

**TOWN AND COUNTRY PLANNING ACT 1990
OUTLINE PERMISSION FOR DEVELOPMENT**

Date valid application received: 30/09/2016

Application No: P/2016/00980

Name and address of Agent

Name and address of Applicant

Andrew Granger & Co
Phoenix House
52 High Street
Market Harborough
Leicestershire
LE16 7AF

Wyggeston Hospital
c/o Agent

EAST STAFFORDSHIRE BOROUGH COUNCIL in pursuance of powers under the above mentioned Act hereby **PERMITS**:

Outline application for the erection of up to 14 dwellings with all matters reserved including the demolition dwelling, shed and garage at 2 Harbury Street and garages at the rear 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 **Section 106 Agreement dated 21st December 2018 (file ref: 1800)** and the conditions(s) specified hereunder:

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of the approval of the last reserved matter(s) to be approved.

Reason: To conform with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990.

- 3 Further to the approved details shown on the Location Plan (at Scale 1:1250) and the Block Plan (at Scale 1:500) (both dated as being received on 15 July 2016) no development shall take place until plans and particulars of the layout, scale and appearance of the building(s) to be erected, the means of access to the site and the landscaping of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details that have been approved in writing by the Local Planning Authority.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

- 4 No development shall take place until samples and details of all materials to be used externally (including colours) have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

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

- 5 No development shall take place until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be based on sustainable drainage principles and a SUDS scheme shall be provided where the ground conditions allow. The surface water drainage scheme shall be restricted to 5 litres per second and include surface water attenuation up to the 100 year plus 40% climate change storm and supply details of future maintenance. The development shall be completed in accordance with the approved details prior to its first occupation.

Reason: To ensure adequate drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with East Staffordshire Local Plan Policies SP27 and DP7 and the National Planning Policy Framework.

- 6 No development shall take place until a scheme for the provision of a filter drain or raised buffer across the main site entrance to intercept any overland flows has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed in accordance with the approved details prior to its first occupation.

Reason: To reduce the impact of overland flows on existing dwellings and to reduce off-site impact in accordance with East Staffordshire Local Plan Policies SP27 and DP7 and the National Planning Policy Framework.

- 7 No development shall take place until a scheme of landscaping and boundary treatment(s), including details of tree protection measures for retained trees on the boundary, the planting of native trees and the provision of boundary treatment along that part of the side boundary, has been submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be erected before the development commences and shall be retained at all times whilst construction work is taking place.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

- 8 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 building(s) 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 buildings and in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

- 9 No development shall take place until a scheme regarding sustainable construction and energy efficiency has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason: To seek that energy efficient and low carbon development is provided in accordance with East Staffordshire Local Plan Policy DP2 and the National Planning Policy Framework.

- 10 Any scheme of boundary treatment(s) approved as part of the landscaping scheme required by Condition 7 above shall be completed prior to the development first being brought into use. Once provided the boundary treatments shall be retained for the lifetime of the development unless otherwise first agreed in writing by the Local Planning Authority.

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 SP24 and DP3, and the National Planning Policy Framework.

- 11 Prior to the first occupation of any part of the development hereby granted permission the access, parking and turning areas shown on the approved plan(s) shall be provided in a bound and porous material in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, and thereafter shall be made available at all times for their designated purposes.

Reason: In the interests of highway safety, and to ensure porous materials are used where appropriate to reduce the risk of flooding in accordance with East Staffordshire Local Plan Policy SP27 and the National Planning Policy Framework.

- 12 No development shall take place, and no site works related to the development hereby approved shall be carried out, until details of all slab levels and any regrading proposed to the site have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To ensure that the development does not adversely affect the amenities of adjoining properties and the character or appearance of the area in accordance with East Staffordshire Local Plan Policy SP24, the East Staffordshire Design Guide and the National Planning Policy Framework.

- 13 No development shall take place until a Construction Management Plan, which shall specify the routing of demolition and construction vehicles to and from the site, parking of vehicles of site personnel, operatives and visitors, loading and unloading of plant and materials, storage area of plant and materials and temporary buildings/compounds used during the construction of the development, appropriate wheel wash facilities and measures to prevent the deposition of deleterious material on the public highway, along with noise, vibration and dust mitigation measures and details of days/hours of construction (including the timing(s) of HGV deliveries), has been submitted and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be implemented and adhered to throughout the construction period unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and residential amenities and in accordance with East Staffordshire Local Plan Policies DP3 and SP35.

- 14 The Ecological Enhancement Measures shall be implemented in compliance with the details set out in the Phase 1 Habitat Survey and Protected Species Assessment of brindle and green (report reference: BG14.236 - October 2014) dated as being received on 12 July 2016.

Reason: To safeguard ecological interests in accordance with East Staffordshire Local Plan Policy

SP29 and the National Planning Policy Framework.

- 15 The development shall be carried out in compliance with the mitigation measures recommended by the approved Flood Risk Assessment of MEC (Report ref: 21420/05-16/4225 - Date May 2016) dated as being received on 18 July 2016

Reason: To minimise the risk of flooding in accordance with East Staffordshire Local Plan Policy SP27 and the National Planning Policy Framework.

- 16 The development shall be carried out in compliance with the Arboricultural Survey and Impact Assessment (and associated plan(s)) of RJ Tree Services Ltd (ref: Harbury Street, Burton/01 Issue Date: April 2016) dated as being received on 12 July 2016.

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 SP24 and DP3, and the National Planning Policy Framework.

- 17 The development shall be carried out in compliance with the Phase 1 Habitat Survey and Protected Species Assessment of brindle and green (report reference: BG14.236 - October 2014) dated as being received on 12 July 2016.

Reason: To safeguard ecological interests in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

- 18 All rooflights shall have a black finish and be installed so that their outer faces are flush with the plane of the roof unless otherwise first agreed in writing with the Local Planning Authority.

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

- 19 All windows and external door units shall be set back from the outer face of the wall by a minimum of 50mm unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area in accordance with East Staffordshire Local Plan Policies SP24 and DP3, and the National Planning Policy Framework.

- 20 Notwithstanding the provisions of Classes A, B, C, D and E of Schedule 2, Part 1 and Class A 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 dwelling(s) hereby permitted shall not be altered or extended, no new windows shall be inserted, no chimneys shall be erected, no satellite dishes shall be affixed to the dwelling(s) and no buildings or structures shall be erected within the curtilage of the new dwelling(s) nor shall any boundary treatments be erected unless planning permission has first been granted by the Local Planning Authority.

Reason: In the interests of visual and residential amenities in accordance with East Staffordshire Local Plan Policies SP24 and DP3, the East Staffordshire Design Guide, and the National Planning Policy Framework.

- 21 If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the

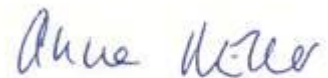
contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

Informative(s)

- 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 Paragraphs 38 of the National Planning Policy Framework.
- 2 The applicant is advised that in complying with Condition 4 above regarding the submission of samples and details of all external materials, ensuring the product name and manufacturer is provided and must be submitted in writing to the Local Planning Authority as part of the relevant Discharge of Condition application along with correspondence confirming that date on which samples will be made available on-site and where they will be located.
- 3 The applicant is advised that the distance of proposed rear gardens should be in excess of 8 metres.

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 21 December 2018

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.



INVESTOR IN PEOPLE

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