

The application is for full planning permission for a residential development comprising 38 dwellings.

The application site lies on the western side of Moss Lane and, except for its access point onto Moss Lane, outside the village envelope of Madeley and within the open countryside and an Area of Landscape Enhancement as indicated on the Local Development Framework Proposals Map. The site area is approximately 1.65 hectares. There are trees subject of a Tree Preservation Order (TPO) on and adjoining the site.

The 13 week period for the determination of this application expired on 25th May but the applicant has agreed an extension to the statutory period until 20th August 2020.

RECOMMENDATION

REFUSE on the following grounds:-

- 1. The development, without suitable flood risk mitigation measures and SuDS, would lead to the potential for flooding. The development would therefore not meet sustainable development objectives and would pose a risk to the adjoining railway line, contrary to policy CSP3 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the National Planning Policy Framework (2019).**
- 2. In the absence of a secured planning obligation there is not an appropriate mechanism to secure a financial contribution of £85,570 towards education places and a review mechanism to allow for the possibility of changed financial circumstances should the development not proceed promptly, and, in such circumstances, the potential provision of a policy compliant financial contribution towards public open space and education places is not achieved. The proposal would thus be contrary to Policies CSP5 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, saved Policies C4 & IM1 of the Newcastle-under-Lyme Local Plan 2011, the Council's Open Space Strategy and the aims and objectives of the National Planning Policy Framework (2019).**
- 3. In the absence of a secured planning obligation, the development fails to provide 25% of the total number of proposed dwellings as affordable dwellings on-site which is required to provide a balanced and well-functioning housing market, as referred to in the Newcastle-under-Lyme Borough Council Affordable Housing Supplementary Planning Document (2009) and the Supplementary Planning Document on Developer Contributions (2007). The proposal would thus be contrary to Policies CSP6 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, saved Policy IM1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of the National Planning Policy Framework (2018).**
- 4. Without an appropriate secured financial contribution relating to public open space the additional demands upon open space arising from the additional dwellinghouses as proposed would not be suitably addressed. As such the development would be contrary to policies on the provision of open space for residential development, contrary to Policies CSP5 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, saved Policies C4 and IM1 of the Newcastle-under-Lyme Local Plan 2011, Newcastle under Lyme Borough Council Supplementary Planning Document on Development Contributions (2007), the Newcastle-under-Lyme Open Space Strategy (March 2017), and the aims and objectives of the National Planning Policy Framework 2019.**

Reason for Recommendation

Whilst the principle of new housing development on the site is considered acceptable and the design of the scheme, access and parking arrangements and the impact on residential amenity levels are also considered acceptable, the application has failed to address flood risk concerns and approval of it would be contrary to the NPPF

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

The application does not address flood risk concerns and as such this is an unsustainable form of development which is not in compliance with the provisions of the National Planning Policy Framework.

Key Issues

1.1 The application is for full planning permission for residential development for 38 dwellings on the site and has been amended during the application process, reducing the number of dwellings from that originally proposed, 42.

1.2 The application follows the granting of outline planning permission for 42 dwellings under reference 13/00990/OUT. The subsequent reserved matters application, 17/01004/REM, was refused for the following reason and subsequently dismissed on appeal.

“The proposed scale, size and massing within the northern corner of the development, particularly the inclusion of the house on plot 22, constitutes inappropriate overdevelopment which would not be in keeping with, and would be detrimental to, the character and appearance of the area. The proposed development is therefore contrary to policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, the guidance set out in the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) and the requirements and policies of the revised National Planning Policy Framework 2018, in particular the criteria set out at points (a), (b) and (c) in paragraph 127.”

1.3 The outline planning permission has now lapsed and as such the current application seeks full planning permission for the development of the site. The layout of the site has been amended in light of the appeal decision by increasing some of the plot sizes and removing sections of adopted highways, especially to the north of the site, which has resulted in lower density development to the rear of the neighbouring properties.

1.4 Access to the site is proposed off Moss Lane. There are trees subject of a Tree Preservation Order (TPO) on and adjoining the site.

1.5 The key issues now for consideration are:-

- Principle of residential development on this site.
- Design and impact on the form and character of the area, including impact on trees within and adjoining the site
- Residential amenity
- Highway safety
- Drainage and flood risk
- Planning obligations
- 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?

2.0 The principle of residential development

2.1 The site lies outside of the village envelope of Madeley, 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 Although the site is outside of the village development boundary it is immediately adjacent to it. Madeley is identified within the CSS as being one of the three largest rural service centres which are detailed as providing the most comprehensive provision of essential local services. Madeley has a primary school (Sir John Offley School) and a secondary school (Madeley High School, a specialist technology academy), with another primary school (the Meadows) in Madeley Heath, a village community centre (the Madeley Centre), public house, doctor's surgery, and a number of shops. It also has good road links to the conurbation, whilst also having links to cross border centres such as Crewe for employment and high level rail services.

