and construction and that insufficient information is available to properly assess this. The Great Crested Newt Survey Report quotes the Natural England guidance in a selective way. Applying the guidance (as found on the last version of the licence method statement), should great crested newts be present in the un-surveyed ponds adjacent to and 150 metres from the site, the likelihood of impacts would be high.*

*In this circumstance, where great crested newts are present locally but survey has been denied for most ponds, I would expect the applicant to utilise the Natural England pre-application advice service and to submit a proposal approved by NE. This would give the LPA confidence that this protected species would not be adversely impacted by the proposal. I recommend that this be required. Should the proposed Reasonable Avoidance Measures approach be approved by Natural England I recommend that it be applied to the full site, not only within 50 metres of the pond due to habitat suitability.*

#### *Conclusions and Summary of Recommendations*

*Insufficient information has been provided to give assurance that the European Protected Species great crested newt will not be harmed by the proposed development. It is recommended that the applicant be required*

*to demonstrate Natural England approval of the proposed measures for mitigation or that if this is not achievable further survey be carried out.*

*Not all proposed hedgerow, and possibly tree, removal appears to have been assessed for ecological impacts and mitigation is not proposed. A revised assessment, including coverage of impacts of this hedgerow loss, and provision of mitigation, is required to allow for full impact assessment.*

*Conditions are recommended for*

- o Compliance of reserved matters with the Illustrative Masterplan, with a caveat regarding the western hedgerow;*
- o Protection of trees, hedgerows and the pond;*
- o A CEMP;*
- o Protection of breeding birds;*
- o A lighting scheme that avoids impacts on bats;*
- o Submission of a detailed landscape plan, demonstrating enhancements for biodiversity;*
- o Provision of bird boxes for species such as house sparrow, swift, swallow and house martin that utilise the built environment and are of conservation concern.*

*Further comments 28.09.2016:*

*Revised great crested newt report was submitted and reviewed.*

*In terms of conditions I suggest a pre-commencement condition for GCN:*

*'Prior to site clearance, removal of vegetation and commencement of development a Reasonable Avoidance Measures Method Statement for protection of great crested newts shall be submitted for written approval by the LPA. This Method Statement shall include measures found in s. 5.1.20 of the Great Crested Newt Survey Report Vs 2 September 2016. Works shall not commence prior to written approval and shall comply with the Method Statement.*

*Other recommendations for conditions are found in my planning response of Sept 9th:*

- o Compliance of reserved matters with the Illustrative Masterplan, (with a caveat that hedgerows should not be incorporated into residential boundaries,);*
- o Protection of trees, hedgerows and the pond;*
- o A CEMP (to include measures for protection of habitats and species);*
- o Protection of breeding birds;*
- o A lighting scheme that avoids impacts on bats;*
- o Submission of a detailed landscape plan, demonstrating enhancements for biodiversity;*

**Regeneration and Housing Strategy** (comments received 30.08.16):

*Affordable Housing:*

*Policy H2 requires that developments of 5 or more dwellings in Wheaton Aston, a local service village, will be required to make an affordable housing contribution. On greenfield land, this contribution will be the equivalent of 40% of the development. Therefore, if 30 dwellings are proposed, a minimum of 12 units would need to be affordable to comply with Policy H2. This policy also requires that the affordable units are split 50:50 between social rent and intermediate tenure e.g. shared ownership.*

**Housing Mix:**

*Policy H1 encourages the provision of more 2 and 3 bedroom homes across all market areas of the district in order to produce a better balanced housing market. Mix should also be informed by local need. In terms of market housing, the Housing Market Assessment indicates a small shortfall in this area of 1 and 2 bedroom properties, and an oversupply of 3 and 4+ bedroom homes. There is also a shortfall of 2 and 3 bedroom affordable homes.*

*Detailed information on housing mix has not been provided at outline stage, but the applicant states 2 and 3 bedroom homes will be provided. Compliance with Policy H1 would depend upon the proportion of this size property provided. Mix must make a contribution to meeting local need and provide a range of housing types and tenures. It is recommended further advice is sought from Housing Strategy prior to a reserved matters application for up to date housing need information and agreement of an appropriate mix. The provision of bungalows would be welcomed to meet the need of the district's rapidly ageing population.*

**Flood Risk Officer** (comments received 02.09.16):

*The Flood Risk Assessment and Drainage Strategy (Report Ref: WM11160/001, July 2016) demonstrate that an acceptable drainage design could be achieved within the proposed development. The detailed drainage design should be in accordance with the drainage strategy and design parameters established in the submitted documents. Some additional work will be required at the detailed design stage prior to final approval. Surface water will need to be discharged via a connection to the surface water sewer approximately 350m to the east of the site, as per the Severn Trent developer enquiry response. A full SuDS management train will need to be included, providing adequate water quality treatment as set out in the SuDS Manual (CIRIA). There appears to be scope within the Illustrative Masterplan to include above-ground SuDS such as swales to convey surface water to the proposed attenuation pond.*

*Existing boundary ditches should be retained. 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.*



**Staffordshire County Council Flood Risk** (comments received 02/09/16):

*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.*

*Condition*

*No development shall take place until a detailed surface water drainage scheme for the site 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 set out in the Flood Risk Assessment and Drainage Strategy (Report Ref: WM11160/001, July 2016).*

*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 include a management train that provides adequate water quality treatment and above-ground SuDS components.*

*Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to 5.0l/s.*

*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.*

*-Existing boundary ditches to be retained.*

*-Finished floor levels to be set at a minimum of 150mm above existing ground levels.*

*Reason*

*To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.*

**School Organisation Team** (comments received 01.09.2016):

*This development falls within the catchments of St. Mary's CE(VC) First School, Wheaton Aston, Brewood CE(VC) Middle School and Wolgarston High - Specialist Tech College.*

*The development is scheduled to provide 30 dwellings. Excluding the 12 RSL dwellings from secondary only, a development of 30 houses including 12 RSLs could add 5 First School aged pupils, 2 Middle School aged pupils, 2 High School aged pupils and 1 Sixth Form aged pupil.*

*St. Mary's CE(VC) First School and Wolgarston High - Specialist Tech College are projected to have sufficient space to accommodate the likely demand from pupils generated by the development. However, Brewood CE(VC) Middle School is projected to be full for the foreseeable future.*

*We will therefore be requesting a contribution towards Middle School provision only.*

*We would seek an Education Contribution for 2 Middle School places (2 x £13,827 = £27,654). This gives a total request of £27,654.*

*The above contribution is based on the 2008/09 cost multipliers which are subject to change.*

*The above is based on current demographics which can change over time and therefore we would wish to be consulted on any further applications for this site.*

**County Planning** (comments received 15.08.2016): no comment to make

**County Highways** (comments received 23.09.2016): *no objections subject to conditions*

**Historic Environment** (comments received 23.08.2016):

*Thank you for consulting this office on the above outline application for the erection of up to 30 dwellings at land west of Ivetsey Road, Wheaton Aston. The planning application is supported by a Cultural Heritage Assessment (CHA) which meets the requirements of the Chartered Institute for Archaeologists (CIfA) 'Standard and guidance for a historic environment desk-based assessment' (2014).*

