

EAST STAFFORDSHIRE BOROUGH COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in the Coltman VC Room, Town Hall on Tuesday 26th September 2023 at 2.00pm.

Present:

Councillors A. Afsar (Chairman), Mrs B Ashcroft, L. Bullock, M. Holton, M. Huckerby, Mrs J Jones, M. Slater, C. Smedley and C. Whittaker

Officers Present:

Mrs Sherrie Grant (Principal Solicitor and Deputy Monitoring Officer), Naomi Perry (Planning Manager), Barbara Toy (Principal Planning Officer), Andrea Davies (Principal Democratic Services Officer), Daniel Caulkett (Democratic Services Officer)

Apologies for absence were received from Councillors S. Hussain and Ms A. Legg

29/23 **DECLARATIONS OF INTEREST**

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

30/23 **PUBLIC MINUTES**

Resolved:

That the Public Minutes of the Meeting held on the 30th August 2023 be approved by the Committee 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 A. Afsar Councillor B. Ashcroft Councillor L. Bullock Councillor J. Jones Councillor M. Slater Councillor C. Smedley Councillor C. Whittaker		Councillor M. Holton Councillor M. Huckerby

31/23 **URGENT BUSINESS**

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

32/23 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2021/01020 Outline application for the erection of up to 40 affordable dwellings (28 first homes and 12 affordable rented) including details of access (REVISED DESCRIPTION) Land adjacent to 374a Tutbury Road, Burton upon Trent, Staffordshire**

The site visit was attended by Councillors A. Afsar (Chairman), Mrs B Ashcroft, L. Bullock, M. Holton, M. Huckerby, Mrs J Jones, M. Slater, C. Smedley and C. Whittaker

Councillor S. Gaskin, Ward Councillor for the former Tutbury Ward and Councillor J. Anderson, Parish Councillor for Outwoods Parish Council, spoke on the application.

Mrs N Bayliss and Mr D. Galley, members of the public, spoke on the application.

Mr C. Timothy, the agent for the application, spoke on the application.

Discussions took place.

A motion was put forward by Councillor M. Huckerby, which had been duly seconded by Councillor C. Whittaker to **REFUSE** the application.

Resolved:

That the application be **REFUSED** for the following reasons:

- 1) Outside settlement boundary
- 2) Highway safety of the new access
- 3) Character of the settlement

Voting concerning the above decision was as follows.

Those voting for the motion	Those voting against	Those abstaining
Councillor A. Afsar Councillor B. Ashcroft Councillor L. Bullock Councillor M. Holton Councillor M. Huckerby Councillor J. Jones Councillor M. Slater Councillor C. Smedley		

2. **P/2023/00578 Reserved Matters application relating to P/2012/01467 for the construction of a Primary and Nursery School, creation of new access, parking, amenity space, landscaping, formation of a Multi-Use Games Area (MUGA), fencing and other associated works including details of access, appearance, landscaping, layout and scale. Branston Locks Primary and Nursery School, Branston Locks, Branston Road, Tatenhill, Staffordshire, DE13 9SB**

The site visit was attended by Councillors A. Afsar (Chairman), Mrs B Ashcroft, L. Bullock, M. Holton, M. Huckerby, Mrs J Jones, M. Slater, C. Smedley and C. Whittaker

Councillor R. Faulkner, Parish Councillor for Branston Parish Council, spoke on the application.

Mrs T. Jones, member of the public, spoke on the application.

Mrs. A. Pickering, the agent for the application, spoke on the application.

A motion was put forward by Councillor C. Whittaker, which had been duly seconded by Councillors B. Ashcroft and J. Jones to **PERMIT** the application with the conditions in the report.

Resolved:

Subject to the Conditions listed below and a Unilateral Undertaking.

