

Delegated Report for P/2017/01110

Application Number	P/2017/01110	
Planning Officer	Kerry Challoner	
Site Address	Land to the South of Tatenhill Lane Burton upon Trent Branston	
Proposal	Demolition of 78 and 80 Tatenhill Lane and erection of 55 dwellings including access/ highway infrastructure and all associated works	
Expiry Dates	Weekly List	15 September 2017
	Neighbours	06 October 2017
	Consultations	06 October 2017
	Site Notice	20 October 2017
	Newspaper Advert	22 September 2017 (Burton Mail)
Application not Determined within Statutory Time Period - Reason	Extension of time agreed in order to agree S106	
Environmental Assessment	Screening opinion undertaken	N/A
	Schedule 1 or 2	N/A
	EIA Required	N/A
Relevant Planning Policies/Guidance	Government Documents	The National Planning Policy Framework The National Planning Practice Guidance The Planning (Listed Buildings and Conservation Areas) Act 1990

	<p>Local Plan Policies</p>	<p>Principle 1 Presumption in Favour of Sustainable Development</p> <p>SP1 East Staffordshire Approach to Sustainable Development</p> <p>SP2 Settlement Hierarchy</p> <p>NP1 Role of Neighbourhood Plans</p> <p>SP4 Distribution of Housing Growth 2012 – 2031</p> <p>SP16 Meeting Housing Needs</p> <p>SP17 Affordable Housing</p> <p>SP23 Green Infrastructure</p> <p>SP24 High Quality Design</p> <p>SP25 Historic Environment</p> <p>SP26 National Forest</p> <p>SP27 Climate Change, Water Body Management and Flooding</p> <p>SP28 Renewable and Low Carbon Energy Generation</p> <p>SP29 Biodiversity and Geodiversity</p> <p>SP32 Outdoor Sports and Open Space</p> <p>SP34 Health and Wellbeing</p> <p>SP35 Accessibility and Sustainable Transport</p> <p>DP1 Design of New Development</p> <p>DP2 Designing in Sustainable Construction</p> <p>DP3 Design of New Residential Development, Extensions and Curtilage Buildings</p> <p>DP5 Protecting the Historic Environment All Heritage Assets, Listed Buildings, Conservation Areas and archaeology</p>
	<p>Supplementary Planning Documents</p>	<p>East Staffordshire Design Guide</p> <p>Parking Standards SPD</p> <p>Housing Choice SPD</p> <p>Open Space SPD</p>