2.6 Paragraph 11 of the revised NPPF states that Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

(Para 11(d))

2.7 The principle of residential development on this site was considered acceptable when outline planning permission was granted in 2015, reference 14/00930/OUT. However, the Council at that time was not able to demonstrate a five year supply of specific deliverable housing sites, whereas it now can with a supply of 5.2 years as at 31 March 2020 including the appropriate buffer of 20%.

2.8 The Inspector in the Gravel Bank appeal decision (17/00787/OUT) noted that the village envelopes referred to in both NLP Policy H1 and CSS Policy ASP6 were defined in the context of a Local Plan that was not intended to meet housing needs beyond 2011, and furthermore the limit of 900 dwellings in policy ASP6 is not based on any up to date assessment of housing needs and is at odds with the Framework that reflects the Government's objective of significantly boosting the supply of homes. He noted that a similar conclusion was reached in the appeal decision for Tadgedale Quarry (15/00015/OUT). Therefore policies H1 and ASP6 should only be afforded limited weight and paragraph 11(d) of the Framework should be engaged. Applying this to the case in hand planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the Framework policies taken as a whole – the application of policies in the Framework that protect areas or assets of particular importance (and listed in a footnote) not providing a clear reason for refusal.

3.0 Design and impact on the form and character of the area, including impact on trees within and adjoining the site

3.1 Paragraph 124 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. At paragraph 130 it states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

3.2 Policy CSP1 of the Core Spatial Strategy (CSS) lists a series of criteria against which proposals are to be judged including contributing positively to an area's identity in terms of scale, density, layout and use of materials. This policy is considered to be consistent with the NPPF.

3.3 Section 7 of the adopted Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) provides residential design guidance. R3 of that document states that new development must relate well to its surroundings. It should not ignore the existing environment but should respond to and enhance it.

3.4 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 settlement*
- 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.

3.5 RE2 of that document states that new development associated with existing villages should retain, enhance and incorporate some of the existing features and characteristics of the settlement pattern, wherever possible.

3.6 RE5 states that new development in the rural area should respond to the typical forms of buildings in the village or locality. RE6 states that elevations of new buildings must be well composed, well-proportioned and well detailed. At RE7 it states new buildings should respond to the materials, details and colours that may be distinctive to a locality.

3.7 The proposed layout comprises 10 two bedroom detached bungalows located along the shared boundary of the site and the Bridle Path. In addition there are 4 five bedroom detached houses; 7 three bedroom detached houses; 10 three bedroom semi-detached houses; and 7 two bedroom detached houses.

3.8 The dwellings are all two storeys, although the five bedroom dwellings have accommodation in the roof space served by roof lights. This differs from the reserved matters application which included a number of dwellings with three storey front elevations and two storey rear elevations.

3.9 All of the houses have pitched roofs with gable and canopy features. The bungalows are single storey with similar design details to the dwellings.

3.10 As with the reserved matters application the dwellings predominantly front onto a looped access route through the site with just two dwellings accessed off a very short private drive. The parking spaces are located at the front or the side of the dwellings.

3.11 The design and layout of the current proposal retains, in many respects, the elements of the design and layout of the reserved matters application 17/01004/REM which weren't highlighted as being unacceptable in the subsequent appeal. The density of development and its relationship with the adjoining railway line are similar to that application and the Inspector did not object to those elements of the proposal or to the design and layout of the dwellings at the centre of the site which is also similar to the reserved matters scheme. On this basis it is considered that there is no basis upon which an objection could be justified to such elements of the current proposal.

3.12 The amendments in the current proposal focus on the northern corner of the development and on the relationship of the development with the existing residential properties on the Bridle Path.

3.13 In dismissing the appeal the Inspector noted that a pair of 2 storey semi-detached dwellings in that corner would have had a height only around 1m less than the nearest dwelling on the Bridle Path

and would also have its side gable at its nearest point less than 1m from the rear boundary of that dwelling. The Inspector considered that, given the height, proximity, the extent of hardstanding to the front and the overall scale and massing of development in this area; the northern corner of the site would appear overly urban for this location.

3.14 The current proposal addresses this by siting 10 bungalows along the entire boundary with the Bridle Path, with the backs of these properties presented towards the backs of the Bridle Path properties. The concern of the Inspector with the previous proposal, that the dwellings appeared unsympathetically shoehorned into this corner of the site, does not apply to this layout and as such it is considered that the reason for refusal has been suitably addressed.

