

P/2025/00513

Outline application with all matters reserved for the demolition of the existing agricultural buildings and the erection of up to 70 dwellings with associated open space, car parking and sustainable drainage on land to the north of The Green

Barton under Needwood Parish Council Response to Additional Information provided by Providence Land

Synopsis

This synopsis is provided to summarise the position of BUNPC, following review of documents submitted in response to requests made by Staffordshire County Council as a statutory consultee. It is regrettable that the applicant has ignored the previous comments by BUNPC which remain valid and cast doubt on the sustainability and practicality of the development proposals.

The 3 new documents submitted have been reviewed by BUNPC and their technical experts. Their conclusions are set out in the detailed response below. In order to assist ESBC in their determination of the application a summary of BUNPCs evidenced objection is set out below.

ESBC has stated that it has a 5 year land supply and, on this basis, is not required to approve development proposals on sites not allocated in the Local Plan.

Even if the challenge made by the applicant regarding the land supply is correct, this doesn't create an open season on development. The Local Plan policies still apply in approving development and this includes defined settlement boundaries. The shortfall in land supply can and should be made up by approval of development in sustainable locations.

In the Transport Assessment, the applicant has effectively admitted that development would not be completed within 5 years. The STW Developer Enquiry response also indicates the likely need for improvement to the public sewer network prior to occupation of dwellings and these would be unlikely to be completed within 5 years. On this basis the 70 dwellings can't be included as contributing to the 5 year land supply.

Since the Transport Assessment Addendum has not taken account of BUNPCs comments which set out the assumption errors in traffic modelling, the Addendum conclusions remain inaccurate and the assertion that the traffic generated by 70

dwellings has no negative impact on Bar Lane, Dogshead Lane, The Green and Wales Lane is rejected.

Although SCC Highways Development Control has suggested the proposed site access appears to be acceptable, following technical assessment, BUNPC is advised that this is debatable. We will be discussing this with SCC to seek consensus.

Following review of the FRA DS Addendum, BUNPC does not agree with the conclusions that satisfactory drainage outfalls to acceptable receptors have been proven. BUNPC does not consider the information addresses the specific concerns raised by SCC LLFA.

The Drainage Strategy was previously reviewed for BUNPC by a drainage expert who has worked for both a number of LLFAs, developers and water companies with respect to planning application proposed drainage . They provided a detail explanation which identified why the Drainage Strategy will not work. The applicant has ignored this information and failed to refute it. BUNPC will be discussing this with SCC LLFA to seek consensus.

Purpose of this response to new information

Barton under Needwood Parish Council (BUNPC) has previously been consulted on the outline planning application for up to 70 dwellings on land to the north of The Green. This land is outside of the settlement boundary as defined in the East Staffordshire Borough Council (ESBC) Local Plan Inset 5 and thus not allocated for development.

BUNPC responded with detailed comments on the proposed development and the documents submitted in support of the application. In summary BUNPC confirmed objection to the proposal which is not compliant with Local Plan land allocation policy and would have adverse traffic, flood risk and ecological impacts.

Separately, as a statutory consultee, Staffordshire County Council (SCC) in its roles as Highway Authority and Lead Local Flood Authority (LLFA) issued comments and requests for further information. BUNPC understands that SCC has sought a holding objection to determination of the application pending the requested information.

Prior to the submission of the application, Severn Trent Water (STW) had provided the applicant with a Developer Enquiry Response, which was included as an appendix in the applicants submitted Flood Risk Assessment and Drainage Strategy.

With regard to foul water flows which would be generated by the development STW stated

“Due to the nature of the development, the additional flows and existing flood and surcharge levels, there is insufficient capacity within the Severn Trent network at present and modelling will be required, which may show that improvements are required to the Severn Trent network.”

With regard to surface water flows which would be generated by the development STW stated

“We are unable to permit any SW connections to the existing combined sewer as we do not have sufficient capacity to accommodate the SW flows from your development due to the existing flood and surcharge levels. You will need to explore the options of discharging the SW to the watercourse south of the site. Any discharge rate to a watercourse or drainage ditch will be determined by the LLFA / EA.”

