PLANNING COMMITTEE – 5 DECEMBER 2013

COUNTY DEVELOPMENT – Stafford Borough: S.13/18

Date Received: 9 September 2013

Date Revised/Further Details Received: Amended Transport Assessment (including Interim Travel Plan), Road Markings at the access off Riverway received on 4 November 2013; External General Arrangement Plan, Vehicle & Pedestrian Circulation Routes, Vehicle Tracking Swept Path, Tree Removal and Protection Plan, Archaeological Watching Brief received on 7 November 2013

The Cabinet, Staffordshire County Council and Entrust Support Services Limited application for proposed new development comprising 4160 square metres of office space (Class B1) and Educational Training space (Class D1) with ancillary catering and dining facilities, parking and landscaping at former Staffordshire County Council Offices, Riverway, Stafford

Background

1. The proposed Entrust Business Centre would be a new office building that would amalgamate six existing Entrust properties on to one site.

2. Entrust Support Services Limited is a joint venture company between Staffordshire County Council and Capita to provide education support services across Staffordshire. It is proposed that the Entrust headquarters are to be located at the Riverway site and provide an extensive package of services from school improvement to ICT, ground maintenance and performing arts. It is understood that the remainder of the site would be used for an extra care facility however this would be the subject of a separate planning application.

Summary of Proposals

3. This is a full planning application comprising of 4160 square metres of office space (Class B1) and Educational Training space (Class D1), with ancillary catering and dining facilities, parking and landscaping.

4. Supporting Design and Access Statement (DAS) explains how the applicants have considered what is appropriate and feasible for the site in its context.

5. The three distinct elements of the proposals are described in more detail below.

*The Construction of a New Building and Associated Catering and Dining Facilities*
6. The main feature of the proposals is the construction of a new three storey office building at the lower southern end of the application site, with a parking and landscaping focusing around the northern perimeter. As part of the application information, the applicants have submitted the Site Masterplan, which shows that the new building would be accessed via two bridged crossings, which lead to the north and south entrance points.

7. It is proposed that the access to the building for visitors would be via northern entrance bridge and reception, leading directly from the car park. The entrance provides access to the training/seminar and conference/performance rooms. There would also be a dining area, with the access onto the outside decking overlooking the River Sow.

8. The cube-shaped development would be set back from Riverway by 25m. Due to its proximity to River Sow the building would be raised by about 2.8m above the surrounding ground levels. The development itself would be 13m in height when measured from the top of the raised level to the top of the building. The overall elevational height from the ground level of the development would be 15.8m. A plant room measuring approximately 3m in height would be located on the top of the roof but set back from the on each side by about 7.5m.

9. The first and second floors of the building would be dedicated to office space including meeting rooms. The ground floor would consist of mainly seminar/training rooms which would also be available out of core office hours. A lower ground floor would be used for vehicle and cycle parking and a smaller third floor area for plant use.

10. The building has been designed to accommodate approximately 400 employees and a large number of training courses, utilising the seminar and conference rooms. Outside office hours, the building would be used for functions, evening conferences and performances.

11. Operational hours of the development would be from 0600 – 2400 – Monday to Friday, and closed on Saturdays, Sunday and Bank Holidays.

12. The finishing materials used in construction of the building include a light coloured render, which would be applied to the exterior of the building at the two upper levels. This kind of product reduces the need for on-going maintenance to exterior finish. At the ground floor level the building would be finished in a dark coloured brick. The visualisations and coloured elevations show the building with a blue-grey brick finish.

13. The proposals incorporate a number of sustainable design features, including:

- Sustainable urban drainage system and sustainable use of floodplain as the building is raised to maintain flood capacity whilst securing efficient use of town centre site;

- Design for natural illumination and ventilation;

- Use of sustainable construction techniques such as reclaimed and recycled materials, locally sources material wherever possible;
• Compliance with the Building Regulations requirement to demonstrate that the construction methods, materials, building services and components used in the proposals within appropriate Target Emission Rate;

• Controlled use of glazing – balancing solar gain with reasonable levels of natural light for occupants;

• Efficient and sustainable reuses of an existing brownfield town centre site;

• Reduction on car parking with positive encouragement to use sustainable transport;

• Creation of biodiversity landscaping.

New Access Arrangements and Parking

14. The layout plan shows one access/exit point off Riverway. The proposed north-eastern access would serve as the only vehicular approach to the site itself and would be the sole entry/egress for the site. It would be re-aligned to comply with the highway safety requirements.

15. There would be two additional pedestrian access points to the site. The existing south-eastern access would be closed for vehicles and would only serve as a pedestrian and cycle access. An additional pedestrian route for staff is also proposed near the south-eastern corner of the site, which would join the riverside path.

16. The development would provide approximately 150 parking spaces, 43 spaces of which would be located below the building, with an additional 20 cycle parking spaces. The supporting Transport Assessment states that the proposed parking would primarily be available for visitors to the building and not office staff. It is anticipated that the staff parking would be provided off site. The applicant has explained that car park at the Bridge Street would be demolished and rebuilt under the proposals for a new retail development in the town centre. The proposals for the new car park include 1,000 spaces. A staff parking scheme would be in operation to encourage Entrust staff to use this car park. Permits for parking on-site would be available and issued on an as needs basis. The applicant has also pointed out that there are alternative short and long stay car parks in Stafford that can also be used by staff.

