

# EAST STAFFORDSHIRE BOROUGH COUNCIL

## PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in a virtual environment on Tuesday 24<sup>th</sup> November 2020.

### **Present:**

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

### **Officers Present:**

S. Grant (Solicitor), S. Khan (Head of Service), N. Perry (Planning Manager) and E. Carrington (Senior Planning Officer).

### 137/20 **DECLARATIONS OF INTEREST**

Councillor K. J. Builth declared a private interest in application no. P/2020/00591 in that he lives across the road of the development. Councillor Builth left the meeting so did not take part in the discussions or vote thereupon.

### 138/20 **MINUTES**

The Minutes of the meeting held on 29<sup>th</sup> September 2020 were approved and signed as a correct record.

Voting concerning the above decision was as follows:

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

### 139/20 **URGENT BUSINESS**

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

At this juncture Councillor K. Builth left the meeting.

140/20

## **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2019/00591 – Reserved Matters application P/2013/00429 for Phase 1b to include the erection of 70 dwellings, associated car parking and secondary roads – Upper Outwoods Farm, Beamhill Road, Burton upon Trent, Staffordshire (Ward: Outwoods)**

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

Mr J. Anderson, parish councillor, spoke on the application.

Mrs G. Doyle, agent for the applicant, spoke on the application.

Discussions took place.

A motion was put forward by Councillor G. Hall (seconded by Councillor Mrs B. Ashcroft) to permit the application.

### **Resolved:**

To **GRANT** permission subject to the following conditions:

1. **Approved Plans**

The development hereby permitted shall be carried out in accordance with the following approved plans subject to compliance with other conditions of this permission:

Drawing No. P20-1054- 004 Sheet No 1 – 1:1250 Site location plan dated as received 11 June 2020

Drawing No. P20-1054 001 Sheet No 1 Rev D – 1:500 Planning layout dated as received 12 October 2020

Drawing No: MI152-SL-904B – 1:500 FFL dated as received 12 October 2020

Drawing No: MI152-EN-063A – Refuse vehicle tracking details dated as received 17 July 2020

Drawing No: MI152-EN-064A – Fire Appliance tracking details dated as received 17 July 2020

Drawing No: 277\_277-1.PL-01 – Drake (brick) 1:100 Elevations dated as received 17 July 2020

Drawing No: 277\_277-1.PL-05 – Drake 1:100 Floor plans dated as received 17 July 2020

Drawing No: 372\_372-1.PL-01 Rev A– Byron (brick) 1:100 Elevations dated as received 17 July 2020

Drawing No: 372\_372-1.PL-02 Rev A– Byron (render) 1:100 Elevations dated as received 17 July 2020

Drawing No: 372\_372-1.PL-05– Byron (render) 1:100 Floor plans dated as received 17 July 2020

Drawing No: 375.PL-01 – Lyttelton (brick) 1:100 Floor plans and elevations dated as received 11 June 2020

Drawing No: 807-1.PL-01 – Lyttelton/Byron 1:100 Elevations dated as received 11 June 2020

Drawing No: 807.PL-01 – Lyttelton/Byron 1:100 Elevations dated as received 11 June 2020

Drawing No: 807-1.PL-05 – Lyttelton/Byron 1:100 Floor plans dated as received 11 June 2020

Drawing No: 807.PL-05 – Lyttelton/Byron 1:100 Floor plans dated as received 11 June 2020

Drawing No: 384\_384-1.PL01 – Makenzie (brick) 1:100 Elevations dated as received 11 June 2020

Drawing No: 384\_384-1.PL05 – Makenzie 1:100 Floor plans dated as received 11 June 2020

Drawing No: 487.PL-03 – Heaton (tudor) 1:100 Floor plans and elevations dated as received 11 June 2020

Drawing No: 487-1.PL-01 – Heaton (brick) 1:100 Floor plans and elevations dated as received 11 June 2020

Drawing No: 487.PL-01 – Heaton (brick) 1:100 Floor plans and elevations dated as received 11 June 2020

Drawing No: 470.PL-01 – Hallam (brick) 1:100 Floor plans and elevations dated as received 11 June 2020

