

The application is for outline planning permission for the erection of up to 70 dwellings. Access is in part for consideration in this application with all other matters (appearance, landscaping, layout and scale) reserved for subsequent approval.

The application site lies on the north side of Mucklestone Road which is a B classified road outside the village envelope of Loggerheads and within the open countryside and a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map. The site area is approximately 2.2 hectares. The existing house at Gravel Bank and part of its outbuildings are not affected by the proposal. A milepost on the site frontage is a Grade II Listed Building.

The 13 week period for the determination of this application expires on the 2nd January 2018 but the applicant has agreed to extend the statutory period until the 5th January 2018.

Refuse for the following reasons:

- 1. The development would have an urbanising effect on the open countryside and would have a significant adverse impact on the character and appearance of the area.**
- 2. The adverse impacts of the development, namely the harm to the character and appearance of the countryside and the high level of the use of the private car, significantly and demonstrably outweigh the benefits of the development. The proposal therefore represents an unsustainable development that is contrary to the guidance of the National Planning Policy Framework (2012).**
- 3. In the absence of a secured planning obligation and having regard to the likely additional pupils arising from a development of this scale and the capacity of existing educational provision in the area, the development fails to make an appropriate contribution towards education provision.**
- 4. In the absence of a secured planning obligation the development fails to make an appropriate contribution towards the provision of affordable housing which is required to provide a balanced and well-functioning housing market.**
- 5. In the absence of a secured planning obligation the development fails to make appropriate contributions towards travel plan monitoring and preparation which is required to provide a sustainable development.**

Reason for Recommendation

The proposal would extend built development into the open countryside and would have a significant adverse impact on the character and appearance of the area. Due to the location of the site away from a higher level of services, employment and public transport links, there is likely to be a somewhat high level of the use of the private car. Overall, the adverse effects of allowing the development of this proposal, significantly and demonstrably outweigh the benefits.

The proposed development would result in additional pressure on limited secondary school places and in the absence of a financial contribution, such an adverse impact would not be appropriately mitigated against. A planning obligation is also required to secure affordable housing and travel plan monitoring in accordance with policy.

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. It is considered that the proposals are unsustainable and do not conform to the core planning principles of the National Planning Policy Framework and it is considered that the applicant is unable to overcome the principal concerns in respect of this development.

Key Issues

1.1 Outline planning permission is sought for residential development of up to 70 dwellings. Access is in part for consideration as part of this application with all other matters (appearance, landscaping, layout and scale) reserved for subsequent approval.

1.2 The application site, of approximately 2.2 hectares in extent, is within a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map, in the open countryside outside the village envelope of Loggerheads.

1.3 Outline planning permission was allowed on appeal in March 2017 for up to 128 dwellings on the adjacent site to the east, Tagedale Quarry (Ref. 15/00015/OUT). Whilst the current application needs to be considered independently of that site, given that it has an extant consent, account has to be taken of that planning permission in the consideration of some issues, including education capacity and highway realignment. However the Authority also has to consider the scenario in which Tagedale quarry does not proceed.

1.4 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 the proposed development have any impact on the setting of any Listed Buildings?
- 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 and does it provide appropriate pedestrian access to village facilities?
- 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 this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?

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 Core Spatial Strategy (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 in the Rural Area 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, Policy H1 of the Newcastle Local Plan (NLP) indicates that planning permission for residential development will only be given in certain circumstances – one of which is that the site is within one of the village envelopes.

2.5 As indicated above this site is neither 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 policies of 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 latest position was reported to the Planning Committee at its meeting on 15th August 2017 and that report indicated a supply of 1.8 years' worth, in terms of the borough's housing requirements. 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 is outside the village envelope of Loggerheads. Loggerheads 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 (2011), an update of that undertaken in 2008, 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, 2 restaurants/takeaways, a school, a pub, a cash point, a library and other local amenities. The Survey went on to conclude that Loggerheads and the other settlements defined as Rural Service Centres offered the most sustainable locations for additional development to meet local needs and to support the vitality and viability of local service provision.

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. Reference will be made to this bus service later on in this report. The centre of the site would be approximately 1200m walking distance from the village centre of Loggerheads, i.e. the food store, post office and library, and approximately 1100m from the nearest bus stops which are located on the A53 in the vicinity of the double mini roundabouts.

2.10 The Newcastle Rural Accessibility Appraisal report (September 2015) concludes that Loggerheads experiences very mixed accessibility in terms of travel times to different services and facilities. The settlement has good access to GP surgeries, supermarkets and primary schools but longer travel times to secondary schools, further education and a range of employment destinations.

