

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 25th April 2023.

Present:

Councillors Mrs V. Gould (Chairman), Mrs B. Ashcroft, E. Barker, K. J. Builth, R. Faulkner, G. Hall, G. Lamb, Ms A. Legg, Mrs B, Toon and Mrs L Walker.

Officers Present:

S. Grant (Solicitor), L. As (Trainee Solicitor), A. Harvey (Principal Planning Officer), B. Toy (Principal Planning Officer) and E. Summers (Planning Officer).

Also Present:

Mr Malcolm Jones (Staffordshire County Council –Highways).

An apology for absence was received from Councillor C. Whittaker.

352/23 **DECLARATIONS OF INTEREST**

Councillor G. Lamb declared an interest Application No. P/2021/00868, in that he had made representations as a School Governor and would like to speak on the application as Ward Councillor regarding highway matters. Councillor Lamb sat in the public gallery when this application was discussed and took no part in the debate and did not vote thereupon.

Councillors K. Builth and G. Hall declared that as they were not present on the site visit for Application No. P/2021/00868, they would not take part in the discussions and did not vote thereupon.

Councillor Mrs L. Walker declared that she lived on Rolleston Road, where Application No. P/2021/00868 is taking place, she had attended the meeting with an open mind so took part in the debate and voted thereupon.

353/23 **MINUTES**

The Minutes of the meeting held on 28th February 2023 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 K J Builth		
Councillor R Faulkner		
Councillor Mrs V Gould		

Councillor G Hall		
Councillor G Lamb		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor Mrs L Walker		

354/23 **URGENT BUSINESS**

There was no urgent business submitted to the meeting pursuant to Rule 1.

355/23 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2022/00642 – Reserved Matters Application (All Matters) pursuant to P/2012/01467 for the erection of 284 dwellings and associated garaging, public open space and associated works – Lawns Farm, Branston Road, Tatenhill, Burton upon Trent, Staffordshire DE13 9SB (Ward: Branston)**

The site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, K. J. Builth, R. Faulkner, Mrs V. Gould, G. Hall, G. Lamb, Ms A. Legg, Mrs B. Toon and Mrs L. Walker.

Discussions took place.

A motion was put forward by Councillor Ms A. Legg, seconded by Councillor E. Barker for a condition to include swift and bee bricks, with the wording being delegated to the Planning Officers.

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 K Builth		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor G Lamb		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor Mrs L Walker		

Further discussions took place.

A motion was put forward by Councillor R. Faulkner, seconded by Councillor Ms A. Legg for an informative regarding including chimneys on the properties on the development, with the wording being delegated to the Planning Officers.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor Mrs B Ashcroft	Councillor G Hall	
Councillor E Barker		
Councillor K Builth		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Lamb		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor Mrs L Walker		

A motion was put forward by Councillor V. Gould, seconded by Councillor Ms A. Legg, to **PERMIT** the application.

Resolved:

1. Approved Plans

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

- Planning Layout A891-03 Rev S dated as received on 29-03-23
- Coloured Planning Layout A891-04 Rev T dated as received on 29-03-23
- Enclosures Plan A891-05 Rev G dated as received on 29-03-23
- Materials Plan A891-06 Rev G dated as received on 29-03-23
- Tenure Plan A891-07 Rev G dated as received on 29-03-23
- Massing Plan A891-08 Rev G dated as received on 29-03-23
- Occupancy Plan A891-09 Rev G dated as received on 29-03-23
- Refuse Plan A891-10 Rev G dated as received on 29-03-23
- Parking Plan A891-11 Rev G dated as received on 29-03-23
- Street Hierarchy Plan A891-12 Rev F dated as received on 29-03-23
- Character Area Plan A981-54 Rev C dated as received on 29-03-23
- Garden Area Plan A891-55 Rev A dated as received on 29-03-23
- Hard Surface Plan A891-71 Rev D dated as received on 29-03-23
- Application Forms dated as received on 18-05-22
- Location Plan A891 02 Rev C dated as received 14-02-23
- Infrastructure Landscape Proposals & LEAP GL1332 01A dated as received on 14-02-2023
- House Type Brochure A891 dated as received on 02-11-2022
- Planning Statement dated as received on 18-05-22
- Utility Survey (Ref. U2700-1 Rev A) dated as received on 18-05-22
- Utility Survey (Ref. U2700-2 Rev A) dated as received on 18-05-22
- Utility Survey (Ref. U2700-3 Rev A) dated as received on 18-05-22
- Design Compliance Statement dated as received on 18-05-22
- Heritage Statement dated as received on 18-05-22
- Protected Species Mitigation Plan dated as received on 18-05-22
- Street Scenes (Ref. A891 14 Rev E) dated as received 02-11-2022
- Archaeological Impact Assessment dated as received 04-07-2022
- Landscape Management Plan dated as received 04-07-2022

