

# EAST STAFFORDSHIRE BOROUGH COUNCIL

## PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in the Coltman VC Room, Town Hall, Burton upon Trent on Tuesday 16<sup>th</sup> October 2018.

### **Present:**

Councillors M. J. Bowering (Vice-Chairman), K. J. Builth, R. J. Clarke, R. Faulkner, Mrs V. J. Gould, G. Hall, S. Hussain, R. Johnston, Ms A. Legg, Mrs B. Toon and C. Whittaker.

### **Officers Present:**

L. Durham (Senior Solicitor), A. Miller (Planning Manager), R. Duckworth (Senior Planning Officer), A. Harvey (Principal Planning Officer) and N. Perry (Principal Planning Policy Officer).

Apologies for absence were received from Councillors E. Barker and Mrs J. Jessel.

### 297/18 **DECLARATIONS OF INTEREST**

Councillors R. J. Clarke and S. Hussain declared that as they did not attend the site visits they would take part in the debate but was unable to vote upon the applications.

### 298/18 **MINUTES**

The Minutes of the meeting held on 11<sup>th</sup> September 2018 were approved and signed as a correct record.

### 299/18 **URGENT BUSINESS**

There was no urgent business submitted to the meeting pursuant to Rule 12.

### 300/18 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2018/00233 – Reserved Matters application relating to P/2012/01467 for the erection of 201 dwellings including details of appearance, landscaping, layout, scale and means of access – Lawns Farm, Branston Road, Tatenhill, Burton upon Trent, Staffordshire DE13 9SB (Ward: Branston)**

The above site visit was attended by Councillors M. J. Bowering, K. J. Builth, R. Faulkner, Mrs V. J. Gould, G. Hall, R. Johnston, Ms A. Legg, Mrs B. Toon and C. Whittaker.

Mrs Jayne Smith, agent or the applicant, spoke on the application.

### **Resolved:**

**APPROVE RESERVED MATTERS**, subject to satisfactory negotiations between the developer, planning officers and the planning committee chairman for an alternative acceptable design following design amendments to the focal houses with that decision delegated to officers and subject to the following conditions:

1. Compliance with the approved plans.
2. Details of disposal of foul surface water drainage and outfall for areas in private ownership to be provided prior to commencement of development and shall be undertaken prior to occupation.
3. Details of properties to be delivered to the M4(2) Building Regulations standard.
4. Construction of access to Branston Road to meet SCC Highways specification before occupation of any buildings.
5. Roadways and footways to be surfaced in bound material before occupation of any dwellings.
6. Cycle storage facilities provided in accordance with details to be submitted before occupation of any dwellings.
7. Construction Vehicle Management Plan including method of and regularity of clean-up of debris from the development and vehicles accessing it to be submitted prior to commencement of development.
8. Visibility splays shall be provided for a number of specified plots and nothing shall obstruct hose approved splays.
9. Details of surfacing of areas in private ownership prior to commencement of development.
10. Parking and turning facilities to be provided before each dwelling is first occupied.
11. Garages to be retained as being available for parking at all times and cycle parking is to be provided within.
12. Any soakaways to be sited a minimum distance of 5.0 metres back from the edge of the highways.
13. All Landscaping works to be undertaken in first season post completion and thereafter retained for at least 5 years and public trees to be heavy gauge.
14. Construction with the ability of installation of electric charging points to garages.
15. The noise mitigation as specified shall be installed prior to occupation.
16. A scheme of dust and construction noise mitigation to be submitted and approved prior to commencement.

### **Informatives**

1. Standard engagement informative.
2. Notification of outline permission conditions addressed by the reserved matters submission and which remain outstanding.
3. Standard pre-commencement conditions informative.

4. Contact ESBC Waste Management in relation to provision of bins.
5. The developer is reminded to ensure there is safe access at all times or users of the public right of way which runs through the site.
6. The site layout will need approval under Staffordshire Act 1983 and Highways Act 1980.
7. The Branston Road access requires off site works and therefore a legal agreement will be needed.
8. Any soakaways needs to be 4.5m rear of the adopted highway.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor M J Bowering		
Councillor K J Builth		
Councillor R Faulkner		
Councillor V J Gould		
Councillor G Hall		
Councillor R Johnston		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor C Whittaker		

(Councillors R. J. Clarke and S. Hussain did not vote as they did not attend the site visit).

2. **P/2018/00505 – Demolition of the existing farmhouse and outbuildings to facilitate the erection of two detached dwellings and associated garages – Rycroft Farm, Bramshall Road, Uttoxeter, Staffordshire (Ward: Heath)**

The above site visit was attended by Councillors M. J. Bowering, K. J. Builth, R. Faulkner, Mrs V. J. Gould, G. Hall, R. Johnston, Ms A. Legg, Mrs B. Toon and C. Whittaker.