STW repeated this position in their response to the planning application.

In response the applicant has submitted 3 documents

- Transport Assessment Addendum, The Green, Barton-under-Needwood dated 20 January 2026
- Flood Risk Assessment and Drainage Strategy, Revision B dated February 2026
- Additional Information in Response to LLFA comments dated 13 February 2026

These documents have been reviewed for BUNPC by suitably qualified and experienced engineers. The conclusions of these reviews are contained within this document.

BUNPC notes with regret that the applicant has not addressed the concerns we raised in respect of other issues such as ecological impact and lack of capacity in local services such as health care and schools.

BUNPC Response to the Transport Assessment Addendum

The addendum focuses on responses from National Highways (NH) and SCC to the original Transport Assessment. It ignores the comments and local knowledge provided by BUNPC. BUNPC made particular reference to the fact that the Assessment was a desk top exercise with assumptions that do not correspond with reality. This criticism equally applies to the Addendum.

NH response addressed?

With regards to NH the Addendum report is keen to focus on the NH statement that the assumed traffic generated by the 70 dwellings and traffic distribution assumptions set out within the original TA, are confirmed to be acceptable.

This is not surprising given the capacity of the A38. From a NH position it does not matter whether traffic joins the A38 at Catholme or Barton junctions.

BUNPC does not challenge the NH position. However, BUNPC and local residents who actually use local roads are very concerned as to the impact of traffic generation on roads between the development and the A38. This is in terms of actual rather than

theoretical generation and distribution of traffic on the various local roads between the development and the A38.

SCC Highways response addressed?

The main focus of SCCs response was on the assumptions regarding the distribution of traffic and split between Bar Lane to the west, The Green/Wales Lane to the east and Dogshead Lane towards the A38.

The consultant undertook modelling which distributed existing traffic and traffic generated by the 70 dwellings between these routes. SCC has taken the view that given the shortest route from the development to the A38 is via Dogshead Lane to Catholme junction, more vehicles will use this route in preference to The Green, Wales Lane and Main Street to Barton junction. However, at the same time, SCC also noted “concerns that Dogshead Lane being a narrow single carriageway road with a 60mph speed limit for the majority of its length is suitable to take that level of traffic from a safety point of view.”

SCC also noted that “The accident statistics section of the submitted TA excludes Dogshead Lane so there is no data relating to the accident record on Dogshead Lane.” They advised that there is a considerable amount of local concern regarding the impact of this traffic on Dogshead Lane

As a result, SCC recommended that the applicant be asked to carry out the remodelling of junctions with revised traffic flows and detailed consideration of Dogshead Lane.

Based on local knowledge and reality, BUNPC believes that whilst Dogshead Lane may provide the shortest route from The Green area to the A38, local people tend to avoid it for a number of reasons.

- For vehicles wanting to access the northbound A38 at Catholme there is no acceleration lane facility and the visibility of A38 oncoming traffic is poor.
- Dogshead Lane is a narrow single carriageway which does not have a uniform width and at some locations it is not possible for larger vehicles to pass in opposite directions. The consequence of this is that vehicles overrun the verge creating deep holes and damaging the edge of the carriageway.
- There are many bends which cause reduction in forward visibility
- In general, there are many potholes on Dogshead Lane.
- Dogshead Lane is subject to regular flooding at the location where the local watercourse (Full Brook) to which the applicant proposes to discharge surface water, crosses in a culvert of unknown size and condition.

BUNPC considers that rather than have an academic debate between the consultant Systra and SCC as to the relative distribution of traffic between Dogshead Lane and The Green/Wales Lane, given the desktop nature of the traffic distribution modelling, it is not

unreasonable to expect the consultant to model a range of distributions and identify worst case outcomes to inform the impact of development on the local road network and in particular each road.

