

# 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 17<sup>th</sup> January 2017.

### **Present:**

Councillors G. Hall (Chairman), E. Barker, M. J. Bowering, K. J. Builth R. J. Clarke, R. Faulkner, S. Gaskin, S. Hussain, Mrs J. Jones, Ms A. Legg and Mrs B. Toon.

### **Officers Present:**

J. Kirkham (Solicitor), S. Khan (Head of Service), G. Upton (Interim Planning Manager), C. El Hakiem (Principal Planning Officer) and N. Perry (Planning Policy Officer).

Apologies for absence were received from Councillors G. Allen, R. Johnston, C. Smith and C. Whittaker.

### 162/17 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

### 163/17 **MINUTES**

The Minutes of the meeting held on 13<sup>th</sup> December 2016 were approved and signed as a correct record.

### 164/17 **URGENT BUSINESS**

In accordance with Rule 12, the Chairman indicated that he had received a motion on notice in respect of the following:

- Demolition of existing warehouse building, storage tanks and electricity sub-station to facilitate the erection of 47 dwellings including construction of vehicular access, associated landscaping and community open space (variation of time limit condition) – **Proposed Residential Development, Victoria Crescent, Burton upon Trent, Staffordshire.**

The Chairman had decided that the business was urgent in view of the fact that the extended time limit for issuing the planning permission was due to expire on 20<sup>th</sup> January 2017. A copy of the report had been circulated at the meeting.

### 165/17 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2016/00980 – Outline application for the erection of up to 14 dwellings with all matters reserved for the demolition of a dwelling, shed and garage at 2 Harbury Street and garages to the rear – Land to the rear of Harbury Street, Burton upon Trent, Staffordshire DE13 0RX (Ward: Horninglow)**

The site visit was attended by Councillors E. Barker, M. J. Bowering, K. J. Builth, R. J. Clarke, R. Faulkner, S. Gaskin, G. Hall, S. Hussain, Mrs J. Jones, Ms A. Legg and Mrs B. Toon.

Mrs P. Haywood, Parish Councillor, spoke on the application.

Mr C. Green, agent for the applicant, spoke on the application.

**Resolved:**

To **PERMIT** subject to a Section 106 agreement for the contributions set out in paragraph 22 and paragraph 4, and subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 1 year from the approval of the last reserved matter.
2. Application for the approval of reserved matters shall be made to the local planning authority before the expiration of 1 year from the date of the permission.
3. No development shall take place until plans and particulars of layout, scale and appearance of buildings to be erected and means of access of the site, and landscaping herein called the reserved matters have been submitted and approved by the local planning authority. The development should be varied out in accordance with the approved details.
4. Approval of all external materials (including colours).
5. Submission and approval of a surface water and foul water drainage scheme and implementation of such (with SUDS being required where ground conditions allow).
6. Submission of a scheme for a filter bed or raised buffer across the site entrance.
7. Submission of full landscaping and boundary treatment including details of tree protection measures for retained trees on the boundary, the planting of native trees and the provision of boundary treatment along that part of the side boundary.
8. Implementation of the approved landscaping scheme.
9. Submission and approval of a scheme regarding sustainable construction and energy efficiency and compliance with such.
10. Completion and retention of the approved boundary treatment scheme.
11. Completion of the access, parking and turning areas in a bound and porous material/s (with exact material/s to be first approved by the local planning authority) and such remaining available for their dedicated purposes for the life of the development.
12. Submission and approval of slab levels.
13. Construction Management Plan including construction hours.
14. Implementation of Ecological Enhancement Measures.
15. Compliance with the FRA.

16. Compliance with the tree survey.
17. Compliance with the Ecology survey.
18. All roof lights to fit flush with the roof slope in which they are set and have black frames.
19. All windows and external doors to be set back from outer face of wall by 50mm.
20. Removal of permitted development rights for future extensions, outbuildings, external alterations including any new windows and roof lights, boundary treatment for amenity and visual reasons.
21. If during the course of the development contamination not previously identified is found to be present on the site, then no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

### **Informatives**

1. Engagement informative.
2. Submissions of materials.
3. The applicant should be advised that the distance of proposed rear gardens should be in excess of 8m.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor E Barker		
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R Faulkner		
Councillor S Gaskin		
Councillor G Hall		
Councillor S Hussain		
Councillor Mrs J Jones		
Councillor Ms A Legg		
Councillor Mrs B Toon		

2. **P/2016/01434 – Change of use from Class A1 shops to Class D2 Assembly and Leisure as a gymnasium – Part of First Floor, Octagon Centre, Burton upon Trent, Staffordshire DE14 3TN (Ward: Burton)**

This application was withdrawn prior to the meeting.

3. **P/2014/01488 – Demolition of existing warehouse building, storage tanks and electricity sub-station to facilitate the erection of 47 dwellings including construction of vehicular access, associated landscaping and community open space (variation of time limit condition) – Proposed Residential Development, Victoria Crescent, Burton upon Trent, Staffordshire (Ward: Eton Park)**

**Resolved:**

1. That the request for the amendment of condition 1 be agreed and that condition 1 agreed at Planning Committee on 16<sup>th</sup> August 2016 be amended as set out below:

Original Condition

The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason

To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Be amended to read:

The development hereby permitted shall be begun before the expiration of 18 months from the date of this permission.

Reason

To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. That all other conditions be applied to the planning permission as per the previous resolution of Planning Committee of 16<sup>th</sup> August 2016.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor E Barker	Councillor Mrs J Jones	
Councillor M J Bowering		
Councillor K J Builth		
Councillor R J Clarke		
Councillor R Faulkner		
Councillor S Gaskin		

Councillor G Hall		
Councillor S Hussain		
Councillor Mrs J Jones		
Councillor Ms A Legg		
Councillor Mrs B Toon		

166/17 **APPEALS RECEIVED AND DETERMINED**

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

167/17 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 29<sup>th</sup> November 2016 and 23<sup>rd</sup> December 2016 was received and noted.

168/17 **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**

**MEMBER BRIEFING**

169/17 **ENFORCEMENT SCHEDULE**

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

170/17 **MEMBER BRIEFING**

It was agreed that this item be deferred until 8<sup>th</sup> March 2017.

**Chairman**