Drawing No: 472.PL-02 – Brooke (render) 1:100 Elevations dated as received 11 June 2020

Drawing No: 472-1.PL-02 – Brooke (render) 1:100 Elevations dated as received 11 June 2020

Drawing No: 472-1.PL-01 – Brooke (brick) 1:100 Elevations dated as received 11 June 2020

Drawing No: 472.PL-01 – Brooke (brick) 1:100 Elevations dated as received 11 June 2020

Drawing No: 472-1.PL-05 – Brooke 1:100 Floor plans dated as received 11 June 2020

Drawing No: 472.PL-05 – Brooke 1:100 Floor plans dated as received 11 June 2020

Drawing No: 476-1.PL-03 – Wyatt (tudor) – 1:100 Elevations dated as received 11 June 2020

Drawing No: 476.PL-03 – Wyatt (tudor) – 1:100 Elevations dated as received 11 June 2020

Drawing No: 476.PL-06 – Wyatt – 1:100 Floor plans dated as received 11 June 2020

Drawing No: 476-1.PL-06 – Wyatt – 1:100 Floor plans dated as received 11 June 2020

Drawing No: 476.PL-01 – Wyatt (brick) – 1:100 Elevations dated as received 11 June 2020

Drawing No: 476-1.PL-01 – Wyatt (brick) – 1:100 Elevations dated as received 11 June 2020

Drawing No: 476-1.PL-06 – Wyatt – 1:100 Floor plans dated as received 11 June 2020

Drawing No: 476.PL-06 – Wyatt – 1:100 Floor plans dated as received 11 June 2020

Drawing No: 489.PL-03 – Langley (tudor) 1:100 Elevations dated as received 17 July 2020

Drawing No: 489-1.PL-03 – Langley (tudor) 1:100 Elevations dated as received 17 July 2020

Drawing No: 489-1.PL-01 – Langley (brick) 1:100 Elevations dated as received 17 July 2020

Drawing No: 489.PL-01 – Langley (brick) 1:100 Elevations dated as received 17 July 2020

Drawing No: 489-1.PL-01 – Langley 1:100 Floor plans dated as received 17 July 2020

Drawing No: 489.PL-01 – Langley 1:100 Floor plans dated as received 17 July 2020  
Drawing No: 488-1.PL-01 – Douglas (brick) 1:100 Elevations dated as received 11 June 2020  
Drawing No: 488.PL-01 – Douglas (brick) 1:100 Elevations dated as received 11 June 2020  
Drawing No: 488-1.PL-02 – Douglas (render) 1:100 Elevations dated as received 11 June 2020  
Drawing No: 488.PL-05 – Douglas 1:100 Floor plans dated as received 11 June 2020  
Drawing No: 488-1.PL-05 – Douglas 1:100 Floor plans dated as received 11 June 2020  
Drawing No: 1BF01-1.PL-01 – Swift (brick) 1:100 Floor plans and elevations dated as received 11 June 2020  
Drawing No: 1BF01.PL-01 – Swift (brick) 1:100 Floor plans and elevations dated as received 11 June 2020  
Drawing No: 2B4P.PL-01 – Sinclair (brick) 1:100 Elevations dated as received 17 July 2020  
Drawing No: 2B4P.PL-03 – Sinclair 1:100 Floor plans dated as received 17 July 2020  
Drawing No: 3B5P\_4B6P-1.PL-01 Rev A – Sorley/Strand 1:100 Elevations dated as received 17 July 2020  
Drawing No: 3B5P\_4B6P-1.PL-03 – Sorley/Strand 1:100 Floor plans dated as received 17 July 2020  
Drawing No: 863.PL-01 – Sorley (brick) – 1:100 Elevations dated as received 11 June 2020  
Drawing No: 863.PL-02 – Sorley (brick) – 1:100 Elevations dated as received 11 June 2020  
Drawing No: 863.PL-05 – Sorley – 1:100 Floor plans dated as received 11 June 2020  
Drawing No: 3B5P.PL-03 – Sorley – 1:100 Floor plans dated as received 11 June 2020  
Drawing No: 3B5P.PL-01 – Sorley (brick) – 1:100 Elevations dated as received 11 June 2020  
Drawing No: GL01.PL-01 – Single brick garage 1:100 Elevations and floor plan dated as received 11 June 2020  
Drawing No: GL02.PL-01 – Paired brick garage 1:100 Elevations and floor plan dated as received 11 June 2020

2. **Highway Condition**

No dwelling shall be occupied until vehicular access constructed to at least base course level, has been provided between the dwelling and a highway maintainable at public expense and the parking and turning spaces associated with that dwelling have been provided and hard surfaced.

