

The application is for outline planning permission for the erection of up to 55 dwellings. Vehicular access from the highway network to the site is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and internal access details) reserved for subsequent approval.

The application site lies outside the village envelope of Loggerheads and within the open countryside and an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map. The site area is approximately 2.25 hectares.

The 13 week period for the determination of this application expired on the 17th January 2017 but the applicant has agreed to extend the statutory period until 3rd February 2017.

RECOMMENDATION

A) Subject to the applicant (providing they first agree in writing, by noon on the 3rd February, to extend the statutory determination period to the 7th March 2017) entering into a Section 106 obligation by 3rd March 2017 securing the following:

- i. A management agreement for the long-term maintenance of the open space on the site**
- ii. A contribution of £99,732 (on the basis that the development as built is for the full 55 units and of the type indicated) or such other sum as determined by the Head of Planning as appropriate on the basis of policy), towards the provision of education places at Madeley High School**
- iii. In perpetuity, provision of 25% of the dwellings on-site as affordable units**

PERMIT subject to conditions concerning the following matters:

- 1. Standard time limits for submission of applications for approval of reserved matters and commencement of development**
- 2. Reserved matters submissions**
- 3. Approved plans**
- 4. Construction hours**
- 5. Construction management plan**
- 6. Waste storage and collection arrangements**
- 7. Arboricultural Impact Assessment**
- 8. Arboricultural Method Statement**
- 9. Tree protection plan**
- 10. Full details of site access including footway along the site frontage**
- 11. Layout of site including disposition of buildings and provision of adequate parking and turning within the curtilage**
- 12. Visibility splays**
- 13. Foul and surface water drainage scheme**
- 14. Any reserved matters application to comply with the Design and Access Statement**
- 15. Recommendations of Phase 1 Habitat Survey to be complied with including buffer zone**
- 16. Provision of information signs and details to new residents regarding SSSIs**
- 17. Dwellings to be a maximum of 2½ storeys in height**

B) Should the matters referred to in (i), (ii) and (iii) above not be secured within the above period, that the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure the provision of adequately maintained public open space, appropriate provision for required education facilities and an appropriate level of affordable housing; or, if he considers it appropriate, to extend the period of time within which such obligations can be secured.

Reason for Recommendation

In the context of the Council's inability to robustly demonstrate a 5 year plus 20% supply of deliverable housing sites, it is not considered appropriate to resist the development on the grounds that the site is in within the rural area outside of a recognised Rural Service Centre. The adverse impacts of the development do not significantly and demonstrably outweigh the key benefits of this sustainable development. Accordingly permission should be granted, provided the contributions and affordable housing indicated in the recommendation are secured.

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

Additional information has been requested and provided where necessary to progress the determination of the application. This is now considered to be a sustainable form of development and complies with the provisions of the National Planning Policy Framework (NPPF).

Key Issues

1.1 Outline planning permission is sought for residential development of up to 55 dwellings. Access from the highway network (but not the internal access within the development itself) is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and other access details) reserved for subsequent approval.

1.2 The application site, of approximately 2.25 hectares in extent, is within an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map, in the open countryside outside the village envelope of Loggerheads.

1.3 The site is surrounded to the north, south and west by Burnt Wood ancient woodland, parts of which are designated as a Site of Special Scientific Interest.

1.4 The site comprises agricultural land but an Agricultural Land Classification Survey based upon a field survey has been submitted with the application which concludes that it is Grade 3b or moderate quality which is not 'best and most versatile agricultural land' as referred to in the NPPF.

1.5 Loggerheads Parish Council has expressed concern about the position of the Borough Council in respect of the legality of it being both the landowner and determining the application. They state that *the Town and Country Planning General Regulations 1992, as amended in 2009, indicate quite clearly that there are a number of conflicts of interest within the Borough Council which should lead to this application being determined by the Secretary of State*. This statement is however factually incorrect and your Officer is satisfied that there is no reason why the Borough Council is unable to determine the application.

1.6 The main issues for consideration in the determination of this application are therefore:-

- Is this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?
- Would there be any significant impact upon any nature conservation interests?
- Would the proposed development have a significant adverse impact on the character and appearance of the village or the wider landscape?
- Would the proposed development have any material adverse impact upon highway safety?
- What planning obligations are considered necessary and lawful?
- Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

2. Is the principle of residential development on the site acceptable?

2.1 The application site lies within the Rural Area of the Borough, outside of the village envelope of Loggerheads, in the open countryside.

