

# TOWN AND COUNTRY PLANNING ACT 1990

## OUTLINE PERMISSION FOR DEVELOPMENT



Application number: 17/00934/OUT

Mr Philip Gratton - Gratton Planning Services  
Barn Bank  
Vanity Close  
Oulton  
Stone  
ST15 8TZ

**Applicant: Philip Butters**

The Council of the Borough of Newcastle-under-Lyme in pursuance of powers under the above-mentioned Act hereby permit.

### **Description of development**

Proposed development for (a) academic functions; (b) staff and student residences; (c) employment uses directly related to or complementary to the University's core activities including conference, training, retail and leisure - for the use of students, staffs, conference delegates and their visitors and in the case of leisure facilities for the wider community; (d) Class B1 uses directly related to the University's functional activities but excluding manufacturing or storage of large tonnages or mass production of goods

### **Location of development**

Keele Science Park, Phase 3 (Home Farm) Keele Newcastle-under-Lyme

in accordance with the submitted plans and other documents, subject to compliance with the conditions specified below. Failure to carry out the development in accordance with the permission/consent or to comply with any condition may make the permission/consent invalid and may lead to enforcement or other legal action

**This decision does not convey any approval or consent which may be required under any enactment, by-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.**

Date 27 April 2018

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Planning & Development Service  
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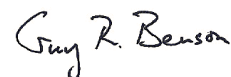
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1. In respect of the development hereby permitted, only outline planning permission (including details of the vehicular access into the site from the highway network) is granted. Approval of details of layout, internal access arrangements, scale, and appearance of the building(s) on each plot or sub-plot, the means of access to each plot or sub-plot from the approved road network and the internal landscaping of each plot or sub-plot (hereinafter called "the reserved matters" shall be obtained from the Local Planning Authority in writing before any development on that plot or sub-plot is commenced.
- R1. The application is for outline planning permission with some matters reserved for subsequent consideration.
2. Application for the approval of any of the reserved matters must be made not later than the expiration of seven years from the date of this permission.
- R2. To allow for the incremental development of this large mixed use site and to ensure that the permission reflects the expected time span of the proposed development and having regard to the provisions of Sections 91 and 92 of the Town and Country Planning Act 1990, as amended.
3. The development to which this permission relates must be begun not later than the expiration of two years from the date of the approval of the last of the reserved matters to be approved on the first plot or sub-plot which receives approval of all its reserved matters.
- R3. To comply with the requirements of Sections 91 and 92 of the Town and Country Planning Act 1990, as amended.

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4. The development hereby permitted shall be for any of the following purposes which shall employ, enjoy or benefit from the facilities of Keele University:
- a) Academic functions
  - b) Staff and student residences
  - c) Employment uses directly related to the core activities of Keele University as a University and uses complementary to such activities (including, without prejudice to the generality of the foregoing, conferences, training, retail, and leisure for use of students, staff, conference delegates and their visitors and in the case of leisure facilities, for the wider community (for the avoidance of doubt the phrase "their visitors" to relate to all of the uses in this paragraph)
  - d) Uses within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, (and for the avoidance of doubt this shall include research and development activities, experimental testing or assembly operations) with the exception of the manufacture or storage of large tonnages or mass production of goods.
- R4. To comply with Policy E8 of the Newcastle-under-Lyme Local Plan 2011.
5. The development mix (as measured by the proportion of the site) to be achieved shall be as follows:
- Academic/core University - within the range of 40-45%  
Commercial, including Science Park - within the range of 40-45%  
Residential - 15%
- R5. To confirm what is being approved.
6. The occupation of the residential accommodation hereby permitted shall be limited to persons who are either students or delegates at the University or members of University staff.
- R6. To ensure that this site is appropriately used to support the University in accordance with the Newcastle-under-Lyme Local Plan 2011 and the National Planning Policy Framework (2012).

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7. Any reserved matters submission shall comply with the Design and Planning Framework dated October 2017.
- R7. To ensure that the development is constrained to the parameters described in the Design and Planning Framework submitted with the application and that any future decisions relating to this outline planning permission are consistent with the Framework, in accordance with the Planning Practice Guidance.
8. No development on an individual plot or sub-plot shall commence until full and precise details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - The means of enclosure relating to each plot or sub-plot
  - Areas to be used for parking and turning of vehicles, including service vehicles
  - The proposed internal road layout
  - The surface materials to be used in the construction of the access drives and hardstanding/parking areas of each development plot or sub-plot
  - The arrangements for the disposal of foul drainage from the plot or sub-plot
- R8. In the interests of highway safety and visual amenity and the securing of appropriate foul drainage arrangements in accordance with the aims and objectives of the National Planning Policy Framework (2012).
9. No development of individual plots or sub-plots shall commence until full details of the proposed parking, turning and servicing arrangements (including provision for motor vehicles, disabled users and cycles) have been submitted to and approved in writing by the Local Planning Authority.
- R9. In the interests of highway safety in accordance with the aims and objectives of the National Planning Policy Framework (2012).