*The CHA utilises all the relevant datasets including the South Staffordshire Historic Environment Assessment (2011) undertaken on behalf of the South Staffordshire Council in support of the Local Plan. The site lies within Historic Environment Character Zone (HECZ) 1 of the Historic Environment Assessment, which identified the high significance of the historic character of the landscape surrounding Wheaton Aston and of the survival of associated ridge and furrow earthworks. The site visit undertaken as part of the CHA identified that these earthworks are no longer present across the proposed development site and that the*

*proposed Masterplan seeks to ensure the survival of the historic hedgerows. Cont/...*

*The CHA identifies that the archaeological potential of this landscape is currently poorly understood due to a lack of previous archaeological assessment. It recognizes the presence of two Roman roads approximately 1.2km to the south and 700m to the north, as well as a possible Bronze Age ring ditch to the south east. This evidence raises the potential for unknown archaeological remains to survive and this is acknowledged by the CHA.*

*Taking into account the demonstrable archaeological potential it is advised that a staged archaeological evaluation is undertaken to further understand the nature, character, date and significance of any archaeological remains. This work should be carried out sufficiently in advance of groundworks to inform the need for and scope of any further archaeological mitigation. This approach is supported by NPPF paragraph 128 which requires applicants to describe the significance of any heritage assets and the potential impact of any proposed development upon them and NPPF paragraph 141 which requires applicants to 'record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible'. Such archaeological mitigation should be undertaken by a suitably experienced archaeologists working to the Chartered Institute for Archaeologists code of conduct and standards and guidance for 'Archaeological Evaluations' (2014). This work would most appropriately be secured via a condition being attached to any permission issued which states:*

*"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 District 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. The Scheme shall thereafter be implemented in full in accordance with the approved plans".*

**Crime Prevention and Design Team:** no comments received

**Staffordshire Fire and Rescue Services:** no comments received

**Waste Management Unit:** no comments

**Staffordshire Badger Conservation Group** (comments received 12.08.2016): *Thank you for the preliminary ecological survey for this application, we are happy with the findings and recommendations and have no further comments to make.*

**CPRE:** no comments received

**Environment Agency** (comments received 25.08.16): *Having reviewed the information submitted, the Environment Agency has assessed this as having low environmental risk. Therefore, we have no comments to make.*

**Environmental Health:** no comments received

**Staffordshire Wildlife Trust:** no comments received

**National Grid:** no comments received

**Open Spaces Society:** no comments received

**Ramblers association:** no comments received

**Local Plans** (comments received 13.09.2016): *The application is in outline for residential development on land adjoining Wheaton Aston Development boundary. All matters are reserved except for access.*

*The site is 1.47 ha in extent and lies adjacent to Wheaton Aston development boundary within an area of land designated as Open Countryside (policy OC1) in the adopted Local Plan (Core Strategy). There is residential development along the north eastern boundary of the site, with the remaining adjoining land in open/agricultural use. The site is also within close proximity to the Motte Meadows SSSI/SAC. Wheaton Aston is classified as a Local Service Village in the settlement hierarchy in Core Policy 1 of the Core Strategy and is one of 7 villages identified for limited growth up to 2028.*

*NPPF and PPG*

*The National Planning Policy Framework (NPPF) is based on a presumption in favour of sustainable development when assessing and determining proposals. One of the aims of NPPF is 'to boost significantly the supply of housing' in a sustainable way and to 'encourage and not act as an impediment to sustainable growth'.*

*To achieve this, paragraph 47 of the NPPF requires the Council to "identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements...". It is also clear that the Core Strategy must meet "the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework...".*

*Further guidance as to how this operates is offered in paragraph 30 of the Planning Practice Guidance's (PPG) 'Housing land and economic availability assessment' section. This indicates that up-to-date plan targets should be the starting point for measuring five year supply, but that "evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs".*

*Furthermore, it indicates that if Local Plan housing requirements are out-dated, "information provided in the latest full assessment of housing*

*needs should be considered", albeit that the weight given to these should reflect their untested and unmoderated nature.*

#### *The Council's 5 Year Housing Land Supply*

*The Council's adopted Core Strategy is based upon a housing requirement of 175 dwellings per annum, which derives from the West Midlands Regional Spatial Strategy (WMRSS) Phase Two Revision Panel Report. As indicated by the PPG section quoted above, this may well not adequately reflect current needs. Furthermore, paragraph 19 of Solihull v. Gallagher case quoted by the applicants at paragraph 5.18 of their Planning Statement indicates that the Court of Appeal did not consider a housing requirement deriving from the WMRSS Phase 2 Revision to be an OAN for the purposes of the NPPF. Consequentially, Whilst 5 years' worth of housing supply can be demonstrated against the Core Strategy housing requirement, and as at 31st March 2016 the Council had oversupplied its target by 700 dwellings, this requirement figure is not based upon an assessment of the full objectively assessed needs of the housing market area, as required by NPPF paragraph 47. Therefore, with regard to the PPG and NPPF, it cannot be considered an up-to-date housing requirement for the purposes of measuring housing supply. As a result, the Council is unable to robustly demonstrate a 5 year supply of housing land to meet the requirements of paragraph 47 of the NPPF.*

#### *Policy OC1*

*In light of this, paragraph 49 of the NPPF indicates that relevant policies for the supply of housing should not be considered up-to-date when considering housing applications, and that such applications should be considered in the context of the presumption in favour of sustainable development. The lack of a 5 year housing supply immediately engages paragraph 14 of the NPPF as a consequence. Paragraph 14 of NPPF is the golden thread of sustainable development that runs through the NPPF. In the case of this application for 30 dwellings in Wheaton Aston it is necessary to show whether any adverse impacts of granting planning permission would 'significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole or, specific policies in the Framework indicate development should be restricted' [NPPF Para*

*14].'* Furthermore, an out-of-date Core Strategy policy should not be automatically disregarded given its statutory status of the as part of the Development Plan. Therefore, bearing in mind that the NPPF is an important material consideration, the statutory requirements of the Development Plan must be balanced against other material considerations to arrive at a balance for or against the grant of planning permission.

