

# 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 21<sup>st</sup> January 2020.

### **Present:**

Councillors G. Hall (Chairman), Mrs B. Ashcroft, E. Barker, K. J. Builth, R. Faulkner, Mrs V. Gould, G. Lamb, Ms A. Legg, S. McGarry, S. McKiernan, C. Sylvester, Mrs B. Toon and C. Whittaker.

### **Officers Present:**

L. Durham (Senior Solicitor), S. Khan (Head of Service), A. Baldwin (Planning Manager), K. Challoner (Principal Planning Officer) and A. Harvey (Principal Planning Officer).

### **Also Present:**

S. Rowberry (Planning Consultant) and D. Ward (Planning Enforcement Officer).

An apology for absence was received from Councillor Mrs B. Brady.

### 68/20 **DECLARATIONS OF INTEREST**

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

### 69/20 **MINUTES**

The Minutes of the meeting held on 10<sup>th</sup> December 2019 were approved and signed as a correct record.

### 70/19 **URGENT BUSINESS**

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

### 71/19 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2019/00297 – Application under Section 73 of the Town and Country Planning Act 1990 for a Minor Material Amendment for the demolition of existing garages to facilitate the erection of 83 dwellings including access, associated infrastructure and attenuation pond without complying to Condition 2 of planning permission P/2014/01304 relating to substitution of house types for 43 dwellings and amendment to layout on western part of the site – Land off Forest Road, Burton upon Trent (Ward: Shobnall and Outwoods)**

The above site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, K. J. Builth, R. Faulkner, Mrs V. Gould, G. Hall, G. Lamb, Ms A. Legg, S. McGarry, S. McKiernan, C. Sylvester, Mrs B. Toon and C. Whittaker.

Mr Jez Elkes, Parish Councillor, spoke on the application.

Mrs Claire Henman, a member of the public, spoke on the application.

That application was withdrawn at the meeting in order to clarify Ward Councillor notification.

2. **P/2018/01405 – Reserved Matters application relating to outline planning permission ref: P/2013/00882 for the construction of a new first school and associated works including details of access, appearance, landscaping, layout and scale – Land to the West of Uttoxeter, A50 Bypass, Uttoxeter, Staffordshire (Ward: Heath/Abbey)**

The above site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, K. J. Builth, R. Faulkner, Mrs V. Gould, G. Hall, G. Lamb, Ms A. Legg, S. McGarry, S. McKiernan, C. Sylvester, Mrs B. Toon and C. Whittaker.

Mr Paul Dawson, agent for the applicant, spoke on the application.

**Resolved:**

**APPROVE RESERVED MATTERS**, subject to a Deed of Variation to the Section 106 Agreement attached to the outline permission ref: P/2013/00882 (to secure the necessary Travel Plan monitoring fee) and the following conditions:

1. Compliance with the approved plans.
2. Provision, enactment and review of a travel plan/traffic management plan to serve the development as per the recommendations of Staffordshire County Council Highways and the Local Planning Authority highway consultants.
3. Details of a scheme for the provision of bat and bird boxes/roosts to be agreed and implemented prior to the first occupation of the school and thereafter retained.
4. Provision and enactment of a management plan for the use and operation of the services access/services area at the school site (including times of operation) to be agreed prior to the first occupation of the school building.
5. Precise details of all plant and equipment to be installed to serve the development (including noise/dust mitigation where necessary) to be agreed prior to the first occupation of the school building. Scheme to be installed as per the approved details.
6. Precise details of landscaping to be agreed prior to the first occupation of the school building.
7. Accessing, servicing, parking and turning facilities to be provided before the school is first occupied and thereafter retained.
8. Provision of all approved secure cycle shelters before the school is first occupied and thereafter retained.
9. The development hereby shall not be brought into use until the access drives to serve the development to the rear of the public highway have been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 10m back from the site boundary in accordance with the approved plans.
10. All approved boundary treatments shall be erected/provided before the school is first occupied.