1. Approved Plans

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

Site Location Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0026 Rev P02 dated as received on 01-06-2023

Proposed Ground Floor Plan Drawing FS0938-CPM-01-00-D-A-2000 Rev P04 dated as received on 16-05-2023

Proposed First Floor Plan Drawing FS0938-CPM-01-01-D-A-2001 Rev P06 dated as received on 16-05-2023

Proposed Roof Plan Drawing FS0938-CPM-01-ZZ-D-A-2002 Rev P04 dated as received on 16-05-2023

Proposed Combined Services Roof Layout Plan Drawing FS0938-DPM-XX-RF-D-Z-5004 Rev P01 dated as received on 16-05-2023

Proposed Elevations Drawing FS0938-CPM-01-ZZ-D-A-2010 Rev P06 dated as received on 25-05-2023

Proposed Sections Drawing FS0938-CPM-01-ZZ-D-A-2020 Rev P03 dated as received on 16-05-2023

Proposed Whole Site Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0001 Rev P09 dated as received on 07-09-2023
Landscape General Arrangement – Whole Site Drawing FS0938-ALA-ZZ-ZZ-D-L-0002 Rev P10 dated as received on 07-09-2023
Landscape General Arrangement – 1 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0003 Rev P04 dated as received on 16-05-2023
Landscape General Arrangement – 2 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0004 Rev P04 dated as received on 16-05-2023
Landscape General Arrangement – 3 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0005 Rev P04 dated as received on 16-05-2023
Landscape General Arrangement – 4 of 4 Drawing FS0938-ALA-ZZ-ZZ-D-L-0006 Rev P04 dated as received on 16-05-2023
Landscape General Planting Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0007 Rev P04 dated as received on 16-05-2023
Planting Schedule Drawing FS0938-ALA-ZZ-ZZ-D-L-0031 Rev P03 dated as received on 08-08-2023
BB103 1 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0008 Rev P05 dated as received on 16-05-2023
BB103 2 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0009 Rev P05 dated as received on 16-05-2023
Circulation – Start/End of Day Drawing FS0938-ALA-ZZ-ZZ-D-L-0010 Rev P04 dated as received on 16-05-2023
Circulation – Pedestrian Midday Drawing FS0938-ALA-ZZ-ZZ-D-L-0011 Rev P04 dated as received on 16-05-2023
Circulation – Services Drawing FS0938-ALA-ZZ-ZZ-D-L-0012 Rev P05 dated as received on 16-05-2023
Secure Line – Start/End of Day Drawing FS0938-ALA-ZZ-ZZ-D-L-0013 Rev P04 dated as received on 16-05-2023
Secure Line – Midday Drawing FS0938-ALA-ZZ-ZZ-D-L-0014 Rev P04 dated as received on 16-05-2023
Secure Line – Out of Hours Drawing FS0938-ALA-ZZ-ZZ-D-L-0015 Rev P04 dated as received on 16-05-2023
External Sports Provision Drawing FS0938-ALA-ZZ-ZZ-D-L-0017 Rev P04 dated as received on 16-05-2023
Green Infrastructure Strategy Drawing FS0938-ALA-ZZ-ZZ-D-L-0018 Rev P05 dated as received on 16-05-2023
Site Sections 1 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0019 Rev P04 dated as received on 16-05-2023
Site Sections 2 of 2 Drawing FS0938-ALA-ZZ-ZZ-D-L-0020 Rev P04 dated as received on 16-05-2023
Tree Retention and Removal Plan Drawing FS0938-ALA-ZZ-ZZ-D-L-0023 Rev P03 dated as received on 16-05-2023
Fencing General Arrangement Drawing FS0938-ALA-ZZ-ZZ-D-L-0025 Rev P10 dated as received on 31-08-2023
Masterplan – Site Overview Drawing FS0938-ALA-ZZ-ZZ-D-L-0029 Rev P05 dated as received on 07-09-2023
Topographical Survey Drawing C3804-510 dated as received on 16-05-2023
Combined Services – Site Wide Services Layout FS0938-DPM-XX-FR-D-Z-5005-S2 Rev P01 dated as received on 16-05-2023