Arboricultural Assessment & Method Statement dated as received 04-07-2022
Appendices -

Tree Survey Plan (Drawing Ref. 10712-T-03 dated as received 04-07-2022

Tree Retention Plan (Drawing Ref. 10712-T-04

Tree Protection Plan (Drawing Ref. 10712-T-05

*Tree Schedule; Standard Specification for Protective Barrier; and Above Ground
Stabilising Systems*

BLB - P_ENG_400 - RevD - Refuse Vehicle Swept Path Analysis sheet 1 dated as
received 08-12-2022

BLB - P_ENG_401 - RevC - Refuse Vehicle Swept Path Analysis Sheet 2 dated as
received 08-12-2022

BLB - P_ENG_402 - RevC - Refuse Vehicle Swept Path Analysis Sheet 3 dated as
received 08-12-2022

BLB - P_ENG_403 - RevC- Refuse Vehicle Swept Path Analysis Sheet 4 dated as
received 08-12-2022

702 Ashtead – Floor Plans and Elevations – Opposite (Ref. A891 15) dated as
received 04-07-2022

879 Hatfield – Floor Plans and Elevations – Opposite (Ref. A891 16) dated as
received 04-07-2022

1012 Chesham – Floor Plans and Elevations – Opposite (Ref. A891 17) dated as
received 04-07-2022

1065 Seaton – Floor Plans and Elevations – Opposite (Ref. A891 18) dated as
received 04-07-2022

1123 York – Floor Plans and Elevations – Opposite (Ref. A891 19) dated as
received 04-07-2022

1196 Romsey – Floor Plans and Elevations – Opposite (Ref. A891 20) dated as
received 04-07-2022

1364 Bingham – Floor Plans and Elevations – Opposite (Ref. A891 21) dated as
received 04-07-2022

1372 Whixley – Floor Plans and Elevations – Opposite (Ref. A891 22) dated as
received 04-07-2022

1538 Dorking – Floor Plans and Elevations – Opposite (Ref. A891 24) dated as
received 04-07-2022

S2 – Floor Plans and Elevations – Opposite (Ref. A891 26) dated as received 04-
07-2022

1012 Chesham Render Version – Floor Plans and Elevations – Opposite (Ref.
A891 56) dated as received 04-07-2022

1065 Seaton Render Version – Floor Plans and Elevations – Opposite (Ref. A891
57) dated as received 04-07-2022

1130 Filey – Floor Plans and Elevations – Opposite (Ref. A891 58) dated as
received 04-07-2022

1188 Oxford – Floor Plans and Elevations – Opposite (Ref. A891 59) dated as
received 04-07-2022

1397 Dartford Render Version – Floor Plans and Elevations – Opposite (Ref. A891
60) dated as received 04-07-2022

1538 Buckingham – Floor Plans and Elevations – Opposite (Ref. A891 61) dated
as received 04-07-2022

S3 – Floor Plans and Elevations – Opposite (Ref. A891 62) dated as received 04-
07-2022

702 Ashtead – Floor Plans and Elevations – Opposite (Ref. A891 63) dated as
received 04-07-2022

879 Hatfield – Floor Plans and Elevations – Opposite (Ref. A891 64) dated as
received 04-07-2022

1012 Chesham – Elevations – Opposite (Ref. A891 65) dated as received 04-07-
2022

1012 Chesham – Floor Plans – Opposite (Ref. A891 66) dated as received 04-07-
2022

1065 Seaton Render Version – Floor Plans and Elevations – Opposite (Ref. A891 67) dated as received 04-07-2022

Filey – Floor Plans and Elevations – Opposite (Ref. A891 68) dated as received 04-07-2022

S2 – Floor Plans and Elevations – Opposite (Ref. A891 69) dated as received 04-07-2022

S3 – Floor Plans and Elevations – Opposite (Ref. A891 70) dated as received 04-07-2022

2. Construction Management Plan

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 used during the construction of the development, appropriate wheel wash facilities and measures to prevent the deposition of deleterious material on the public highway, 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.

3. Parking and Turning Areas to be provided (Bespoke)

Prior to the first occupation of any dwelling hereby approved, the driveways, parking spaces and turning areas associated with that respective plot shall be provided in a bound material in accordance with the approved plans listed under condition 1. The parking and turning areas shall thereafter be made available at all times for their designated purposes.

4. Garages to be retained for parking (Bespoke)

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.

5. Removal of PD for garage conversions (Bespoke)

All garages shall be retained for uses ancillary to the dwelling it serves and shall not be changed to habitable accommodation unless planning permission has first been granted by the Local Planning Authority.