*As clarified by a recent Court of Appeal judgement , this implies that any relevant Core Strategy policies affecting the supply of housing by restricting the locations where new housing may be developed are likely to be "not up-to-date". In the view of the Local Plans team this includes Policy OC1 of the Core Strategy, the purpose of which is to restrict development (including housing) in the Open Countryside. However, as indicated above, this does not imply that Policy OC1 should be disregarded in determining the application in question, and it is up to the decision*

*maker to decide how much weight can be given to the policy in the planning balance of this specific application.*

*The Applicant's Objectively Assessed Need (OAN) Report*

*The Council is currently in the process of preparing a Strategic Housing Market Assessment (SHMA) with local authorities from the Black Country. This will be carried out in accordance with the relevant requirements of the Planning Practice Guidance (PPG) and National Planning Policy Framework (NPPF) to inform the relevant local authorities' plan reviews. In advance of this, the PBA 2015 Study referred to by the applicants provides the latest consistent assessment of housing needs across the housing market area. However, it is acknowledged that this work does not consider some factors which must necessarily be considered before it is viewed as a full OAN under the requirements of the PPG, as it does not adjust housing need for some local factors such as market signals.*

*Despite this lack of a published OAN within its evidence base, the Local Plans team does not view an OAN report which derives a need figure in isolation from a consideration of the wider housing market area to be compliant with the requirements of the PPG. Therefore, it is the view of Local Plans that the applicant's OAN report cannot be considered an appropriate target to robustly measure 5 year supply against in the absence of an up-to-date plan target.*

*South Staffordshire Local Plan*

*The South Staffordshire Core Strategy has a clear spatial strategy which includes the fundamental aims of protecting the Green Belt, delivering sustainable development to meet local needs and recognising the balance of rural/urban regeneration. Apportionment of housing numbers in CP6 is based on a 90:10 ratio (Main/Local Service Villages). Wheaton Aston has a housing target in Policy CP6 Housing Delivery, of a minimum of 32 dwellings up to 2028, of which 20 have already been delivered. The settlement hierarchy set out in Policy CP1 of the Core Strategy identifies Wheaton Aston as a Local Service Village where limited development is supported where it meets local needs.*

*Emerging Site Allocations Document (SAD)*

*The Council is preparing its SAD which will identify sites to meet the housing targets in the villages set out in Policy H6. The housing numbers for Wheaton Aston were reduced to take account of development that had come forward since the original figures were set in the Core Strategy. Following consultation at Issues and Options stage, the Council published a Preferred Options document which identified an alternative site (site 379) for the delivery of 15 dwellings in Wheaton Aston as its preferred site.*

*It is anticipated a Publication SAD will be consulted on in January 2017, subject to agreement by Members, with submission following in mid-2017.*

*The Council does not consider the Site Allocations Document to be the appropriate point at which to revise the housing target established in the Core Strategy. The Site Allocations Document is seeking to deliver the*

*Core Strategy and Policy SAD1: Local Plan Review offers certainty that this matter will be addressed when the Core Strategy is reviewed. Therefore, it would be inappropriate to revise the District's housing target within the Site Allocations Document, the scope of which is simply to give effect to the existing adopted policies in the Core Strategy.*  
*Housing Mix and Tenure*

*Core Strategy policy H1 requires a wide choice of new homes and an appropriate mix of tenure and types of dwellings to meet the demographic needs of the District. Policy H2 of the adopted Core Strategy seeks the provision of affordable housing and a greenfield site of this size would be required to provide 40% (12 dwellings) on site affordable housing, split 50:50 between social rented and shared ownership. As this is an outline application the final housing mix and tenure will be considered as part of a future reserved matters permission; however it is considered that a commitment to 40% affordable housing onsite should be secured by a Section 106 Agreement particularly as there are references in the applicant's planning statement to 'up to 40%' (emphasis added).*

*Mottey Meadows SAC/SSSI*

*It is understood that Natural England has no objections to the proximity of the site to the SSSI/SAC subject to conditions.*

#### **LOCAL PLANS TEAM CONCLUSION**

*The application is in outline with all matters reserved except access. It is considered that part of the housing allocation for Wheaton Aston through the SAD has already been met, however the scale of development proposed is not significant as to distort the adopted spatial strategy.*

*Whilst the council can demonstrate a 5 years supply against the Core Strategy target of 175 dwellings per annum, and has exceeded that target by 700 dwellings to date, it is not able to demonstrate a 5 year housing land supply to meet the requirements of the NPPF/PPG. However, the alternative 'OAN' provided by the applicant derives a need figure for South Staffordshire in isolation from a consideration of the wider housing market area and is therefore not compliant with the requirements of the PPG.*

*A commitment to the provision of 40% affordable housing should be secured through a Section 106 agreement in order for the development to be policy compliant.*

**Severn Trent Water:** no comments received

**21 neighbours** were written to.

3 neighbours sent in letters of objection outlining the following concerns:

- Highway safety and increase in traffic
- Site access
- Impact on Mottey Meadows/SSSI
- Impact on ecology
- Flooding and surface water issues

- The site being more harmful to the environment in comparison to the site in the SAD.
- Number of new homes will impact on services of Wheaton Aston

## **5. APPRAISAL**

### **5.1 APPRAISAL**

The application has been referred to planning committee because it is contrary to OC1 of the Councils Core Strategy.

#### Key Issues

- Principle of development
- Housing Delivery
- Encroachment into open countryside:
  - a)Impact upon landscape character
  - b)Ecology
  - c)Historic
  - d)Agricultural
  - e)Recreational
- Sustainability of development
- Highways and transport
- Flood risk and drainage
- Residential amenity and design
- Planning Obligations
- Representations

#### **5.1.1 Principle of development**

Section 38(a) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The development plan in South Staffordshire is the Core Strategy Local Plan. The NPPF is a material planning consideration but is not development plan policy.

5.1.2 Core Strategy Policy 1 sets out the strategic approach to the delivery of new homes in the district over the plan period. Core Policy 1 defines the main service villages for the main focus for housing growth; local service villages for limited development and small service villages for very limited development.

5.1.3 The site lies within the Open Countryside, outside a Local Service Village which is identified for limited development, aimed at meeting local needs up to 2028. The application site is located outside a development boundary and is defined in the Core Strategy as Open Countryside (see Policy Inset Plan 41). Policy OC1 states development within the Open Countryside will normally be permitted where the proposed development is for either of the categories listed (agriculture, forestry, small scale sport facilities etc.) This proposal does not fall within those categories and is therefore deemed contrary to policy OC1 of the Core Strategy.

5.1.4 Having said this, the National Planning Policy Framework (NPPF) is based on a presumption in favour of sustainable development when



assessing and determining proposals. One of the aims of NPPF is 'to boost significantly the supply of housing' in a sustainable way and to 'encourage and not act as an impediment to sustainable growth'. To achieve this, paragraph 47 of the NPPF requires the Council to "identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements..." It is also clear that the Core Strategy must meet "the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework..."

5.1.5 The Council's adopted Core Strategy is based upon a housing requirement of 175 dwellings per annum, which derives from the West Midlands Regional Spatial Strategy (WMRSS) Phase Two Revision Panel Report. However the NPPG indicates that this may well not adequately reflect current needs. Whilst 5 years' worth of housing supply can be demonstrated against the Core Strategy housing requirement this requirement figure is not based upon an assessment of the full objectively assessed needs of the housing market area, as required by NPPF paragraph 47. Therefore, with regard to the NPPG and NPPF, this cannot be considered an up-to-date housing requirement for the purposes of measuring housing supply. As a result, the Council is unable to robustly demonstrate a 5 year supply of housing land to meet the requirements of paragraph 47 of the NPPF.

5.2.1 In these circumstances the lack of a 5 year housing supply immediately engages paragraph 49 of the NPPF which indicates policies for the supply of housing cannot be considered as up-to-date when considering housing applications, and such applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the Framework advises that planning permission should be granted unless any adverse impact of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole, or where specific policies in the Framework indicate that development should be restricted.