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10. The traffic envelope for the approved development site shall not exceed the Theoretical Trip Envelope used in Table 3.2 of the Transport Statement dated July 2017, which indicates that the development will generate 866 trips in the am peak and 742 trips in the pm peak. In the event that the quantum, mix and proportions of agreed land uses materially change through the process of reserved matters submissions, the Trip Envelope shall be recalculated and if it exceeds the Theoretical Trip Envelope it should be used for the purposes of assessing junction capacity impacts at the A531 / A525 junction, taking into account the impacts of other approved developments, and if such impacts arise which are not approved in writing by the Local Planning Authority, a scheme for addressing such impacts and the timescale for any required works shall be submitted to and be approved in writing by the Local Planning Authority, and thereafter undertaken in accordance with the aforesaid approved scheme

For the purposes of calculating any future Trip Envelope, the following trip rates will be used:

Land-Use		Trip Rates (per 100sqm)					
		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Hotel		0.332	0.471	0.803	0.418	0.241	0.659
B1 Office		1.458	0.142	1.600	0.100	1.275	1.375
Academic Uses		0.962	0.166	1.114	0.242	0.725	0.967

- R10. In order to ensure that the vehicle movements associated with the outline planning permission can be safely accommodated on the highway network having regard to the advice contained within the NPPF.
11. Prior to the commencement of any development, an updated structural landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved scheme shall be carried out within 12 months of the commencement of the development, and any trees or plants which within a period of 5 years from the completion of the development die, are

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removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless the Local Planning Authority gives written consent to any variation.

- R11. To mitigate the impact on protected and visually significant trees on or adjoining the site, in the interests of visual amenity and in accordance with the aims and objectives of the National Planning Policy Framework (2012).
- 12. No development of individual plots or sub-plots shall commence until a detailed surface water drainage scheme for that individual plot has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the design parameters and proposed strategy for the site set out in the Wardell Armstrong Flood Risk Assessment (July 2017). The scheme shall be implemented in accordance with the approved details prior to completion of the development.
- R12. To prevent the increased risk of flooding and to comply with the aims and objectives of the National Planning Policy Framework (2012).
- 13. No development of individual plots or sub-plots shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management of the site shall be undertaken in line with the approved details.
- R13. In the interests of amenity in accordance with the aims and objectives of the National Planning Policy Framework (2012).
- 14. Prior to the construction of the residential units referred to in this permission, details of the design measures to be incorporated into the construction of the residential units to ensure maximum internal noise levels from external sources of at most 35dBLAeq between 07:00 and 23:00 and 30 dBLAeq between 23:00 and 07:00 in habitable areas whilst maintaining adequate ventilation shall be forwarded to the Local Planning Authority for approval. Thereafter, the approved attenuation and ventilation measures shall be implemented in full prior to that part of the development being occupied.

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- R14. In the interests of residential amenity in accordance with the aims and objectives of the National Planning Policy Framework (2012).
15. No mechanical ventilation or refrigeration/air conditioning plant shall be installed in any part of the development until full and precise details have been submitted to and approved in writing by the Local Planning Authority. Such aforesaid approved scheme shall be constructed and installed in accordance with the approved scheme and shall thereafter be maintained in accordance with the approved scheme.
- R15. In the interests of residential amenity in accordance with the aims and objectives of the National Planning Policy Framework (2012).
16. Full and precise details of any external lighting on the site shall be submitted to the Local Planning Authority for prior approval and thereafter the lighting scheme shall be installed and maintained in accordance with the written approval from the Local Authority.
- R16. In the interests of residential amenity in accordance with the aims and objectives of the National Planning Policy Framework (2012).
17. No development of individual plots or sub-plots shall commence until details of the means of connecting development sites to the approved network of footpaths/cycleways has been submitted to and approved in writing by the Local Planning Authority.
- R17. In the interests of the promotion of sustainable forms of development, to encourage use of modes of travel other than the private motor car and in accordance with the aims and objectives of the National Planning Policy Framework (2012).
18. Within 3 months of the date of this permission, a permissive path shall be made available for public use from the central part of the site along the path shown through Barkers Wood, across field number 8200 to the southern boundary of land owned by the Borough Council at Flagstaff Plantation and linking with the permissive paths at the Butts in accordance with the approved details.

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- R18. In the interests of the promotion of sustainable forms of development, to encourage use of modes of travel other than the private motor car and in accordance with the aims and objectives of the National Planning Policy Framework (2012).
19. No development of individual plots or sub-plots shall commence until further surveys for bats, reptiles and great crested newts conducted no more than 12 months prior to commencement of the development of that plot have been submitted to the Local Planning Authority unless otherwise agreed in writing. The development shall be carried out in accordance with any measures identified as necessary in the surveys.
- R19. In the interests of nature conservation in accordance with the aims and objectives of the National Planning Policy Framework (2012).
20. No development shall commence until details of site-wide security measures have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to completion of the development and shall thereafter be maintained for the lifetime of the development.
- R20. To avoid issues of crime and disorder in accordance with the aims and objectives of the National Planning Policy Framework 2012.

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

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

### **Note to the applicant**

You are advised that a report has been prepared which provides more details on the consideration of this proposal. The report is viewable as an "associated document" on line at <http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/17/00934/OUT>

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### Appeals to the Secretary of State

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

### Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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