Landscaping

17. The landscape proposals incorporate hard and soft landscaping in and around the perimeter of the site. A Landscaping Masterplan submitted in support of the application identifies new hedging planted along the southern and eastern boundaries and additional flower bed is also indicated along a large area of the eastern boundary. There would also be flower beds together with a new line of trees planted along the northern boundary. The pedestrian access near the south-eastern corner of the site would incorporate a steel vertical bar fencing and matching gates of about 1.8m in height and a vertical barrier measuring about 7m in length. The fencing would stretch along the whole southern boundary.
18. The existing southerly access would be closed and reinstated as verge, footway and cycleway. The finishing surface materials used in reinstatement works are black and red tarmac. There would be two trees planted within the proposed soft landscaped area along Riverway.

19. The proposals would result in a loss of one mature tree along Riverway. The loss of this tree was considered necessary in order to overcome the highways concern regarding restricted visibility splay lines at the vehicular access/egress point. The applicants have proposed replacement planting to be provided at a ratio 3:1. As the result, the applicants intend to introduce additional three trees to be planted along the eastern site boundary, two of which would be planted within the proposed soft landscaped area along Riverway.

20. As part of the landscaping, there would be various materials used for surface treatment. The areas within the vehicular access and the car park would be built of black tarmac with some elements of paving setts in mixture of silver grey and silver grey/charcoal.

21. The area fronting the building immediately to the north would have sections finished in self-binding gravel sequenced with the areas with wildflower planting. The footbridge leading to the northern entrance of the building would be finished in silver grey paving.

22. The footbridge to the entrance on the southern elevation would be tarmacked. There would also be a decking area to the southern elevation, with the new shrubs and hedging planted immediately in front of the decking.

23. The following key documents accompany the application:

- Design and Access Statement
- Supporting Planning Statement
- Arboricultural Assessment and Impact Appraisal
- Extended Phase 1 Habitat Survey Report
- Flood Risk Assessment and Outline Drainage Strategy
- Transport Assessment (including Interim Travel Plan) and Road Safety Audit
- Geo-Environmental Appraisal and Preliminary Risk Assessment
- Archaeological Watching Brief Project Design

The Applicants’ Case

24. In their Supporting Planning Statement the applicants state that the development would secure a number of economic benefits, not least the creation of new jobs. It is anticipated that the proposal would secure the creation of jobs not only when the scheme is up and running but also during the construction period.

25. Although the office floorspace and training facility is an amalgamation of six existing offices, there would be some additional staff required at the new premises. For example, catering, security and facilities staff, as well as new staff relating directly to the office/training facilities. The jobs themselves may include part time opportunities and would be potentially attractive to the full range of the employment market. Job creation of this scale is a huge benefit in its own right but the jobs themselves would be made
available in sustainable locations. The proposed scheme would make a contribution of the economic regeneration of Stafford.

26. In terms of design the aim of a scheme if to create a modern high quality workplace. The design responds to the site constraints and context, which includes service easements, flooding, buildability, the river corridor, adjacent residential housing, vehicle access and key views.

27. The proposals would incorporate sustainable features in terms of heating, insulation, construction techniques and Travel Plan so that the developments meet the prescribed Building Regulation Approved Document Part L2A with respect to national carbon emission reduction targets and renewable energy sources.

Undertakings

28. In response to the comments from Staffordshire County Council’s Transport Development Control acting on behalf of the Highway Authority, Staffordshire County Council and Entrust Support Services Limited have offered the following:

1. To undertake periodic traffic surveys to monitor parking on surrounding streets as defined in the Travel Plan.

2. A sum of £2,150 to be paid for the monitoring and periodic review of the Travel Plan.

3. To underwrite the cost of implementing measures to prevent indiscriminate parking up to the value of £20,000.

Screening Opinion

29. In accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, the County Council has conducted a “Screening Opinion” (ref. SCE.163/S.13/18) on the proposals and concluded that the proposed development is not EIA development and therefore need not be supported by an Environmental Statement.

Site and Surroundings

30. The application site is situated within the urban area within easy walking distance of Stafford town centre and is bounded by the River Sow to the east. The site lies within land which was previously used as Staffordshire County Council offices with the surrounding land used as a car park. The office buildings have now been demolished, but the car park continues to operate on a temporary basis and provides about 250 spaces for Staffordshire County Council and Entrust employees.

31. The 130-metre frontage on Riverway runs from the boundary of playing fields, separated by River Sow and the footpath and opposite to Sea Scout Headquarters. The site then runs north-east, incorporating the southern and northern access points to the site and stops at a point opposite No. 9 Riverway. It continues north westwards across the former Staffordshire County Council land. The site boundary then runs south for about 110 m, adjacent to boundaries of Asda food store car park and Stafford
Leisure Centre car park until a footpath along the River Sow and then turns eastwards towards Riverway. Both Leisure Centre and Asda Store buildings are constructed in light colour brick with the roof finishing materials in grey/metallic colour.

32. The River Sow is situated approximately 10m beyond the southern boundary of the site.

33. The residential properties are to the north of the application, with Nos. 14 and 15 Riverway being the nearest. All properties on the opposite side of Riverway are set about 9m back from the highway and are predominantly two storey buildings constructed in traditional red brick with some of them rendered and flat roof tiles.