2.2 CSS Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

2.3 CSS Policy ASP6 states that there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing.

2.4 Furthermore, NLP Policy H1 only supports housing in limited circumstances - principally within the urban area of Newcastle or Kidsgrove or one of the village envelopes.

2.5 As indicated above this site is not within a village envelope nor would the proposed dwellings serve an identified local need as defined in the CSS. As such its development for residential purposes is not supported by housing policies in the Development Plan.

2.6 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It also states that relevant policies for the supply of housing cannot be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites (as defined in paragraph 47).

2.7 The Council is currently unable to robustly demonstrate a five year supply of specific, deliverable housing sites (plus an additional buffer of 20%) as required by paragraph 47 of the Planning Policy Framework (NPPF). The starting point therefore is set out in paragraph 14 of the NPPF which sets out that there is a presumption in favour of sustainable development, and for decision taking this means, *unless material considerations indicate otherwise granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.*

2.8 The site lies very close to the village envelope of Loggerheads which is identified within the CSS as being one of the three Rural Service Centres which are detailed as providing the most comprehensive provision of essential local services. The Borough's Rural Services Survey (2008) which provided the evidence base for the designation, states that Loggerheads, one of the borough's larger rural settlements, "*has a wide range of local services and is located within a very sustainable and accessible location along the A53*". At that time it confirmed that within the village there was a post office, 2 food shops, a school, a pub, a cash point, a library and other local amenities. It went on to conclude that Loggerheads and the other settlements defined as Rural Service Centres were the best served with a wide range of local services and amenities that ensured the settlements were generally sufficiently equipped to meet the needs of the residents they served.

2.9 Loggerheads currently has a food store, a primary school, a public house, a pharmacy, a library, a cash point, a post office, a butcher, a restaurant, a takeaway, a hairdresser, a barbers, a veterinary surgery and a bus service linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury. Although this site lies just outside the village envelope, it is very close to existing facilities, and the village centre of Loggerheads, i.e. the food store, post office and library, is just 100m walking distance from the site, and the catchment primary school is also very close. The bus stops in Loggerheads which provide an hourly service linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury, are located on the A53 in the vicinity of the double mini roundabouts, approximately 250m from the site. It is the case therefore that the occupiers of the proposed dwellings will be able to access certain services and facilities within walking distance and will also have a choice of modes of transport. Top-up shopping for example, would be obtainable from within the village and accessible from the application site by foot or cycle. Given the limitations to the bus service, it is acknowledged that accessibility to employment is likely to be primarily by car. However there is the opportunity for the use of public transport for some work and/or leisure trips and given that this is not a remote, rural location, distances to higher order settlements and facilities are relatively short. In terms of sustainability therefore, it is considered that the site is in a sustainable location.

2.10 These points undoubtedly weigh in favour of a conclusion that in terms of access to some facilities and a choice of mode of transport, the site can be described as being in a sustainable location. Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

2.11 The applicant's agent states that social benefits are the provision of new housing, especially the affordable housing element, and support for local shops and services. He states that economic benefits are the provision of construction jobs and training and additional tax revenues, and in terms of the environmental dimension, the agent states that the proposals include a comprehensive landscape scheme that retains the most valuable natural features and proposes significant new planting and open space enhancement.

2.12 It is the case that the development would undoubtedly create associated construction jobs and the construction of housing in the rural area in a district that does not have a five year supply of housing. The development would fulfil a social role by delivering a mix of market housing and affordable housing in the rural area and the issue of the environmental impact of the scheme will be considered fully below.

2.13 Paragraph 14 of the NPPF states that permission should be granted unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole or specific policies in the Framework indicate development should be restricted. The footnote to paragraph 14 gives examples of such policies and includes those policies relating to sites designated as Sites of Special Scientific Interest.

3. Would there be any significant impact upon any nature conservation interests?

3.1 Burnt Wood comprises ancient woodland and part of it is designated as a Site of Special Scientific Interest (SSSI). As stated above, paragraph 14 of the NPPF refers to policies relating to sites designated as SSSIs and paragraph 118 states that proposed development on land within or outside a SSSI likely to have an adverse effect on a SSSI should not normally be permitted. Paragraph 118 goes on to state that planning permission should be refused for development resulting in loss or deterioration of irreplaceable habitats, including ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

3.2 Whilst outside of both the ancient woodland and the SSSI, it is important to consider whether the proposed development would have any adverse impact on those designated assets. There are trees located on the site boundaries and on adjacent land. The application is accompanied by a Tree Survey Report which recommends that an arboricultural impact assessment and a tree protection plan are produced once the detailed design of the scheme is finalised. The Council's Landscape Development Section (LDS) has no objections subject to conditions.

