

**LAND AT MARKET DRAYTON ROAD, LOGGERHEADS**  
**STOKE-ON-TRENT AND STAFFORDSHIRE FIRE AND RESCUE SERVICE**     **14/00705/FUL**

The application as submitted is for the variation of condition 1 of reserved matters approval 12/00499/REM through the substitution of a revised site plan showing a substation and resultant minor adjustments.

The site is in the open countryside, outside the village envelope of Loggerheads, in an Area of Landscape Restoration as designated on the Local Development Framework Proposals Map. It is also adjacent to the A53 which is part of the Strategic Highway Network.

The application has been referred to the Planning Committee at the request of two councillors for the following reasons:-

- The Borough and Parish Council have worked with and supported residents to achieve a mutual way forward with this development to achieve a landscaped, sound proofed buffer zone between the boundary fence of the fire station and the boundary fence of residents on Kestrel Drive.
- The proposed variation would relocate the substation to within the agreed buffer zone and close to residents, in particular No. 2 Kestrel Drive. This will have a detrimental effect on the health and wellbeing of these residents in addition to the impact and visual amenity/noise from this proposal.

**The eight week statutory determination period expires on 10<sup>th</sup> November 2014.**

**RECOMMENDATION**

**Subject to the Environmental Health Division withdrawing their holding objections PERMIT subject to the following conditions:-**

1. **Variation of condition 1, which lists the approved plans, by substitution of the amended site plan that shows the location of the substation.**
2. **All other conditions of 12/00499/REM shall continue to apply.**

**Reason for Recommendation**

Whilst the proposed location of the substation will affect the landscaped bund it is not considered that the development will be harmful when viewed from Market Drayton Road or from adjoining properties on Kestrel Drive. The final comments of the Environmental Health Division are awaited regarding the impact of the siting of the substation on the acoustic performance of the bund.

**Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

**Policies and Proposals in the approved Development Plan relevant to this decision:-**

Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009)

Policy CSP1: Design Quality

Policy CSP3: Sustainability and Climate Change

**Other material considerations include:**

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)  
National Planning Practice Guidance (March 2014)

### Supplementary Planning Guidance

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

### Relevant Planning History

Outline planning permission, with all matters of detail reserved for subsequent approval, for the erection of a Community Fire Station to accommodate one fire appliance was granted in 2012 (11/00475/OUT).

All reserved matters were approved, including details of two accesses to the site, in 2012 (12/00499/REM).

In 2013 a variation of the visibility splay requirements of condition 19 of planning permission 11/00475/OUT was granted (reference 13/00028/OUT) to enable a 3.8m by 120m visibility splay to be provided on the eastern vehicle access. In addition condition 21 was varied by removal of part (ii) which required traffic calming measures on the A53.

### Views of Consultees

**Loggerheads Parish Council** objects strongly to this application. The Parish Council supported residents to achieve a landscaped, sound proofed buffer zone between the boundary fence of the planned fire station and the boundary fence at No 2 Kestrel Drive and the current plan (referred to in condition 1 of 12/00499/REM) allows for this. The proposed variation would relocate the substation to within the buffer zone and close to No 2 Kestrel Drive. The Parish Council believe that the location of a substation directly adjacent to Kestrel Drive and at close proximity to opposite houses on Market Drayton road would affect the health and wellbeing of these residents.

The **Environmental Health Division** have lodged a holding objection until such time as the applicant is able to demonstrate that noise emissions from the substation will not affect residential amenity for the occupants of 2 Kestrel Drive and that the acoustic performance of the bund will still ensure compliance with condition 10 of 11/00475/OUT.

### Representations

No representations have been received.

### Applicant/agent's submission

The application form and a site plan have been submitted and additional information regarding the noise levels from the substation provided in response to the comments of the Environmental Health Division are available to view at the Guildhall and on [www.newcastle-staffs.gov.uk/planning/1400705FUL](http://www.newcastle-staffs.gov.uk/planning/1400705FUL)

### **KEY ISSUES**

This is an application to vary a condition of the reserved matters approval 12/00499/REM. The Authority has a number of options:-

- If it considers that the original condition should remain it should refuse the application,
- If it considers that the condition should be varied then it should approve the application subject to the reworded conditions.

Condition 1, which is proposed to be varied lists the approved plans and requires that the development is carried out in accordance with such plans. The amendment proposed is the substitution of the approved site plan with an amended site plan showing a 4m by 4m substation sited

within the landscape buffer strip that adjoins the rear boundaries of properties on Kestrel Drive, in a position 6m to the rear of the pavement. The substation would be accessed through the boundary fence to the rear of a mini bus parking space. A 1.8m high close boarded fence is proposed to the perimeter of the substation enclosure.

The landscape buffer is to contain contains a bund which is a maximum of 1m in height when measured from the ground level of properties in Kestrel Drive and about 2.6m above the ground level of the fire station. The landscaped buffer is enclosed by a 1.2m post and rail fence, which is to be retained. Only a small area of the bund and the agreed shrub mix planting will not be retained in order to accommodate the substation, as illustrated on the section plan submitted during the application process, and whilst this will have a visual impact in views from Market Drayton Road it is not to the extent that it could be resisted. The impact on the outlook from the rear of properties on Kestrel Drive will be very limited given the levels, the small scale of the substation, its position immediately behind a garage building to No.2 Kestrel Drive and the separation distances. Overall it is considered that the visual impact of the introduction of the substation would not be harmful, and to better illustrate this, an additional plan has been requested showing a section through the substation and bund which should be available at the meeting.

The bund, together with an acoustic fence, forms the acoustic mitigation to address any noise from activities within the training yard area to the rear. The proposed substation is to be sited in front of the rear yard but will, as indicated above, affect the bund and as such the Environmental Health Division has requested addition information to assess whether the proposal will affect the acoustic performance of the bund and result in an unacceptable impact on the amenity of adjoining residents. They have no other concern about the substation's impact upon resident's health and wellbeing notwithstanding the comments of the Parish Council. Noise levels from the substation have been submitted and the further comments of the Environmental Health Division are awaited and will be reported.

#### Background Papers

Planning file  
Planning documents referred to

#### Date report prepared

13<sup>th</sup> October 2014