34. The road junction of Fairway/Riverway is about 15m to the north-east of the access to the applications site.

35. The proposed building would sit on fairly flat grounds and situated on about 2m lower ground than adjacent highways. The site boundary is landscaped and planted with established mature trees and shrubs, with hedging and mesh fencing of about 1.4m in height separating the application site from the Riverway. Characteristically strong features are mature trees along Riverway frontage, with some of them being incorporated within the red line area. None of the trees are protected by Tree Preservation Order.

Relevant Planning History


37. 11/15302/OUT dated 5 October 2012 and granted by Stafford Borough Council – Outline application to demolish existing buildings, mixed use development of 118 apartments, the provision of care for the elderly (Use Class C2) and associated communal facilities; parking and access

The Development Plan policies and proposals relevant to this decision

38. Stafford Borough Local Plan (2001)

- E&D1 – General Requirements
- E&D2 – Consideration of Landscape and Townscape
- E&D3 – Disabled Access Requirements of New Developments
- E&D4 – Sewage, Effluent and Surface Water
- E&D34 – Archaeological Evaluation
- E&D36 – Nature Conservation: General Requirements in Consideration of Planning Applications
- E&D44 – Development Affecting Trees and Hedgerows
- E&D47 – The Submission of Landscaping Schemes
- E&D48 – Landscape Proposals submitted with Planning Applications
- E&D49 – New Tree and Shrub Planting Proposals
- E&D50 – Land Drainage and Flooding Considerations
- E&D51 – Ground Water Resources
39. **Other material considerations**

- **The National Planning Policy Framework (NPPF) and its Technical Guidance** (published on 27 March 2012). The following sections are relevant:
  
  - Section 1: Building a strong, competitive economy
  - Section 2: Ensuring the vitality of town centres
  - Section 4: Transport
  - Section 7: Requiring good design
  - Section 8: Promoting healthy communities
  - Section 10 – Meeting the challenge of climate change, flooding and coastal change;
  - Section 11 – Conserving and enhancing the natural environment;
  - Paragraphs 14 (Presumption in favour of sustainable development); 17 (Core planning principles), 19 (sustainable economic growth), 24 (sequential test to planning application for main town centre uses), 26 (impact assessment) 97 (renewable and low carbon energy); 100 (flood risk assessment); 117 and 118 (impacts on and enhancement of biodiversity and geodiversity); 123 (noise); 204 (planning obligations).

- **Staffordshire County Council Corporate Climate Change Strategy “Green Shoots” (3rd Edition 2013) - Section 5 “Corporate Policies”**

- **The Plan for Stafford Borough – Publication (August 2013)** (submitted to the Secretary of state c/o the Planning Inspectorate on 20 August 2013. The Examination hearing took place between on 23 October and 1 November 2013). As the Plan for Stafford Borough is at an advanced stage and has been tested through examination process, it is reasonable to attach significant weight to the following principles and policies:
  
  - Spatial Principle 1 (SP1) – Presumption in Favour of Sustainable Development
  - Policy Stafford 1 – Stafford Town
  - Policy N1 – Design
  - Policy N2 – Climate Change
  - Policy T1 – Transport

- **Stafford Borough Council Town Centre Capacity Assessment for Stafford and Stone produced by WYG Planning and Design (January 2011)**, which forms part of the Evidence Base documents submitted to the Secretary of State on 23 October 2013 in support of the Plan for Stafford Borough.
Findings of Consultations

Internal

40. The Staffordshire County Council’s Environmental Advice Team (EAT) – raised a concern with regards the removal of a Category A tree in order to accommodate the necessary access/exit point to the site. The applicants have considered the loss of the tree was necessary in order to overcome the highways concern regarding restricted visibility splay lines at the vehicular access/egress point. The Staffordshire County Council’s Forestry Officer has requested to justify the need for removal of the tree and if it was demonstrated that there were no other options available then suitable mitigation planting of trees would be required. If the replacement trees are for highway planting then they should be as Advanced Heavy Standards at 16-18cm, root balled and supported by an underground support system and watering pipes to aid establishment.

41. The Environmental Advice Team has also requested the following requirements to be secured by way of conditions:

- A landscape scheme, showing details of planting schedules and planting specifications, and a 5 year maintenance regime to ensure full establishment;
- Further inspection of trees to be removed or pruned to confirm whether any bats are hibernating in the trees;
- Submission of external an internal lighting scheme, which takes account of use of the site and its surroundings by bats;
- An archaeological investigation scheme to be carried out in accordance with the submitted Archaeological Project Design.

42. Staffordshire County Council’s Transport Development Control Officer has no objection, subject to conditions requesting the following:

- The access and associated works, parking and turning to be provided in accordance with the amended drawings NO H-067465-13-SK02, rev 02 before the development is brought into use.
- The existing southerly access to be closed and reinstated as verge, footway and cycleway.
- Submission of a Travel Plan within 4 months of occupation and its periodic review.
- An informative has also been recommended notifying the applicants about the need to apply for a Minor-Major Works Agreement with Staffordshire County Council Network Management Unit.