5.2.2 This does not mean that in the simple presence of a housing land supply shortfall that housing developments must automatically be allowed. This proposed development needs to be considered in the context of the presumption in favour of sustainable development, defined by the

Framework as encompassing economic, social and environmental dimensions which give rise to corresponding roles for the planning system.

5.2.3 Paragraph 14 of NPPF is the golden thread of sustainable development that runs through the NPPF. Therefore in the case of this application for residential development in Wheaton Aston it is necessary to show whether any adverse impacts of granting planning permission would 'significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole or, specific policies in the Framework indicate development should be restricted' [NPPF Para 14].'

5.2.4 Whilst the Core Strategy housing supply policy is considered to be 'out of date' it should not be automatically disregarded given its statutory status of the as part of the Development Plan. Therefore, bearing in mind that the NPPF is an important material consideration, the statutory requirements of the Development Plan must be balanced against other material considerations to arrive at a balance for or against the grant of planning permission.

5.2.5 Therefore, as indicated above, this does not imply that Policy OC1 should be disregarded in determining the application in question, it is for the decision maker to determine how much weight can be given to the policy in the planning balance of this specific application. The main issues for consideration are whether, in the overall planning balance, the application can be considered as sustainable development in the terms of the National Planning Policy Framework, having particular regard to the key issues listed below:

### **5.3.1 Housing Delivery**

Core Policy 6 sets out the level of housing growth proposed for each of the villages in the settlement hierarchy, defined in Core Policy 1. Wheaton Aston has a housing target in Policy CP6 Housing Delivery, of a minimum of 32 dwellings up to 2028, of which 20 have already been delivered. The numbers identified in the table are labelled as a minimum and not a maximum figure. Furthermore supporting policy text goes on to say;

5.3.2 'In addition to the proposed housing development in the [above] table...should further housing be required during the Plan period to respond to changing circumstances this will be focused on the Main Service Villages and Local Service Villages that are identified in the table [above] and apportionment between settlements shall have regard to the factors set out in Para 8.8 of this Core Strategy DPD'.

5.3.3 Core Policy CP 1 identifies Wheaton Aston as a sustainable location where limited housing growth is proposed. It is a local service village where further housing is also focused - in response to changing circumstances. Given that Wheaton Aston is identified as a sustainable village [for limited housing growth] within the settlement hierarchy the proposal would comply with the golden thread of presumption in favour of sustainable development and is therefore compliant with Para 14 of the NPPF. Therefore I attach moderate weight to this point.

### **5.3.4 Encroachment into Open Countryside**

Whilst the site abuts the edge of the local service village of Wheaton Aston, it is located outside of the development boundary and is therefore in planning policy terms defined as open countryside. The site is rural in character, its adjacent to agricultural fields and hedgerow boundaries therefore encroachment into the open countryside would result in a loss of agricultural land and incidental open space on the edge of the village.

5.3.5 Policy OC1 of the Core Strategy seeks to protect open land from this form of development. Therefore given the location of the site the

proposed is considered to be a departure from the development plan and the loss of this land [from development] could have an impact upon the character and amenity of the area contrary to policy OC1.

5.4.1 However in light of the provisions of the National Planning Policy Framework (the Framework) the current housing land supply position renders the development boundary, and those policies restricting development to within those boundaries, including OC1, as out of date, since they are relevant to the supply of housing.

5.4.2 However, this is not to say that these policies are to be disregarded, they are to be given the weight they are due in light of the matters to be considered in this application by assessment of harm and benefits.

5.4.3 Core Policy OC1 offers protection for its landscapes, areas of ecological, historical, archaeological, agricultural and recreational value. Therefore in order to determine the amount of weight that should be afforded to this policy objection it is fundamental to establish the degree of harm the proposed development would have on this application site. In this report sections a) - e) describe the degree of harm and on balance it is viewed the proposed development would not, in this case, significantly have an adverse impact on the sites environmental value.

#### **a) Impact upon Landscape Character**

Policy EQ4 states the intrinsic character and local distinctiveness of the South Staffordshire landscape should be maintained and where possible enhanced. Paragraph 17 of the NPPF sets out 12 core land use planning principles, which amongst others; include the provision to recognise the intrinsic character and beauty of the countryside.

Approximately 660m north-west of the site locates Motte Meadows National Nature Reserve. Motte Meadows is also designated as a Special Site of Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The nearest Public Right of Way bridleway (Lapley, Stretton and Wheaton Aston 20) runs approximately 128m to the north of the site.

A landscape study has been submitted with the application and identifies Wheaton Aston and the site sit firmly in the Staffordshire Plain Regional Character Area. The study states the qualities of the Regional Character Area are evident in the site and its immediate setting: the gently rolling lowland farmland landscape. It goes onto say this landscape displays a strong cohesive quality and its landscape character is evident and

discernible, over a considerable area. It states there are many straight field boundaries sitting in a rectilinear pattern that is emphasized by the lack of an extravagant landform: there are no imposing hills and valleys to interrupt the pattern. It is further emphasized by a strong presence of hedges and hedgerows that characterise the enclosures to most of the fields.

The land in question albeit open countryside is required by policy to be maintained and where possible enhanced; and for new development to

take account of characteristics and sensitivity of the landscape and its surroundings and not have a detrimental impact effect on the immediate environment and on any important medium, and long distance views. Although policy EQ4 recognises intrinsic character and beauty of the countryside it doesn't seek to protect it as such with protection being a term applied only to designated areas and other valued landscapes. Furthermore paragraph 17 requires that account is to be taken of the different role and character of different areas. The study concludes that the site is discrete and it does not carry a strong presence in a sometimes near flat, but generally gently rolling local landscape. In compliance with policy EQ4 it further states that the boundaries of the site will be strengthened with additional landscape screening, to enhance the existing hedgerow and key view corridors running through the site to be retained

Natural England have commented on the application and conclude 'due to distance between the proposal site and Cannock Chase SAC, no developer contribution is required have no objection to the proposal with regards Motte Meadows SSSI. They state the site has restricted access and is unlikely to result in a detrimental effect to its interest features'.

The site lies immediately adjacent to the existing built form of Wheaton Aston and, whilst not unattractive, it is not the subject of any specific planning policy, environmental or landscape designation and is not part of a 'valued landscape' as referred to at paragraph 109 of the Framework. Therefore I consider that this matter can only be afforded limited weight.

#### **b) Ecology**

The NPPF seeks to minimise impacts and provide gains in biodiversity. This is echoed within Policy EQ1 which states that permission will be granted for development that does not cause significant harm to sites or habitats of nature conservation. As part of the application several documents were provided to address ecological impact. The Principal Ecologist at Staffordshire County Council has reviewed the literature and concluded:

Conditions are recommended for:

'Prior to site clearance, removal of vegetation and commencement of development a Reasonable Avoidance Measures Method Statement for protection of great crested newts shall be submitted for written approval by the LPA. This Method Statement shall include measures found in s. 5.1.20 of the Great Crested Newt Survey Report Vs 2 September 2016.

