

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 26th April 2022.

Present:

Councillors Mrs V. Gould (Chairman), Mrs B. Ashcroft, E. Barker, Mrs B. Brady, R. Faulkner, G. Hall, H. Hall, S. McKiernan, M. Metcalfe C. Sylvester and Mrs B. Toon.

Officers Present:

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

An apology for absence was received from Councillors K. Builth, G. Lamb, Ms A. Legg and Mrs L. Walker.

262/22 **DECLARATIONS OF INTEREST**

Councillors G. Hall and Mrs B. Toon declared an interest in the application in that they had not attended the site visit. They took part in the discussions but did not vote on the application.

263/22 **MINUTES**

The Minutes of the meeting held on 22nd February 2022 were approved and signed as a correct record with the following amendment:

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor Mrs B Ashcroft		
Councillor E Barker		
Councillor Mrs B Brady		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor H Hall		
Councillor S McKiernan		
Councillor M Metcalfe		
Councillor C Sylvester		
Councillor Mrs B Toon		

264/22 **URGENT BUSINESS**

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

1. **P/2021/01053 – Change of Use of Paddock to Domestic Curtilage and Retention of Garden Shed in alternative position - Big Barn, Hollybank Farm, Yoxall Road, Woodhouses, Yoxall DE13 8NR – (Ward: Yoxall)**

The site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, Mrs B. Brady, R. Faulkner, Mrs V. Gould, G. Hall, H. Hall, S. McKiernan, M. Metcalfe, C. Sylvester and Mrs B Toon.

Mr R. Duckworth, on behalf of the objectors, spoke on the application.

Mr B. Parker, the applicant, spoke on the application.

At this juncture, with the approval of the Committee and the applicant, it was agreed that the title and conditions regarding words 'Domestic Curtilage', should be changed to 'Domestic Garden Land'.

Discussions took place.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor Mrs B Ashcroft		Councillor H Hall
Councillor E Barker		
Councillor Mrs B Brady		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor S McKiernan		
Councillor M Metcalfe		
Councillor C Sylvester		

*Councillors G. Hall and Mrs B. Toon did not attend the site visit so did not vote on the application.

Resolved:

To **GRANT PLANNING PERMISSION**, subject to the amendment of the description being agreed with the applicant and 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 the compliance with other conditions of the permission:

- Location Plan at scale 1:1250 dated as received 31st March 2022
- Existing Block Plan at scale 1:100 dated as received 31st March 2022
- Existing Cross Section at scale 1:100 dated as received 31st March 2022
- Proposed Cross Section at scale 1:100 dated as received 31st March 2022
- Proposed Elevations at scale 1:100 dated as received 31st March 2022

2. **Lighting**

There shall be no external lighting installed in relation to the development/domestic garden land use hereby approved unless otherwise approved in writing by the Local Planning Authority.

3. **Ancillary Use**

The domestic garden land use and re-positioned garden shed hereby approved shall not be used at any time other than for purposes ancillary to the residential use of the dwelling known as Big Barn.

4. **Removal of Permitted Development Rights**

Notwithstanding the provisions of Class E of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order no buildings or structures shall be erected within the extended garden land of the dwelling unless planning permission has been first been granted by the Local Planning Authority.

5. **Contaminated Land**

In the event that 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 undertaken by a competent person in accordance with 'Model Procedures for the Management of Land Contamination, CLR11' (or subsequent replacement due in January 2020). Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historic environment, which is subject to the approval in writing of the Local Planning Authority. The scheme must ensure that the site will not qualify as Contaminated Land under Part A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing by the Local Planning Authority prior to bringing the development into first use.

Informatives

1. 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. Cadent have advised that there are gas pipelines and associated equipment within the vicinity of the application site. The applicants are advised to contact the plan protection team prior to any works commencing on site. Email: plantprotection@cadentgas.com Telephone 0800 688588

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor Mrs B Ashcroft		
Councillor E Barker		
Councillor Mrs B Brady		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor H Hall		
Councillor S McKiernan		
Councillor C Sylvester		

*Councillors G. Hall and Mrs B. Toon did not attend the site visit so did not vote on the application.

266/22 **APPEALS RECEIVED AND DETERMINED**

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

267/22 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 14th March 2022 and 8th April 2022 was received and noted.

268/22 **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