43. In addition to the above-mentioned recommended conditions and informative, the Transport Development Control Officer noted that the applicants would be required to enter into a Memorandum of Understanding to secure the following requirements:
• The undertaking of periodic traffic surveys to monitor parking on surrounding streets as stated in the Interim Travel Plan.

• Underwrite up to a value of £20,000 the possible introduction of waiting restrictions/controlled parking zone within the defined area.

• A Travel Plan monitoring fee of £2,150.

44. Staffordshire County Council’s Noise Engineer – had no comments to make.

45. Environment Agency (EA) – no objections subject to conditions relating to surface water drainage, the application of the submitted Flood Risk Assessment, contingency flood planning and a contaminated land risk assessment.

46. Severn Trent Waters – no objections subject to a condition requesting details of drainage plans for the disposal of foul and surface water flows to be submitted prior to commencement of the development.

47. Stafford Borough Environmental Health Officer (EHO) – no objections and recommended conditions to require:

  • A report on noise arising from any proposed plant/extraction equipment on the roof of the building, including assessment of any noise implications.

  • A report on noise arising during the site clearance and construction phase (including any piling)
    - A limit to the site clearance, construction and delivery hours to 0800 and 1800 – Monday to Friday; 0800 and 1400 Saturdays and not at all on Sundays and Bank Holidays; No burning on the site;
    - All site clearance materials to be removed from the site and properly disposed of
    - Dust prevention measures;
    - Road sweeping;
    - Any equipment which is worked on outside to be inaudible at the boundary of residential properties;
    - The site to be screened to protect residential amenities from exposure to excessive noise. Details of noise and vibration during site clearance and construction should be submitted and approved in writing prior to commencement of the development.

48. Police Architectural Liaison Officer – no objection and provided Secure by Design guidance.

49. County Fire Officer – no objections but advised that fire mains, hydrants and vehicle access should be provided at the site in accordance with Building Control Guidance Note Approved Document B, requirement B5, sections 15 and 16. It has also been
recommended that the applicant gives a greater consideration to installation of Automatic Water Suppression Systems as part of a total fire protection package.

50. Stafford Historical and Civil Society – no response.

51. Staffordshire Wildlife Trust – no objections but advises that the proposals should make best use of the site in terms of biodiversity, flood risk or sustainability. The Wildlife Trust commented as follows:

- The design should be re-arranged to place meadow areas in the southern part of the site adjacent existing habitats and within flood zone 3a, with car parking in zone 2/1 and the building in zone 1.
- Consider de-culverting the Pearl Brook culvert as per best practice guidance.
- Restore Pearl Brook banks to improve amenity, flood attenuation and wildlife value.
- Include a green roof and/ or rainwater harvesting to maximise overall benefits of water attenuation requirements.
- Include sustainable design and renewable energy generation features.

52. Views of District/Parish Council

Stafford Borough Council – no response. [It should be noted however, that the applicants have been involved in pre-application discussions with the Stafford Borough Planning Development Control and no overriding objections to the proposals have been raised]

53. Publicity and Representations Received

Site notice: YES        Press notice: YES

54. 313 neighbour notification letters were sent out on 18 September 2013 and 3 representations have been received. The 3 representations can be summarised as follows:

- Further clarification has been requested with regards the validity of the application. The proposed building would be built using the tax-payers money, requested by the Cabinet of Staffordshire County Council and would serve the joint venture company Entrust. As 51% of Entrust shares belong to a private company Capita, then the application should have been made in the name of Entrust.

- The proposals should incorporate improvement for off-site crossing conditions across Riverway for pedestrian movement and safety. Two crossing have been requested: one near the junction of Fairway and, second, on the Riverway bridge.

- Fairway is a very busy road where speeding is common and there are no speed limit signs or pedestrian crossings. Construction of new housing on the old Entrust site would result in additional traffic movement.
Since introduction of pay and display on Riverway car park, Fairway is used as a free long stay car park by the Staffordshire County Council’s employees, who frequently park over designated for private use lines and block access to the properties. The new development would exacerbate the situation when the car parking on Riverway is reduced.

Observations

55. This is an application for proposed new development comprising of 4160 square metres of office space (Class B1) and Educational Training space (Class D1) with ancillary catering and dining facilities, parking and landscaping at former Staffordshire County Council Offices, Riverway, Stafford.

56. Having given careful consideration to the application, supporting information, the relevant development plan policies and other material considerations, the consultation responses and the representations referred to above, the key issues are considered to be:

- Planning Policy Considerations
- Access and traffic implications
- Sustainable Design
- Other matters raised by representees
- The need for a ‘Memorandum of Understanding’

Planning Policy Considerations

57. The relevant development plan policy and other material considerations were listed earlier in the report. The key development plan policies are contained in the Stafford Borough Local Plan, adopted in 2001. In terms of the other material planning considerations, the Government’s National Planning Policy Framework (NPPF) (published in 2012) and the Borough Council’s emerging ‘Plan for Stafford Borough’ (submitted for examination in August 2013) are important.

58. The key policies in the Stafford Borough Plan are EMP5 and EMP6 as they relate to office development.

59. Policy EMP5 states that ‘proposals for office development or change of use of an existing building will normally be acceptable, within the defined town centre boundaries of Stafford’. Policy EMP6 accepts that B1 uses may be permitted in residential areas subject to considerations of a number of criteria to protect the character, environment and amenity of the area.