Works shall not commence prior to written approval and shall comply with the Method Statement.

- o Compliance of reserved matters with the Illustrative Masterplan, (with a caveat that hedgerows should not be incorporated into residential boundaries,);
- o Protection of trees, hedgerows and the pond;

- o A CEMP (to include measures for protection of habitats and species);
- o Protection of breeding birds;
- o A lighting scheme that avoids impacts on bats;
- o Submission of a detailed landscape plan, demonstrating enhancements for biodiversity;

Provision of bird boxes for species such as house sparrow, swift, swallow and house martin that utilise the built environment and are of conservation concern.

The reports provided with the application along with their recommendations are deemed acceptable, subject to conditions complying with Policy EQ1 and the NPPF.

### **c) Historic**

The application is supported by a Cultural Heritage Assessment (CHA) that identifies that the site lies within Historic Environment Character Zone 1 of the Historic Environment Assessment, which identified the high significance of the historic character of the landscape surrounding Wheaton Aston and of the survival of associated ridge and furrow works. The site visit undertaken as part of the CHA identified that these earthworks are no longer present across the application site and that the proposed Masterplan seeks to ensure the survival of the historic hedgerows. The CHA identifies that the archaeological potential of this landscape is currently poorly understood due to a lack of previous archaeological assessments. This evidence raises the potential for unknown archaeological remains to survive. In light of the archaeological potential the Historic Environment Advisor advises that a staged archaeological evaluation is undertaken to further understand the nature, character, date and significance of any archaeological remains. In line with paragraph 128 and 141 of the NPPF such will be conditioned with a prior commencement condition.

### **d) Agricultural**

Paragraphs 17 and 112 of the NPPF requires that local planning authorities take into account the economic and other benefits of best and most versatile agricultural land and that areas of poorer quality should be used in preference to areas of higher quality.

The results of an Agricultural Land Classification assessment (ALC) show that the proposed development would result in the permanent loss of 1.39 ha of best and most versatile land, subgrade 3a (good quality) agricultural land. Therefore this site is consequently afforded a degree of protection from development.

Having said this; the ALC confirms of the total 1.39 ha site area, only 0.91 ha is proposed to be developed. The remainder would form open space within the site. Furthermore the ALC maps for the wider area illustrate that Grade 3 is the predominant ALC grade for land surrounding the Wheaton Aston settlement. Therefore, in order to meet housing supply in

this region, and provide the appropriate level of new residential development, the loss of some BMV land would seem unavoidable.

Although the land will no longer be in agricultural production and thus the provisioning services (i.e. food production) of the land will be lost, unsealed areas illustrated in the indicative plan have the potential to sustain regulatory (i.e. carbon sequestration and flood attenuation), supporting (i.e. habitat creation) and cultural services (i.e. recreational value). The proposed development will allow for soil reuse in landscaping of gardens and open spaces. Providing these soils are handled when dry, they will retain a proportion of their structure and functional ability to provide benefits through ecosystem services.

Although it is required to account for economic benefits of BMV, the NPPF does not place a restriction to the development of BMV. In light of the above reasons I am of the view that the proposal does not involve a significant loss of the best and most versatile agricultural land and afford limited weight to its loss [to development] and the proposed is therefore broadly consistent with the framework.

#### **e) Recreational**

The site is private green space and is not public open space and therefore limited weight can be afforded to its recreational value in this case.

#### **5.4.4 Sustainability of Development**

Whilst located outside the development boundary of Wheaton Aston, the site is located within a reasonable distance of the local services and facilities; these being a primary school, convenience store, servicing and repair garage, public house, community centre and post office. Additionally a regular bus service (no. 878) runs via Wheaton Aston on its route between Stafford and Wolverhampton Mondays - Saturdays.

5.4.5 Economically, the construction and fitting out of the dwellings would create employment and generate demand for services as well as for various plant and material. The increase in the population of Wheaton Aston will potentially boost the spending power of the local economy to some extent. This economic benefit adds some weight in favour.

5.5.1 Socially the proposed would provide additional housing required to meet the needs of present and future generations with accessible local services that reflect the communities' needs and supports its health, social and cultural well-being.

5.5.2 Environmentally the development will contribute to protecting and enhancing the natural environment and as part of this helping to improved biodiversity, minimise waste and pollution through mitigation measures.

5.5.3 The combination of these benefits would secure economic growth and boost significantly the supply of housing compliant with the NPPF, and are therefore sound arguments carrying considerable weight in favour of the proposal.

#### **5.5.4 Highways and Transport**

It is proposed that access is gained from Ivetsey Road via a new priority junction. It is proposed to extend the 30mph speed limit 50 meters to the west of its current position to address concerns regarding the perceived speed of vehicles entering the village and improve safety for vehicles pulling out of both Bellhurst Lane and the proposed site access.

5.5.5 The forecast trip generation for the site is 14 two way trips in both the AM and PM hours. A junction performance model has been used to assess the proposed site access and the results indicate that the junction operates with plenty of reserve capacity.

5.6.1 County Highways have considered the proposed junction improvement works acceptable. They accept the additional trips generated by this development could be accommodated by the highways network and the proposal is not expected to impinge of the safety of highway users or significantly affect the convenience of road users. No objections have been raised by County Highways subject to a number of conditions. Therefore it is concluded that the site is a sustainable location for development; it can be accessed safely; and that the impact on the local highway network is not significant. As such the proposal would accord with the provisions of the policies of the Core Strategy and NPPF.

#### **5.6.2 Flood risk and drainage**

A Flood Risk Assessment (FRA) has been submitted in support of the planning application. The FRA report identifies the site falls within an Environmental Agency Flood Risk Zone 1 area and is considered to be at a low level of flooding. It is proposed the use of an attenuation pond combined with flow control devices. The Flood risk officer has reviewed the application and has stated:

5.6.3 'the detailed drainage design should be in accordance with the drainage strategy and design parameters established in the submitted documents. Some additional work will be required at the detailed design stage prior to final approval. Surface water will need to be discharged via a connection to the surface water sewer approximately 350m to the east of the site, as per the Severn Trent developer enquiry response. A full SuDS management train will need to be included, providing adequate water quality treatment as set out in the SuDS Manual (CIRIA). There appears to be scope within the Illustrative Masterplan to include above-ground SuDS such as swales to convey surface water to the proposed attenuation pond. Existing boundary ditches should be retained'

5.6.4 The Flood risk officer has raised no objections to the proposals in principle but has requested that no development take place until a detailed surface water drainage scheme has been submitted to and approved by the LPA. The submitted drainage strategy is therefore compliant with Core Policy 3 of the Core Strategy.

#### **5.6.5 Residential Amenity and Design**

As the application is outline only, it is not possible to determine the likely impact upon nearby residents, however, the illustrative layout plan submitted with the application does demonstrate that suitable separation distances could be achieved and this could be secured at the reserved matters stage. In order to protect the amenities of nearby resident conditions in respect of hours and method of construction as well will be imposed. The scheme is proportionate development at a scale commensurate with the function and character of the settlement.