2.11 In the Transport Assessment that accompanies the application, it is concluded that the development is within acceptable walk and cycle distances of all key facilities within Loggerheads and that Loggerheads is served by a good bus service. It highlights that the Inspector considering the adjacent Tadgedale Quarry appeal confirmed that the proposal would be sufficiently accessible to a range of services and would reduce reliance of St Mary's CE School on out of catchment children. It is asserted that given that the Tadgedale Quarry site is located adjacent to the development site, the Inspector's conclusions must be applicable to this application.

2.12 In the Tadgedale appeal decision referred to above (March 2017), the Inspector acknowledged that in terms of access to services such as bulk food and comparison goods shopping, most evening entertainment, secondary and further education and hospital visits, occupiers of that proposed development would rely on trips outside Loggerheads. He acknowledged that given the limitations to the bus service and the location, accessibility to employment is likely to be primarily by car. It is relevant to note that since the Tadgedale appeal, the bus service has been reduced and there is now no evening service or Sunday service. However the Inspector accepted that the proposal before him would be sufficiently accessible to a range of services and that by providing a safer and more convenient pedestrian crossing across the A53 close to the village centre, would help encourage walking within the village.

2.13 The application site here being considered is to the west of the Tadgedale Quarry site and therefore walking distances from the centre of the development site to shops and services in the village centre are slightly greater (1200m compared to approximately 1100m for Tadgedale Quarry). Manual for Streets (MfS) advises that walkable neighbourhoods are typically characterised as having facilities within 10 minutes (up to 800m) walking distance of residential areas which residents may access comfortably on foot. However, the Chartered Institution of Highways and Transportation

(CIHT) document, "Providing for Journeys on Foot" refers to 2km as the preferred maximum walking distance for commuters and education, with 1200m to other types of locations. In the Tadgedale appeal decision, the Inspector stated that the distances referred to in MfS and the CIHT documents are indicative only and do not constitute firm thresholds. He went on to state that no guidance concerning walking distances to services has been set out in national planning policy since the former Planning Policy Guidance 13: Transport was replaced in 2012 and even that did not set firm thresholds. He pointed out that MfS has a focus on urban streets rather than villages and that the CIHT documents are somewhat dated. He stated that the proposal would be sufficiently accessible to a range of services but went on to conclude that its heavy reliance on private car use for daily commuting trips, together with the distance likely to be covered by these, would conflict to some extent with national and local policies relating to sustainable transport and that this would constitute harm.

2.14 The Tadgedale Quarry scheme provided a link from the northern end of that site onto Rock Lane which shortened the walking distance to the catchment primary school, St. Mary's in Mucklestone. For the current site it has been suggested that if Tadgedale is developed, pedestrians could use the footway from the Tadgedale site to access Rock Lane and that if it were not developed, then pedestrians could use the proposed footway along Mucklestone Road in order to access the existing route along Rock Lane. Without the footpath link onto Rock Lane from Tadgedale Quarry, your Officer considers that it would be highly unlikely that occupiers of the dwellings would consider that walking to school would be a reasonable option given the distance involved would be about 2.3km, (as opposed to 1.6km with the link). Walking along Mucklestone Road to the west of the site would not be safe. Distance to facilities is however only one element of whether this is considered to be a sustainable development.

2.15 Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

2.16 The applicant's agent states that benefits of the proposal are the provision of new housing including the affordable housing element, support for local shops and services, support for the school, new areas of public open space, provision of construction jobs and additional tax revenues and a New Homes Bonus for the Local Authority.

2.17 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. Whilst the development could be expected, under current arrangements, to result in the payment to the Council of New Homes Bonus (NHB) – a local finance consideration (unlike Council tax revenue) to which regard must be had in planning decision as far as it is material, such materiality depends upon whether the NHB could help to make the development acceptable in planning terms which given the purposes on which NHB is spent in the Borough would not be the case. The National Planning Practice Guidance is clear – it would not be appropriate to make a planning decision based on the potential of the development to raise money for a local authority.

2.18 In assessing accessibility from the site to the village, it is necessary to consider whether a safe route can be achieved. At present the footway from the village terminates at the junction with Mucklestone Wood Lane. The application proposes a footway linking the site to Mucklestone Wood Lane as well as a pedestrian crossing point with a refuge and tactile paving at the junction with Mucklestone Wood Lane, connecting to the footway to the village.