	<p>Other Policies/Guidance</p>	<p>Branston Neighbourhood Plan</p> <p>B1 – Integrating New development with Existing Communities</p> <p>B2 – Design</p> <p>B3 – Protection of Local Heritage Assets</p> <p>B4 – Local Landscape Character</p> <p>B5 – Health and Wellbeing</p> <p>B6 – Landscaping and Protecting Biodiversity</p> <p>B7 – Open Space in New Development</p> <p>B8 – Sustainable Homes</p> <p>B9 – Housing Type and Mix</p>
<p>Relevant History</p>	<p>Various history, most recent</p> <p>P/2013/01160- Outline application for the erection of up to 55 dwellings, including the demolition of 78 and 80 Tatenhill Lane to facilitate the creation of a new access including details of access and site layout with all matters reserved- Approved by Planning Committee in December 2013</p> <p>P/2017/00263/PA- Reserved Matters application for the erection of 55 dwellings including details of scale, appearance and landscaping- Under consideration</p>	
<p>Consultation Responses</p>	<p>SCC Highways- No objections raised, details relating to the access provision, construction traffic plan, wheel washing regime and the provision of weatherproof storage have been agreed during the application pro</p> <p>Highways England- No objections raised</p> <p>SCC Education- Financial contribution to primary and secondary school places would be required as per the signed S106</p> <p>Canal and Rivers Trust- Object to the application on the grounds of the impact on the heritage, character and amenity of the waterway, impact on the structural integrity of the waterway and the natural environment</p> <p>Inland Waterways- No objections raised, subject to the installation of a pathway connecting the development to the towpath</p> <p>Police Architectural Design Officer- No objections raised, advice regarding physical security has been provided</p> <p>Environment Agency- The site is in flood zone 1, No objections raised</p> <p>Severn Trent- No objections raised, drainage details have been agreed</p> <p>Natural England- No objections raised</p> <p>SCC Rights of Way-No public rights of way cross the site, no objections raised</p> <p>SCC Historic Environment Manager- No archaeological concerns regarding the proposed development</p> <p>SCC Lead Local Flood Authority- No objections raised, drainage information regarding the hydraulic calculations and the treatment train would be required.</p> <p>ESBC Environment Manager- No objections raised, subject to a contribution per dwelling for the provision of waste and recycling storage of £75</p> <p>ESBC Environmental Health- No objections raised subject to conditions relating to contaminated land and ground gases The applicant has confirmed that Japanese knotweed has been eradicated from the site following its previous positive identification on the site The plans have been revised to indicate 1.8m high close board fencing in response to a request from the Environmental Health Team</p> <p>ESBC Tree Officer- no objections subject to the provisions of the arboricultural report submitted</p> <p>ESBC Communities and Open Spaces Manager- No objections raised, Public Open Space Contribution of £21, 712.50 required (this figure accounts for the open space being provided on site)</p> <p>Ramblers Association- No objections raised</p>	

	National Forest Company- No objections raised, financial contribution of £18,550 would be required for any off site planting (this figure takes into account the planting being provided on site)
Parish Council	No response was received
Neighbour Responses	Neighbours and local Ward Councillors were notified and site and press notices have been posted Four responses were received from residents in Tatenhill Lane Objections can be summarised as <ul style="list-style-type: none"> • Impact on parking • Flooding implications • Scale and design of the development and impact on the character of the area • Overbearing impact • Impact on wildlife • The need for any further housing in the area
Human Rights Act Considerations	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 issues have been taken into account in the determination of this application
Crime and Disorder Implications	It is considered that the proposal does not raise any crime and disorder implications
Equalities Act 2010	Due regard, where relevant, has been given to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010
Planning Officer's Assessment	<p><u>Site and Surroundings</u></p> <p>This application relates to an area of grassland located to the South of Tatenhill Lane The site includes No's 78 and 80 Tatenhill Lane, which would be demolished as part of this development Tatenhill Lane comprises of dwelling houses of varied style and design The site covers an area of 2.66 hectares and is presently grassland with hedgerows and some mature trees to the boundaries</p> <p>To the North West boundary of the site is the Trent and Mersey Canal corridor which forms part of the Trent and Mersey Conservation Area The site is bound by public footpaths to the South East and South West Immediately South of the application site is Branston Water Park</p> <p>The nearest listed heritage asset is a mile stone located adjacent to the canal bridge to the North of the site This milestone is located 70m along the canal footpath to the north of the application site</p> <p><u>Proposal</u></p> <p>This application is a full detailed planning application for the erection of 55 dwelling houses, including the demolition (and replacement) of No's 78 and 80 Tatenhill Lane Access would be provided off Tatenhill Lane The proposed layout broadly follows the approved outline consent, although the arrangement has been amended slightly in order to accommodate the updated house designs</p> <p>The dwellings are proposed to be a mixture of designs and layouts All of the dwellings would be two storey, with a full range of 1-5 bedroom units The units would be detached or semi detached along with 4 single bed flat units The scheme proposed 8 affordable units in line with the original outline approval which would include 4 No 1 bed flats, 2 No 2 bedroom dwellings and 2 No 4 bedroom dwellings Off street parking would be provided in front of or to the side of the dwellings The majority of the dwellings would have a garage, although the units with no garage would have a shed provided for secure cycle storage</p> <p>Pathway/ cycle links linking the development to existing footpaths in the Eastern corner</p>