BUNPC notes that none of the points raised in our response to the Transport Assessment have been addressed in the Addendum which remains a desktop assessment rendered inaccurate due to lack of onsite inspection. In response to SCCs concerns regarding Dogshead Lane and carriageway widths, the consultant has simply downloaded one or two Google Streetview images showing single cars. Their view that there isn't a problem may possibly have been given some validity if they had selected an image with showing a car passing a lorry without difficulty. BUNPC considers that this response does not address the concerns of either SCC or BUNPC.

BUNPC noted in our response to the Transport Assessment that assertions with regards to The Green and Wales Lane that "There are no parking restrictions and most properties fronting this corridor have off street parking" is factually incorrect. If the consultant can take Google Streetview images of Dogshead Lane to argue their case, there is no reason why they could not do likewise in The Green/Wales Lane. Images are available from 2009 to 2025 and all clearly show lines of parked cars along The Green and Wales Lane at a number of locations where older properties are located. In particular they show how the junction of Wales Lane with Main Street is adversely impacted.

BUNPC also considers that the impact of the lines of parked cars on traffic needs to be included in modelling of traffic flow.

BUNPC noted that the assumed peak travel time is incorrect and is actually earlier when the schools shut.

With regards to the site access proposals, in general highway authorities use Manual for Streets as a base document for assessing proposed development, both internal layout and site access. SCC has stated that the site access in Bar Lane appears to meet relevant standards in terms of layout and visibility. This view is not accepted by BUNPC for number of reasons set out below and previously identified in the response to the Transport Assessment.

The minimum width for a carriageway in accordance with Highways Act 1980 is 5 m. The actual carriageway width at the site access is 4.7 m. This has clear adverse consequences for vehicles seeking to turn in or out of the development. A large radius curve would be required in order to allow vehicles exiting the development towards The Green to do so without swinging across the road.

The distance between the centreline of the proposed site access and the centreline of Dogshead Lane measures at approximately 23 m. BUNPC has not found any specific minimum spacing distances for staggered junctions quoted by SCC in their guidance documents. However, for many other County Council highway authorities the typically quoted distance for staggered junctions on category C roads is 30 m.

The site entrance visibility splay to the west can only be achieved by removing the mature hedge that separates the narrow footpath from a pond. This is not acknowledged by the applicant and the means of protecting the public or errant vehicles from entering the pond have not been identified.

As previously advised both local residents and BUNPC are seriously concerned regarding the safety of the T junction of Dogshead Lane with Bar Lane and The Green. There have been a number of accidents at this junction including 4 accidents in which errant vehicles have crashed into and demolished the front wall of 76 The Green in the last 3 years. Theoretical visibility splays do not in reality exist due to parked cars outside houses that have no off road parking.

SCC is currently investigating this junction area and liaising with a local resident's action group.

As a general point regarding the Transport Assessment and Addendum reporting of accidents, BUNPC and SCC both noted that the TA only looked at The Green, Wales Lane and part of Bar Lane. There appeared be no logical reason why Dogshead Lane was excluded. The Addendum now covers Dogshead Lane but there is a discrepancy because accidents noted in the TA do not appear in the Addendum. One accident is now recorded at the junction of Dogshead Lane with Bar lane/The Green but we know there have been 4 in which a boundary wall has been demolished. We suspect that in total the accident records are underreporting.

BUNPC Summary

BUNPC continues to asset that neither the TA nor the TA Addendum, provide a reasonable accurate assessment enabling them to accept the claim that

“the evidence and data presented in this Transport Assessment Addendum provide assurance to the Local Highway Authority that the proposed development is not expected to result in undue safety risks, congestion, or excessive demands on local transport infrastructure”

BUNPC has previous practical experience with the Causer Road development of the variation between TA predicted limited impact of that development on local roads and the actuality. BUNPC asks ESBC to consider from pure common sense whether it is credible that traffic generated by 70 dwellings will have no adverse impact on Bar Lane and Dogshead Lane with their restricted widths and The Green/Wales Lane with the parked cars.