2.19 In allowing the Tadgedale Quarry appeal, the Inspector gave weight to the fact that a safer and more convenient pedestrian crossing across the A53 close to the village centre, would help encourage walking within the village. No such crossing is proposed as part of this application and therefore consideration must be given to whether, if the Tadgedale Quarry development does not proceed or takes place after this development, such a pedestrian crossing on the A53 should be required as part of any permission granted for this current application.

2.20 This matter has been discussed with the Highway Authority (HA) who have advised that a controlled pedestrian crossing on the A53 is not necessary to make the development acceptable.

Furthermore planning permission was granted for a residential development to the east of this site on the opposite side of Mucklestone Road (Ref. 15/00202/OUT), and in approving that development, it was not considered reasonable to require such a crossing.

2.21 In terms of the accessibility of the site to the services within the village, the introduction of a footway along the site frontage will provide a continuous pedestrian link to the A53 and centre of Loggerheads. This will improve linkages from the site to the village, will help to reduce the requirement for residents to use their car and to ensure a sustainable development. That there is likely to be a somewhat high level of the use of the private car, both for commuting and trips to higher order facilities but also in relation to primary education should the scheme proceed without the development of Tagedale Quarry, is however a factor which weighs against the proposal and it needs to be taken into account in the planning balance.

3. Would the proposed development have any impact on the setting of any Listed Buildings?

3.1 There is a Grade II Listed milepost on Mucklestone Road to the south-east corner of the site. NLP Policy B5 states that the Council will resist development proposals that would adversely affect the setting of a Listed Building and this would include such a feature. The Highway Authority has suggested that the milepost would be on the line of the proposed new footway on Mucklestone Road but an additional plan has been submitted to show that the footpath would be to the south of the milepost. Given that the proposed access would be further to the west on Mucklestone Road, and taking into account the associated widening of the carriageway that is proposed it is not considered that the setting of the milepost would be adversely affected.

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*

4.3 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.

4.4 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.

4.5 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.

4.6 Although an indicative layout has been submitted to show how the site may be developed, layout, scale, appearance and internal access arrangements are all matters reserved for subsequent approval, and therefore, it is not considered necessary to comment in detail on or consider the layout submitted. Up to 70 dwellings are proposed comprising a variety of house types, which would be limited to 2-storeys in height. The density of the proposed scheme would be 31.8 dwellings per hectare. This density is per developable hectare and therefore takes into account the whole site including its open space and any land required for drainage. Taking into account the Public Open Space and drainage attenuation areas and an appropriate area for landscaping across the site frontage, the developable area reduces somewhat but a density of less than 40 dwellings per ha. would still be achievable.

4.7 It is considered that the number of dwellings indicated could be accommodated within the site satisfactorily. There is a mix of dwelling size and style in the area and it is considered that the proposed scheme, as shown on the indicative layout drawing, both respects local character and optimises the potential of the site to accommodate development. The proposed development would achieve a mix of housing types and would help to deliver a wide choice of homes and create a sustainable, inclusive and mixed community as required by the NPPF.

4.8 The main principles of the proposed design and layout of the site are outlined in the Design and Access Statement. The content of this 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.

4.9 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.

4.10 Supplementary Planning Guidance to the former Staffordshire and Stoke-on-Trent Structure Plan, which was adopted in 2001, identifies the site as being within a 'Sandstone Hills and Heaths' landscape character type. It states that this is a landscape varying from intensive arable and pastoral farming. The SPG was used in the NLP to set policies for landscape consideration. This site is within a Landscape Maintenance Area and NLP Policy N19 states that within such an area it will be necessary to demonstrate that development will not erode the character or harm the quality of the landscape.

4.11 A Visual Appraisal has been submitted to accompany the application. It assesses the impact of the proposed development from a number of viewpoints and asserts that the site is well screened from all directions because of the undulating topography and dense hedgerows and tree planting surrounding the site. Landscaping is proposed to help integrate the development into the wider area by screening the principal views from the north and west through native hedge and tree planting. The supporting Planning Statement concludes that through the integration of these mitigation measures the impact upon the Landscape Maintenance Area and the local landscape quality is minimal.

4.12 The proposed development would be visible on the approach from the west along Mucklestone Road. From a distance, views would be filtered through hedgerows and trees but closer to the site, the development would be clearly seen. There are currently substantial conifers along the boundary with the Tadgedale Quarry site but these would be removed. If the development on that adjacent site was to go ahead, the dwellings would be seen against the backdrop of that development, albeit encroaching further into the open countryside. Should Tadgedale not be developed however, then the development would be viewed as detached from the existing built development in the village and would be more conspicuous in views from the west.