3.15 The mix of dwelling types proposed, which will utilise quality facing brick with contrasting colours and textures, will help to achieve a good quality development. The reduction in the density of housing on the site is also beneficial to the visual appearance of the development as will the soft landscaping which will supplement the existing mature trees and established hedgerows on the site boundaries. The proposed landscaping scheme also proposes soft landscaping to plot frontages and frontage car parking has been avoided where possible.

3.16 The Landscape Development Section (LDS) had raised some concerns about the impact of the development on trees. Following amendments and the receipt of further information the proposal now includes the retention of all visually significant and protected trees which the LDS supports subject to ensuring that all submitted plans are revised to show all the trees to be retained.

3.17 The LDS remain concerned about the siting of a land drain adjacent to plots E5 and E10 in the Root Protection Areas of the adjacent trees and request that the drain is moved outside of the RPAs. Further levels information has been requested to demonstrate that the RPAs of these trees will not be harmed by excavations. In addition confirmation that the RPAs have been calculated from actual tree measurements and not estimated has been requested. Subject to the receipt of this information and amendments, which is expected prior to the meeting, it can be concluded that the development will not result in the loss of, or harm to, visually significant trees.

3.18 Subject to conditions which secure appropriate facing materials, boundary treatments, finished ground levels and floors levels, along with soft landscaping, replacement tree planting and tree protection measures, it is considered that the design of the proposed development is acceptable. The development will not harm the character and amenity of the area in accordance with design principles set out in the Council's Urban Design Guidance SPD and the NPPF.

4.0 Residential amenity

4.1 The NPPF states within paragraph 127 that planning decisions should ensure that developments, amongst other things, create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

4.2 Supplementary Planning Guidance (SPG) Space around Dwellings provides guidance on development including the need for privacy, daylight standards, and environmental considerations.

4.3 The site slopes in a southerly direction and the dwellings would be located over a gradient, varying in levels by around 4m over the site.

4.4 As discussed, the density of the scheme has been reduced since the previous refusal and the design of the scheme has been improved. The development now proposes 10 bungalows along the length of the northern/ north-eastern boundary and these would back onto the rear of properties on The Bridle Path.

4.5 The proposed bungalows would be set on a lower ground level than the existing properties on the Bridle Way and the proposed dwellings would achieve a reasonable garden length. This ensures that the separation distances between existing and proposed rear elevations would exceed the guidance set out in the SPG in all cases.

4.6 In all other respects the proposed development complies with the guidance set out in the SPG and it is considered that a good standard of amenity for all existing and future occupants of land and buildings can be achieved and maintained, as required by the NPPF.

5.0 Highway Safety

5.1 Paragraph 108 of the NPPF states that safe and suitable access to a site shall be achieved for all users and paragraph 109 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

5.2 The access arrangements and the layout of the scheme was considered acceptable during the consideration of the previous outline planning permission and reserved matters application. There have been no material changes to such arrangements which remain acceptable.

5.3 All the proposed dwellings will have at least two parking spaces and the level of parking is considered acceptable.

6.0 Drainage and Flood Risk

6.1 Paragraph 155 of the NPPF advises that “Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.” It also states in para.165 that “Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.”

6.2 Policy CSP3 of the CSS also requires all suitable flood mitigation measures to be investigated and where possible incorporated into the development, along with the use of Sustainable Urban Drainage Schemes (SUDS).

6.3 Objections have been raised by Network Rail and the Lead Local Flood Authority (LLFA) and discussions have been ongoing throughout the application process to address such objections.

6.4 Network Rail’s latest observations, following submission of further drainage information, indicate that some of their comments have been addressed. However, they remain concerned as follows:

6.5 The LLFA have also commented on the further drainage information indicating that their previously expressed concerns have not been addressed. Their position remains that the applicant has not demonstrated that the proposed development will meet the technical standards for SuDS and will not result in flood risk.

6.6 The NPPF does advise that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions. In this instance, notwithstanding the length of time that the application has been valid, there are still flood risk concerns and there is still no certainty that these concerns can be addressed. Leaving such matters to be dealt with by conditions remains contrary to the precautionary approach advised in paragraph 163 of the NPPF and policy CSP3 of the Core Spatial Strategy particularly in light of the relationship of the site to the railway line.

7.0 Planning obligations

7.1 Certain contributions are required to make the development acceptable. These are, in no particular order, the provision of 25% affordable housing, a contribution of £85,570 towards education provision and a contribution of £212,002 towards public open space.