of the site and the canal towpath are provided. The dwellings adjacent to the canal would face an area of open space which would serve to open up views and the sense of space around the canal corridor. There are other smaller pockets of open space provided within the site along with a landscaped buffer zone between the South Western boundary of the site and Branston Water Park. The buffer will provide a degree of screening, whilst also aid ecology. Landscaping throughout the remainder of the site consists of shrubs and trees, details of which have been provided. A number of existing large mature trees would be retained around the perimeter of the site. A pumping station to aid the drainage of the site would be located in a landscaped area within the centre of the site. This infrastructure would be underground and landscaped over. Electricity provision for the development would utilise the existing offsite Pole Mounted Transformer, and provide site connection via the new bridge deck to be installed and enter the development through the bell mouth. No onsite substation would be required as a result.

The proposed materials have been submitted as part of this application. The proposed dwellings are modern in appearance, reflecting the design approach taken in nearby housing developments. The proposed materials comprise a palette of 'cinnabar red multi' brick work, chalk colored rough cast rendering and grey slate coloured cladding with grey tiled roofs over. Dwellings which would front the canal (the Trent and Mersey Conservation Area) would have clay tiles to the roofs. Windows and doors to all properties would have a consistent finish with 'grey slate' and Oak finish respectively. Plans have been revised in line with officers/consultation comments regarding the design of individual houses and the landscaping to be provided within the site. A unilateral agreement has been signed to link the signed section 106 agreement attached to the previous outline planning permission to this proposal. The headings remain the same, although the sums have been updated to reflect the current proposal, these are referenced where relevant in the sections of the report below.

The application is supported by a heritage statement, flood risk assessments, geophysical survey, arboricultural report, archaeological evaluation, construction management plan, preliminary bat roost assessment, bat emergence survey, great crested newt habitat report, preliminary ecological appraisal, written scheme of investigation, transport statement and utilities statement.

Assessment

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The National Planning Policy Framework states that at the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

The housing supply policies contained within the local plan can be considered as up to date as the most recent calculation as at 31st March 2017 concludes there is 5.29 years of supply.

The main planning considerations in the assessment of this application are as follows -

- Principle of development
- Neighbourhood Plan
- Impact on visual amenities and the Trent and Mersey Canal
- Impact on residential amenity
- Impact on heritage assets
- Highway matters
- Affordable Housing
- Education
- Flooding and Drainage
- Trees/ Ecology/Biodiversity/ National Forest
- Contamination
- Sustainability (Building Methods)

These planning considerations, along with relevant planning policy, are addressed below.

Principle of development

Strategic Policy 1 of the adopted East Staffordshire Local Plan 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 Local Plan sets out in Strategic Policy 2 a development strategy directing growth to the most sustainable places New development should be concentrated within the settlement boundary of the Main Towns, Strategic Villages, Local Service Villages and Rural Industrial Estates Burton Upon Trent and Uttoxeter are identified as the main settlements to take housing development with some limited growth in the rural area, principally within settlement boundaries

It is considered that the proposal would provide residential accommodation in a sustainable location within the settlement boundary of Burton on Trent and therefore is acceptable in principle Furthermore, the principle of developing the site for residential purposes has been established through previous planning consents In terms of the details of this application, the considerations below are relevant in the determination of the application

Neighbourhood Plan

Branston Neighbourhood Plan was 'Made' on 17 August 2015 Policy B1 'Integrating new development with existing communities' expects all new major developments to include the provision of safe walking routes, linking into existing routes Policy B2 relates to design and requires all new development to be of high quality design and reflect local distinctiveness through the careful use of materials etc NP policy B4 relates to landscape character, All development defined as major for planning application purposes will be required to demonstrate how the impact on the landscape has been considered Policy B5 requires high quality spaces are provided with access to open spaces and walking/ cycling networks Policy B6 relates to achieving high quality landscaping and enhancing biodiversity and B7 covers open spaces in new development Policy B8 requires new homes to be built to the highest possible sustainability standards and Policy B9 requires residential schemes to deliver a mix of housing from starter units to larger more expensive properties Car parking provision is set out under Policy B11