60. The applicant has given careful considerations to the impact on the residential amenities and the surrounding environment when considering the proposals in light of the site’s opportunities and constraints. The philosophy of design of the building is explained in the supporting Design and Access Statement. The applicant has explained that the design of the scheme has been influenced by the location of the site and the needs of the occupier. The overall approach has been to provide a contemporary design with a careful choice of material that makes a statement without being obtrusive.
61. Having regard to the policy EMP6 criteria and the information provided by the applicant, for the following reasons it is reasonable to conclude that the proposals are acceptable in this location:

- the site is close to the town centre and adjacent to a residential area;
- existing mature vegetation along Riverway screens the site and the offices have been positioned away from the nearest residential properties such that the bulk, massing, density, height and position the development is considered acceptable (details of the finishing material would be required to be submitted for approval);
- the traffic implications, considered later in this report, are acceptable.
- The noise implications have been assessed by the County Council’s Noise Engineer and the Borough Council’s Environmental Health Officer. No objections have been raised and conditions have been recommended to require the submission of a Construction Environmental Management Plan and to limit the hours when site clearance, construction and use of the offices can occur.

62. The National Planning Policy Framework (NPPF) para 24 advises that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Para 26 requires an impact assessment to accompany applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan if the development is over a proportionate, locally set floorspace threshold (or over 2,500 sqm if there is no local threshold). The emerging Plan for Stafford Borough - Policy Stafford 1 also supports this notion and requires applicants to justify uses, including office B1(a) if they are outside Stafford town centre boundary.

63. In accordance with the NPPF and the emerging Plan, the applicants have assessed the suitability of the site for an office development by way of sequential approach. The applicants contend that:

- the site is located on an edge of centre, which is in suitable location and well connected to the town centre; and,
- an extensive search for available sites within the Stafford town centre failed to identify a suitable alternative site that would meet their floorspace and parking.
- the office/education and training facility would not negatively impact on the vitality or viability of the town capacity as the town centre is not focused on large-scale office floorspace and therefore locating the proposed Entrust Business Centre outside the town centre would not have a negative impact on the centre.
- the principle of the office use on the site has been long established.
• the demand is a direct response to a requirement from an existing occupier who is looking to provide onsite parking for about 150 cars on a site that needs to located close to Stafford Town Centre.

64. On this basis, the applicants have concluded that that there are no sequentially preferable sites that are suitable, viable or available to meet their requirements.

65. More generally it is also important to recognise that the NPPF encourages sustainable development, which should be seen as a golden thread running through both plan-making and decision-making. The NPPF identifies 12 core planning principles, which include the following:

• Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country need;

• Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

• Take account of the different roles and character of different areas, promoting the vitality of our main urban areas;

• Encourage the effective use of land by reusing land that has been previously developed;

• Promote mixed use development.

66. The NPPF also reinforces the Government’s commitment to securing economic growth in order to create jobs and prosperity and is committed to ensuring the planning system supports economic growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

67. The emerging Plan for Stafford Borough acknowledges that the Borough Council remains committed to growth to support Stafford’s future. The key issues in the emerging plan include:

• Delivering and managing growth
• Maximising access to services and reducing the need to travel
• Providing employment opportunities that meet local needs, concerns and aspirations for a diverse local economy
• Bringing necessary regeneration benefits for the Borough, including those that will contribute to the success

68. Emerging ‘Policy Stafford 1 – Stafford Town’ is significant in this case as it includes requirements within Employment section to support the retention and growth of existing public and private sector employers as well as targeting new businesses through provision of a range of premises, support and advice.
69. **Conclusion:** it is reasonable to conclude, having regard to the policies and material considerations referred to above, that the proposed development is in an acceptable location and would contribute to the local economy by helping to support the retention and growth of existing jobs in a sustainable location close to the town centre.

**Access and traffic implications**

70. The NPPF Section 4 deals with Sustainable Transport and aims to secure safe and efficient movement of people to and from sustainably-located destinations, reducing the overall need to travel, promoting the use of non-car modes and improving the transport network that is cost effectively limit the significant impacts of the development.

71. The Transport Assessment (TA) and Road Safety Audit submitted in support of the application examines the site accessibility by different modes of transport and considers the scale of the development proposals with respect to the potential for impact on the local road network and highway safety. The accompanying Interim Travel Plan considers the provision of local public transport, pedestrian and cycling.

72. The TA indicates that there would be an overall reduction in the number of trips on the local highway network. The development would provide approximately 150 parking spaces, 43 spaces of which would be located below the building together with 20 cycle parking spaces. Currently the site accommodates 250 car parking spaces and the overall reduction is anticipated to be 100 spaces.

73. The applicant explains that the staff would park at the Bridge Street car park as the parking at the Entrust Business Centre would be reserved for visitors only. This is in order to encourage sustainable transport modes. The existing car park on Bridge Street would be demolished and rebuilt under the proposals for a new retail development in the town centre. The proposals for the new car park include 1,000 spaces. A staff parking scheme would be in operation to encourage Entrust staff to use this car park; permit would be available on an as need basis. The applicant has also pointed out that there are alternative short and long stay car parks in Stafford that can also be used by staff.

