

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 Wednesday 29th May 2019.

Present:

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

Officers Present:

L. Durham (Senior Solicitor), A. Miller (Planning Manager), S. Parmar (Senior Planning Officer) and N. Perry (Principal Planning Policy Officer).

Also Present:

Apologies for absence were received from Councillors S. McKiernan, Mrs B. Toon and C. Whittaker.

01/19 **DECLARATIONS OF INTEREST**

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

02/19 **MINUTES**

The Minutes of the meeting held on 24th April 2019 were approved and signed as a correct record with an amendment to 341/19 (no.17) last sentence should read: The details to be submitted shall demonstrate that internal finished floor levels are set in a minimum of 450mm higher than the 1 in 100 year plus 30% for climate change predicted flood level for that phase of development.

03/19 **APPOINTMENT OF VICE CHAIRMAN**

Councillor Mrs V. Gould was appointed Vice-Chairman for the ensuing year.

04/19 **URGENT BUSINESS**

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

05/19 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2017/00939 – Outline application for the construction of up to 49 dwellings including details of access – Fivlands Allotments, Stanton Road, Stapenhill, Burton upon Trent, Staffordshire (Ward: Stapenhill)**

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

Mrs S. Wispner (Clerk to Stapenhill Parish Council) spoke on the application.

Mr K. Hanson, Mr J. Harvey and Mr A. Kinnard, members of the public, spoke on the application.

Resolved:

To **GRANT OUTLINE PLANNING PERMISSION** for the development subject to Section 106 Agreement and subject to the following conditions:

1. The development hereby permitted shall begun before the expiration of two years from the date of the approval of the last reserved matter(s) to be approved.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. No development shall take place until details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:
 - a. Appearance
 - b. Landscaping
 - c. Layout
 - d. Scale
4. The development hereby permitted relates to the following plans subject to compliance with other conditions of this permission:

Site Location Plan No: 2017_491_00A received on 31/01/19 Proposed Parameters Plan Drawing No: 2016_491_16 received on 03/05/19 Proposed S278 Highways Improvements Plan Drawing No: MA 10571-600 received on 07/03/19.

5. Prior to the first occupation of any dwelling the junction improvements on Five Lands Road shall be completed in accordance with the approved plan Drawing No. MA1057-600 Rev B unless other details are first approved in writing by the Local Planning Authority in consultation with the County Highway Authority.
6. As agreed in writing with the planning agent on 9th May 2019 10% of the plots shall include electric vehicle charging points unless other details are first agreed in writing with the Local Planning Authority. The approved electric vehicle charging points shall thereafter be installed prior to first occupation in respective plots and be retained as such for the life of the development.
7. As agreed with the agent in writing on 9th May 2019 the 16 Lifetime Homes within the housing mix as specified on the approved Parameters Plan Drawing No. 2016_491_16 shall be constructed to meet the internal Building Regulations M4(2) standard unless different number of homes meeting this standard is otherwise agreed in writing with the Local Planning Authority.
8. The housing mix shall be specified on the approved Parameters Plan Drawing No. 2016_491_16 unless a different housing mix is first agreed in writing with the Local Planning Authority.