It is considered that the proposal would meet with the objectives of the policies set out in the Branston Neighbourhood Plan The plans include pathways to link the development to the towpath which runs along the canal, and a pedestrian link with existing pathways to the eastern boundary of the site The impact on the landscape has been considered and is documented within the submissions The application includes a landscaping plan which will ensure that the development will cause no detriment to biodiversity Ecological enhancement measures are proposed, and it is noted that the proposal will deliver a range of high quality dwellings which will be constructed to a high standard The development would meet with the car parking requirements

Impact on visual amenity and the Trent and Mersey Canal

Policies SP24 and DP1 of the adopted East Staffordshire Local Plan seek to encourage high quality design in respect of new development The National Planning Policy Framework and DP3 of the Local Plan seek 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 The Local Plan policies are supplemented by the East Staffordshire Design Guide Policy DP2 deals with sustainable construction methods

In order to create an access to the application site, the proposals include the demolition of 78 and 80 Tatenhill Lane These dwellings will both be replaced by two storey properties, sited in a location to respect and enhance the existing building line Taking into consideration the existing visual amenities of Tatenhill Lane and the mixed design and scale of existing dwellings, it is considered that these replacement dwellings would integrate successfully to the street scene

In terms of the overall development, the layout of the site replicates the original approach to the siting of properties approved at outline stage This includes dwellings facing towards the canal in order to increase natural surveillance Although the footprint of each dwelling has been altered in order to accommodate the revised house types, in

principle the development remains in keeping with the ethos of the original outline scheme. It is considered that the development would result in a distinctive modern estate of architectural merit. There is a mixture in the proposed palette of materials from brick to render, with cladding to elevations which will provide cohesion between properties and visual interest within the street scene.

The design of the dwellings is appropriate for this semi rural context. In terms of the impact on the Trent and Mersey Canal, the scheme has been revised to locate the pumping station in a central area of the site, away from its previous location adjacent to the canal. The agent has also confirmed that following further investigations, it is concluded that there will be no requirement for an electricity substation, which was also previously located adjacent to the canal. As such, in physical terms the proposal would cause no harm to the canal. An access to the towpath would be created on land owned by the applicant and no alteration to the existing towpath would be necessary. Any increase in towpath usage by the additional 55 dwellings is unlikely to be significant. The canal side adjacent to the application site is used for informal moorings for canal boats. The development would not have any direct impact upon this activity. The dwellings are set back from the canal towpath, this buffer should effectively protect the amenities of the users of the canal at this point.

It is therefore considered that the layout and design of the proposal accords with the principles and provisions of the East Staffordshire Design Guide, and demonstrate that the proposal will achieve a high quality development appropriate to its context which accords with the local plan policies SP24, DP1 and DP3.

Impact on heritage assets

Paragraph 126 of the NPPF states that Local Plan Authorities should recognise that heritage assets are an irreplaceable resource and they should be conserved in a manner appropriate to their significance. Furthermore, it is stated that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to its conservation.

In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the special desirability of preserving or enhancing the character and appearance of the conservation area. 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. Where a proposed development will lead to substantial harm or to total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Section 66 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, 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 planning considerations.

Strategic Policy 25 of the Local Plan 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 Boroughs townscapes and landscapes. Detailed Policy 5 of the Local Plan goes into more detail regarding historic assets, listed buildings, conservation areas and archaeology.

The proposal will result in no direct physical impact on any listed building. Given the separation distance between the site and the nearest listed milestone, it is considered that the proposal would cause no harm to the significance or setting of this heritage asset. Taking into consideration the close proximity of the proposed development to the

Trent and Mersey Canal Conservation Area, special regard must be paid to the preservation or enhancing of the character and appearance of the Conservation Area, including its setting. To this extent, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged.

