

EAST STAFFORDSHIRE BOROUGH COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in a virtual environment on Tuesday 22 December 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. McKiernan, C. Sylvester and Mrs B. Toon.

Officers Present:

S. Grant (Solicitor), S. Khan (Head of Service), N. Perry (Planning Manager), K. Challoner (Principal Planning Officer) and A. Harvey (Principal Planning Officer).

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

146/20 **DECLARATIONS OF INTEREST**

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

147/20 **MINUTES**

The Minutes of the meeting held on 24th November 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 McKiernan		
Councillor C Sylvester		
Councillor Mrs B Toon		

148/20 **URGENT BUSINESS**

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

APPLICATIONS FOR PLANNING PERMISSION**1. P/2019/00139 – Change of use from pub to a dwelling – Dog and Partridge, Marchington, Uttoxeter, Staffordshire (Ward: Crown)**

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. McKiernan, C. Sylvester and Mrs B. Toon.

Mr Mann, parish councillor, spoke on the application.

Mr S. Davies, Mrs S. Fuller and Mr M. Marrison, members of the public, spoke on the application.

Mr R. Bradford, agent for the applicant, spoke on the application.

Councillor P. Hudson, Ward Councillor, spoke on the application.

Discussions took place.

A motion was put forward by Councillor G. Hall (seconded by Councillor K Built) to refuse the application.

Resolved:

To **REFUSE** planning permission, for the following reasons:

The Dog and Partridge Public House is identified in the made Marchington Neighbourhood Plan as a community facility and is designated an Asset of the Community Value. Strategic Policy 22 (SP22) of the East Staffordshire Local Plan inter alia (at paragraph (b)) provides guidance and criteria on how to deal with the loss of community facilities and states that “proposals which result in the loss of a community facility will not be permitted unless: (i) adequate alternative provision is available within or adjacent to the settlement or will be provided as part of the development process; (ii) all reasonable efforts have been made to preserve the facility or service, including sharing of premises, but it has been satisfactorily demonstrated to the Council that the service is no longer viable and has been actively marketed for a period of at least 6 months; (iii) the service or facility is in an inherently unsustainable location and the reuse of the site would be a more sustainable solution than the retention of the service or facility.

Having regard to the criteria of paragraph (b) of Policy SP22, whilst it is considered (in respect of paragraph (i)) that adequate alternative provision is available in the locality it is not considered that the application submissions have demonstrated that the public house service is no longer viable nor that the facility is in an inherently unsustainable location nor that the reuse of the site would be a more sustainable solution than the retention of the facility. As such it is considered that the proposed development would be contrary to paragraphs (b)(ii) and (b)(iii) of Strategic Policy 22 (SP22) of the East Staffordshire Local Plan.

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 W Barker		Councillor B Toon
Councillor K Buith		
Councillor B Brady		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor G Lamb		
Councillor Ms A Legg		
Councillor S McGarry		
Councillor C Sylvester		

2. **P/2019/00649 – Retention of land used as a camping field along with siting of toilet and shower block – Cock Inn, Hanbury Hill, Hanbury, Burton upon Trent, Staffordshire (Ward: Crown)**

This application was withdrawn from the agenda prior to the meeting and will be reported again to a future Committee meeting.

3. **P/2019/00745 – Reserved Matters application relating to P/2019/00056 for the erection of 125 residential dwellings (Class C3) including details of appearance, landscaping. Layout and scale – Former Imex Business Centre, Shobnall Road, Burton upon Trent, Staffordshire (Ward: Shobnall)**

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. McKiernan, C. Sylvester and Mrs B. Toon.

Mr W. Whitelock, agent for the applicant, spoke on the application.

Discussions took place.

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

Resolved:

To **APPROVE RESERVED MATTERS**, 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:

