

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 18th July 2017.

Present:

Councillors E. Barker (Chairman), M. J. Bowering, K. J. Builth (for Minute no. 195/17 to 200/17), R. J. Clarke (for Minute no. 195/17 to 199/17 (6.2)), R. Faulkner, S. Gaskin (for Minute no. 195/17 to, 199/17 (6.2)), G. Hall, S. Hussain (for Minute no. 195/17 to 199/17 (6.2)), Mrs J. Jessel, R. Johnston, S. Smith, Mrs B. Toon and C. Whittaker.

Officers Present:

J. Kirkham (Senior Solicitor), S. Khan (Head of Service), J. Upton (Interim Planning Manager), K. Challoner (Senior Planning Officer), E. Christie (Senior Planning Officer), C. El Hakiem (Principal Planning Officer), A. Harvey (Principal Planning Officer) and N. Perry (Principal Planning Policy Officer).

Others Present:

Mr J. Derry (Staffordshire County Council – Highways).

Apologies for absence were received from Councillors Ms A. Legg and C. Smith.

195/17 **DECLARATIONS OF INTEREST**

Councillors K. J. Builth, R. J. Clarke and S. Hussain and declared that as they did not attend either of the site visits, they would take part in the debate but were unable to vote upon either of the applications.

Councillor E. Barker declared that as he had 'called in' the application number P/2016/00242, and the comments which he had made as a Ward member, he had received legal advice that he could be considered to have predetermined the application and would not be sitting as a member of the Committee for the item. He would be speaking in the public speaking section as Ward Member. Save for that, he left the meeting and took no part in the debate or vote thereon.

196/17 **APPOINTMENT OF VICE CHAIRMAN**

Councillor M. J. Bowering was appointed Vice-Chairman for the ensuing year.

197/17 **MINUTES**

The Minutes of the meeting held on 16th May 2017 were approved and signed as a correct record subject to the correction of the word "too" to read "took" in minute 190/17.

198/17 **URGENT BUSINESS**

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

APPLICATIONS FOR PLANNING PERMISSION

1. **P/2015/01497 – Erection of 429 dwellings, public open space, landscaping, drainage attenuation areas, access roads and associated works and the demolition of existing buildings – Hazelwalls Farm, Timber Lane, Uttoxeter ST14 8DQ (Ward: Uttoxeter Town)**

The above site visit was attended by Councillors M J Bowering, R. Faulkner, G. Hall, Mrs J. Jessel, R. Johnston, S. Smith, Mrs B. Toon and C. Whittaker.

Mr David Trenergy, Parish Councillor, spoke on the application.

Mr Robert Divers, a member of the public, spoke on the application.

Mr Joe Murphy, agent for the applicant, spoke on the application.

Councillors G. Allen and Mrs S. McGarry, Ward Councillors, spoke on the application.

Following discussion, it was requested by the Interim Planning Manager that the following be minuted following his oral update:

Addition of a sentence to paragraph 1.7 of the published report to read:
There is also an area of land outside the settlement/allocation boundary

Amendment to the final sentence of paragraph 26.3, and the addition of a sentence to the end of paragraph, as set out in the published report to read:
The proposal does extend beyond the settlement boundary as identified on the local plan inset plan. The proposal still accords with the prevailing planning policy context provided by the local plan given site characteristics and providing necessary infrastructure including the deficit in public open space in this particular area.

Resolved:

PERMIT subject to the following conditions and the completion of a Section 106 agreement relating to the contributions set out in paragraph 24.3 of the report:

1. Time limit for commencement (2 years).
2. Approved plans.
3. Submission and approval of samples and details of materials of construction.
4. Submission and approval of slab levels and land regrading works.
5. Submission and approval of drainage details and additional ground investigation work that ARE required.
6. Submission and approval of ecological surveys including bats and barn owls on the buildings to be demolished and subsequent method statement/construction environment management plan (protection of wildlife and supporting habitats).

