

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 16th July 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, S. McKiernan, C. Sylvester, Mrs B. Toon and C. Whittaker.

Officers Present:

L. Durham (Senior Solicitor), S. Khan (Head of Service), A. Miller (Planning Manager), K. Challoner (Principal Planning Officer) and N. Perry (Principal Planning Policy Officer).

Also Present:

An apology for absence was received from Councillor S. Andjelkovic.

18/19 **DECLARATIONS OF INTEREST**

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

19/19 **MINUTES**

The Minutes of the meeting held on 18th June 2019 were approved and signed as a correct record.

20/19 **URGENT BUSINESS**

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

21/19 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2018/01291 – Erection of 128 no. affordable dwellings and construction of vehicular access – Land off Aviation Lane, Burton upon Trent (Ward: Branston)**

The above site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, Mrs R. Brady, 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 M. Ackroyd, Parish Councillor, spoke on the application.

Mrs P. Tolley, a member of the public, spoke on the application.

Mr A. Gore/Ms A-M. Edwards, agents for the applicant, spoke on the application.

Resolved:

That for the reasons set out in the report, to **REFUSE** planning permission, on the following grounds:

1. The proposed development is outside of any settlement boundary, as defined in the East Staffordshire Local Plan and its proposals map, and is, therefore, in the countryside. Policy SP8 of the Local Plan precludes residential development in the countryside unless certain rests are sufficiently met. In this instance none of the criteria have been met in Policy SP8 so the application is considered to be inappropriate and unacceptable.
2. The East Staffordshire Local Plan plans for strategic growth of the Borough through the provision of allocated housing sites and a hierarchy of settlements in which developments would be suitable and acceptable. The location proposed for development is not identified as a location for housing development in the Local Plan under Policies SP2, SP4 and SP8. Whilst a detailed Housing Needs Survey has been submitted, the conclusions do not represent an overwhelming need for housing which cannot be met within the settlement boundary, on allocated sites or through current planning permissions. In respect of this it is considered that the granting of permission would be contrary to SP2, SP4 and SP8.

Voting concerning the above decision was as follows:

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

2. **P/2018/00056 – Outline application for residential development for up to 144 dwellings including details of access – Imex Business Centre, Shobnall Road, Burton upon Trent DE14 2AU (Ward: Shobnall)**

The above site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, Mrs R. Brady, 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 M. Jackson, agent for the applicant, spoke on the application

The Officers discussed the wording for the S106 Agreement, in particular the balance of the S106 funds should be paid to the Council's Open Spaces team who will ensure the funds are used for improvements to the play area/park, and in particular the access surface and lighting in agreement with the Parish Council.

Resolved:

To **GRANT** outline planning permission for the development subject to a Section 106 Agreement, and subject to the following conditions:

1. Grampian condition to ensure that the off-site works are completed prior to the first occupation of any dwelling on the site.
2. 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.
3. 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 the permission.
4. 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
5. The development hereby permitted relates to the following plans subject to compliance with other conditions of the permission:

1:1250 Site Location Plan Drawing No: 3842 AD (O) received on 16th January 2019
T17525-001 Rev B Shobnall Road dated as received 13th May 2019
T1725-002 dated as received 13th May 2019 (00002)
6. Details of a highway masterplan to be provided prior to submission of reserved matters.
7. Details of all finished floor levels to be provided.
8. Details of landscaping, including tree protection and provision of open space to be provided.
9. Details of means of enclosure to the site and individual plots to be provided.
10. Details of a Construction Management Plan to be provided.
11. Details of electric charging points to be provided to 10% of dwellings.
12. Details of dwellings to be constructed in accordance with M4(2) compliance.
13. Details of weatherproof cycle storage to be provided.
14. Details of all external materials to be provided.

15. Details of ecological enhancement measures to be provided.
16. Details of disposal of foul and surface waters.
17. Details of a scheme of dust mitigation.
18. Details of noise mitigation scheme.
19. Details of remediation scheme.
20. Details of adequate drainage facilities to be provided.
21. Works to be carried out in accordance with Flood Risk Assessment.
22. Details of any vibro-compaction machinery to be provided.
23. Provision of visibility splays to be provided and maintained prior to first use.
24. Works to be carried out in accordance with approved remediation scheme.
25. Procedure to be taken in the event that contamination is found during works.
26. Works to be carried out in accordance with the approved landscaping scheme.
27. All fencing and walling to be provided prior to first use.

Informatives

1. Standard engagement informative.
2. Standard samples and details of materials to be provided.
3. Standard pre-commencement conditions.
4. Clarification regarding landscaping scheme.
5. Severn Trent Water advice regarding a public sewer.
6. Request by Shobnall Parish Council for an information board.
7. Details of guidance/advice from the Designing out Crime Officer.
8. Details of advice from Network Rail.
9. Contact details of the management team responsible for the electronic communications base located within the site.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor B Ashcroft		
Councillor E Barker		

Councillor B Brady		
Councillor K Builth		
Councillor R Faulkner		
Councillor V Gould		
Councillor G Hall		
Councillor G Lamb		
Councillor Ms S Legg		
Councillor S McGarry		
Councillor S McKiernan		
Councillor C Sylvester		
Councillor Mrs B Toon		
Councillor C Whittaker		

22/19 **APPEALS RECEIVED AND DETERMINED**

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

23/19 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 3rd June 2019 and 28th June 2019 was received and noted.

24/19 **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

25/19

ENFORCEMENT SCHEDULE

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

Chairman