Mr Elkin, agent for the applicant, spoke on the application.

**Resolved:**

To **DEFER** the application to allow discussions with planning officers and the applicant to allow them to reconsider the design and layout to reflect the farm/agricultural heritage of the existing site.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor M J Bowering		Councillor K J Builth
Councillor R Faulkner		
Councillor Mrs V J Gould		
Councillor G Hall		
Councillor R Johnston		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor C Whittaker		

(Councillors R. J. Clarke and S. Hussain did not vote as they did not attend the site visit).

3. **P/2018/00510 – Reserved Matters application relating to outline planning permission P/2013/00882 for the erection of 450 no. dwellings and garages including 121 no. affordable units, together with drainage and highways infrastructure, and including details of access, appearance, landscaping, layout and scale (Phase 2) (Ward: Abbey)**

The above site visit was attended by Councillors M. J. Bowering, K. J. Builth, R. Faulkner, Mrs V. J. Gould, G. Hall, R. Johnston, Ms A. Legg, Mrs B. Toon and C. Whittaker.

**Resolved:**

**APPROVE RESERVED MATTERS**, subject to the following conditions:

1. Compliance with the approved plans.
2. Details of Surface Water Drainage interceptors to be provided.
3. Parking and turning facilities to be provided before each dwelling is first occupied.
4. Garages to be retained as being available for parking at all times.
5. Provision of approved cycle shelters to those dwellings without garaging prior to first occupation and thereafter retained.
6. Any soakaways to be sited a minimum distance of 5.0 metres back from the edge of the highway.
7. All landscaping works to be undertaken in first season post completion.
8. Security fencing to be provided to pumping station/electricity substation/gas governor compound(s) before facility(s) concerned are first brought into use.
9. Bin stores to be provided before the dwelling(s) they serve are first occupied.

10. The dwellings identified on the approved plans as being proposed to be constructed in accordance with Building Regulation 2010 Standard M4(2) shall be completed to that standard before first occupation.
11. The car parking to serve the playing fields shall be provided in accordance with the approved plans prior to the playing fields being brought into use.
12. Vehicle charging points to be provided to prior to first occupation and retained to the garaging of dwellings in accordance with a scheme that shall be first agreed with the Local Planning Authority.
13. Details for the provision of safety fencing to the 'wet pond' SuDs in the central area of the site and for its erection prior to the first occupation of any dwelling on phase 2.
14. The provision of a 1.8 m high close boarded fence surrounding the pumping station (original approved on Phase 1D) prior to it being first brought into use.
15. No floodlighting shall be erection to the pumping station (original approved on Phase 1D) unless planning permission has first been approved by the Local Planning Authority.

### **Informatives**

1. Standard engagement informative.
2. Notification of outline permission conditions addressed by the reserved matters submission and which remain outstanding.
3. Standard pre-commencement conditions informative.
4. Contact East Staffordshire Borough Council Waste Management in relation to provision of bins.
5. The developer is reminded to ensure there is safe access at all times for user of the existing public right of way which runs through the application site (either as per the existing route or any legally diverted route).
6. The developer is advised that consent is required under Section 257 of the Town and Country Planning Act to divert the public right of way which runs through the application site.
7. You are advised that the Construction Management Plan for Phase 2 required to be submitted and approved by the Local Planning Authority under condition 23 of the outline planning permission ref: P/2013/00882 should provide for the route(s) of public rights of way to be kept free of vehicles associated with construction works at the site.
8. You are advised that having regard to the comments of the LLFA an updated technical note will need to be provided along with the drainage proposals to discharge the relevant condition of the outline approval.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor M J Bowering		
Councillor K J Builth		
Councillor R Faulkner		
Councillor Mrs V J Gould		
Councillor G Hall		
Councillor R Johnston		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor C Whittaker		

(Councillors R. J. Clarke and S. Hussain did not vote as they did not attend the site visit).

301/18 **APPEALS RECEIVED AND DETERMINED**

The Report of Sal Khan, Head of Service regarding appeals received, withdrawn and determined was received and noted.

302/18 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 27<sup>th</sup> August 2018 and 28<sup>th</sup> September 2018 was received and noted.

303/18 **EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved:**

That, in accordance with Section 100(A) (4) of the Local Government Act, 1972, the Press and Public be excluded from the Meeting during discussion of the following items it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated in brackets before each item number on the Agenda:

**ENFORCEMENT SCHEDULE**

304/18 **ENFORCEMENT SCHEDULE**

The Report of Sal Khan, Head of Service regarding the enforcement schedule was received and noted.

**Chairman**