7. Submission and approval of details of a phasing plan for the provision of the Public Open Space.
8. Submission and approval of lighting plan.
9. Submission and approval of ecological and biodiversity enhancement measures.
10. Submission and approval of a construction management plan and implementation of plan works to monitor and mitigate against dust.
11. Submission and approval of details of a site waste management plan.
12. Submission and approval of landscape and ecology/biodiversity management plan with long term objectives, management responsibilities and maintenance schedules for all landscaped areas to include a tree and hedgerow protection measures during construction.
13. Submission and approval of a program of archaeological works.
14. Submission of landscaping scheme.
15. Submission and approval of information pack to go into the welcome pack for each property to provide information relating to the Cannock Chase Sac and alternative recreational facilities in the area.
16. Mitigation measures to be submitted and agreed if during the course of development contamination is found to be present.
17. Imported soils condition.
18. Occupation of the development hereby permitted, above the first 70 units, shall proceed at a rate to be agreed with Severn Trent Water while the required local sewerage improvements are carried out.
19. Implementation of landscaping.
20. Implementation of fencing and walling.
21. Development to be carried out in accordance with mitigation measures set out in the ecology appraisal.
22. Vegetation removal outside of the bird breeding season. An inspection of buildings undertaken to check for active nests prior to their demolition – nests must remain unaffected until chicks have fledged.
23. Development to accord with the recommendations of the FRA.
24. Development carried out in accordance with Defra's Construction Code of Practice for the Sustainable Use of Soils on Construction Sites.
25. Parking spaces shall be retained at all times for their designated purpose and integral garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted into living accommodation without the prior express permission of the Local Planning Authority.

26. Any soakaways shall be located a minimum of 5.0m rear of the highway boundary.
27. Where a private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall.
28. The relevant bin storage points to be provided before the dwelling they serve are first occupied and therefore retained for their stated purpose.
29. Obscure glazing of first floor windows on side elevations of plots 1(N), 105(N), 114(N), 127(N), 138(N), 139(N), 366(N), and 375(N), with opening parts more than 1.7 metres above the floor level.
30. Roof lights to have a black finish.
31. Removal of permitted development rights for wall and means of enclosure to front of properties except those approved by this consent.
32. Submission and approval of full details of the off-site highway works including programme of phased implementation.
33. Notwithstanding the submitted information and plans, further precise location and technical details of the sub-station be submitted for approval and the implementation of an approved scheme.

Informatives

1. Standard engagement informative.
2. The applicant is advised to note and act upon as necessary the comments of the Police Architectural Liaison Officer. However, where there is any conflict between the recommendations of the Architectural Liaison Officer and the terms of the planning consents the latter take precedence.
3. Pre-commencement conditions standard informative.
4. Footpaths informative – remain unaltered, open and obstruction free. Public Footpath No. 16 in the Parish of Uttoxeter Town runs through the site and no works should be undertaken which might adversely affect the rights of the user.
5. The consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. The developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works agreed.
6. The condition requiring off-site highway works shall require Major Works Agreements with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the agreement. A further link to a Major Works Agreement Information Pack with an application form, to be completed and send to Network Management Unit, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford ST16 2DH (or email to nmu@staffordshire.gov.uk).

7. Removal of the turning head on the development site and Sorrell Close and include traffic calming feature.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor E Barker	Councillor S Gaskin	
Councillor M J Bowering		
Councillor R Faulkner		
Councillor G Hall		
Councillor Mrs J Jessel		
Councillor R Johnston		
Councillor S Smith		
Councillor Mrs B Toon		
Councillor C Whittaker		

At this juncture Councillor M. J. Bowering took the chair for this item only.

2. **P/2017/00242 – Erection of a two storey detached building to provide overnight accommodation, extension to existing car park with associated landscaping (Revised Plans); and**

P/2017/00405 – Installation of a replacement sewerage treatment plant and associated drainage works – rear of Dunscombe Arms, Main Road, Ellastone DE6 2GZ (Ward: Weaver)

The above site visit was attended by Councillors M J Bowering, R. Faulkner, G. Hall, Mrs J. Jessel, R. Johnston, S. Smith, Mrs B. Toon and C. Whittaker.

Mrs Barbara Butler, Mrs Denise Hewitt and Mr Robert Watkin, members of the public, spoke on the application.

Mr Grant Anderson, agent for the applicant, spoke on the application.

Councillor E. Barker, Ward Councillor, spoke on the application.

Resolved to DEFER the applications in order that negotiations to modify the design could take place with the applicant.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor M J Bowering		
Councillor R Faulkner		
Councillor G Hall		
Councillor Mrs J Jessel		
Councillor R Johnston		

Councillor S Smith		
Councillor Mrs B Toon		
Councillor C Whittaker		

At this juncture Councillor E. Barker returned to the meeting after this item and resumed the Chair.

200/17 **APPEALS RECEIVED AND DETERMINED**

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

201/17 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 2nd May 2017 and 30th June 2017 was received and noted.

202/17 **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

203/17

ENFORCEMENT SCHEDULE

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

Chairman