

SECOND SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
29th January 2019

Agenda item 6

Application Ref. 18/00736/OUT

Chatterley Valley Development Site, Peacock Hay road

A late consultation response has been received from **Stoke City Council (SOTCC)**. They advise that their highway team support the initial comments of Highways England (HE) in relation to the submitted Transport Assessment (TA) specifically the following matters:

- That an expired planning permission has been taken into account
- Incorrect trip rates were used
- The TA failed to include committed developments
- The failed to take into account the increased size of the development

Following confirmation to them that the TA has been revised and that HE now consider that the revised traffic models provided by the applicant are considered to be acceptable, SOTCC advise that they require further time to consider the new information and adequately assess the proposal in highway terms. .

In light of such comments the **RECOMMENDATION** is amended as follows:

A. Subject to

- (a) Further comments of SOTCC being received by no later than 12th February which justify, in the view of the Head of Planning, seeking improvements to junctions within that Council's administrative area, the attachment of appropriate conditions or obligations such as are necessary to secure such works,
- (b) Should Highways England not withdraw their holding objection within 1 month of the date of Committee and as such there remains a Direction requiring the Local Planning Authority if it is minded to approve the application to consult with the Secretary of State for Transport, that consultation is then undertaken, and a Direction under Article 31 of the Development Management Procedure Order is not then served directing the Council to refuse the application, and
- (c) Subject to the applicant entering into a Section 106 obligation by 29th March 2019 to secure a Travel Plan monitoring fee of £11,325 and a payment of £5,000 for amendments to the existing Travel Regulation Order.

PERMIT the application subject to conditions relating to the following:

- i. Time limit for implementation of earthworks, the submission of application/s for approval of reserved matters and commencement of development. Such periods to be set to recognise the need for greater periods of time than would normally apply.
- ii. No development to commence until a suitable assessment of the needs of walkers, cyclists and horse riders has been carried out and appropriate amendments to the off-site highway works at the A500 Talke roundabout as identified in the assessment have been agreed and implemented.
- iii. No development to commence until a Sustainable Drainage Strategy has been submitted and agreed, which is to be fully implemented.
- iv. No development to commence until intrusive site investigation works and remedial works have been undertaken in accordance with approved details.

- v. **Implementation of earthworks in accordance with the approved plans**
- vi. **The development on plots C and D shall be for Class B1(b) and B1(c) or B2 which are demonstrably consistent with the role and objectives of this premium employment site.**
- vii. **Removal of permitted development rights to change from Class B1(b) and B1(c) to Class B1(a) (which is a main town centre use)**
- viii. **The total amount of floorspace for Class A3 and A5 uses shall not exceed 350m²**
- ix. **Approval of a Framework Travel Plan and no building to be occupied until a Travel Plan has been agreed which is in accordance with the agreed Framework**
- x. **Any reserved matters application shall be supported by further ecological surveys as appropriate.**
- xi. **The details of the main spine access road shall be designed to enable a bus to turn safely.**
- xii. **No building shall be occupied until full details of the pedestrian and cycleway enhancements have been approved, implemented and access provided which shall include cycle links to Bathpool Park, the existing cycleway on Reginald Mitchel Way, the canal, and existing cycleway in Bradwell Woods and Newcastle Road.**
- xiii. **Detailed structural landscaping scheme to be submitted and approved within 12 months of the commencement of the earthworks. The scheme is to accord with the Green Infrastructure Strategy and should include the planting of a verge adjoining the footpaths. The structural landscaping scheme shall be implemented prior to any construction of buildings commences.**
- xiv. **The on-plot landscaping details as submitted shall include areas of landscaping within parking and other hardsurfaced areas as appropriate.**
- xv. **Approval of tree and hedgerow protection measures.**
- xvi. **Approval and implementation of woodland and landscape management plans.**
- xvii. **No development shall take place on any part of the site until the development has secured the implementation of a programme of archaeological works**
- xviii. **Any reserved matters application relating to plots A and B shall incorporate rail freight access or shall demonstrate why such access is not appropriate / feasible.**
- xix. **Submission and approval Environmental Management Plan for construction works**
- xx. **Submission of an assessment into potential impacts arising from operational noise and onsite vehicle movements in support of any reserved matters applications**
- xxi. **Approval of details of external lighting**
- xxii. **Submission of an Air Quality Assessment in support of any reserved matters application to address the impact upon the nearby residential caravan.**
- xxiii. **Air quality assessment prior to first use of any combustion appliance**
- xxiv. **Electric vehicle charging points to be included in the development details submitted within reserved matters applications**
- xxv. **The reporting of unexpected contamination and preventing the importation of soil or soil forming material without approval.**
- xxvi. **The first reserved matters application shall include for approval of full design details for the new roundabout access, footways and improvements to the existing site access to include a full scheme of proposals to secure the delivery of the speed reduction which should include gateway features, street lighting, conspicuous speed limit and warning signs, road markings and surfacing with an appropriate high friction surfacing.**
- xxvii. **Submission and approval of full details of the provision of parking, turning and servicing within the site curtilage; means of surface water drainage;**

- surfacing materials and footpath connections. The development to be carried out in accordance with the approved scheme.
- xxviii. Prior to commencement of any construction, including demolition, a Construction Environmental Management Plan to be submitted to and approved in writing by the Local Planning Authority.
- xxix. Any appropriate condition recommended by Highways England.
- B. In the event that the Secretary of State under the terms of the Development Management Procedure Order directs refusal of the application, that the application be refused only for the reason given in that Direction.
- C. In the event that the planning obligation referred to in recommendation A is not secured by the 29th March 2019 the Head of Planning be given delegated authority to refuse the application on the grounds that in the absence of such an obligation the appropriate sustainable transport measures are not secured and the interests of highway safety; or by such extended date as he considers appropriate.