### **5.7.1 Planning Contributions**

Policy EQ13 states that contributions will be sought from developers where necessary to achieve sustainable development. Although the application is in outline form with all details reserved except for access, it is common practice to try and get the particulars that would require entering into a Section 106 Agreement secured at this stage. The contributions sought for are:

- Affordable housing
- Educational facilities
- Open Space (excluding SUDS pond)
- Monitoring of Travel Plans

5.7.2 The applicant has submitted a draft S106 that includes contributions for affordable housing, educational contributions and green infrastructure.

5.7.3 Policy H2 seeks 40% affordable housing on greenfield land for 10 or more dwellings. Policy H4 states that affordable housing should be secured in perpetuity and set 50% social rental and 50% intermediate tenures. The draft S106 stipulates that 40% of the dwellings constructed will be affordable and comprise 50% social rented units and 50% intermediate housing units. This is considered to be acceptable for when the final S106 is finalised, complying with policies EQ13, H2 and H4.

5.7.4 The draft S106 states that an educational contribution of £27,654 is to be paid. This sum is based upon 30 dwellings as shown on the indicative masterplan.

5.7.5 The proposal includes the provision of 0.65ha of green infrastructure including the provision of formal and informal open space. The parks and Open space officer has commented and the applicant has agreed to the financial contribution. This would be secured as part of the S106 agreement.

### **5.8.1 CONCLUSION**

The Council cannot demonstrate a five year supply of housing land therefore the policies for the supply of housing cannot be considered as up-to-date. Therefore permission should be granted unless any adverse impact of so doing would significantly and demonstrably outweigh the benefits. This application is to be considered in the context of the presumption in favour of sustainable development and the benefits that would arise from the proposal; these being economic, social and environmental dimensions of sustainable development.



This is a local service village where limited new development is anticipated by the emerging Site Allocations Document. There is access to local services and facilities within walking distance and a regular bus service that could be used, such likely to be required by future occupiers on an everyday basis. The site would deliver a range of economic, social and environmental benefits. It would secure some economic growth and boost significantly the supply of housing that are compliant with the NPPF, and are therefore sound arguments carrying considerable weight in favour of this proposal. The scheme is a of a scale that is commensurate with the function and character of the Wheaton Aston Local Service Village; it can be adequately developed without detrimental impact to character, highway safety, nor any adverse impacts to ecological, archaeological, agricultural areas and recreational value. Furthermore the proposal is a suitable use which will not cause harm to the surrounding residential amenity. In this respect the proposal is considered to represent a sustainable form of development and accords with the requirements of the NPPF.

There would be some conflict with the development plan as a consequence of the localised harm arising from the loss of open countryside and the loss of BMV. Whilst there would be conflict with the housing land supply policies of the development plan, those policies attract less weight in light of the Council's current housing land supply circumstances and consideration of the landscape and environmental value of the site.

On balance, for the reasons set out above I am satisfied that the adverse impacts of the development, such as they are, would not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.

## **7. RECOMMENDATION      APPROVE**

Subject to the following condition(s):

1. Before the development commences, and within 3 years of the date of this permission, full details of the following reserved matters shall be submitted to the Local Planning Authority:
  - a. The Layout - The way in which buildings, routes and open spaces are to be provided within the development and their relationship to buildings and spaces in the vicinity of the site;
  - b. The Scale - The height, width, length and overall appearance of each of the proposed buildings, including the proposed facing materials, and how they relate to their surroundings;
  - c. The Appearance - The aspects of a building or place which determine the visual impression it makes;

- d. The Landscaping - The treatment of private and public space and the impact upon the site's amenity through the introduction of hard and soft landscaping.
2. The development which this permission relates must be begun not later than whichever is the later of the following dates:
  - a. The expiration of three years from the date on which this permission is granted;
  - b. The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
3. This permission does not grant or imply consent for the indicative layout shown on the approved plan IM-02 G1. At reserved matters stage the masterplan provided at that time should not incorporate existing hedgerows into residential boundaries.
4. Before the development commences a landscape scheme demonstrating enhancements for biodiversity shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority.
5. Before the development commences a lighting scheme (that avoids impact on bats) shall be submitted to the Local Planning Authority for approval.
6. Before the development commences the existing pond, trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS5837:2012 in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.
7. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.
8. Prior to site clearance, removal of vegetation and commencement of development a Reasonable Avoidance Measures Method Statement for protection of great crested newts shall be submitted for written approval by the LPA. This Method Statement shall include measures found in s. 5.1.20 of the Great Crested Newt

Survey Report Vs 2 September 2016. Works shall not commence prior to written approval and shall comply with the Method Statement.

9. A Construction Environmental Management Plan (CEMP) (to include measures for protection of habitats and species) shall be provided at reserved matters stage that is informed by the Ecological Mitigation Strategy and Hedgerow Assessment; detailing measures to avoid impacts on retained habitats and on species, during site preparation and construction
10. Before any development takes place a scheme for the provision and implementation of foul drainage and surface water drainage works shall be submitted for the approval of the Local Planning Authority. The development shall not be occupied/brought into use until the approved scheme has been completed.
11. No development shall take place until a detailed surface water drainage scheme for the site 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 set out in the Flood Risk Assessment and Drainage Strategy (Report Ref: WM11160/001, July 2016).

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 include a management train that provides adequate water quality treatment and above-ground SuDS components.
- o Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to 5.0l/s.
- 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.

- o Existing boundary ditches to be retained.
- o Finished floor levels to be set at a minimum of 150mm above existing ground levels.

12. To prevent danger or damage from flooding by the adjacent watercourse in accordance with policy EQ7 of the adopted Core Strategy.
13. No development shall take place within the application site area until a scheme for a programme of archaeological work has been submitted to the Local Planning Authority for approval, and that scheme has been implemented. Such a programme must be prepared and carried out under the supervision and with the agreement of an archaeologist approved by the Local Planning Authority.
14. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed to binder course.
  - a) No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:-
    - Layout of site including disposition of buildings and provision of parking, turning and servicing within the site curtilage.
    - Means of surface water drainage.-
    - Surfacing materials.
  - b) The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development.
  - c) The development hereby permitted shall not be brought into use until the off-site highway works identified on drawing No. 2141-01 A have been constructed and completed.
  - d) The development hereby permitted shall not be commenced until an off-site traffic management scheme comprising of;-
    - Routing of construction vehicles.
    - Wheel washing facilities.
    - Measures to remove any mud or other deleterious material deposited on the highway.
    - Car parking facilities for staff and visitors.Timetable for implementation has been submitted to and approved in writing by the Local Planning Authority.

The approved traffic management scheme shall thereafter be implemented prior to any works commencing on site.

15. No development shall commence until details of how the proposed development complies with Lifetime Homes Standards shall be submitted to and approved in writing by the Local Planning Authority
16. No development shall commence until details of the proposed renewable energy technologies have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained for the lifetime of the development.
17. Vegetation removal shall only be conducted outside of the bird breeding season (March-August inclusive) with any removal within this time to be preceded by an ornithological survey.