7.2 Staffordshire County Council advise that there are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at both primary and secondary phases of education. The contribution required has been calculated to be £85,570.

7.3 The Council's Landscape Development Section have advised that the POS contribution will be spent on the nearby Madeley Pool which is owned by the Council but managed by the Parish Council. The programme of improvements that are envisaged include the introduction of nature noticeboards; improved paths around the pool; replacement and improved seating; and soft planting to deter Canadian Geese. This is considered to be acceptable and mitigate the impact of 38 new houses in this part of the village.

7.4 The application includes a plan which demonstrates that 25% (10) of the dwellings will be affordable and pepper potted throughout the site, which is considered acceptable.

7.5 The 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.

7.6 The requested obligations will be secured by a S106 agreement if planning permission is granted.

8.0 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?

8.1 The NPPF refers to three objectives of sustainable development – economic, social and environmental. It also seeks to promote sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of local communities.

8.2 The proposed development is for the provision of 38 new homes, 10 of which will be affordable, adjacent to the village development boundary of Madeley, which is considered to represent a sustainable location for new development. The site is within easy walking distance of the village centre of Madeley. Nearby bus stops offer good public transport links (no.85 bus) to Newcastle town centre, Hanley city centre, Crewe, Keele University and other rural locations.

8.3 Such benefits do not, however, significantly and demonstrably outweigh the harm arising from flood risk. On this basis planning permission should not be granted.

8.4 Notwithstanding the suitability of the offer regarding Section 106 contributions, the absence of a secured agreement at the time of determination of the application has resulted in the absence of a mechanism to secure payment of the agreed obligations. As a result, there is no certainty the policy requirements will be met which is a further reason for refusal of the application.

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
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change
Policy CSP4:	Natural Assets
Policy CSP5:	Open Space/Sport/Recreation
Policy CSP6:	Affordable Housing

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

Policy H1	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy N12:	Development and the Protection of Trees
Policy N17:	Landscape Character – General Considerations
Policy N20:	Areas of Landscape Enhancement
Policy C4:	Open Space in New Housing Areas

Other Material Considerations include:

National Planning Policy

[National Planning Policy Framework](#) (2019)

[Planning Practice Guidance](#) (March 2014, as updated)

[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 Open Space Strategy](#) – adopted March 2017

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

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

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

Relevant Planning History

13/00990/OUT	Residential development of up to 42 dwellings including means of access – PERMITTED.
13/00990/NMA	Slight variation in the approved access for both horizontal alignment and method of construction to pass TPO trees – PERMITTED

Views of Consultees

Madeley Parish Council notes that the number of properties proposed has reduced but still considers that over intensification of properties and the density of the building works makes this proposed development unacceptable. The principle objections are summarised as follows:

- The roads around the proposed site are inadequate for another 38 properties.
- The facilities in the Village, in particular the Health Centre and schools are already fully utilised, and the Health Centre has limited car parking which is already over stretched.
- By virtue of the development now permitted at New Road it is inevitable that the infrastructure of the village will be severely affected and further development cannot be sustained.
- There appear to have been no measures taken to address significant drainage issues on the proposed site. It is historically a wet area, with surface water from Moss Lane draining onto the site. It is suggested that surface water from the site will be drained onto the adjacent Network Rail land which may result in land slip risk. Climate change has resulted in a greater amount of rainfall which means that the site is permanently wet and often flooded.
- Whilst it is noted that the development includes a number of affordable houses, the indicated size of some of those properties means that it is unlikely that young families will be able to afford them.
- The cumulative impact on facilities of this development and others recently permitted must be taken into consideration and would be detrimental to the village.

The **Highway Authority** has requested additional information and their further comments will be reported.

The **Environmental Health Division** has no objections to the application subject to the following conditions:

- Construction Environmental Management Plan
- Approval and implementation of design measures to ensure maximum noise levels
- Vibration Assessment
- Electric charging points.

The **Landscape Development Section** make the following comments:

- The paving and paths to the rear of plots E5-E10, and the retaining walls that will be necessary to enable them to be installed, should be amended to ensure that no part of the them are within the Construction Exclusion Zones of the adjacent trees.
- The alignment of the access road appears to have been altered resulting in the root protection area of a TPO birch tree will be affected. If the access is to be adopted it is doubtful that a 'no-dig' construction for the footpaths will be permitted. The access should be realigned closer to the TPO sycamore which is likely to be more tolerant of road disturbance.
- Permission should be subject to submission of a dimensioned tree protection plan, a detailed arboricultural method statement and site monitoring schedule, and a schedule of works to retained trees.
- There are no objections to the submitted soft landscape proposals.