3. **Retention of Garage/Parking Space**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the approved garage accommodation/parking space provided in connection with the development shall be made at all times for the parking of vehicles in relation to the residential use of the premises unless planning permission for any alternative use has first been granted by the Local Planning Authority.

4. **Details of Landscaping**

No development shall take place until a scheme of within plot landscaping, has been submitted to and approved in writing by the Local Planning Authority.

5. **Implementation of Landscaping**

All planting, seeding or turfing compromised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

6. **M4(2) Compliance**

No development shall take place until a scheme to provide 10% of the dwellings on the site to be constructed in accordance with Building Regulation 2010 Standard M4(2) standards, has been submitted to the Local Planning Authority and approved in writing. The development shall be completed to the Building Regulation 2010 Standard M4 (2) before the first occupation of the relevant dwelling unit(s) concerned.

**Informatives**

1. **Engagement**

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

2. **Ecological Responsibilities**

The applicant/developer is advised that this permission does not absolve them from their responsibilities in relation to the protected species. If evidence of bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

3. **Environmental Health Comments**

The applicant/developer is advised that the Environmental Health Manager has pointed out that since the initial grant of outline planning permission P/2019/00429, advice and standards have been updated. Any application to discharge conditions as recommended by Environmental Health will be assessed using current standards and any reports/statements submitted by the applicant will need refer to these standards accordingly.

4. **Highway Informative**

This estate road and drainage layout will require approval under Section 7 of the Staffordshire Act 1983 and will require an agreement under Section 38 of the Highways Act 1980 if it is to be adopted as 'highway maintainable at public expense'. There are detailed issues that need to be approved in order to achieve technical approval under that process and the developer should be advised under that process and the developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. The obtaining of planning permission for this design/layout will not be considered a reason to relax the required technical standards for the adoption of the road and drainage and any changes may necessitate the submission of further planning applications. I the

road is to be private then the residents should be advised that they take on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc. and advised to take out public liability insurance against claims associated with those responsibilities.

5. **Pre-Commencement Conditions**

In addition to the pre-commencement condition referred to in condition 4 above, the applicant/developer is reminded that the conditions on the original outline approval P/2013/00429 and the terms of the associated S106 Legal Agreement also apply to this approval of Reserved Matters application and need to be satisfied/complied with accordingly.

This means that a lawful commencement of the approved development/works cannot be made until a particular requirements of these conditions/legal agreement have been met.

As from the 6<sup>th</sup> April 2008 requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable is £116 per request (or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house). The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming the development.

6. **Biodiversity Enhancements**

The applicant/developer is advised that when details are submitted for biodiversity enhancements, swift bricks should be included across the development to provide a suitable habitat for nesting birds.

7. **Energy Saving Measures**

The applicant/developer is advised that when details are submitted in relation to energy saving measures, the use of electric charging points and solar panels should be considered.

8. **Use of Emergency Access**

The applicant/developer is advised that suitable measures should be provided at all times to ensure that the proposed emergency access is not accessible to general vehicular traffic.

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 W Barker		
Councillor B Brady		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor Ms A Legg		

Councillor S McGarry		
Councillor S McKiernan		
Councillor C Sylvester		
Councillor Mrs B Toon		

At this juncture Councillor K. Bulth re-joined the meeting.

141/20 **APPEALS RECEIVED AND DETERMINED**

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

142/20 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 14<sup>th</sup> September 2020 and 6<sup>th</sup> November 2020 was received and noted.

143/20 **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:

**PRIVATE MINUTES**

**ENFORCEMENT SCHEDULE**

**Chairman**