4.13 Rock Lane to the north of the application site is used predominantly for recreation and access to St. Mary's School in Mucklestone as vehicular access along it is difficult. From the middle of the southern section of Rock Lane, the site is visible but the views are to some extent filtered by trees. However, along the western section of Rock Lane, where it follows an east-west direction, the proposed development would be clearly visible to users of the lane at certain points. The Tadgedale

Quarry site, if developed, would be only visible in glimpsed views though intervening landscaping, but the Gravel Bank site would be viewed as a significant encroachment into the rural landscape.

4.14 The Tadgedale Quarry site is particularly unattractive at present and its appearance has a detrimental impact on the landscape. In allowing the appeal, the Inspector stated that in an area outside the village, and part of which is greenfield, the proposal before him would have an urbanising effect but he gave weight to the fact that the development would secure the removal of the HGV yard and buildings. In his overall balancing exercise, the Inspector also made reference to the environmental benefit of remediation of a contaminated site.

4.15 Much of the current application site is greenfield and although there are a number of buildings present, they are agricultural in appearance and are the type of buildings that are in keeping with this rural location. Whilst the Visual Appraisal suggests that landscape mitigation would have a beneficial impact on views that are currently available of the outbuildings on the site, your Officer disagrees and considers that the proposed development would not bring with it any positive impact on views. The proposal would be a significant encroachment of the village into what is presently open countryside.

4.16 Associated with the access proposals, which involve the widening of the road in order to form a right hand turning lane for traffic approaching the site from Loggerheads, is the loss of a tree and a section of hedgerow on the opposite side of Mucklestone Road. An addendum Arboricultural Impact Assessment (AIA) has been submitted which states that the tree is category B1/C1 (Category B refers to trees of moderate quality and value and Category C refers to trees of low quality and value), and that it is not particularly significant in the wider landscape and is compromised by its twin stem habit. It is stated that the hedgerow is of limited importance and does not meet the criteria to be considered under the Hedgerow Regulations. The Landscape Development Officer does not consider that sufficient information has been submitted to properly assess the impact on the trees and hedgerows.

4.17 A further visual impact of the access proposals is the creation of a widened section of carriageway which particularly when combined with similar widening of Mucklestone Road associated with the Tadgedale proposals will create an engineered urbanising feature, contrasting with the existing country road character of Mucklestone Road.

4.18 A footpath link is proposed from the site access to the junction with Mucklestone Wood Lane and the addendum AIA states that the footpath will require the removal of a small section of hedgerow. It states that there are a number of trees but a 'no dig' construction method would be used to form the footpath, and the drawing shows that in part the footway would be achieved by extending the kerb line out into existing highway. The AIA indicates that this would prevent any damage to the roots of the trees. Whilst the Landscape Development Officer has expressed some concern about the hedgerow and arboricultural impact of this footway, the impact may not be unacceptable.

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 provided from the B5026 Mucklestone Road at the southern boundary of the site through the introduction of a priority controlled ghost island right turn lane junction, just to the east of the existing access to the site (which would remain). As already indicated the proposal includes a pedestrian footway on the northern side of Mucklestone Road designed to provide a connection to the existing footway provision at Mucklestone Wood Lane. As referred to above, the adjacent site to the east, Tadgedale Quarry, was granted outline planning permission in March 2017 for up to 128 dwellings. That site also proposed a new access and associated road widening to provide a right turn lane junction.

5.2 Details of the proposed access have been submitted along with a Transport Statement (TS) which states that visibility splays exceed the requirements set out in the Design Manual for Roads and Bridges for the speed of the road. It also states that the proposed development would generate a maximum of 33 two-way trips in the AM peak hour and a further 34 two-way trips in the PM peak hour which equates to approximately one additional vehicle movement every 2 minutes on average which would not have a material impact on the local highway network. The TS concludes that there are no highway-related reasons to withhold planning permission for the scheme.

5.3 The Highway Authority (HA) initially objected to the proposal on the grounds that additional information was required. A Stage 1 Road Safety Audit (RSA) of the access was requested including a designer's response to the issues raised. It was recommended that the RSA takes into account the proposed new access for the Tadgedale Quarry site. Further information has been submitted and the Highway Authority raises no objections to the proposal subject to the imposition of conditions.

5.4 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 70 dwellings would create and noting that the Highway Authority are unlikely to have objections to the application, following consideration of the additional information, 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.