6. Details of landscaping

Prior to the first occupation of any dwelling hereby approved a scheme of landscaping for the individual plots shall be submitted to and approved in writing by the Local Planning Authority.

7. Landscape Implementation

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 completion of the development, and any trees or plants which within a period of 5 years from the completion of the landscaping scheme installation 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. Trees within the public realm shall be heavy gauge and those flanking the entry to the site shall be extra heavy gauge.

8. Protected Species Mitigation

The development shall be implemented in accordance with the measures contained within the Protected Species Mitigation Strategy approved under Condition 1.

9. Boundary Treatments

Prior to the first occupation of any dwelling hereby approved, the boundary treatments for that respective plot shall be erected in accordance with the approved Enclosures Plan and thereafter shall be retained/replaced as such for the life of the development except in the case for any changes to visibility splays.

10. Electric Vehicle Charging (Bespoke)

All dwellings approved by this permission shall be constructed with the ability to install electric charging points.

11. Tree Protection (Bespoke)

All the existing trees and hedges to be retained shall be protected by 2m high fencing in accordance with the Tree Protection Fencing within the Arboricultural Assessment & Method Statement approved under Condition 1. The fencing shall be erected before development commences and shall be retained at all times whilst construction work is taking place.

12. Removal of PD Rights (External Alterations & Curtilage Buildings)

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 dwelling(s) 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 dwelling(s) unless planning permission has first been granted by the Local Planning Authority.

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 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/works.
Condition No(s) 2.

This means that a lawful commencement of the approved development/works 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 (or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house). 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. Drainage and Flood Risk

It should be noted that the Flood Authority have agreed the following documents demonstrates that a surface water drainage system is achievable in principle and that there is sufficient space on site to provide the required attenuation storage of runoff from the proposed development and that a viable point of outfall has been proposed. The applicants are still required to submit full and final drainage details to discharge Conditions 39 and 40 on the outline consent P/2012/01467.

File Ref. BLB SW & FW – 22_10_20 Storm Network 1 Calculations (dated 28-10-2022) dated as received 02-11-2022

Drainage Strategy Plan RACE/CN/BLB ENG_105 Rev D dated as received 14-02-2023

Impermeable Area Plan RACE/CN/BLB ENG_140 Rev B dated as received 14-02-2023

Flood Routing Plan RACE/CN/BLB ENG_160 Rev C dated as received 14-02-2023

File Ref. Soakaways_2.pfd Storm Network Calculations (dated 28-10-2022) dated as received 02-11-2022

Preliminary Engineering and Drainage Concept – Sheet 1 (Ref. P_ENG_010 Rev A) dated as received on 18-05-22

Preliminary Engineering and Drainage Concept – Sheet 2 (Ref. P_ENG_011 Rev A) dated as received on 18-05-22

Written Response to LLFA Comments (dated 24/11/2022) provided by RACE dated as received 10-07-2022

22225_LO_002_091222_Branston Locks, Burton upon Trent statement on soakaway drainage dated as received 10-07-2022

CN_BLB - Eng_295 - RevA - SUDs Construction Details dated as received 10-07-2022

4. Surfacing of Access, Parking and Turning Areas

The applicant(s) is/are advised that in complying with Condition 3 above materials with a high degree of porosity would be the most likely to be acceptable as they will reduce the amount of surface water run-off.

5. Ecological Responsibilities

The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

6. Details of Construction Manager

The applicant(s) is/are advised that the contact details for the construction manager should be supplied to the Environmental Health Manager prior to the commencement of construction works by emailing the Pollution Team (pollution.team@eaststaffsbc.gov.uk).

7. Highways 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 need to be approved in order to achieve technical approval under 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.

8. Public Footpaths

The applicant(s) is/are advised that Public Bridleway No. 8 Branston Parish and Public Footpath No. 0.532(a) Branston, which cross the site should not be obstructed or extinguished as a result of this development either during or after construction.

The attention of the developer should be drawn to the existence of the footpath/bridleway and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the rights of way or their closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

9. Waste

The developer will be required to provide the appropriate external storage containers for refuse and recycling collection (in accordance with the Council's specification). The developer must ensure that all containers are provided to residents prior to occupation and prior to the commencement of the Council's collection service. A detailed specification of all container types may be obtained from the Environment Section.

As some of the dwellings will be served from a private driveway with no turning head, the developer must provide a communal bin presentation point close to the public highway for residents to place their bins on collection day. This must be sufficient in size to accommodate two bins per dwelling.

Further details may be found at:

<http://www.eaststaffsbc.gov.uk/sites/default/files/docs/bins/WasteStorageandCollectionGuidance.pdf>

10. Flood Risk

Any works affecting ordinary watercourses as part of the site development are subject to Ordinary Watercourse Consent from Staffordshire County Council, prior to any works being undertaken.