#### Reasons

1. In order to define the permission and to avoid doubt.
2. In order to define the permission and to avoid doubt.
3. To define the permission.
4. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
5. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
6. To protect the existing trees on the site during construction work in accordance with policy EQ12 of the adopted Core Strategy
7. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
8. In order to protect any protected species on the site in accordance with EQ1 of the adopted Core Strategy.
9. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
10. To avoid pollution of the water environment in accordance with policy EQ7 of the adopted Core Strategy.
11. To prevent danger or damage from flooding by the adjacent watercourse in accordance with policy EQ7 of the adopted Core Strategy.

12. In order to preserve and record any items of archaeological interest in accordance with policy EQ3 of the adopted Core Strategy.
13. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
14. To comply with H1 of the adopted Core Strategy.
15. In order to meet the Councils minimum carbon standards as set out in Policy EQ5 of the adopted Core Strategy
16. To avoid any adverse impact upon ground nesting birds in order to comply with policy EQ1.
17. To avoid any adverse impact upon ground nesting birds in order to comply with policy EQ1.
18. Proactive Statement

In dealing with the application, the Local Planning Authority has worked in a positive and proactive manner based on seeking solutions to problems in relation to dealing with the planning application, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, 2012.

19. INFORMATIVES

CRIME PREVENTION:

In order to prevent crime and reduce the fear of crime I recommend that this development attains Police Secured by Design (SBD) accreditation. There is no charge for my advice or for the Secured by Design award, and once awarded the Police SBD logo can be used on advertising material.

Research shows that adopting SBD can reduce burglary by 50%, car crime and criminal damage by 25%, therefore the carbon costs of replacing door-sets and windows on SBD developments as a result of criminal activity is more than 50% less than on non SBD developments, the cost of installing SBD approved products equals 0.2% of the total build cost.

One of the most revealing elements of research into SBD is how much 'safer' residents feel if they occupy a dwelling on an accredited development, even if they are not aware of the award status. There are few other initiatives which can deliver a measurable reduction in fear like this.

SBD supports one of the Government's key planning objectives - the creation of safe, secure, quality places where people wish to live and work. SBD applies quality standards to a range of security measures and should be seen as a positive marketing opportunity.

SBD can contribute towards BREEAM assessments.

#### Dwelling Boundaries

This development, if given approval, will be the gateway in or out of Wheaton Aston, as such it is important that the western boundary has adequate protection as there will be at best, irregular passing natural surveillance;

All rear gardens should be secured with a robust fence or wall, without footholds, to a minimum height of either 2000mm or 1800mm with trellis. The rails of any timber fence should face the garden to prevent climbing access, the topography of the land should be taken into account when installation takes place to ensure that the height of the fence is maintained.

Timber fencing panels should be secured to the fence posts to prevent offenders lifting them to gain access to adjacent gardens.

An 1800mm fence and gate, with anti-lift hinges and a lock, should be erected as close to the relevant front elevation as possible; this removes a long, narrow, dark, alley between dwellings in which an offender can hide and helps prevent unauthorized persons gaining access to the rear of properties where most burglaries take place.

I recommend installing "smart" meters to prevent bogus caller sneak-in burglaries.

#### Parking

Further work in the provision of parking bays for residents and visitors vehicles needs to be carried out, at present there are a number of dwellings that have no parking indicated.

Building for Life 12 questions 10a, "Is there enough parking for residents and visitors?" and 10b "Is parking positioned close to people's homes?" are particularly important to address as residents like to be able to see their vehicle - for some it's a substantial investment and mothers with small children and a car full of shopping face the dilemma of which to take into the house first or leave in the car, if parking is remote the vehicle will be left as close to the front door of the house as possible that could trigger or contribute towards neighbour disputes. homes?

#### Doors

Doors should be manufactured to a design that has been shown to meet the security requirements of BS PAS24:2012 or designed and manufactured in accordance with Appendix B, Doc Q building Regs 2015

Door-sets satisfying other standards that provide similar or better performance are also acceptable, these standards include;

- o STS 201 Issue 5:2013 or:

- o LPS 1175 Issue 7:2010 Security Rating 2 or:
- o STS 202 Issue 3:2011 Burglary Rating 2 or:
- o LPS 2081 Issue 1:2015 Security Rating B

Letter plates, where provided, should have a maximum aperture of 260mm x 40mm. and incorporate a flap designed to hinder attempts to remove keys with sticks or rods and/or to restrict hand or arm entry.

Door-sets shall also be certificated to the following relevant material specific standards:

- o BS 7412:2007 (PVC-U)
- o BS 4873:2009 (Aluminium)
- o BS 6510:2010 (Steel)
- o BS 644:2009 (Timber)
- o BS 8529: 2010 (Composite)

Doors should be secured with the relevant lock type:

- o BS 3621: 2011 thief resistant mortise lock.
- o BS 8621:2011 thief resistant mortise lock with keyless egress
- o BS 10621:2011 as above but with keyless external deadlock
- o BS EN 1303:2005 Minimum standard for cylinder locks
- o LPS 1242 Issue 1.2 2005 Cylinder lock requirements
- o DHFTS 621:2011 Electro-mechanical lock.

If glazed panels/windows adjacent to doors are installed as an integral part of the door frame then they must be shown to be part of the manufacturer's certificated range of door sets. Alternatively, where they are manufactured separately from the door frame, they must be certificated to:

- o PAS 24:2012, or
- o BS 7950: 1997 or
- o STS 204 Issue 3:2012, or
- o LPS 2081 Issue 1:2014

Door frames should be mechanically fixed to the structure of the building in accordance with the manufacturer's installation instructions.

Lightweight framed walls should incorporate a resilient layer to reduce the risk of anyone breaking through the wall and accessing the locking system, the resilient layer should be timber sheathing at least 9mm thick, expanded metal or a similar resilient material the full height of the door and 600mm either side of the door.

A third party certificate will be required to certify the doors meet SBD requirements.

#### Garages

External pedestrian access doors must meet the same physical, locking and fixing specification, as perimeter doors above, the



vehicle access door sets must be certificated to one of the following standards;

- o LPS 1175 Issue 7:2010 Security Rating , or
- o STS 202 Issue 3:2011 Burglary Rating 1

Alternatively a vehicle access door that is not certificated to one of the above standards may be deemed satisfactory if an external 'garage door defender' type security product is also fitted. Such products must be certificated to Sold Secure Bronze level or above.

Where access to the dwelling can be gained via an interconnecting door-set from a garage then either the garage door-set or the interconnecting door set should be a secure door set.

Vehicular garage door-sets demonstrating compliance with the police 'Secured by Design' initiative will also meet the provisions of Doc Q Building Regs 1025

#### Windows

Ground floor and other easily accessible windows (including easily accessible roof lights) should be secure windows in accordance with paragraphs 2.2 -2.3, Doc Q Building Regs 2015.

(Easily accessible - A window that is within 2m vertically of an accessible level surface such as ground/basement level or access balcony, or a window within 2m of a flat or sloping roof with a pitch of less than 45\_° that is within 3.5m of ground level).