Electrical Services – External Lighting Strategy Drawing FS0938-DPM-XX-XX-D-E-6311-S2 Rev P01 dated as received on 16-05-2023
Site Access Swept Path Analysis Drawing 600674-HEX-00-00-DR-TP-0200 Rev P01 dated as received on 07-09-2023
MUGA Construction Specification Drawing FS0938-HEX-XX-ZZ-D-C-9031 Rev P02 dated as received on 02-08-2023
Planning Statement by Q & A Planning dated as received on 16-05-2023
Design and Access statement dated as received on 16-05-2023
External Materials Palette dated as received on 16-05-2023
Compliance Statement dated as received on 16-05-2023
Transport Assessment by Hexa Consulting Ref 600674-HEX-00-TP-RP-X-0001 Rev V03 dated as received on 16-05-2023
Highways Addendum by Hexa Consulting Ref 600674/AH/V01 dated as received on 15-08-2023
Archaeological Desk Based Assessment and Heritage Statement by HPS dated as received on 01-06-2023
Written Scheme of Investigation for Archaeological Evaluation Trial Trenching Headland Archaeology ref P23 - 191 dated as received on 30-08-2023
Acoustic Strategy Report by Cundall Doc Ref FS0938-CUN-XX-XX-T-J-001 Rev 03 dated as received on 16-05-2023
Air Quality Assessment by HSP Consulting dated as received on 16-05-2023
Energy Statement and Sustainability Checklist dated as received on 16-05-2023
Flood Risk assessment and Drainage Strategy by Hexa Consulting Ref FS0938-HEX-XX-XX-RP-C-001 Rev V02 dated as received on 16-05-2023
SuDS Proforma and Greenfield Runoff Rate Report by Hexa Consulting dated as received on 16-05-2023
Preliminary Ecological Appraisal by Nicholsons Ref 22-2331 Version 1 dated April 2023 and dated as received on 16-05-2023
Bat Nocturnal Survey Report by Nicholsons Ref 22-2671 Version 1 dated May 2023 dated as received on 31-05-2023
Arboricultural Impact Assessment by Nicholsons Ref 22-2321 Version 4 dated May 2023 dated as received on 16-05-2023
Arboricultural Method Statement by Nicholsons Ref 22-3080 Version 1 dated August 2023 dated as received on 07-08-2023
Phase 1 Geo-Environmental Desk Study Report by HSP Consulting Ref HSP2021-C3804-G-GP1-415 dated December 2021 dated as received on 16-05-2023
Phase II Geo-Environmental Assessment Report by HSP Consulting Ref HSP2022-C3804-G-GPII-54615 dated April 2022 dated as received on 16-05-2023
Supplementary Ground Investigation by Erda Associates Ref EAL.239.22.Let.1.Rev A dated 29-03-2023 dated as received on 16-05-2023
Construction Method Statement by Tilbury Douglas Construction dated as received on 16-05-2023
Landscape & Ecology Management Plan by Ares Design Ref FS0938-ALA-ZZ-ZZ-T-L-0001 dated 30-03-2023 dated as received on 16-05-2023
MEP Services Strategy Stage 3 Report by Hoare Lea Rev 01 dated 17-02-2023 dated as received on 16-05-2023

Site Waste Management Plan by Tilbury Douglas Construction Ref 17813 dated as received on 16-05-2023
Fencing Specifications – Euroguard and Sports Fencing dated as received on 06-06-29023

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP7, SP10, SP22, SP24, SP26, SP27, SP28, SP29, SP32, SP33, SP34, SP35, DP1, DP2, DP7 and DP8, the East Staffordshire Design Guide, the Parking Standards SPD, Branston Neighbourhood Plan Policies and the National Planning Policy Framework.

2. Materials

The development shall only be carried out in accordance with the external materials that are stated within the application and on the approved plans and documents (as defined in Condition 1) unless otherwise first agreed in writing by the Local Planning Authority

Reason: To safeguard the character and appearance of the area in accordance with East Staffordshire Local Plan Policies SP1 and SP24 and the National Planning Policy Framework.

3. Access, Servicing and Parking Areas

Prior to the first occupation of the school or nursery hereby approved, accessing, servicing, parking and turning facilities shall be laid out, constructed, hard surfaced, marked out and drained to ensure no surface water runs from the site, in accordance with the approved plans (as shown on the drawings listed at condition 1 above) and thereafter retained and maintained for their specific purposes for the lifetime of the development.

