

**TOWN AND COUNTRY PLANNING ACT 1990
APPROVAL OF RESERVED MATTERS**

Date valid application received: 19/12/2019

Application No: P/2019/01511

Name and address of Agent

Name and address of Applicant

Corporate Architecture Ltd
Venari House
1 Trimbush Way
Market Harborough
LE16 7XY

Wyggeston Hospital
2 Harbury Street
Burton upon Trent
Staffordshire
DE13 0RX

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **APPROVES** the following matters which had been reserved for later approval on the grant of outline planning permission P/2016/00980 dated 21 December 2018.

**Reserved Matters application relating to P/2016/00980 for the erection of 14 dwellings including the demolition of dwelling, shed and garage at 2 Harbury Street and garages at the rear including details of access, appearance, landscaping, layout and scale
Land to the rear of, 2 Harbury Street, Burton upon Trent, Staffordshire, DE13 0RX**

in accordance with the submitted documents and plans and subject to the condition(s) specified hereunder:

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

Drawing No.s:

3973/AG/16/001 Rev A dated as received 18 December 2019
3973/AG/16/002 Rev A dated as received 11 December 2019
3973/AG/16/003 Rev P2 dated as received 28 February 2020
3973/AG/16/004 Rev P0 dated as received 11 December 2019
3973/AG/16/005 Rev A dated as received 11 December 2019
3973/AG/16/006 Rev P1 dated as received 18 December 2019
3973/AG/16/007 Rev P1 dated as received 19 December 2019
3973/AG/16/008 Rev P1 dated as received 18 December 2019
3973/AG/16/009 Rev P1 dated as received 19 December 2019
3973/AG/16/010 Rev P1 dated as received 18 December 2019
3973/AG/16/003 Rev P0 dated as received 18 December 2019
Landscape Proposals dated as received 11 December 2019

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 in accordance with East Staffordshire Local Plan Policies SP1, SP2, SP4, SP16, SP24, SP26, SP27, SP29, SP35, DP1, DP2, DP3, DP7 and DP8, the East Staffordshire Design Guide, the Separation Distances and Amenity Supplementary Planning Document, the Parking Standards Supplementary Planning Document and the National Planning Policy

Framework.

- 2 Before any dwellings are first occupied appropriate refuse receptacles shall be provided before the unit(s) they serve are first occupied.

Reason: To ensure that appropriate waste disposal facilities are provided at the site in the interests of the visual and residential amenities of the locality in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1, DP3 and DP7 and the National Planning Policy Framework.

- 3 No development other than preparatory ground works shall take place until a detailed scheme has been submitted to and approved in writing by the Local Planning Authority to provide for 1 No. of the dwelling units on the development hereby approved to be constructed to comply with Part M4(2) of the Building Regulations. The development shall be undertaken in strict accordance with the approved details.

Reason: To ensure that the development provides dwelling units that are accessible and adaptable to meet people's needs as they change over time in accordance with East Staffordshire Local Plan Policy SP16 and the provisions of the National Planning Policy Framework.

- 4 No dwelling hereby permitted shall be occupied until the existing access, within the limits of the public highway, has been revised and completed as indicated on submitted Drg. No.3973/AG/16/004 Rev.P0 the subject of this consent.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1 and SP35 and the National Planning Policy Framework.

- 5 Prior to the first occupation of each dwelling hereby granted permission the parking and turning areas shown on the approved plans (listed at condition 1 above) shall be provided in a bound porous material and thereafter shall be made available at all times for their designated purposes.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policy SP1 and SP35, the Horninglow and Eton Neighbourhood Plan and the National Planning Policy Framework.

- 6 No dwelling hereby permitted shall be first occupied until a secure weatherproof cycle storage facility for that dwelling has been provided in accordance with plans that have first been submitted to and approved in writing by the Local Planning Authority. Once provided the approved secure weatherproof cycle storage facility shall thereafter be retained as available at all times for its designated purposes.

Reason: In the interests of highway safety and site sustainability to comply with East Staffordshire Local Plan Policies SP1, SP35 and DP1 and the National Planning Policy Framework.

- 7 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 dwellings 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 an 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 occupiers of adjacent dwellings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

- 8 Prior to the occupation of each dwelling, any scheme of walling and fencing to serve that respective dwelling as approved as part of the landscaping scheme under condition 2 above shall be completed.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP3 and the National Planning Policy Framework.

- 9 Notwithstanding the provisions of Classes A, B, C, D and 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, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted and no buildings or structures shall be erected within the curtilage of the new dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the dwellings and their surroundings and the amenities of occupiers of the adjoining dwellings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

Details attached to outline consent P/2016/000980 Approved under Conditions: 7 and 11

The following Conditions attached to outline consent P/2016/000980 have yet to be complied with: 4, 5, 6, 9, 12 and 13

Informative(s)

- 1 The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding that it is a sustainable form of development which 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 secured 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 The conditions identified below require details to be approved before commencement of the development.

Condition No's 4, 5, 6, 9, 12 and 13 of Outline Consent P/2014/01460
Condition No's 3 and 6 of this Reserved Matters Consent

This means that a lawful commencement of the approved development cannot be made until the particular requirements 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 The applicant is requested to contact Staffordshire County Council in order to secure the necessary Highway Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to: (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>

- 4 The applicant is advised that trees planted as part of the approved landscaping scheme are required to be 'selected standard' in size having a girth 1m above ground of 10-12cm.

This consent is given in pursuance of the relevant Planning Legislation and does not entitle you to do anything for which the consent of some other landowner, person, public authority, or department of the Council is required.



Dated 18 March 2020

Signed

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- In the case where we refuse planning permission or grant it subject to conditions decision if you want to appeal then you must do so within 6 months of the date of this notice. (Unless the application is for a minor commercial application, please see the criteria for a minor commercial application below). In the case where we refuse planning permission or grant it subject to conditions for a minor commercial application, if you want to appeal against your decision then you must do so within 12 weeks of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-inspectorate>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Minor Commercial Development Uses

Shops

1. Use for all or any of the following purposes—
 - (a) for the retail sale of goods other than hot food,
 - (b) as a post office,
 - (c) for the sale of tickets or as a travel agency,
 - (d) for the sale of sandwiches or other cold food for consumption off the premises,
 - (e) for hairdressing,
 - (f) for the direction of funerals,
 - (g) for the display of goods for sale,

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Decision Notice Com – RM Approve Conditions

- (h) for the hiring out of domestic or personal goods or articles,
- (i) for the washing or cleaning of clothes or fabrics on the premises,
- (j) for the reception of goods to be washed, cleaned or repaired,
- (k) as an internet café, where the primary purpose of the premises is to provide facilities for enabling members of the public to access the internet, where the sale, display or service is to visiting members of the public.

Financial and professional services

2. Use for the provision of—

- (a) financial services,
- (b) professional services (other than health or medical services), or
- (c) any other services (including use as a betting office) which it is appropriate to provide in a shopping area, where the services are provided principally to visiting members of the public.

Restaurants and cafes

3. Use for the sale of food and drink for consumption on the premises.

Drinking establishments

4. Use as a public house, wine-bar or other drinking establishment.

Hot food takeaways

5. Use for the sale of hot food for consumption off the premises.”