030 1:1250 Site Location Plan dated as received 16 July 2020

08 Rev C Tenure Plan dated as received 16 July 2020
12 Rev D Planning Layout dated as received 19 November 2020
22 Rev B Street Scenes dated as received 16 July 2020
23 Rev C Sales/ Show Home Plan dated as received 16 July 2020
24 Rev C Massing Plan dated as received 16 July 2020
24 Rev E Enclosures Plan dated as received 16 July 2020
26 Rev C Materials Plan dated as received 16 July 2020
27 Rev C Refuse Plan dated as received 16 July 2020
28 Rev D Tenure Plan dated as received 19 November 2020
29 Rev C M42 Compliant Unit Plan dated as received 30 July 2020
031 Site Block Plan dated as received 16 July 2020
32 Rev B Roof Plan dated as received 16 July 2020
034 Rev B Technical Highway Details dated as received 16 July 2020
035 Rev B Construction Management plan dated as received 16 July 2020
40 Cycle Storage details dated as received 30 July 2020
41 Substation Floor Plan and Details dated as received 30 July 2020
42 Green Open Spaces Plan dated as received 04 September 2020
9513-E-01 Ecological Enhancements dated as received 16 July 2020
AB -145 - 05 -01 Refuse Vehicle Tracking dated as received 16 July 2020
c-1805-01 Revision C Detailed Landscaping Proposals (1 of 3) dated as received 30 September 2020
c-1805-02 Revision C Detailed Landscaping Proposals (2 of 3) dated as received 30 September 2020
c-1805-03 Revision C Detailed Landscaping Proposals (3 of 3) dated as received 30 September 2020
AB145-07-01 SUDS Area Sections dated as received 30 September 2020
Fairfield AS Housetype Plans and Elevations dated as received 31 July 2020
Fairfield Mid Housetype Plans and Elevations dated as received 31 July 2020
Fairfield OPP Housetype Plans and Elevations dated as received 31 July 2020
Abbey AS Housetype Plans and Elevations dated as received 31 July 2020
Abbey OPP Housetype Plans and Elevations dated as received 31 July 2020
Dorchester AS Housetype Plans and Elevations dated as received 31 July 2020
Dorchester OPP Housetype Plans and Elevations dated as received 31 July 2020
Staveley AS Housetype Plans and Elevations dated as received 31 July 2020
Staveley OPP Housetype Plans and Elevations dated as received 31 July 2020
Bamburgh AS Housetype Plans and Elevations dated as received 31 July 2020
Bamburgh MID Housetype Plans and Elevations dated as received 31 July 2020
Bamburgh OPP Housetype Plans and Elevations dated as received 31 July 2020
Rothway AS Housetype Plans and Elevations dated as received 31 July 2020
Rothway OPP Housetype Plans and Elevations dated as received 31 July 2020
Eaton AS Housetype Plans and Elevations dated as received 31 July 2020
Eaton OPP Housetype Plans and Elevations dated as received 31 July 2020
Lawton AS Housetype Plans and Elevations dated as received 31 July 2020
Lawton MID/AS Housetype Plans and Elevations dated as received 31 July 2020
Lawton OPP Housetype Plans and Elevations dated as received 31 July 2020
Marlow AS Housetype Plans and Elevations dated as received 31 July 2020
Marlow OPP Housetype Plans and Elevations dated as received 31 July 2020

Dorchester Corner AS Housetype Plans and Elevations dated as received 31 July 2020
Dorchester Corner OPP Housetype Plans and Elevations dated as received 31 July 2020
Rothway Corner AS Housetype Plans and Elevations dated as received 31 July 2020
Rothway Corner OPP Housetype Plans and Elevations dated as received 31 July 2020
Single Detached Garage Housetype Plans and Elevations dated as received 31 July 2020
Double Detached Garage Housetype Plans and Elevations dated as received 31 July 2020
Landscape Management Plan Dated as received 16 July 2020
Ecology Statement dated as received 16 July 2020
Letter Detailing the POS functionality dated as received 02 November 2020
Tree Survey Report dated as received 16 July 2020
AB Civils Design SUDS Maintenance Letter dated as received 02 November 2020

2. **Archaeology**

No development shall take place until a written scheme of investigation securing the implementation of a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The programme of work shall be implemented in accordance with the approved details. The development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

3. **Materials**

The development shall be carried out in accordance with the following approved materials unless otherwise agreed in writing with the Local Planning Authority:

- Brick – Ibstock Hardwicke Minster Sandstone Mixture
- Brick – Terca Mulberry Red
- Roof Tile – Galloway Slate Grey
- Roof Tile – Lothian Slate Grey

4. **Landscape Management Plan**

The development shall be carried out in accordance with the approved Landscape Management Plan and the AB Civils Design SUDS Maintenance Letter as referred to under Condition 1, with all implementation, management, maintenance, monitoring and review being carried out for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

5. Details of Lighting

Prior to the first occupation of any residential units on the site full details of the external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The details shall include precise locations and heights of lighting columns and luminance levels. The development shall only be implemented in accordance with approved details and maintained as such for the lifetime of the development.

6. Tree Protection

All existing trees and hedges shown as being retained on the plans hereby approved and referred to in the Tree Survey Report shall be protected by 2m high fencing in line with the Tree Protection Barrier recommendations set out on the landscaping plans approved under condition 1. Such fencing shall be erected before development commences and shall be retained at all times whilst construction work is taking place.

7. Retention of Garage/Parking Spaces

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 available 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.

8. Bin Collection Points

The bin collection points indicated on the approved site plan as listed under condition 1 shall be provided and retained for their designated use prior to the occupation of any related dwelling.

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 the 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. Pre-Commencement Conditions

The conditions identified below require details to be approved before commencement of the development.

Condition No. 2

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

As from 6th April 2008 requests for 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. Ecological Responsibilities

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

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 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 as 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. If 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 3, the applicant/developer is reminded that the conditions on the original outline approval P/2019/00056 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 the particular requirements of these conditions/legal agreement have been met.

6. Network Rail

The applicant/developer is advised to note the advice and recommendations set out in the consultation response email from Network Rail dated 20th August 2020.

Voting concerning the above decision was as follows:

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

150/20 **APPEALS RECEIVED AND DETERMINED**

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

151/20 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 9th November 2020 and 4th December 2020 was received and noted.

152/20 **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