3.3 The application is accompanied by an Extended Phase 1 Habitat Survey which recommends appropriate mitigation measures. In particular it recommends that a 5m buffer should be incorporated into the site layout to protect the integrity of the woodland. A buffer is indicated on the Indicative Masterplan.

3.4 The Woodland Trust objects to the application on the grounds that the potential for damage to ancient woodland is too great as further encroachment is likely to occur beyond the initial development which will lead to an increasing decline in this particular habitat. In response to these concerns the Applicant's Agent states that the proposals have been carefully designed so as not to risk harm to this important resource. He highlights that there is an ecology buffer proposed in the Indicative Masterplan and confirms that the extent of this site is clearly set out in the planning application and it does not encroach into the woodland.

3.5 It is the case that the Tree Survey and Habitat Survey submitted with the application conclude that subject to mitigation, there would be no significant adverse impact upon either the trees or the habitats within the woodland. Subject to careful consideration of the detailed layout at the reserved matters stage and subject to the imposition of conditions requiring appropriate mitigation, it is not considered that a refusal could be sustained on the grounds of adverse impact on Burnt Wood ancient woodland or SSSI.

3.6 Natural England states that they are seeking to raise awareness of the SSSI and its vulnerabilities rather than seeking to stop people using the woodland for recreation and they would like to encourage people to stay on the existing pathways through the woodland. They request that the developer funds new signs at the entrance points to the woodland and that they include information about the SSSI in the new homeowners pack. The applicant has agreed to these requests and it is considered that they can be required by conditions.

3.7 To achieve a footway along the frontage of the site as requested by the Highway Authority it is likely that the majority, if not all, of the hedgerow to the front boundary of the site will have to be removed. The Habitat Survey states that it is not classified as an 'Important Hedgerow' as defined by the Hedgerow Regulations 1997 and the LDS states that although the historical, archaeological and wildlife aspects have not been checked, the woody species content and listed associated features of the hedge are not sufficient to make the hedge important under the Hedgerow Regulations. Appropriate new hedgerow planting could be secured in any future reserved matters submission.

4. Would the proposed development have a significant adverse impact on the character and appearance of the village or the wider landscape?

4.1 CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

4.2 The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) has been adopted by the Borough Council and it is considered that it is consistent with the NPPF and therefore, can be given weight. Section 10.1 of the SPD indicates that the aims for development within, or to extend, existing rural settlements are

- a. *To respond to the unique character and setting of each*
- b. *Development should celebrate what is distinct and positive in terms of rural characteristics and topography in each location*
- c. *Generally to locate new development within village envelopes where possible and to minimise the impact on the existing landscape character*

It goes on to state that new development in the rural area should respond to the typical forms of buildings in the village or locality.

4.3 Paragraph 58 of the NPPF states that decisions should aim to ensure that developments optimise the potential of the site to accommodate development and respond to local character and reflect the identity of local surroundings.

4.4 Section 10.5 of the Urban Design SPD states that new development in the rural area should respond to the typical forms of buildings in the village or locality. It states that in doing so, designers should respond to the pattern of building forms that helps create the character of a settlement, for instance whether there is a consistency or variety.

4.5 The only matter for approval as part of this application is access. Therefore, layout, scale and appearance are all matters reserved for subsequent approval. An illustrative masterplan has been submitted which sets out the design principles that will inform the site layout, including establishing development blocks, frontages and articulating corners and points of interest.

4.6 Up to 55 dwellings are proposed which would equate to a density of approximately 24 dwellings per hectare. This relatively low density is considered appropriate in this edge of village, semi-rural location. There is a mix of dwelling size and style in the area and it is considered that the number of dwellings indicated could be accommodated within the site satisfactorily and subject to details, would not have any significant adverse impact upon the character and appearance of the village. The Design and Access Statement indicates that the site would comprise a mix of detached and semi-detached dwellings and the Planning Statement indicates that the properties would be predominantly 2-storey but potentially rising up to 2½ storeys to articulate key nodes. Given the location of this site on the edge of a village, it is considered necessary to restrict the height of the dwellings to a maximum of 2½ storeys.