Information regarding consenting can be found at the link below.

[Applying for consent for watercourse works - Staffordshire County Council](#)

11. Severn Trent Water

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600).

12. Hedgehogs

The applicant is advised that Hedgehog Highways should be incorporated within the development wherever possible in line with the recommendations of the Protected Species Mitigation Strategy approved under Condition 1 as well as hedgehog holes on boundary treatment.

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 K Builth		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor G Lamb		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor Mrs L Walker		

2. P/2021/00868 - A hybrid planning application comprising:-

1) Outline planning application for up to 500 dwellings (Use Class C3), Specialist Residential Accommodation (Use Classes C2/C3(a, b)), Local Centre (Use Classes E (a, b, c, e, f, g(i))) and associated works (all matters apart from access reserved); and

2) Full planning application for proposed access points and spine road between Tutbury Road/Rolleston Road - Land Bound by Tutbury Road, Rolleston Road, and Harehedge Lane, Burton Upon Trent (Ward: Rolleston on Dove)

The site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, K. J. Built, R. Faulkner, G. Hall, Mrs V. Gould, G. Lamb, Ms A. Legg, Mrs B. Toon and Mrs L. Walker.

Mrs J. Allen, a member of the public, spoke on the application.

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

Councillor G. Lamb, Ward Member, spoke on the application.

The Chairman of Outwoods Parish Council had submitted a statement requesting that the Chairman of the Planning Committee read it out at the meeting. The Chairman declined to read out the statement as the statement included representations which was not on the agenda to be discussed re the deferral.

Discussions took place.

At this juncture, the Chairman invited the Agent to clarify questions from Members.

Further discussions took place.

A motion was put forward by Councillor Ms A. Legg, seconded by Councillor E. Barker regarding an informative for a substantive living hedge, with the wording to be delegated to the Planning Officers.

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 K Built		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor Mrs L Walker		

A motion was put forward by Councillor Mrs V. Gould, seconded by Councillor E. Barker, to **PERMIT** the application with the conditions in the report.

Resolved:

Subject to the conditions listed below and the completion of a Section 106 Agreement to **Grant Outline Planning Permission:**

1. Reserved Matters – Time Limit

Applications for approval of the reserved matters for all phases of the development shall be made to the Local Planning Authority not later than three years from the date of this permission.

2. Reserved Matters

No development shall take place on each agreed phase of the development until details of the following reserved matters for each phase have been submitted to and approved in writing by the Local Planning Authority:

- a. Appearance
- b. Landscaping
- c. Layout
- d. Scale

The development of each phase shall be carried out in accordance with the approved details to the satisfaction of the Local Planning Authority.

3. Approved Plans

The development hereby approved shall be carried out in accordance with the following approved plans/documents subject to the other conditions of this permission;

5203479-ATK-DR-LA-0001 Location Plan at scale 1:2500 dated as received 2nd July 2021

5203479-ATK-DR-LA-0002 Existing Site Layout Plan at scale 1:2000 dated as received 2nd July 2021

5203479-ATK-DR-C-0005 P01 Hybrid Application Boundary Plan at scale 1:1250 dated as received 21st June 2021

5203479-ATK-DR-LA-0004 Constraints and Opportunities Plan at scale 1:1250 dated as received 2nd July 2021

5203479-ATK-DR-LA-0007 Green and Blue Infrastructure Plan at scale 1:1250 dated as received 2nd July 2021

5203479-ATK-DR-LA-0008 Land Use Plan at scale 1:1250 dated as received 2nd July 2021

5203479-ATK-DR-LA-0006 Movement Framework at scale 1:1250 dated as received 2nd July 2021

5203479-ATK-DR-C-0007 P02 Phasing Plan at scale 1:1250 dated as received 4th October 2021

Bat Activity Survey (Doc. Ref 42804-WOOD-XX-XX-RP-OE-0002_A_C01) by wood. dated as received 21st June 2021

Breeding Bird and Barn Owl Survey (Doc Ref 42804-WOOD-XX-XX-RP-OO-0003_A_C01) by wood. dated as received 21st June 2021

Great Crested Newt Survey (Doc. Ref. 42804-WOOD-XX-XX-RP-OE-0004_A_C01) by wood dated as received 21st June 2021

Preliminary Ecological Appraisal (42804-WOOD-XX-XX-RP-OE-0001_A_C01) by Wood dated as received 21st June 2021

Tree Survey (Doc. Ref 8627 - 07.07.20-V1) by Amenity Tree Care dated as received 21st June 2021

5203479-ATK-DR-C-0001 P01 Spine Road General Arrangement at scale 1:500 dated as received 21st June 2021

5203479-ATK-DR-C-0002 P01 Spine Road Swept Path Analysis at scale 1:250 dated as received 21st June 2021