74. In terms of encouraging the sustainable modes of transport, the TA and Interim Travel Plan submitted by the applicant refer to a number of proposed measures which would further enhance sustainable transport opportunities, including an on-road cycling route, provision of an on-site drop-off point for visitors, bus services near the application site and the pedestrian routes to the Stafford Train Station.

75. Local residents on Fairway have raised a concern with regard to the existing parking problems on Fairway, which they claim is used as a free long stay car park by the Staffordshire County Council’s employees, who frequently park over designated private use lines and block access to the properties. The local residents feel that the new development would exacerbate the situation when the car parking on Riverway is reduced.

76. The applicant has assessed the impact that could potentially arise as the result of a loss of the car parking facility within the site and the Entrust management would deal with any complaints received from the local residents and ensure that the staff would be
discouraged from parking on nearby residential streets. As part of the Travel Plan there would be regular monitoring of indiscriminate parking on local roads, including Fairway.

77. The Staffordshire County Council’s Transport Development Control (TDC) requested that the applicant makes a commitment by way of signing Memorandum of Understanding to secure the undertaking of periodic traffic surveys to monitor parking on surrounding streets as stated in the Interim Travel Plan. It has also been requested that a sum of £20,000 be secured for the possible introduction of waiting restrictions/controlled parking zone within the defined area and £2,150 be paid to carry out a Travel Plan monitoring. The applicant has agreed to these measures which would be secured by a Memorandum of Understanding (see below).

78. Following a request from the TDC the applicants provided amended plans showing the access works to accommodate the visibility splays at the northern access point. As the result, the development would require the removal of a nearest to the access mature tree. The applicants have proposed to replace the lost tree at a ratio 3:1 by planting three additional trees along the eastern site boundary, two of which would be planted within the proposed soft landscaped area along Riverway. A condition is recommended to ensure that the replacement tree planting is provided.

79. With regards the local resident’s request to carry out an additional improvement for off-site crossing conditions on Riverway, the TDC is satisfied with the level of details submitted to support the application and mitigation measured offered to overcome adverse impact in terms of pedestrian movement, safety and the implications for the wider existing highway network.

80. **Conclusion**: it is reasonable to conclude, having regard to the policies and material considerations referred to above, that subject to the imposition of conditions and the undertakings to be secured by a Memorandum of Understanding, the proposals would not give rise to any unacceptable impact on the highway network.

**Sustainable Design**

81. Sustainable design is central to all objectives of national and local planning policy. The NPPF Section 7 seeks to ensure that the developments would function well and add to the overall quality of the area; optimise site potential and sustain an appropriate mix of uses; respond to local character and identity; create safe and accessible environments and are visually attractive as a result of good architecture and appropriate landscaping. Section 10 para 103 requires the local planning authorities to ensure that the development is acceptable in areas at risk of flooding.

82. The relevant local planning policies related to safeguarding surrounding environment, apart from those already considered earlier in this report are the requirements in Stafford Borough Local Plan saved policy E&D1, which lists seven design principles, among which are (i) requirement of a high quality development, providing an interesting and attractive environment; (iii) be sympathetic with, and enhance the character and appearance of the locality, (iv) “incorporate effective amenity safeguards including where appropriate landscaping and screening, (v) “help prevent crime”. Stafford Borough Local Plan saved policy E&D2 requires the proposals to pay due regard to existing landscape and historic townscape framework.
83. The emerging Plan for Stafford Borough—Policy N2 requires all developments to incorporate sustainable design features to facilitate a reduction in the consumption of natural resources, improve the environmental quality and mitigate the impact on climate change, by way of incorporating sustainable drainage, use of sustainable construction materials and techniques. The emerging policy also encourages all non-residential developments over 1,000 square metres to have a BREEAM Excellent rating.

84. Staffordshire County Council’s Climate Change Strategy ‘Green Shoots’ section 5, policy 5 also seeks to ensure that new buildings are “designed to minimise energy demand. It is with reasonable endeavours that all new buildings greater than 500 square metres must achieve a BREEAM rating of Very Good as a minimum and a B Rated EPC. It will be mandatory for new buildings over 500 square metres to generate at least 10% of their anticipated energy requirements from on site renewable technologies”.

85. The Design and Access Statement sets out the design philosophy and constraints and how these have influenced the evolution of the proposed development. The applicants have given careful consideration to the site constraints and context, including service easements, flooding, river corridor, the adjacent residential housing, vehicle access and key views. As mentioned previously in this report, the overall design of the proposals is considered acceptable, subject to a condition to submit details of finishing materials to ensure that the development is sympathetic to the surrounding environment. However, there is a need to ensure that the development meets the above stated requirements in terms of sustainability and climate change requirements.

86. In support of the proposals, the applicants have submitted a Sustainability Statement explaining that they remain committed to invest in sustainable design and opportunities for additional energy efficiency features would continue to be investigated as the project develops in order to comply with the relevant Building Regulation standard (Part L and Approved document Part L2A (ADL2A)).

87. The Staffordshire Wildlife Trust (SWT) advised that the development should be re-designed to place meadow areas in the southern part of the site adjacent existing habitats and within flood zone 3a, with car parking in zone 1/2 and the building in zone 1. In their response, the applicants state that the location of the building has been carefully considered to make the best use of space on the site. Flooding concerns need to be weighed against other issues such as access, parking, servicing and other various elements of the development. On request of the SWT, the applicants’ design team reviewed the layout and considered this to be the best option.