4.7 The main principles of the proposed design and layout of the site are outlined in the Design and Access Statement. The content of that document is considered appropriate as a basis for the reserved matters submission and therefore should planning permission be granted, a condition is recommended requiring any subsequent reserved matters applications to be in accordance with the principles of the Design and Access Statement.

4.8 CSS Policy CSP4 indicates that the location, scale, and nature of all development should avoid and mitigate adverse impacts (on) the area's distinctive natural assets and landscape character. This policy is considered to be consistent with the NPPF which states that the planning system should

contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

4.9 A Landscape and Visual Appraisal (LVA) has been submitted to accompany the application. It concludes that due to the enclosed nature of the site, views of the development would be limited to those in close proximity or where long distance views are available and the development would have limited effect on the wider landscape character.

4.10 The site is surrounded on 3 sides by Burnt Wood. It is a well-contained site and therefore views of the site are limited. Subject to a good quality layout and design therefore, it is not considered that the development would have such an adverse impact on the character or quality of either the village or the wider landscape to justify a refusal.

5. Would the proposed development have any adverse impact upon highway safety and does it provide appropriate pedestrian access to village facilities?

5.1 Vehicular access to the site would be via a new priority controlled junction off Eccleshall Road (the B5026). Details of the access have been submitted along with a Transport Statement (TS) which states that the access arrangements accord with Manual for Streets and that appropriate visibility splays can be provided. It also states that the proposed development will result in less than one additional vehicle every two minutes and concludes that there are no highways and transport related reasons why this development should not be granted planning permission.

5.2 The Highway Authority (HA) has no objections to the application subject to the imposition of conditions.

5.3 Concerns have been raised by residents on the grounds that the development would have an impact on highway safety, particularly at school starting and finishing times when Eccleshall Road is very busy with traffic and parked cars. The NPPF indicates (in paragraph 32) that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are *severe*. Given the relatively limited number of additional traffic movements that a development of up to 55 dwellings would create and noting that the Highway Authority does not raise objections to the application, your Officer's view is that subject to the imposition of conditions the impact of the proposed development on transport grounds would not be severe and therefore an objection on such grounds could not be sustained.

6. What planning obligations are considered necessary and lawful?

6.1 The applicant has confirmed their willingness to agree to the provision of 25% affordable housing and the making of a financial contribution towards education provision. Public open space is to be provided within the site and therefore no contribution to off-site provision is required. The open space would, it is proposed, be maintained by a management company which can also be secured by a Section 106 Agreement.

6.2 Such obligations are considered to meet the tests identified in paragraph 204 of the NPPF and are compliant with Section 122 of the Community Infrastructure Levy Regulations. However, it is also necessary to consider whether the financial contributions comply with Regulation 123 of the CIL Regulations, which came into force on 5th April 2015. Regulation 123 stipulates that a planning obligation may not constitute a reason for granting planning permission if it is in respect of a specific infrastructure project or a type of infrastructure and five or more obligations providing for the funding for that project or type of infrastructure have already been entered into since 6 April 2010.

6.3 Staffordshire County Council has requested an education contribution towards the provision of spaces at Madeley High School. More than 5 obligations have already been entered into providing for a contribution to Madeley High School. The first five obligations that have been entered into since April 2010 in which an education contribution has been secured for Madeley High School, will be utilised towards a project to provide 2 additional classrooms, which will be attached to the dining room, which will also need to be expanded. Any subsequent planning obligations, including the one now being sought, will be for a different project or projects than mentioned above. On this basis, it is considered that the contributions comply with CIL Regulation 123.

6.4 In its consultation response, Loggerheads Parish Council states that financial contributions from the developer should provide a children's play area, improve road infrastructure, improve safety at the school, provide community facilities, improve bus services and provide a doctor's surgery. In relation to the play area, LP Policy C4 only requires the provision of appropriate play equipment on sites with 100 or more dwellings and therefore there is no policy basis for such provision as part of this proposal. The Highway Authority has not requested financial contributions to road improvements, school safety or bus services and no contributions have been requested from either the Council's Leisure Strategy Manager in relation to community facilities or the County's Health and Wellbeing Development Section regarding a doctor's surgery. Therefore there is no evidence that any of these contributions are necessary to make the development acceptable in planning terms, are directly related to the development and fairly and reasonably related in scale and kind to the development and as such it is not considered that the contributions requested by Loggerheads Parish Council would comply with Section 122 of the CIL Regulations.