Biodiversity Net Gain Assessment (Doc. Ref 5203479.010) by Atkins dated as received 21st June 2021

Flood Risk Assessment and Drainage Strategy (Doc. Ref 5203479-ATK-ZZ-ZZ-RPT-C-0001 Rev 4) by Atkins dated as received 5th November 2021

Geo-environmental Interpretative Report (Doc. Ref 5203479.007) by Atkins dated as received 21st June 2021

Factual Ground Investigation Report by Ian Farmer Associates (Appendix B) (ref. 2220490) dated as received 21st June 2021

Heritage Desk Based Assessment by Atkins (ref. 5203479.005) dated as received 21st June 2021

Landscape Visual Impact Assessment (Doc. Ref. 5203479.009) by Atkins dated as received 21st June 2021

Open Space Assessment (Doc. Ref. HE-30101-PLANNING-21HYBRID-OSA) by Homes England dated as received 21st June 2021

Transport Assessment (Doc. Ref. 5203479.014) by Atkins dated as received 21st June 2021

Air Quality Mitigation Statement (Doc. Ref HE-30101-PLANNING-21HYBRID-AQMS) by Homes England dated as received 20th October 2021

5203479-ATK-ZZ-ZZ-DR-C-0005 P02 Indicative Drainage Layout at scale 1:1250 dated as received 21st October 2021

Flood Risk Assessment and Drainage Strategy (Doc. Ref 5203479.017) by Atkins dated as received 21st October 2021

5203479-ATK-ZZ-ZZ-DR-C-0006 P01 Indicative discharge route at scale 1:1250 dated as received 21st October 2021

Great Crested Newt Survey Report Addendum (Doc. Ref. 42804-WOOD-GCN) by wood. dated as received 8th July 2021

4. **Time Limit for Commencement**

The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

5. **Development in Accordance with Approved Phasing Plan**

The development hereby approved shall be carried out in accordance with the approved phasing plan ref. 'Phasing Plan – 5203479-ATK-DRC-000' dated received on 21st June 2021 (or any other alternative phasing plan first approved in writing by the Local Planning Authority) and each reserved matters application shall only be submitted in accordance with the terms of the approved phasing plan.

6. **Reserved Matters – Parameter Plans**

Unless otherwise required by another condition of this permission or first agreed in writing by the Local Planning Authority all reserved matters applications shall be designed having regard to the following parameter plans;

- 5203479-ATK-DR-LA-0006 - Movement Framework dated received on 2nd July 2021
- 5203479-ATK-DR-LA-0007 - Green and Blue Infrastructure dated received on 2nd July 2021

7. **Estate Road Layout**

Before the commencement of any development in any phase on the site (other than site clearance works) details of the estate road layout for the relevant phase of development, including gradients, traffic calming measures, visibility splays at all junctions and bends, an AutoTRACK analysis of the path of refuse vehicles around that phase and details of proposed pedestrian and cycle routes and facilities in the relevant phase site shall be submitted to and approved by the Local Planning Authority. All works shall be undertaken in accordance with the approved details.

8. **Highway Works**

Notwithstanding the highway works shown on the approved documents (listed at condition 3 above), no development shall commence (other than site clearance works) until detailed drawings have been submitted to and approved in writing by the Local Planning Authority in relation to the works to form the junction access to Harehedge Lane.

Unless otherwise first agreed in writing by the Local Planning Authority the works providing the junction access to Harehedge Lane shall thereafter be completed in accordance with the approved details prior to the first occupation of the 50th dwelling on the whole development site (or any other quantum of development that results in a commensurate number of vehicle movements).

9. **Details of Levels**

The details required under condition 2 above in relation to the reserved matters submission for each phase shall include plans to a metric scale showing the proposed land levels of the site including site sections, all regrading works and the finished floor levels of all buildings and the finished levels of the access and

other road(s) and footway(s). The proposals should be provided in the context of the details of existing land levels and using a fixed datum and with reference to the finished floor levels, ridge and eaves heights of any neighbouring buildings. The development shall be undertaken strictly in accordance with all approved details.

10. Parking and Servicing

The reserved matters submissions required under condition 2 above in relation to each phase shall include details of the provision of adequate parking, turning and servicing areas- within the relevant phase including details of all surfacing materials along with details of all cycling parking/storage facilities (where applicable).

11. Scheme of Landscaping

The reserved matters submissions required under condition 2 above in relation to each phase shall include a scheme of landscaping, including details of all trees and hedges to be retained, along with details of all boundary treatments.

12. Play Area Provision

The reserved matters submissions required under condition 2 above in relation to each relevant phase shall include precise details of the proposed play areas and open spaces (including a programme of works). The agreed play areas shall be provided in accordance with an agreed programme of works and those areas shall not thereafter be used for any purpose other than as a play area or open spaces unless otherwise agreed in writing by the Local Planning Authority.