Windows should be made to a design which has been shown by test to meet the requirements of British Standards Publication PAS 24:2012.

Note: windows demonstrating compliance with the police 'Secured by Design' initiative will also meet the provisions of this Approved Document.

Windows satisfying other standards that provide similar or better performance are also acceptable, these standards include;

- o STS 204 Issue 3: 2012, or
- o LPS 1175 Issue 7:2010 Security Rating 1, or
- o LPS 2081 Issue 1:2015 Security Rating A

Windows must also be fit for purpose and shall be certificated to the relevant material standard i.e.:

- o BS 4873: 2004 (Aluminium)
- o BS 7412: 2007 (PVC-U)
- o BS 644: 2003 (Timber)
- o BS 6510: 2005 (Steel)

#### Installation and fixing of secure windows

Frames should be mechanically fixed to the structure of the building in accordance with the manufacturer's installation instructions.

(Secure window - A window proven to resist criminal attack or a

bespoke window incorporating proven crime reduction construction features).

A third party certificate will be required to certify the windows meet SBD requirements.

#### Intruder Alarms

A 13 amp non switched fused spur, suitable for an alarm system, must be installed within each dwelling. If the full alarm system is installed it shall comply with one of the following standards:

- o BS EN 50131 & PD6662 (wired system)
- o BS 6799 (wire free system)

All installations should be in accordance with the current regulations for electrical installations.

Staffordshire Police request that should this proposal be granted planning permission that they are consulted further when "reserved matters" are discussed.

Further information on Secured by Design and accredited security products can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

#### 20. NATURAL ENGLAND:

This application is in close proximity to Motte Meadows Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Informative

Recreation

o As a matter of good practice we would encourage the applicant to include an information pack for new homeowners to provide information about recreational opportunities in the locality. Motte Meadows SSSI/NNR has restricted public access, whereby access is by permit holder only. The national trail footpaths that run parallel to Motte Meadows have a low level of public use. It is unlikely that there will any detrimental effects caused to the interest features of the SSSI from recreational activity. However, the information pack will help to encourage the use of other recreational areas.

It is noted in the submitted Design and Access statement that existing Green Infrastructure and open space are to be retained, as well as new areas of open space. Natural England would encourage the inclusion of both Green Infrastructure and public open space,

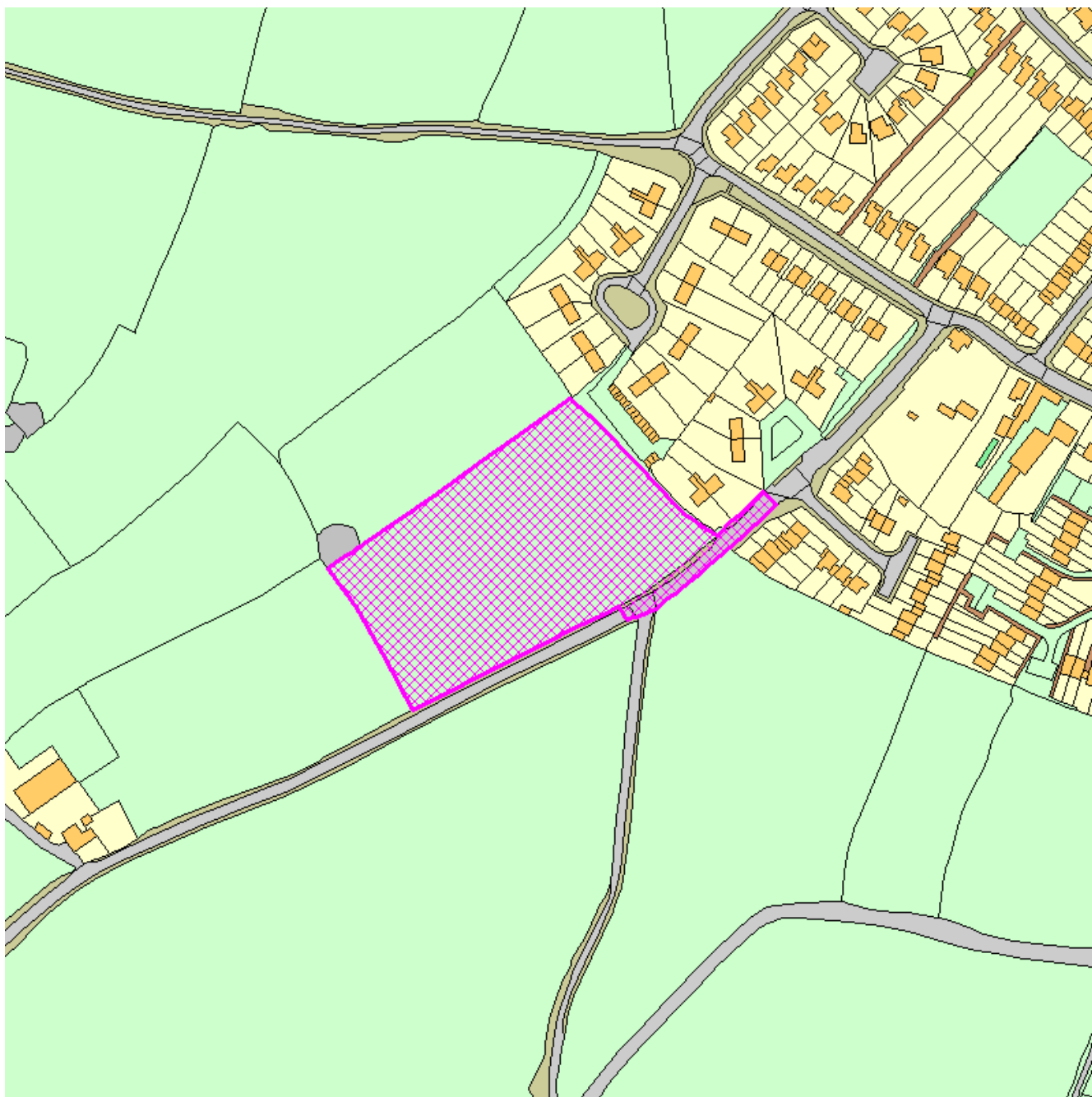
both for their intrinsic multi-functional benefits and for their role in mitigating any new pressure on the nearby SSSI. It is noted in the submitted documents that foul drainage and surface water will be dealt with through main drainage, main sewer

and SUDS. Natural England has no objection to these proposals. However, should any details of the proposal change, Natural England should be re-consulted.

21. HIGHWAYS:

i). The condition requiring off-site highway works shall require a Major Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Information Pack and an application Form for the Major Works Agreement. Please complete and send to the address indicated on the application Form which is Staffordshire County Council, Network Management Unit, Staffordshire Place 2, Tipping Street, Stafford. ST16 2DH. (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))

<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>  
ii). Once consent for reserved matters has been granted, approval under Section 7 of the Staffordshire Act 1983 and Section 38 of the Highways Act 1980 will be required before commencement of the proposed development. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.



16/00678/OUT - Land West Of Ivetsey Road Wheaton Aston South Staffordshire