9. Following completion of measures identified in the approved remediation scheme as detailed within the GRM Phase II Site Approval Ref: P835 April 2018, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced and submitted to and approved in writing by the Local Planning Authority.
10. In the event that previously unidentified contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be carried out and where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Following completion of any measures identified in the approved remediation scheme a verification report must be prepared and approved in writing by the Local Planning Authority prior to bringing the development into first use.
11. The development hereby permitted shall be carried out in accordance with the approved Drainage Strategy by Millward Integrated Engineering Consultants Document Ref: MA10810-FRA-R02 August 2018 unless a different strategy is otherwise first agreed in writing with the Local Planning Authority in consultation with the County Lead Local Flood Authority (LLFA). The final design for the drainage strategy shall include:
 - Limiting the surface water run-off generated by the 100 year + 40% climate change critical storm so that it will not exceed a 5.0 (5.0l/s recommended to reduce the risk of blockage) and not increase the risk of flooding off-site.
 - Provision of adequate attenuation flood storage on the site to a 100 year + 40% climate change.
 - Proposed finished floor levels to be set 150mm above surrounding ground levels with overland flow routes demonstrated in the event of blockage or exceedance of the drainage network.
 - Provision of Groundwater Flooding risk mitigation measures as outlined in section 8.2.1 of the above-mentioned FRA.
 - Provision of permeable paving in line with CIRIA C753 as part of a SUDS treatment train as outlined in section 8.2.2 of the above-mentioned FRA.
 - Confirmation for which responsible body will maintain the surface water system over the lifetime of the development according to the acceptable maintenance schedule that is achievable.
12. No development shall commence until details for the protection of hedgehog movements has been provided which shall include a plan of plots where the base of boundary treatments includes minimum 13 x 13cm gaps and shall be submitted to and approved in writing by the Local Planning Authority in consultation with the County Ecologist. Thereafter, the approved boundary treatments which allow hedgehog movement shall be erected prior to first occupation within respective plots unless otherwise agreed by the Local Planning Authority.
13. No development shall commence until details of the number, type, design and exact siting of all bad and bird boxes to be installed on buildings and trees and the proposed times for installation has been submitted to and approved in writing by the Local Planning Authority in consultation with the County Ecologist. Thereafter, the works shall adhere to the approved Environmental Management Plan during construction phase unless otherwise agreed by the Local Planning Authority.

14. No works, including site clearance, shall take place until a Construction Environmental Management Plan (Ecology) that covers all aspects of species protection measures has been submitted to and approved in writing by the Local Planning Authority in consultation with the County Ecologist. Thereafter, the works shall adhere to the approved Environmental Management Plan during construction phase unless otherwise agreed by the Local Planning Authority.
15. No vegetation clearance shall take place during the bird nesting season (March to end August) unless otherwise agreed by the Local Planning Authority in consultation with the County Ecologist.
16. No development shall commence until details of external lighting have been submitted to and approved in writing by the Local Planning Authority in consultation with the County Ecologist. Such details shall include the location, height, type and direction of light sources and intensity of illumination. Thereafter, the external lighting shall be installed in accordance with the details approved under this condition and shall be retained/repared as such for the lifetime of the development unless otherwise agreed by the Local Planning Authority.
17. a). No development shall commence until a written scheme of archaeological investigation ("the Scheme") is submitted to and approved in writing by the Local Planning Authority in consultation with the County Archaeologist. The scheme shall provide details of the programme of archaeological works to be carried out within the site, including post field-work reporting and appropriate publication.

b). The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under part (a) of this condition.

c). Prior to the first occupation of any dwelling the site investigation and post-fieldwork assessment shall be completed in accordance with the written scheme of archaeological investigation approved under part (a) of this condition and provision shall be made for analysis, publication and dissemination of the results and archive deposition shall be secured.
18. No development shall take place until a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority and shall include wheel washing, hours of construction, hours of delivery and on site workers parking. The development shall be constructed strictly in accordance with the Construction Management Plan unless otherwise agreed in writing with the Local Planning Authority in consultation with the County Highways Authority.

Informatives

1. Standard engagement informative.
2. Highways informative.

Voting concerning the above decision was as follows:

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

2. **P/2018/00846 – Erection of 18 dwellings and 6 apartments with associated landscaping and parking including demolition of the existing attached garage to 9 Court Farm Lane to facilitate the formation of a new access (Revised layout – Court Farm Lane, Branston, Burton upon Trent, Staffordshire DE14 3HA (Ward: Branston))**

This application was withdrawn prior to the meeting.

06/19 **APPEALS RECEIVED AND DETERMINED**

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

07/19 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 8th April 2019 and 10th May 2019 was received and noted.

08/19 **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

09/19

ENFORCEMENT SCHEDULE

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

Chairman