13. M4 (2) Compliance

The reserved matters submissions required under condition 2 in relation to each relevant residential phase shall include a scheme to provide for at least ten per cent (10%) of dwellings on that phase to be constructed in accordance with Building Regulation 2010 Standard M4 (2) standards. The development shall be completed to the Building Regulation 2010 Standard M4 (2) before the first occupation of the relevant dwelling unit(s) concerned.

14. Local Centre

The reserved matters submissions required under condition 2 above shall include a local centre which shall have a maximum floorspace of 650sqm and notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall only relate to the use of the premises(s) in that Local Centre that fall within Use Classes E (a, b, c, e, f, g(i)) as described in the application and for no other purpose unless otherwise first agreed in writing by the Local Planning Authority. The local centre shall provide a minimum floorspace of 170sqm to be solely used for a Class E(a) use.

15. Air Quality Mitigation Strategy to be Submitted

No development shall take place in any phase of the development as approved under condition 2 above until an Air Quality Mitigation Strategy for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority which includes the following;

- a) Construction mitigation;
- b) Operational mitigation;
- c) Design mitigation; and
- d) Program of delivery

The approved air quality mitigation strategy shall be implemented in full for the relevant phase unless otherwise agreed in writing by the Local Planning Authority.

16. Noise Mitigation Scheme

No development shall take in any phase of the development hereby approved under condition 2 above until a Noise Mitigation Scheme for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority to include the following details;

- a) Appraisal of noise sources;
- b) Proposed mitigation; and
- c) Program of delivery

The approved Noise Mitigation Scheme shall be implemented in full for the relevant phase and retained thereafter unless otherwise agreed in writing.

17. Dust and Noise Construction Management Plan

No development shall take place in any phase of the development as approved under condition 2 above until a Dust and Noise Construction Mitigation Plan for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority which includes the following;

- a) Construction mitigation;
- b) Operational mitigation; and
- c) Program of delivery

The approved Dust and Noise Construction Management Plan shall be implemented in full (including the program of delivery) for the relevant phase unless otherwise agreed in writing by the Local Planning Authority.

18. Habitat Management Plan

No development shall take place in any phase of the development approved under condition 2 until a Habitat Management Plan (HMP) for the relevant phase of development has been submitted to and approved in writing by the Local Planning Authority. The Habitat Management Plan (HMP) shall include the following:-

- a) Habitat management principles for that relevant phase;
- b) Details to demonstrate a 10% minimum net gain based on the Defra Metric;
- c) Details of how the HMP would comply with 'Biodiversity Net Gain Assessment – 5203479.010';
- d) Off-site compensation for any deficit (if applicable); and
- e) Program/timetable of delivery.

The approved Habitat Management Plan (HMP) shall be carried out in accordance with the approved details and program/timetable of delivery and be maintained/retained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

19. Ecological Construction Environmental Management Plan

No development (including site clearance works) shall take place in any agreed phase of the development approved under condition 2 until an Ecological Construction Environmental Management Plan (ECEMP) has been submitted to and approved in writing by the Local Planning Authority. The Ecological Construction Environmental Management Plan (ECEMP) shall include the following;

- a) Measures for protection of retained habitats;
- b) Measures for protection of off-site habitats such as watercourses;
- c) Prevention measures for accidental harm to protected species and other wildlife during construction; and
- d) Program/timetable of delivery.

The Ecological Construction Environmental Management Plan (ECEMP) shall be implemented in accordance with the approved details and program/timetable of delivery unless otherwise agreed in writing by the Local Planning Authority.

20. Badger Survey and Mitigation Plan

No development shall take place in any agreed phase of the development approved under condition 2 hereby approved until an up to date badger survey for the relevant phase of development including any mitigation measures and delivery program/timetable (where relevant) is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with any agreed recommended mitigation measures/delivery program and timetable.

21. Arboricultural Method Statement

No development (including site clearance works) shall take place in any agreed phase of the development approved under condition 2 until an Arboricultural Method Statement (AMS) for that phase (including a Tree and Hedge Protection Plan), undertaken in accordance with BS:5837:2012 (and all subsequent amendments and revisions) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, all works for the relevant phase of development shall be carried out in accordance with the approved Arboricultural Method Statement (AMS).