88. The application site is within Flood Zone 2 and 3 and the applicants submitted Flood Risk Assessment (FRA). Severn Trent Water and Environment Agency requested some additional requirements to ensure that the development would be acceptable within the Flood Zones. Therefore conditions are recommended to ensure that the development is carried out in accordance with the recommended measures identified in the FRA and further details of drainage plans for the disposal of foul and surface water flows are approved.
89. The applicants explained that due to time and additional costs constraints, it would not be possible to incorporate the SWT de-culvert the Pearl Brook culvert or to introduce a green roof.

90. In conclusion: it is reasonable to conclude, having regard to the policies and material considerations referred to above, that the proposals represent a sustainable design.

Other matters raised by representees

Validity of the Proposals

91. One of the representations asked for further clarification regarding the validity of the application made jointly by the County Council and Entrust.

92. The applicants have confirmed that the application has been submitted jointly by the Cabinet on behalf of Staffordshire County Council and Entrust Support Services Limited, a Capita consolidated company with Staffordshire County Council as a shareholder.

93. This matter is being dealt with in accordance with ‘Regulation 3’ to the Town and Country Planning General Regulations 1992.

94. Regulation 3 (extract of the relevant part) requires that subject to Regulation 4:

> ‘an application for planning permission by an interested planning authority to develop any land of that authority, or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, shall be determined by the authority concerned’

95. Regulation 4 (extract of the relevant part) states that:

> Regulation 3 does not apply in the case of an application for planning permission to develop land of an interested planning authority where:

(a) the authority do not intend to develop the land themselves or jointly with any person, and

(b) if it were not such land the application would fall to be determined by another body.

96. In this case, the County Council is an ‘interested planning authority’ as it has an interest in the development of the land, being the owner of the land and a shareholder in Entrust. It is therefore appropriate that the County Council to determine the application in accordance with Regulation 3.

Highway impact of the housing proposals

97. A local resident has expressed concerns about the possible release of the existing Entrust offices at the Kingston Centre on Fairway as this is a very busy road where speeding is common and there are no speed limit signs or pedestrian crossings. The
resident fears that this site would be re-developed for housing and generate more traffic along Fairway. Any proposals for housing and any relevant highway issues would be a matter for Stafford Borough Council to determine.

The need for a ‘Memorandum of Understanding’

98. As described earlier, the applicants have offered three undertakings to respond to matters that have arisen during the course of considering the application. In other circumstances it would be normal to secure such undertakings by a Section 106 Legal Agreement (Section 106). In this case, the County Council is one of the applicants and it cannot enter into a legally enforceable agreement with itself under Section 106. As an alternative, it is appropriate to recommend that the County Council and Entrust sign a Memorandum of Understanding (MoU). MoUs have been used before by the County Council to provide a transparent commitment to fulfill certain undertakings.

99. Before recommending that a Section 106 (or an MoU in this case) be signed, it is first necessary to determine whether or not the undertakings meet the tests set out in the NPPF paragraph 204. The 3 tests are that the undertaking should be:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and,
3. fairly and reasonably related in scale and kind to the development.

100. These are also legal tests by virtue of the Community Infrastructure Levy Regulations 2010. Also the 2010 Regulations prevent the use of planning obligations to fund infrastructure if a Community Infrastructure Levy (CIL) has been adopted in the area but there has been no such adoption in this area.

101. In this case it is considered that the proposed undertakings would meet the tests referred to above for the reasons discussed below:

1. The undertaking of periodic traffic surveys to monitor parking on surrounding streets as stated in the Interim Travel Plan: The Traffic Assessment has concluded that the regular monitoring surveys are required to be carried around the streets adjacent the site to ensure that the loss of parking at Riverway does not give rise and continue to give rise to adverse impact on the adopted highway and the amenities of the local residents.

2. Underwrite up to a value of £20,000 the possible introduction of waiting restrictions/controlled parking zone within the defined area: This would assist further work to identify the appropriate highway improvement scheme if necessary. It is considered that this undertaking accords with the relevant national and local planning policies, which seek to secure safe and efficient movement of people to and from sustainably-located destinations, reducing the overall need to travel and promoting the use of non-car modes.

3. A Travel Plan monitoring fee of £2,150: This would assist the monitoring and review of the Travel Plan as and when necessary. The relevant planning policies and government guidance referred to above seek to ensure that the local highway network is not adversely affected and it is considered that the monitoring of the
Travel Plan is necessary, directly related and fair and reasonable in scale and kind relative to the operation of the site.

**Overall Conclusion**

102. Overall, as an exercise of judgement, taking the relevant development plan policies as a whole and having given consideration to application, the supporting information, the consultation responses, the representations and the other material considerations referred to above, it is reasonable to conclude that the proposed development should be permitted subject to the applicants signing a Memorandum of Understanding and subject to the conditions referred to below.

**DIRECTOR OF PLACE AND DEPUTY CHIEF EXECUTIVE’S RECOMMENDATION**

For the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992, **PERMIT** subject to the applicants signing a Memorandum of Understanding and subject to the following planning conditions.

Memorandum of Understanding - heads of terms to include:

1. To undertake periodic traffic surveys to monitor parking on surrounding streets as defined in the Interim Travel Plan.