Reason: In the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

4. Cycle Storage

Prior to the first occupation of the school or nursery hereby approved the secure cycle shelters shall be provide in accordance with the approved details (as shown on the drawings listed at condition 1 above) and thereafter retained as available for use at all times for the lifetime of the development.

Reason: In the interests of sustainable transport methods in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

5. Boundary Treatment

Prior to the first occupation of the school or nursery hereby approved all approved boundary treatments and gates (as shown on the drawings listed

at condition 1 above) shall be erected/provided and thereafter retained for the lifetime of the development.

Reason: in the interests of visual amenities and to protect the amenities of adjoining residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

6. Bins Storage

Prior to the first occupation of the school or nursery hereby approved the approved bin stores shall be provided and thereafter retained for the life of the development.

Reason: In accordance with the East Staffordshire Waste Storage and Collection Guidance for New Developments and the National Planning Policy Framework.

7. Vehicle Charging Points

Prior to the first occupation of the school or nursery hereby approved the approved vehicle charging points (shown on the drawings listed at condition 1 above) shall be provided and thereafter shall be retained as available at all times during the lifetime of the development.

Reason: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with East Staffordshire Local Plan Policies SP1, SP35 and DP2 and the National Planning Policy Framework.

8. Landscape Implementation

All planting, seeding or turfing comprised 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.

Reason: To ensure that the approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and surrounding residents and in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

9. Tree Protection

All the existing trees and hedges to be retained shall be protected by 2m high fencing in accordance with the tree protection details contained within the Arboricultural Method Statement approved under Condition 1. The fencing shall be erected before development commences and shall be retained at all times whilst construction work is taking place.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with East Staffordshire Local Plan Policy DP8 and the National Planning Policy Framework.

10. Newts

The development hereby approved shall be implemented strictly in accordance with the recommendations/measures stated in section 9.13 of the supporting document- 'Preliminary Ecological Appraisal, Branston Locks Primary and Nursery School, NICHOLSONS Ecology, April 2023.'

Reason: To minimise the impacts of development on biodiversity, in accordance with Policy SP29 of the East Staffordshire Borough Council Local Plan, Section 15 of the NPPF, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006."

11. Ecological Enhancement Measures

The development shall be implemented in accordance with the ecological mitigation measure recommended within the Preliminary Ecological Appraisal and Bar Nocturnal survey Report approved under Condition 1, with all measures installed prior to the first occupation of the school or nursery. Once implemented the measures shall be maintained and retained for the lifetime of the development.

Reason: To safeguard protected species/birdlife and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

12. Sports Pitch

Prior to the implementation of any sports pitch at the site a feasibility study shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Sport England to assess the ground conditions (drainage, soils, topography etc) and identify the constraints that may affect the ability to deliver good quality playing surfaces that would sustain the anticipated levels of use by the school. The submission should also include a sports pitch specification (based on the feasibility study recommendations) to ensure that an appropriate quality playing field is provided in practice. Sport England's guidance note "Natural Turf for Sport" (2011) provides guidance on what should be included in a site assessment and how new playing pitch sites can be planned, designed, managed and maintained to maximise their quality. The approved scheme shall be fully implemented prior to the first occupation of the school or nursery hereby approved.

Reason: As recommended by Sport England to ensure satisfactory sports pitch provision within the development in accordance with Policy SP32 of the East Staffordshire Local Plan and the National Planning Policy Framework.

13. MUGA

Prior to the first occupation of the school or nursery hereby approved the Multi Use Games Area (MUGA) shall be fully implemented in accordance with the MUGA Construction Specification approved under Condition 1.

Reason: As recommended by Sport England to ensure satisfactory sports pitch provision within the development in accordance with Policy SP32 of the East Staffordshire Local Plan and the National Planning Policy Framework.

14. External Lighting

No external lighting other than that shown on the approved plans (as shown on the drawings listed at condition 1 above) shall be erected/installed at the site unless planning permission has been first granted by the Local Planning Authority.

Reason: To protect the amenities of surrounding residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

15. Capacity

This permission relates to the use of the development hereby approved for a maximum occupancy level of 420 No. pupils for the school and a maximum occupancy level for 52 No. full time equivalent nursery pupils.