In order to help ESBC, in addition to submitting this response, BUNPC is going to provide separate photographic and video evidence that validate our concerns.

With regards to the SCC expressed view that “the site access in Bar Lane appears to meet relevant standards in terms of layout and visibility” BUNPC does not accept this and is going to take this up with SCC.

BUNPC Response to Additional Information in Response to LLFA comments

In response to the FRA and DS, SCC LLFA had concerns regarding outfall drainage assumptions which are expressed in requests for further information summarised as

- Existing condition of drainage ditches and whether any clearance is required
- Existing condition of piped outfall
- Downstream route and connectivity to an appropriate receptor

These mirror the comments raised by BUNPC.

The applicant has responded with limited answers based on the information contained in Appendix C. BUNPC does not accept the stated conclusions for the reasons set out in our response to Appendix C.

BUNPC Response to Flood Risk Assessment and Drainage Strategy, Revision B

The purpose of Revision B is stated to be “Report updated to suit Client’s Comments”. This follows Revision A stated to be “Report updated to incorporate LLFA comments”. Unfortunately, and unhelpfully, any changes between the original FRA and revision B are not highlighted. This makes it difficult to identify any changed or additional information. However, it does appear that an additional Appendix has been added. This is Appendix C which becomes Drainage Survey. The original Appendix C changes to Appendix D etc.

BUNPC believes that the detailed technical comments it provided which demonstrated that the surface water drainage strategy described is not capable of either construction or will work as claimed. Even if the applicant could demonstrate that the attenuation basins and flow control can work, as demonstrated by their own submitted surveys, the outfall drainage is unsuitable so that there is not a viable downstream route and connectivity to an appropriate receptor as required by SCCLLFA.

Western Outfall

BUNPC notes that there is limited survey work undertaken in order to respond to the SCC LLFA queries. It is stated that “The western ditch route was traced from the site

boundary through Rosaleigh Cottage, Fairview Cottage, ultimately crossing The Green, which should actually be Bar Lane, and discharging into the downstream ditch network before reaching the main watercourse.” However, the only information is contained in drawing Topographic Survey Sheet 2 of 3.

This drawing shows details of the watercourse within Rosaleigh Cottage but not Fairview. A note states that there is a headwall inside the boundary of the Fairview private garden. From this BUNPC assumes that the survey company respected privacy and did not get consent to enter Fairview.

The owner of Rosaleigh Cottage had previously provided BUNPC with a detailed description of flooding from the watercourse and advised that they were concerned regarding adequacy of the culvert crossing at Bar Lane, which they said had been repaired a number of times in the past. Their comments are validated by reference to the EA Surface Water Flood Map. It seems unlikely that they would not have given the surveyor the same information.

The survey shows a 150 mm pipe on the downstream side of Bar Lane with a stated invert level of 61.52 mAOD and road level of 61.71 mAOD. If correct this would indicate no effective cover to the pipe. BUNPC notes that the SCC LLFA minimum approved road crossing culvert size is currently 450 mm.

In the case of the Eastern Outfall, all pipework was inspected by CCTV to establish size and condition. There is no explanation as to why, given there was access to the culvert outfall, it was not also inspected by CCTV.

In response to enquiries from BUNPC, SCC Highways confirm that they have no records of the size or condition of the culvert or any repairs made within the last 10 years.

Immediately downstream of the culvert there is a 375 mm pipe which crosses the field to discharge into an open channel. This has also not been inspected by CCTV.

BUNPC does not consider that the information now supplied answers the 3 key concerns raised by SCC LLFA. The full length of outfall from the development site to the open ditch to the south of Bar Lane has not been inspected. The condition of piped sections of 150 mm and 375 mm outfall has not been assessed. Although connectivity has been confirmed no assessment of the hydraulic capacity of the outfall, either ditch or pipe has been made. This is needed in order to determine water levels, both generally and at the point where the proposed attenuation basin discharges.

On the basis of current information BUNPC does not believe that the western outfall has been shown to be suitable for the development.