The area proposed for development is currently open space and makes a positive contribution to the setting of the Conservation Area. However, it is noted that there is residential development to the north of the site adjacent to the Trent and Mersey Canal Conservation Area.

The dwellings have been sited to provide an active frontage to the canal, and to this extent would increase the significance of the Conservation Area. On the whole, it is considered that the proposed development would respond well to the character and appearance of the Conservation Area. The design of the dwellings and the palette of materials put forward would ensure that the development is appropriate in its context. Suitably worded conditions will be used to ensure that the high quality materials proposed are used in the construction of the development. The applicant has agreed to use clay roof tiles on the dwellings which front the Conservation Area.

Overall it is considered that this scheme would respond to the character of the Conservation Area and would effectively preserve the setting, character and appearance of the Conservation Area in line with Local Plan Policies SP25 and DP5.

Impact on residential amenity

The NPPF and Local Plan Policies DP1 and DP3 seek to ensure that 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 by being overbearing.

The relationship between the new dwellings and the existing residential properties located in Tatenhill Lane has been assessed and the potential for loss of privacy and light and any overbearing impacts has been taken into consideration. Taking into consideration the depths of the gardens to neighbouring dwellings and the depths of the gardens of the proposed new dwelling houses, it is not considered that the proposed development would result in any significant loss of light or overlooking issues.

The proposed layout shows that the dwellings can be accommodated on the site without compromising the reasonable amenities of their future occupiers, and allowing for sufficient outdoor amenity space. The proposed development integrates well with the adjoining built form, in compliance with the provisions of the Local Plan Policy DP1 and DP3.

Highway safety and parking

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. These policies are supplemented by the parking standards SPD.

The Highways Authority have raised no objections to the proposal. Each dwelling has sufficient off road parking provision to meet with both the parking standards SPD and the requirements of the neighbourhood plan. Weatherproof storage for cycles is provided on each site within the garages (all garages meet with the minimum requirements of the Parking SPD) and for the sites which do not have a garage a shed will be provided within the rear garden.

The applicant has confirmed that the access and roads within the site will remain private and will not be adopted by the local highway authority. Off site, Tatenhill Lane is accessed via a canal bridge which is effectively the only vehicular access to the application site. The canal bridge has a weight restriction of 18 tonnes, however in order to accommodate construction traffic and a larger refuse collection vehicle, the weight allowance would need to be 40 tonnes. As a separate matter to this application, the applicant has entered into an agreement with Staffordshire County Council to carry out bridge reinforcement works in January 2018. The works will be carried out over six weeks and will provide a more stable surface which will be better suited to serving the

needs of local residents and construction traffic. The life expectancy of the bridge will be enhanced.

The Highways Authority have agreed details provided by the agents, including the access details, the requirement of drainage within the new roads, the provision of a construction traffic route plan and wheel cleaning regime and weatherproof cycle storage details for properties with no garages. Conditions are attached to ensure the development is carried out in accordance with the details submitted.

Subject to the aforementioned conditions, the proposal would cause no detriment to highway safety and would comply with the objectives in this respect of Local Plan Policies SP1 and SP35.

Affordable housing

The NPPF states that local planning authorities should have a clear understanding of housing needs in their area. Strategic policies 16 and 17 along with guidance set out in the Housing Choice SPD responds to this requirement. SP16 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. Local Plan Policy 17 states that affordable housing provision should be delivered across the site and not in clusters of more than 8 dwellings.

The Housing Choice Supplementary Planning Document sets out the need for affordable housing within the Borough, both in terms of quantity and type. It also considers the implications of affordable housing on the viability of schemes. Given the abnormal costs of developing the site, it was accepted previously that 8 dwellings (approximately 15%) should be provided. This was based on the evidenced additional cost of the additional obligations versus the average cost to a developer of providing an on site affordable dwelling derived from the cost calculated in the submitted Affordable Housing Viability Study. The proposal would deliver 8 affordable units out of 55 dwellings. This would include 4 x 1 bed units, 2 x 2 bed units, 2 x 4 bed units and is in line with the signed Section 106 agreement.