11. Bin stores shall be provided before the school is first occupied.
12. Approved vehicle charging points shall be provided prior to the first bringing into use of the school and thereafter retained as available.
13. School Keep Clear road marking and pedestrian guard rail at the school entrances to be provided in accordance with a scheme first agreed with the Local Planning Authority prior to the school first being brought into use.
14. All landscaping works to be undertaken in first season post completion.
15. No floodlighting units shall be illuminated between the hours of 9.00pm and 7.00am at any time.
16. No lighting other than that shown on the approved plans shall be erected/installed at the site unless planning permission has been first granted by the Local Planning Authority.
17. The approved two metre high screen fence shall be erected to the emergency/maintenance access prior to the first bringing into use of the school and thereafter retained in situ at all times.
18. The pedestrian gated access to the western boundary shall not be used by pupils accessing/egressing the school site at any time (other than in an emergency situation).
19. This permission related to the use of the building for a maximum occupancy level of 150 No. pupils for a first school and a maximum occupancy level for 26 No. full time equivalent nursery pupils.
20. Should the link road/spine road not be completed at the time of the opening of the school a management scheme (including a timetable of operation) for turning facilities shall be first agreed with the Local Planning Authority prior to the first bringing into use of the school.

### **Informatives**

1. Standard engagement.
2. Notification of outline permission conditions addressed by the reserved matters submission (conditions 2, 7, 10 and 25) and which remain outstanding (conditions 6, 8, 9, 11, 13, 16, 18, 23, 32 and 33).
3. Standard cost and timing of discharge of conditions informative.
4. Contact East Staffordshire Borough Council Waste Management in relation to the provisions of bins.
5. The developer is reminded to ensure there is safe access at all times for the users of the existing public right of way (Uttoxeter Town No. 52) which runs adjacent to the application site.
6. The applicant is advised that in respect of the hours of operation during the construction phase that these would be expected to replicate the agreed hours for Residential Phases 1 and 2; with these being 7.30am to 6.00pm Monday to Friday and 8.00am to 2.00pm on Saturdays and no working on

Sundays and Bank Holidays. These details should form part of the Construction Management Plan.

7. Any highway work shall require a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Minor Works Information Pack and an application for the Minor Works Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, Staffordshire ST16 2DH. Or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk)
8. This approval is subject to a Deed of Variation to the Section 106 Agreement (attached to outline permission ref: P/2013/00882) to secure a Travel Plan monitoring fee of £6,895.
9. The County Highway Authority advises that the proposed 'School Keep Clear' road markings scheme referred to in the condition(s) above, requires a Traffic Regulation Order. This recommendation of approval should not be construed as though the County Council is prejudging the outcome of the Order making process. The developer should note that the Order will be made on behalf of the developer by Staffordshire county Council at the developer's expense and has to be secured before development commences as it is an 'ESSENTIAL' component of the required mitigating measures associated with the proposed development. Please note that there are no guarantees that the Order will be successful and can take at least 6 months to introduce so contact with the Traffic Regulation Order Team should be made as early as possible.
10. The applicant is advised that a separate application may be required for the school signage and it is suggested that they contact the Local Planning Authority before installing any signage to discuss the matter.
11. With regard to the discharge of condition 2 above the Members of the Planning Committee would commend in line with SCP report (dated 7<sup>th</sup> January 2020) report that due consideration be given to pedestrian crossing facilities to serve the school be provided on the link road.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor B Ashcroft	Councillor G Lamb	
Councillor E Barker	Councillor Ms A Legg	
Councillor K Builth	Councillor S McKiernan	
Councillor R Faulkner		
Councillor V Gould		
Councillor G Hall		
Councillor S McGarry		
Councillor C Sylvester		
Councillor Mrs B Toon		

72/20 **APPEALS RECEIVED AND DETERMINED**

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

73/20 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 25<sup>th</sup> November 2019 and 3<sup>rd</sup> January 2020 was received and noted.

74/20 **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**

**BRIEFING SESSION ON MATERIAL CONSIDERATIONS**

**Chairman**