Although not a direct planning consideration BUNPC notes that neither the owners of Rosaleigh Cottage nor Fairview Cottage have consented to receive the post development modified flows to the sections of watercourse for which they are the riparian owner. Whilst riparian owners have a common law duty to accept discharges which arise from surface runoff on greenfield land, this does not apply to modified

runoff from constructed impermeable surfaces. If the drainage strategy submitted as part of the planning application is reliant on the consent of the downstream riparian owners and consent is not forthcoming, then the drainage strategy can't be delivered. Lack of an outfall is a planning consideration.

Eastern Piped Outfall

Following completion of a CCTV survey, the line and nature of the mostly piped outfall from the development site to a point adjacent to a highway gully outside 56 The Green has been established.

In response to the 3 SCCLLFA questions, on the basis of the survey, the applicant claims

“The surveyors confirmed that the water is not backing up in the system, indicating that a discharge route must be present. Downstream, the ditch connects into a 100mm piped system running through neighbouring gardens (including no. 56 and 60) before discharging into a highway gully, which ultimately connects in the highway drainage system on The Green. Although the final downstream connection could not be fully traced due to lack of access to buried highway infrastructure, the survey has confirmed that the eastern system does drain and has an existing functioning downstream route.”

and the piped outfall has

“been confirmed to discharge to appropriate downstream receptors” being “ the highway drainage network on The Green.”

BUNPC had previously sought to investigate the outfall by consulting with the owners of 54, 56 and 60 The Green. They confirmed the route to the manhole in the front garden of 60 and also commented on blockage/flooding issues.

The owners of 54 The Green confirmed that there is an open ditch running at the rear boundary of their property which is normally dry but floods in wet weather or if there is a downstream blockage. This has been inspected by BUNPC. At the time of visit after a period of heavy rain, the ditch was partially full and trickle of flow was entering the ditch. The incoming pipe appears to be the 275 mm MDPE pipe identified in the CCTV survey. As shown in the photo below, the pipe is heavily silted up.



At the downstream adjacent to the boundary with 56 The Green, the ditch outfall was drowned out and not visible, as shown in the photo below.



The owners of 56 The Green advised that the pipe which passes through their property was in place prior to their arrival. They have not had problems of flooding during rainfall but have had blockage problems with debris washed down and blocking at manhole B. They have had to clean out manhole B. Access to manhole A is problematic due to the shed.

The owners of 60 The Green also advised that the pipe which passes through their property was in place prior to their arrival. Other than knowing that the outfall pipe goes into the road, they had no knowledge of where it goes.

Whilst not challenging the data provided with the CCTV survey, BUNPC challenges to assumptions made regarding an outfall to a highway drain and the assertion that the system provides a suitable outfall.

The applicant states that water is not backing up in the system and it is true that this was the case at the time of CCTV survey which confirms no water in the ditch at the time of survey on a dry day. The FRA DS topographic survey also shows no recorded water levels in the ditch within the development site. The applicant has not provided evidence that water does not back up the system during rainfall events. The observations of the owners of 54 The Green, indicates that it does.

In order for the applicant to demonstrate that the outfall is suitable and has hydraulic capacity a full level survey of the downstream pipe is required together with hydraulic calculations.

In addition to concerns regarding the hydraulic capacity of the downstream pipe based on the CCTV survey results BUNPC does not consider that the length of outfall surveyed is serviceable or structurally sound. Even if this is the case the size of the pipe at 100 mm/150 mm diameter is so small as to create a high risk of blockage. Even the 275 mm pipe was blocked by a football. As previously noted, the SCC LLFA minimum approved watercourse culverting size is currently 450 mm.

The CCTV report provides details for each length of pipe surveyed together with a serviceability and structural score.

The first section of pipe running from the development site and through the garden of Walcott Grange is stated to be 275 mm and filled with silt up to 60% of depth at inlet and within the pipe. The pipe is partially blocked by a football. At a second attempt the CCTV survey continued past the football but failed to reach the outfall into the ditch in 54 The Green.