Education

There is a need for education facility provision in East Staffordshire. The need is for both primary and secondary education. Strategic policy 10 identifies areas where new schools will be expected in Uttoxeter and Burton upon Trent. Staffordshire County Council have been consulted and confirmed that the application site falls within the catchments of Rykneld Primary School and Paget High School. The development is scheduled to provide 55 dwellings, with the demolition of 2 existing dwellings. Excluding the 4x 1 Bedroom RSL Houses from Primary and Secondary calculations and excluding the remaining 4 RSL dwellings from secondary only, a development of 49 houses including 4 RSLs could add 10 Primary School, 7 Secondary and 1 6th Form Pupils. An education contribution of £255,722 was requested.

Notwithstanding the above, Staffordshire County Council have acknowledged that the current reserved matters application and signed section 106 would result in a contribution of £178,203.00 from the site from the same level of dwellings being constructed. Taking account of the planning history of the site and the fallback position together with the index linking a revised contribution of £198,500 has been agreed by Staffordshire County Council.

Ecology/ Biodiversity

Paragraph 118 within Section 11 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.

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. Strategic policy 29 states that in considering proposals for development the Council will seek to protect, maintain and enhance the biodiversity and

geodiversity of the Borough The policy goes on to list criteria that proposals should meet including the requirement for development proposals to retain features of biological interest and produce a net gain in biodiversity in line with the Staffordshire biodiversity action plan

The application is supported by a landscape and ecological management plan The plan sets out a range of proposals which seek to protect mature trees at the site, to avoid disturbance to nesting birds and to provide a suitable habitat for a range of invertebrate, bird and bat species Suitably worded conditions to ensure that the development is carried out in accordance with the plan, to ensure that the objectives of local plan policy SP29 are met

As part of the proposal existing mature trees and hedgerows on the site are to be retained where possible and the proposed landscaping scheme will add significant ecological value This is considered important given the semi-rural location of the site adjacent to Branston Water Park, and will reduce some of the visual impact of the development within the wider countryside

The proposed development includes the demolition of two properties, 78 and 80 Tatenhill Lane The bat roost assessment submitted concluded that whilst No 78 had a low potential to support roosting bats, No 80 had high potential Subsequently, an emergence survey was carried out which concluded that no bats were present in No 80 Tatenhill Lane and made recommendations, including the installation of bat boxes within the development to provide roosting opportunities for bats Furthermore, a Great Crested Newt Survey has been undertaken, which concludes that ponds adjacent to, and surrounding the application site currently have poor/ below average suitability for great crested newts and they are therefore not a notable consideration in relation to the proposed development The bat boxes indicated in the details provided will be secured through the attachment of a condition, and an informative will be added to any decision to remind the applicant of their responsibilities under wildlife legislation

The proposal will therefore meet with the objectives of Local Plan Policy 29 and the NPPF.

Trees/ National Forest


Local Plan Policy SP26 relates to the National Forest It is stated that developments shall contribute towards the creation of the forest by providing on site or nearby landscaping that meets with the National Forest development guidelines In addition to meeting with planting guidelines, developments will be expected to reflect their forest setting through their design, character and sustainability

The application site covers an area of approximately 2.66 hectares and the applicant has agreed to include a commitment to either provide this level of planting on site and pay a sum towards off site planting, secured through a Section 106 agreement It is noted that the level of planting provision could not be fully accommodated on site given the current layout The National Forest Company have been consulted and confirmed that the detailed landscaping plans in general are welcomed and that an off site contribution of £10,500 would be required Advice provided regarding shrub species and landscaping in the open space adjacent to plot 23 have been addressed through revised plans The proposal would therefore meet with the objectives of Local Plan Policy SP26

The application is supported by an Arboricultural assessment which indicates the existing trees to be retained (both on and off site) around the perimeter of the site The Tree Officer has raised no concerns with the information submitted and a suitably worded condition will be attached in order to ensure that the development is carried out in accordance with the information provided

Flooding/ drainage issues.