22. Ecological Enhancement Measures

No development shall take place above damp course level of any phase of development hereby approved under condition 2 until a scheme of Biodiversity Enhancement Measures (including a program of delivery) for the relevant phase of development have been submitted to and approved in writing by the Local Planning Authority. The development scheme as a whole shall provide for the following;

- a) Types and locations of 4 groups of 3 No. swift boxes on buildings;
- b) Types and locations of 4 No. house sparrow terraces on buildings;
- c) Types and locations of 13 No. bird boxes on retained trees;
- d) Types and locations of 13 No. integrated bat tubes/boxes on buildings;
- e) Types and locations of 13 No. integrated bat tubes/boxes on retained trees;

The approved Biodiversity Enhancement Measures shall be implemented in full and retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

23. External Lighting Plan to be Submitted

Prior to the first occupation of any agreed phase of the development hereby approved under condition 2 details of any external lighting for the relevant phase of development to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with these details unless otherwise agreed in writing. No other external lighting shall be installed unless approved in writing by the Local Planning Authority.

24. Compliance with FRA

The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (as listed at condition 3 above) and the following mitigation measures;

- The Proposed Development will incorporate a positive surface water drainage system that will intercept run-off from impermeable areas rather than allowing it to flow unchecked through the Proposed Development.
- The highway and car parking areas will incorporate measures such as gullies, kerb drainage and/or permeable paving to intercept and transfer run-off into the proposed surface water drainage system.
- Overland flow routes will be provided through the Proposed Development to safely manage exceedance flows and divert them away from proposed dwellings.
- The finished floor levels of all dwellings will be at least 0.15m above adjacent external ground levels in order to reduce the risk of overland flows entering properties

These mitigation measures shall be fully implemented in accordance with the scheme's timing/phasing arrangements. The approved measures shall be retained and maintained thereafter throughout the life of the development.

25. Surface Water Drainage Design

No development within any agreed phase shall be commenced until the final detailed surface water drainage design for the relevant phase has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The overall strategy shall be in accordance with the principles laid out within the Flood Risk Assessment & Drainage Strategy, Doc. Ref. 5203479-ATK-ZZ-ZZ-RPT-C-0001 Flood Risk assessment_Rev.4.0, dated 5th November 2021, which includes under Appendix B the following illustrative drainage strategy plans:

- 5203479-ATK-ZZ-ZZ-DR-C-0005 – P02 Indicative Drainage Layout –Dated 20th October 2021
- 5203479-ATK-ZZ-ZZ-DR-C-0006 – P01 Surface Water Indicative Discharge Route – Dated 20th October 2021.

The design must demonstrate:

- Details of the proposed surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015) along with any downstream infrastructure on which that phase relies and/or any interim drainage arrangements such as temporary flow controls.

- SuDS design to provide adequate water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
- At all points, surface water run-off generated by the site shall be limited to a maximum of 42.8l/s for the whole site. Any phase that comes forward should limit this in proportion to the area of that phase.
- Provision of surface water runoff attenuation storage to achieve the limited discharge.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations shall demonstrate the performance of the designed system for a range of return periods and storm durations, to include the critical 1 in1, 1 in 30 and 1 in 100-year design storms with 40% allowance for climate change.
- Regarding the point of discharge, evidence of permission to connect to existing drains or sewers to be provided; any permission should explicitly define the point of discharge and specify an allowable rate.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system, including pump failure where applicable. Finished floor levels to be set higher than ground levels to mitigate the risk from exceedance flows. Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the party/parties responsible.

The scheme for each phase shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

26. Disposal of Foul Water Flows

No development in any phase of the development hereby approved under condition 2 shall take place until drainage plans for the disposal of foul water flows on that phase have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development on any phase is first brought into use/first occupied.

27. Contamination

If during development of any phase of the development contamination not previously identified, is found to be present at the site;

- a. No further development shall take place within that area (unless otherwise agreed in writing by the Local Planning Authority);
- b. The contamination shall be reported in writing to the Local Authority;
- c. A Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority;
- d. The approved Remediation Method Statement shall be implemented thereafter; and
- e. Development on the land in question or within the vicinity of contamination shall not be first occupied until a validation report is submitted to and approved in writing by the Local Planning Authority.

28. Landscape Implementation

All planting, seeding or turfing comprised in the approved details of landscaping required under condition 8 above in relation to the relevant phase 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.

29. Boundary Treatments

Any scheme of boundary treatments approved as part of the landscaping scheme for the relevant phase required by condition 11 above shall be completed prior to the relevant dwelling(s)/relevant areas of the development being first occupied/being first brought into use.