5.5 In terms of the accessibility of the site to the services within the village, the introduction of a pedestrian footway linking the site to the existing footway on Mucklestone Wood Lane will improve linkages from the site to the village, will help to reduce the requirement for residents to use their car and be part of achieving a sustainable development.

6. What planning obligations are considered necessary and lawful?

6.1 Certain contributions are required to make the development acceptable. These are, in no particular order, the provision of 25% affordable housing, a contribution of £132,976 towards education provision, a travel plan monitoring fee of £6,430 and a contribution of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme for St.Mary's Primary School. These contributions are ones which make the development policy compliant and 'sustainable'. They are considered to meet the requirements of Section 122 of the CIL Regulations being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

6.2 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 specific project to provide additional classrooms and an extension to the dining room. Any subsequent planning obligations will be for a different project or projects than mentioned above. On this basis, it is considered that the contribution complies with CIL Regulation 123, as do the others that have been requested.

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?

In conclusion, the proposal would make a significant contribution towards addressing the current shortfall in housing supply, and bring about limited economic benefits associated with its construction and occupation. However, the development, which would comprise an encroachment of the village into what is presently open countryside, would have a significant adverse impact on the character and appearance of the rural area. It would also result in a somewhat high level of the use of the private car. Overall, the adverse effects of allowing the development of this proposal, significantly and demonstrably outweigh the benefits.

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 CSP2	Historic Environment
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 B5	Control of Development Affecting the Setting of a Listed Building
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 N19	Landscape Maintenance Areas
Policy T16	Development – General Parking Requirements
Policy C4	Open Space in New Housing Areas
Policy IM1	Provision of Essential Supporting Infrastructure and Community Facilities

[Minerals Local Plan for Staffordshire \(2015-2030\)](#)

Policy 3.1 and 3.3 on Mineral Safeguarding Areas

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 \(2009\)](#)

[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 \(July 2011\)](#)

[Other Material Considerations](#)

[Newcastle-under-Lyme Open Space Strategy \(March 2017\)](#)

[Staffordshire County Council Education Planning Obligations Policy](#)

Relevant Planning History of this site

None relevant

Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding a construction method statement, hours of demolition and construction, details of electric vehicle charging points and cycle storage, arrangements for recyclable materials and refuse storage, noise levels, noise assessment of noise from activities on Tadgedale Quarry site and the onsite pumping station, details of external lighting, an assessment of light spillage from the Tadgedale Quarry site and contaminated land.

The **Crime Prevention Design Advisor** states that the illustrative layout has reasonably sound crime prevention credentials with a strong sense of community, a single overlooked site entrance and good natural surveillance. Any reserved matters application should demonstrate how crime prevention and community safety measures have been considered and incorporated in the design proposal.

Staffordshire County Council as the **Mineral and Waste Planning Authority** states that the site is within a minerals safeguarding area for Bedrock Sand but given that the land was not worked in association with the former quarry and given the proximity of Tadgedale House and Farm as well as the area of the site, it is unlikely that any sand or gravel could be extracted in an environmentally acceptable manner. It is reasonable to conclude that the proposed development would not lead to the sterilisation of significant mineral resources and therefore no objection is raised.

The **Housing Strategy Section** agrees with the applicant's intention to provide a policy compliant level of affordable housing. 25% of the dwellings should be affordable housing, with 60% of the 25% being social rented and the rest being shared ownership. The design and standard of construction should be as a minimum be the same as the open market dwellings, and the affordable units should be sufficiently spread across the development.

The **Lead Local Flood Authority** notes that the Flood Risk Assessment and Drainage Strategy identifies a number of options for the treatment and disposal of surface water however the LLFA observes that there are potential constraints to each option. It is suggested (in the Strategy) that most of the site is likely to be highly compatible for infiltration SuDS but this has not been confirmed by on-site infiltration testing and contamination could potentially prevent this method. Discharge to an ordinary watercourse may be possible but would require third party landowner agreement, and connection to the nearest surface water sewer would require pumping which is an unsustainable drainage method. The applicant would be required to attempt to discharge as much surface water runoff via a gravity system. If it can be demonstrated that partial or completely pumped drainage system is the only viable option, the risk of flooding due to failure of the pumps should be investigated. To provide more certainty it is recommended that further investigation is undertaken prior to determination of the application but if this is not possible, then a condition is recommended securing an acceptable drainage design.