2. To pay £2,150 for the monitoring and periodic review of the Travel Plan.

3. To underwrite the cost of implementing measures to prevent indiscriminate parking up to the value of £20,000.

Planning conditions – heads of terms to include:

**General requirements**

1. To specify the approved documents and plans.

2. To require the development to commence within 3 years and to require notification of commencement and when it is brought into use.

**Access and Travel Plan**

3. To require the access and associated works, parking and turning to be provided in accordance with the amended drawings NO H-067465-13-SK02, rev 02 before the development is brought into use.

4. To require the existing southerly access to be closed and reinstated as verge, footway and cycleway.

5. To require the submission of a Travel Plan (to finalise the ‘Interim Travel Plan’) within 4 months of occupation and its periodic review.
6. To require a Construction Environment Management Plan (CEMP) including details of:
   a) The Site Waste Management Plan
   b) All temporary contractors’ compounds and their means of enclosure, construction operatives’ car-parks and their means of enclosure, and of all stockpiles of excavated materials; including measures to prevent mud on surrounding highway from site vehicles to be provided and agreed to be provided and agreed.
   c) The measures to control noise, dust, fumes, lighting and vibration during site clearance / construction, including details of piling and screening of the site;
   d) A Construction Traffic Management Plan
   e) A Construction Communication Plan

7. To require that all site clearance materials are removed from the site and properly disposed of.

8. To require that no burning takes place on the site;

9. To require existing footpaths to be protected and appropriate signage erected as necessary.

10. To require that all works, including any site clearance, and construction deliveries to the site are carried between 0800 and 1800 – Monday to Friday; 0800 and 1400 Saturdays and not at all on Sundays and Bank Holidays;

11. To require tree protection in accordance with the submitted details.

Design, Ecology and Landscaping

12. To require the submission of samples to show the colour of external materials.

13. To require the submission of external lighting details and that those details take account of use of the site and its surroundings by bats.

14. To require a bat survey prior to pruning or felling of any mature trees.

15. To require details of siting, positioning and design of the CCTV system.

16. To require the submission of a Landscaping Scheme, showing details of planting schedules and planting specifications, including the details of three replacement highway trees to compensate for the loss of a tree on Riverway near the access and a 5 year maintenance regime to ensure full establishment;

17. To require the submission of external signage details.
Flood Risk and Drainage

18. To require the submission of a foul water drainage scheme.

19. To require the submission of a surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the Site. The scheme should also provide details of:
   a) Compensatory flood storage arrangements; and
   b) Measures to prevent vehicles being washed away during an extreme flood event.
   c) How the scheme would be maintained and managed after completion.

20. To require the development to be carried in accordance with the approved Flood Risk Assessment and the following mitigation to be implemented:
   a) The provision of at least a 20% reduction in run-off from existing rates;
   b) The finished floor levels to be set no lower than 600mm above the 1 in 100 Year flood level plus 20% for climate change; and,
   c) The identification and provision of safe route(s) into and out of the site to an appropriate safe haven.

Groundwater and Contamination

21. To require the submission of a remediation strategy to include the following:
   a) A preliminary risk assessment
   b) A site investigation scheme,
   c) An options appraisal and remediation strategy giving full details of the remediation measures and detailed risk assessment
   d) A verification plan providing details of the data that would be collected in order to demonstrate that the works set out in the remediation strategy are complete.

22. To require the submission of a Verification Report to demonstrate that the works have been completed in accordance with the approved remediation strategy and the effectiveness of the remediation. The report to also include a long-term monitoring and maintenance plan.

Archaeology

23. To require archaeological investigations to be carried out in accordance with the submitted Archaeological Project Design.
INFORMATIVES to include the following:

Transport Development Control

The applicants are advised about the need to apply for a Minor-Major Works Agreement with Staffordshire County Council to carry out any off-site highway works and the need for a Transport Regulation Order(s).

Staffordshire Fire and Rescue Service Officer

The applicants are advised about the possibility of installing Automatic Water Suppression System and its benefits in terms of fire safety.

Staffordshire Police Architectural Liaison Officer

The applicants are advised about the Secured by Design Guidance.

Environment Agency (EA)

The applicants are advised that the occupiers of the property register with the Environment Agency ‘Floodline Warnings Direct’ service and a flood plan and evacuation plan are put in place. If these procedures are implemented than any vehicle within the lower car park area susceptible to flooding should be above to be moved in good time. The final requirement is recommended as a ‘safety net’ in case any vehicles on site could not be moved in time.

With regards the groundwater and contamination, the EA advised the following:

1. Follow the risk management framework provided in CLR11, Model Procedures for the management of Land Contamination, when dealing with land affected by contamination.

2. Refer to the Environment Agency Guidance principles for land contamination for the type of information that would be required in order to assess risks to controlled waters from the site.

3. For further information the applicant is advised to refer to ‘Groundwater Protection: Principles and Practice’ (GP3) document available on the EA website.

Case Officer: Alfia Cox - Tel: (01785) 277271  
email: alfia.cox@staffordshire.gov.uk

A list of background papers for this report is available on request and for public inspection at the offices of Staffordshire County Council, No. 1 Staffordshire Place, Stafford during normal office hours Monday to Thursday (8.30 am – 5.00 pm); Friday (8.30 am – 4.30 pm).