There is no CCTV survey between the ditch in 54 The Green and manhole B in the rear of 56 The Green therefore its size and condition is unknown.

The CCTV survey between manhole B and manhole 60 at the front of 60 The Green is confirmed to be 100 mm diameter but constructed in various pipe materials suggesting

an ad hoc construction. However, it is structurally sound and was mostly clear of silt/debris at the time of survey.

The CCTV survey downstream of manhole 60 is located beneath the public highway. This is a 150 mm clayware pipe in grade 4 structural condition. Grade 4 means that whilst not in imminent danger of collapse it requires replacement due to its advanced state of deterioration. The pipe is also in grade 3 serviceable condition indicating that cleansing is required.

The survey finished just short of gully 56 and the report states an assumption of discharge into that gully.

Gully 56 and its outfall are highway drainage assets owned and maintained by SCC Highways. This is a 150 mm clayware pipe in grade 3 serviceability and grade 1 structural condition. The survey terminated at a connection into a pipe in the road.

In addition, two other gully connections were surveyed but are not relevant to the development.

The gullies and their outfalls are shown in Topographic Survey Sheet 3 of 3. They are shown as discharging into a highway drain of unknown size which flows towards Dogshead Lane. The presence of this highway drain has not been proven.

BUNPC has liaised with SCC Highways who have confirmed that they have no records showing a highway drain in The Green. They believe that the highway drains which drain The Green discharge into the STW combined sewer.

BUNPC notes that the question of whether there is a separate highway drain could have been resolved at the time of survey by dye testing the gulleys and checking if the dye appeared in the combined sewer.

BUNPC considers that unless the applicant proves that the outfall from manhole 60/gully 56 is to the combined sewer, or identifies the ultimate outfall for the assumed highway drain, they have not answered the SCCLLFA query by demonstrating the “downstream route and connectivity to an appropriate receptor”

Eastern Piped Outfall Legal considerations

Irrespective of the condition and capacity of the piped outfall and whether it ultimately discharges to an appropriate receptor, BUNPC advises that in order for the pipe to be used as an outfall for the development surface water drainage, the applicant requires multiple consents for the use of the pipe. If such consents are not forthcoming a legal outfall does not exist and the Drainage Strategy can't be implemented.

If it is assumed that the piped outfall to The Green replaced an existing ditch, it remains a culverted watercourse and there is a right of discharge from the development land in

predevelopment greenfield state. This does not apply to flows arising from the development impermeable areas.

The applicant should be requested to provide evidence of consent to discharge from the downstream 4 property riparian owners.

Assuming such riparian owner consent can be obtained, the outfall is claimed to be highway gulley 56 and its outfall, owned by SCC Highways. There is no legal right of connection for non-highway drainage into a highway drain. Most Highway Authorities do not accept connection of non-highway flows and BUNPC is aware that this has been the historic position of SCC. The applicant should be requested to provide evidence of consent to discharge into highway gulley 56 and its outfall drain.

The question of the outfall for highway gulley 56 now arises. If SCC is correct the gulley 56 discharges into the STW combined sewer. There is no right of discharge for highway runoff or other surface water flows into a combined sewer. STW has confirmed in writing that surface water flows from the development can't discharge into the combined sewer. Therefore, the appropriate receptor required by SCC LLFA does not exist.

If the outfall is to a highway drainage outfall which is unknown to SCC, BUNPC understands that SCCLLFA will require evidence of its condition and point of outfall to confirm the appropriateness of the receptor. SCC Highways would also have to consent the flows into the highway drain.

Drainage Outfall Conclusion

Based on the additional survey work undertaken by the applicant to prove that suitable drainage outfalls exist, BUNPC has concluded that this is not the case. The applicant should be required to undertake further work as identified in this report.

In addition the applicant has not responded to the detailed comments previously raised by BUNPC which demonstrates that the Drainage Strategy, as described, can't be physically constructed.