The **Education Authority** states that the development falls within the catchments of St. Mary's CE (VA) Primary School (Mucklestone) and Madeley High School. Excluding the 17 Registered Social Landlord (RSL) dwellings from the secondary calculation only, a development of 70 houses could add 15 Primary School aged pupils and 8 Secondary School aged pupils. St. Mary's Primary School is expected to have sufficient space to accommodate the likely demand but Madeley High School is projected to be full for the foreseeable future. An education contribution is sought for 8 high school places (8 x £16,622 = £132,976).

The **Waste Management Section** acknowledges that the layout plan is only indicative at the moment but highlights some design issues which need to be designed out of the final layout. A layout which provides circulation of the site and designs out the need to reverse to make collections would be preferable. Areas where significant number of properties share private accesses where the properties are a long way from where they will be collected from, is likely to result in residents leaving containers out between collections. A swept path analysis for 26 tonne refuse vehicles is required.

The **Conservation Officer** states that there are no heritage assets which will be directly affected but there is the potential for the setting of the Listed milepost to be affected. The milepost, which is in a good state of repair, is adjacent to the road within the grass verge. The setting of the asset will remain unchanged and therefore not harmed. White House Farmhouse is a Grade II Listed Building some considerable distance from the application site. The farmhouse does sit in an elevated position and does have a view over the site but this site is not part of the formal setting of the Listed Building and there are many intervening features including roads, trees, hedgerows and topography which make the site even less visible. It is concluded that the setting of the asset will not be harmed by the proposed development.

The **Conservation Advisory Working Party** has no objections.

The **Landscape Development Section** states that a LAP (Local Area for Play) and LEAP (Local Equipped Area for Play) are required. The onsite open space ratio would be 0.004ha per dwelling (0.28 ha for a 70 unit development). This figure should not include the drainage area. Concerns are raised that the amount and layout of public open space as shown on the indicative layout would not meet the requirements and distances in the National Playing Field Association document 'Beyond the six acre standard'. The dwellings should be facing the open space to allow for natural surveillance. New open space should be maintained by the developer. The new layout appears to have no link to the adjacent recently approved development or proposals for a footpath to link the site to the village. The internal indicative layout leaves very little space for structural landscaping.

The **Highway Authority** has no objections subject to conditions requiring full details of the proposed site access and footway along Mucklestone Road linking through to Mucklestone Wood Lane, implementation of the above prior to first occupation, full details of the site layout, means of surface water drainage and surfacing materials, submission of a residential travel plan and submission of a construction method statement. It is requested that the developer enters into a Section 106 Agreement to secure a £6,430 travel plan monitoring fee, and a sum of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme for St. Mary's Primary School to encourage sustainable access.

Loggerheads Parish Council objects on the following grounds:

- The site is outside the Loggerheads Village Envelope and doesn't comply with policies
- Since the Tadgedale Quarry decision, a further 120 units have been approved
- This is an Area of Landscape Maintenance
- This would bring the number of approved dwellings not started to over 500 in Loggerheads, more than 15 years' worth of plots at a historic rate of development, so this site is unlikely to make any contribution to 5 year housing land supply
- There has been no pre-application consultation with the parish or the borough
- No Local Equipped Area for Play is included and if the permissions are considered together, the area should have a Neighbourhood Equipped Area for Play
- This is not a sustainable location for development and it is even further from the village centre
- The bus service has had a reduction to its service so there is no longer an evening service
- There is no case to be made that this application should be considered the same as Tadgedale Quarry and each site must be considered on its merits
- There is no safe walking route or provision of a footway to St. Mary's School at Mucklestone
- Whilst the walking distances to facilities in Loggerheads are just below the 2km judged to be acceptable in the Tadgedale appeal, this site does not have the advantage of a well-lit footway from the site as there is a significant stretch of Mucklestone Road with no street lighting
- Given the proximity of the site to Tadgedale Quarry, groundwater testing should be insisted on urgently
- An intrusive ground investigation should be undertaken before the application is considered
- The reported phenol incident in 1994 at Tadgedale Quarry is not represented in the submitted report

The Borough Council's **Leisure Strategy Manager**, the County's **Health and Wellbeing Development Section** and **Cadent** (the former 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

None

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Drainage Strategy
- Arboricultural Impact Assessment
- Visual Appraisal
- Ecological Assessment
- Transport Statement
- Road Safety Audit
- Heritage Assessment
- 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/17/00787/OUT>. The applicant has also provided response to various comments received from consultees.

Background papers

Planning files referred to

Planning Documents referred to

Date report prepared

14th December 2017