Reason: For the avoidance of doubt and in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the Parking Standards SPD and the National Planning Policy Framework.

16. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority. The applicant is advised to immediately seek the advice of an independent geo-environmental consultant experienced in contaminated land risk assessment, including intrusive investigations and remediation.

No further works should be undertaken in the areas of suspected contamination, other than that work required to be carried out as part of an approved remediation scheme, unless otherwise agreed by the Local Planning Authority, until requirements 1 to 4 below have been complied with:

1. Detailed site investigation and risk assessment must be undertaken by competent persons in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance and a written report of the findings produced. The risk assessment must be designed to assess the nature and extent of suspected contamination and approved by the Local Planning Authority prior to any further development taking place.

2. Where identified as necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land

under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. The approved remediation scheme must be carried out in accordance with its terms prior to the re-commencement of any site works in the areas of suspected contamination, other than that work required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

4. Following completion of measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings on site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

17. Travel Plan

Within 6 months of the first occupation of the school or nursery hereby approved and irrespective of any document currently submitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority which will include a monitoring methodology, a survey methodology for assessing the travel mode choices of pupils and staff, an initial series of targets for modal shifts for pupils and staff and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change.

The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of (pupils and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

18. Community Use

Prior to the first use of any part of the school site hereby approved for community use a Community Use Scheme for the use of the site and its facilities outside of school use shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Sport England. The Scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon the first use of the site for community use.

Reason: To secure well managed safe community access to the school building and sports facility to accord with policies SP32 and SP33 of the East Staffordshire Local Plan.

19. Operation of Service Access

Prior to the first occupation of the school or nursery hereby approved a management plan for the use and operation of the services access/services area at the school site (including times of operation) shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be adhered to at all times in relation to the operation of the school unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of surrounding residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

20. Plant & Equipment

Prior to the first occupation of the school or nursery hereby approved precise details of all plant and equipment to be installed to serve the development (including noise/dust mitigation measures where necessary) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved scheme.

Reason: To protect the amenities of surrounding residents in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1 and the National Planning Policy Framework.

Recommended Informatives

1. Engagement (Proactive)

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 the 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. During development Conditions

The condition identified below require details to be approved during the development

Condition No(s) 12, 16, 16, 17, 18, 19 & 20

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

Confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. 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 will 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 development.

3. Great Crested Newts

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

4. Severn Trent Water

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600).

5. Ecological Responsibilities

The applicant/ developer is advised that this permission does not absolve them from their responsibilities in relation to 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.

20. Background papers

20.1 The following papers were used in the preparation of this report:

- Local and National Policies outlines in Section 7 above
- Planning application file P/2012/01467 and associated S106 Agreement and Design Guide.
- Discharge of Conditions application P/2023/00035, Condition 18 – Estate Road route, details and specifications, for extension of the estate road for access to the school site – current application

21. Human Rights Act 1998

21.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person’s private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

22. Crime and Disorder Implications

22.1 It is considered that the proposal does not raise any crime and disorder implications.

23. Equalities Act 2010

23.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council’s equality duty as contained within the Equalities Act 2010.

For further information contact: Barbara Toy
Telephone Number: 01283 508729
Email: barbara.toy@eaststaffsbc.gov.uk

Voting concerning the above decision was as follows.

Those voting for the motion	Those voting against	Those abstaining
Councillor A. Afsar Councillor B. Ashcroft Councillor L. Bullock Councillor M. Holton Councillor M. Huckerby Councillor J. Jones Councillor M. Slater Councillor C. Smedley Councillor C. Whittaker		

33/23 APPEALS RECEIVED AND DETERMINED

The Report of the Head of Regeneration and Development on appeals received, withdrawn and determined was received and noted.

NOTED.

34/23 DELEGATED PLANNING PERMISSIONS

The Report of the Head of Regeneration and Development on applications determined under delegated authority between 14th August 2023 and 15th September 2023 was received and noted.

NOTED.

35/23 **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 as it would 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