6.5 In the Planning Statement submitted with the application, it is stated that because the site is Council-owned, a Section 106 is not a legal mechanism that can be applied to this application. Your Officer has recently received legal advice relating to another site owned by the Council and whilst the Borough Council cannot enter into a contract with itself (as a matter of law) a planning obligation can be entered into prior to a decision notice being issued which secures in a transparent and appropriate manner the affordable housing and education contribution. It is anticipated that the County Planning Authority would act as the Local Planning Authority for the planning obligations at least until the site has been disposed of.

7. Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

7.1 In consideration of the above points, the proposal represents sustainable development and would make a significant contribution towards addressing the undersupply of housing in the Borough. It would also provide affordable housing for the rural area. It is considered therefore that the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal. Accordingly the proposal complies with the requirements of paragraph 14 of the NPPF as well as the overarching aims and objectives of the NPPF. On this basis planning permission should be granted provided the required contributions are obtained to address infrastructure requirements and appropriate conditions are used, as recommended.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy SP1	Spatial Principles of Targeted Regeneration
Policy SP3	Spatial Principles of Movement and Access
Policy ASP6	Rural Area Spatial Policy
Policy CSP1	Design Quality
Policy CSP3	Sustainability and Climate Change
Policy CSP4	Natural Assets
Policy CSP5	Open Space/Sport/Recreation
Policy CSP6	Affordable Housing
Policy CSP10	Planning Obligations

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy H1	Residential Development: Sustainable Location and Protection of the Countryside
Policy N3	Development and Nature Conservation – Protection and Enhancement Measures
Policy N4	Development and Nature Conservation – Use of Local Species
Policy N17	Landscape Character – General Considerations
Policy N18	Areas of Active Landscape Conservation
Policy T16	Development – General Parking Requirements
Policy C4	Open Space in New Housing Areas
Policy IM1	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(March 2014\)](#)

[Community Infrastructure Levy Regulations \(2010\)](#) as amended and related statutory guidance

Supplementary Planning Guidance/Documents

[Developer contributions SPD \(September 2007\)](#)

[Affordable Housing SPD \(2009\)](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Planning for Landscape Change - SPG to the former Staffordshire and Stoke-on-Trent Structure Plan](#)

[Waste Management and Recycling Planning Practice Guidance Note](#) approved in 2003 and last updated in February 2016

Relevant Planning History

15/00927/DEEM4	Residential development for up to 55 dwellings with associated landscaping and infrastructure	Withdrawn
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Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding noise levels, hours of construction, construction method statement and waste storage and collection arrangements.

The **Landscape Development Section** has no objections subject to conditions requiring provision of an Arboricultural Method Statement, Tree Protection Plan, landscaping scheme and management proposals for the open space.

The **Education Authority** states that the development falls within the catchments of Hugo Meynell CE (VC) Primary School and Madeley High School. A development of 55 dwellings could add 12 primary-aged pupils and 7 of secondary age. Hugo Meynell CE (VC) Primary School is currently projected to have sufficient space to accommodate the likely demand from pupils generated by the development and therefore no request is made towards Primary School provision. Madeley High School is projected to have limited places available in one year group only and this has been taken into account when calculating the necessary education contribution. A contribution of £99,732 (6 x £16,622) is requested towards Secondary provision, assuming policy compliant affordable housing is provided on site.

The **Crime Prevention Design Advisor** states that based on the illustrative masterplan, the only aspect of the layout that would be of concern would be the housing that abuts the woodland at the north-eastern edge of the development. Given the track just inside the woodland, accessibility to this track off Eccleshall Road and the thin woodland boundary, the properties here could be potentially vulnerable to burglary and rear garden boundaries would need a commensurate level of protection.

The **Lead Local Flood Authority** states that the Flood Risk and Foul Drainage Assessment concludes that an acceptable drainage design could be achieved. The Strategy relies on infiltration and whilst data suggests that the subsurface is likely to be suitable for free draining SuDS, this has not been confirmed by on-site infiltration testing and in the event that infiltration did not prove feasible a suitable alternative has not been proven. Infiltration testing is recommended prior to determination of the application but if the LPA is sufficiently confident to approve the application on the basis of the strategy presented, then a condition is recommended securing an acceptable drainage design.

Severn Trent Water has no objections subject to conditions requiring drainage plans for the disposal of foul and surface water flows.