Network Rail initially put in a holding objection due to concerns regarding this development's drainage proposals. In response to the latest information provided they indicate that some of their comments have been addressed. However, they remain concerned as follows:

- The calculations undertaken do not appear to have considered the entire development size or flows from the site and as such the flood depths appear to be underestimated.
- The requirement for the development site to safely store water that is adequate for 100 year storm event and to reflect the discharge limitations has not been addressed.

- The design of the raised ground needs to consider the effect on the existing ground and how it will prevent the surface and sub-surface flow of water towards Network Rail Infrastructure as just raising the ground would not alleviate their concerns.

Staffordshire County Council as **Lead Local Flood Authority (LLFA)**, in response to the latest information, confirm that they still have a number of concerns. Their position therefore remains that the submitted information does not fully demonstrate that the proposed development will meet the technical standards for SuDS.

United Utilities confirm the proposals are acceptable in principle subject to a condition securing approval of the details of foul and surface water drainage. In addition they would wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact and as such recommend a condition regarding a management and maintenance regime the wording of which should be agreed with the LLFA.

The **Environment Agency** has no objections to the proposed development.

The **Housing Strategy Section** is satisfied that the development accords with the Affordable Housing SPD.

The **Education Authority** states that the proposed development falls within the catchments of Sir John Offley CE (VC) Primary School/The Meadows Primary School and Madeley High School. It has been calculated that 42 dwellings would require 9 primary school places and that 31 dwellings would require 5 secondary places. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 7 year groups for Primary, 5 for secondary and 1 for Post 16 places. Where appropriate all 1 bedroom dwellings have been deducted from the dwellings numbers and at secondary level only, all RSL dwellings have also been deducted in line with our Education Planning Obligations Policy.

There are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at both primary and secondary phases of education.

The project to provide the additional places required has not yet been fully determined and therefore the contribution has been calculated utilising the latest cost multipliers.

The secondary school education contribution has been calculated as follows:
 $\pounds 17,114 \times 5 = \pounds 85,570$

Representations

23 letters of objection, including from **Cllr Simon White, Cllr Gary White** and **Madeley Conservation Group**, have been received raising concerns regarding the following:

- Overdevelopment of the site which is not in keeping with the area.
- The density of the development adjoining the Bridle Path is too great and the dwellings are too close.
- Careful consideration should be given to the design of the dwellings.
- The land is a water meadow subject to flooding and not suitable for development.
- Surface water run-off results in a possible risk of collapse of the Network Rail embankment. A recent landslide between Stafford and Crewe resulted in lines being blocked.
- The risk of failure of the proposed solution to deal with foul sewerage.
- Moss Lane is narrow and congested and further development would result in highway danger.
- The burden of the additional dwellings, in addition to those already permitted, will be detrimental to local facilities.
- The development adversely affects protected trees and the supporting information in respect of trees is not up to date.
- Removal of vegetation will have an unacceptable impact on wildlife.
- The development would affect bats and barn owls.
- Trees and hedgerows should be protected in accordance with fresh government legislation.

- The previous outline planning permission should not have been extended.

A further objection has been received from Cllr Gary and Simon White in respect of the latest drainage details as follows:

- The design for foul waste incorporates a pumping station which is believed to be situated between houses B30 and F31. No reference to this pumping station can be seen on any of the submitted plans and as such deem the current plans to not be valid.
- It is stated that no increase from the current litres per second outfall rate will be allowed and also the overflow pipe will be removed, what this has meant is that significant more storage of water is required on the main site. It is of great concern that the design requires all properties to be built some 450mm above normal ground height to avoid the flooding of properties during peak storm conditions. Furthermore it is stated that water to a depth of 139mm will be stored in these conditions on the main carriageway with kerb height of only 125mm - which is the standard height. This effectively means that under peak storm conditions residents and any person or vehicle accessing the site will be required to go through unto 139mm of water for a prolonged period of time. It is essential to note that because NR will not allow any increase in the outfall to their drain then the standing water will take much longer to dissipate.
- The concerns by the Arboricultural department on the root structure to the trees with TPOs on the site have not been addressed.

Applicant's/Agent's submission

The application is accompanied by:

- a Design and Access Statement,
- Statement of Community Involvement
- Arboricultural Report and Layout.
- Tree Protection Plan
- Drainage information
- Flood Risk Assessment
- Phase 1 Ecology Survey, Protected Species Report and Addendum
- Phase 1 and 2 Geo-Environmental Report

All of the application documents can be viewed using the following link.

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/20/00143/FUL>

Background papers

Planning files referred to

Planning Documents referred to

Date report prepared

8th June 2021