30. Additional Contaminated Land Delineation

a. Should any dwelling or other built development be proposed (as part of any reserved matters application) within the area of TP307 and TP311 as identified in The Geo-environmental Interpretive Report (produced by ATKINS – June 2021) then the extent of contamination should be delineated prior to any development commencing on the area in question in a report to be first submitted to and approved in writing the Local Planning Authority.

b. In the case that unacceptable levels of contamination are confirmed with respect to the proposed end use (in the report required by paragraph (a) above), then a Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing detailing the precise manner in which mitigation works are to be carried out. The Statement should also include details of validation testing that will be carried out once works have been completed.

c. If during remediation works, any contamination is identified that has not been considered within the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals should, thereafter, form part of the Remediation Method Statement.

d. Should any unexpected ground contamination be observed during development activities, this should be reported in writing to the Local Planning Authority and a suitably qualified Environmental Consultant(s) be instructed to carry out an appropriate contamination investigation and propose remedial measures if required.

e. The development shall not be occupied until a validation report has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all agreed remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Should no dwelling or other built development be proposed (as part of any reserved matters application) within the area of TP307 and TP311 as identified in The Geo-environmental Interpretive Report (produced by ATKINS – June 2021) then a report assessing the chemical suitability of soils against the corresponding end use assessment criteria (including any mitigation measures/implementation

programme where applicable) shall be submitted to and approved in writing by the Local Planning Authority. Any agreed mitigation measures/implementation programme shall thereafter be completed prior to the land being first used for its identified end use.

31. Noise Mitigation (Construction Hours)

No development/construction works shall be undertaken on any phase approved under condition 2 of the site outside of the following hours:-

- 08:00 to 18:00 Monday to Fridays
- 08:00 to 16:00 on Sats (with any external works to finish at 14:00)
- 10:00 to 14:00 on Sundays & Bank Holidays

32. Community Car Park

Prior to occupation of the 50th dwelling on the overall development site (or any other quantum of development that results in a commensurate number of vehicle movements) a community car parking area with a minimum of 36 No. car parking spaces to be accessed off Harehedge Lane shall be provided in accordance with a detailed scheme (including a maintenance/management programme) that shall have been first submitted to and approved in writing by the Local Planning Authority.

Once provided the community car park shall be retained and maintained as available for use at all times for the life of the development in accordance with the agreed maintenance/management programme unless otherwise agreed in writing by the Local Planning Authority.

33. Construction Environmental Management Plan

No development shall take place within each phase hereby approved under condition 2 until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to, and agreed in writing with the Local Planning Authority. The submitted Construction Environmental Management Plan (CEMP) shall include:

- Arrangements for the parking of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Pedestrian and cyclist protection
- Wheel washing and measures to mitigate mud or debris being carried on To the highway.

The approved Construction Environmental Management Plan (CEMP) shall be adhered to throughout the construction period unless otherwise agreed in writing with the Local Planning Authority.

34. Works for the Improvement of Harehedge Lane/Bitham Lane Junction

All works for the improvement of the Harehedge Lane/Bitham Lane junction (as identified in terms of its location on the Drawing No. HARETUTB-ATK-HGN-DR-D-0008-P1') shall be completed prior to the occupation of the 100th dwelling on the whole development site (or any other quantum of development that results in a commensurate number of vehicle movements) unless otherwise agreed in writing by the Local Planning Authority.

35. Travel Plan

Notwithstanding the approved plans/drawings (as listed at condition 3 above) before any phase of the development is first occupied a Travel Plan (or updated Travel Plan) for the relevant phase of development shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the County Highway Authority. The Travel Plan (or updated Travel Plan) shall include a monitoring methodology which will include a survey methodology for assessing the travel mode choices of residents/users, an initial series of targets for modal shifts for residents/users and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change. The Travel Plan (or updated Travel Plan) once approved will be monitored and managed including an agreed surveying system to identify travel choices of (residents/customers and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

36. Parking (Residential)

Before any dwelling on the relevant phase of the development is first occupied all approved car parking/garaging spaces associated with that dwelling shall be hard surfaced and drained to ensure no surface water runs onto the highway and shall be provided with a properly constructed access to the adopted highway to at least base course level. Once provided the approved car parking/garaging shall be retained and maintained as being available for use for parking at all times for the life of the development.

37. Parking (Non- Residential)

Prior to the occupation of any part of the non-residential use(s) on the relevant phase of the development the approved car parking, turning and servicing arrangements associated with that part of the development shall be laid out, constructed and drained to ensure no surface water runs onto the highway in accordance with the approved details. Once provided the approved car parking, turning and servicing arrangements shall be retained and maintained as being available for use for their designated purposes at all times for the life of the development.

38. Landscape Management Plan

Prior to the first occupation of any dwelling/first bringing into use of the development on the relevant phase of the development a landscape management plan shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with those approved details.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor Mrs B Ashcroft		Councillor Ms A Legg
Councillor E Barker		Councillor Mrs B Toon
Councillor R Faulkner		Councillor Ms L Walker
Councillor Mrs V Gould		

356/23 APPEALS RECEIVED AND DETERMINED

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

357/23 PLANNING PERMISSIONS

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 13th March 2023 and 7th April 2023 was received and noted.

358/23 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