Policy SP27 of the Local Plan relates to Climate Change, Water Body Management and Flooding and Section 10 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 Policy DP7 relates to pollution

	<p>The Environment Agency have confirmed that the site is located in flood zone 1 and have raised no objections to the proposal in terms of flood risk. Severn Trent have raised no objections and have agreed the submitted drainage strategy for the disposal of foul and surface water flows. The Lead Local Flood Authority have raised no objections to the principle of the proposal and have requested drainage information regarding the hydraulic calculations and the treatment train, a condition is attached to this effect.</p> <p>Subject to the condition as advised by the Lead Local Flood Authority, the proposal would meet with the objectives of Local Plan Policies SP27 and DP7.</p> <p><u>Other matters</u></p> <p><u>Bins-</u> A contribution towards the provisions of bins for the proposed dwellings has been requested by the Environment Manager. The bins are required to ensure that the development can benefit from the waste collection service provided by the Council and the number of dwellings in accordance with the Waste Storage and Collection for New Development. The Environment Manager has confirmed that the cost of providing bin storage would be £75 per dwelling. This would be secured through the Section 106 agreement.</p> <p><u>Section 106 Agreement-</u> In terms of the S 106, it has been agreed with the agent to use the heads of terms from the existing S106 (but not necessarily the sums). A draft S 106 Unilateral agreement, produced by the applicant's solicitor has been submitted with the application in order to facilitate the use of the sealed S 106. In summary, the S106 will secure the following elements of the scheme:</p> <ul style="list-style-type: none"> • Affordable housing On site provision of 15% • Education Financial contribution currently calculated at £198,500 • SuDs, Open Space and Wildlife features Management and Maintenance contributions • National Forest Contribution of £10,500 • Public Open Space Contribution of £21,712.50 • Provision of waste storage for each dwelling (£75 per dwelling)
<p>Planning Officer's response to Parish Council</p>	<p>No response was received from the Parish Council.</p> <p>Notwithstanding the objections raised, the proposed development, subject to conditions will meet with the objectives of the policies as set out above. Although concerns have been raised regarding flooding, the Environment agency have raised no technical issues in relation to the development and confirmed that the site is located in flood zone 1. The submitted flood risk assessment confirms that the development can be integrated into the site without residual flood risk and will not increase flood risk elsewhere. The proposal includes provisions to accommodate wildlife within the development, and conditions are attached to ensure mitigation measures suggested within the submissions are implemented.</p> <p>The overall design of the proposed development is considered to be acceptable and would integrate well into the locality. The 'need' for housing within the Burton area has been established through the adoption of the local plan and in terms of parking, each dwelling would have sufficient off road parking provision within each plot in line with the requirements of both the local plan and the neighbourhood plan.</p>
<p>Conclusion (including Signature & date)</p>	<p>The principle of this proposal is in accordance with the policies within the Local Plan and the Neighbourhood Plan. Furthermore it is considered that the proposal would not result in harm to residential or visual amenity, harm to ecology, heritage assets, drainage, highway safety and parking or trees within the site subject to safeguarding conditions and appropriate infrastructure contributions are secured through the S106 agreement. The proposals are therefore in accordance with policies in the Local Development Plan, the NPPF or the neighbourhood plan and is recommended for approval on this basis.</p> <p style="text-align: center;"></p> <p style="text-align: right;">27 March 2018</p>

Engagement	During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraphs 186 and 187 of the National Planning Policy Framework.	
Section 106 required?	Yes	
Draft Decision Notice checked by Planning Officer or Team Leader	<i>Aime Nicle</i>	<i>29/March/2018</i>
Team Leader Comments		