The **Highway Authority** has no objections to the proposal subject to the imposition of conditions regarding submission of details of layout, parking, turning and servicing, surface water drainage and surfacing materials, submission of full details of the access including a Stage 2 Road Safety Audit and provision of a 2m wide footpath along the length of the development along the B5026, details of 2.4m x 56m visibility splays at the access and submission of a Construction Method Statement.

The **Woodland Trust** objects on the grounds that the potential for damage to ancient woodland is too great as further encroachment is likely to occur beyond the initial development which will lead to an increasing decline in this particular habitat. The buffer zone shown on the plan is no larger than 8-10m and this is insufficient and should be at least 30m wide. The Woodland Trust is concerned about the following:

- Intensification of recreational activity of humans causing disturbance to habitats and wildlife
- Noise and light pollution
- Felling of branches and trees adjacent to gardens due to light impact, a desire to extend gardens and safety threat
- Likelihood of garden waste being dumped into the woodland
- Impacts on local hydrology
- Introduction of invasive and non-native garden and ornamental species

Natural England states that they are seeking to raise awareness of the Burntwood SSSI and its vulnerabilities rather than seeking to stop people using the woodland for recreation and they would like to encourage people to stay on the existing pathways through the woodland. It is believed that

there are signs at the main entrance points of Burnt Wood and it is requested that the developer fund new signs in relation to the SSSI as well as including information about the SSSI in the new homeowners pack.

Loggerheads Parish Council objects on the following grounds:

- Concerned about conflict of interests and the legality of the Borough Council dealing with its own application
- A Housing Needs Assessment for Loggerheads was published in June 2016 which demonstrates there is a 9.8 year supply of houses to meet the need of the area
- The site is close to a major aquifer and it is queried whether the 'sustainable drainage system' proposed is acceptable
- The proposal will have a significant impact on the ancient woodland that borders the site on 3 sides and the buffer zone must be extended to comply with Natural England's letter of 9th November
- While the bus stop is 5 minutes from the site the time-table precludes the use of bus transport for journeys to and from work in the Potteries or Shrewsbury
- The masterplan is not informative
- The site is outside the village envelope and is a greenfield site that does not comply with the Development Plan
- The Statement of Community Involvement is misleading. Consultation was limited to only a handful of residents living in close proximity to the site. The Parish Council conducted a parish wide consultation and almost 75% of respondents do not support the use of the site for housing, mainly due to lack of infrastructure and facilities in Loggerheads. A number of people did support housing on the site but that is conditional on the provision of social and affordable housing and further investment in infrastructure.
- Financial contributions from the developer should provide a children's play area, improve road infrastructure, improve safety at the school, provide community facilities, improve bus services and provide a doctor's surgery
- The Flood Risk and Foul Drainage Assessment is incomplete
- In the Framework Travel Plan, distances to named facilities are under-estimated
- The nearest doctor's surgery in Ashley is over-subscribed and at 3km away, accessibility is generally by unsustainable car journeys
- The proposed access is inadequate and does not comply with current policy. The proposed access is close to the school entrance on a busy road and substantial improvements are required for the safety of children and pedestrians
- Two major developments have secured planning permission in Loggerheads since April 2015 and a further one is at appeal but there has been no co-ordinated consideration of the need to improve infrastructure and community facilities for this significant increase in residents.

The **Staffordshire Wildlife Trust**, the Borough Council's **Leisure Strategy Manager**, the County's **Health and Wellbeing Development Section**, the **Waste Management Section**, the **Environment Agency**, **Housing Strategy**, and the **National Grid** were consulted upon the application, the date by which their comments were requested has passed without comments being received from them and they must be assumed to have no observations to make

Representations

Three letters of objection have been received. A summary of the objections made is as follows:

- Lack of housing need
- Highway safety concerns, particularly at school starting and finishing times
- Inadequate bus service
- Impact on the Burnt Wood SSSI
- Sewage problems
- Potential flooding

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Flood Risk and Foul Drainage Assessment
- Tree Survey Report
- Landscape and Visual Appraisal
- Extended Phase 1 Habitat Survey
- Transport Statement
- Framework Travel Plan
- Agricultural Land Classification
- Phase 1 Environmental Assessment

All of these documents are available for inspection at the Guildhall and as associated documents to the application in the Planning Section of the Council's website via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/16/00866/OUT>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

24th January 2017