

# 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 28<sup>th</sup> February 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, Mrs L Walker and C. V. Whittaker.

### **Officers Present:**

S. Grant (Solicitor), L. As (Trainee Solicitor), N. Perry (Planning Manager), L. Bird (Planning Officer) and J. Mattley (Planning Officer).

### 343/23 **DECLARATIONS OF INTEREST**

There were no declarations of interest at the commencement of the meeting.

### 344/23 **MINUTES**

The Minutes of the meeting held on 31<sup>st</sup> January 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 K J Builth
Councillor E Barker		Councillor G Hall
Councillor R Faulkner		Councillor G Lamb
Councillor Mrs V Gould		
Councillor Ms A Legg		
Councillor Mrs B Toon		
Councillor Mrs L Walker		
Councillor C Whittaker		

### 345/23 **URGENT BUSINESS**

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

1. **P/2022/00634 – Retention of use as a children’s home for children between the ages of 7 and 17 (Class C2) – 6 Epsom Close, Branston, Burton upon Trent, Staffordshire DE14 3GA**

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, Mrs L. Walker and C Whittaker.

Mrs S. Roesch and Mr A. Wass, members of the public, spoke on the application.

Councillor R. Grosvenor, Ward Councillor, spoke on the application.

Discussions took place.

A motion was put forward by Councillor G. Hall, seconded by Councillor K. J. Builth, to permit the application, with an extra condition that the premises operated for 18 months and to update the Good Neighbour Policy.

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 Mr L Walker
Councillor E Barker		
Councillor K Builth		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor G Lamb		
Councillor Mrs B Toon		
Councillor C Whittaker		

Further conditions took place.

A motion was put forward by Councillor G. Hall, seconded by Councillor K. J. Builth, to permit the application.

**Resolved:**

To **APPROVE** the application with the following conditions:

1. **Time Limit**

In 18 months from the date of the decision the use hereby permitted shall be discontinued and the property shall be returned to residential use (Class C2) unless planning permission has been first granted.

## 2. **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:

Drawing Nos:

1:1250 Location Plan dated as received on 3<sup>rd</sup> October 2022

1:500 Block Plan and 1:100 Proposed Floor Plans dated as received on 3<sup>rd</sup> October 2022

Planning Statement dated as received on 20<sup>th</sup> October 2022

Good Neighbour Policy dated as received on 2<sup>nd</sup> February 2023

Physical Intervention Policy dated as received on 2<sup>nd</sup> February 2023

## 3. **Good Neighbourhood Policy**

Within one month of the date of the decision the Good Neighbourhood Policy listed under Condition 2 above shall be revised, with the amended details submitted to and approved by the Local Planning Authority. The revised Policy shall include details of:

- Appropriate parking arrangements
- Identification of smoking areas (preferably within the rear garden)
- Safeguarding measures for the children as staff talking outside is audible to neighbours
- Identification of a neighbour liaison officer/group

The approved Good Neighbour Policy shall be adhered to for the lifetime of the development.

## 4. **Noise Management Plan**

Within three months of the date of this permission a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Noise Management Plan shall set out how certain activities will be managed to minimise unacceptable noise interference to nearby sensitive receptors (existing residential dwellings). The approved Noise Management Plan shall be adhered to for the lifetime of the development.

## 5. **Use Restricted to that Applied For**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any other revoking and re-enacting that Order, this permission shall relate to the use of the premises as a children's care home for a maximum of 3 No. children between 7 and 17 years to age, as described in the application and for no other purposes (including any other use within Class C2).

## 6. **Parking Spaces**

The three car parking spaces shown on the approved plans listed under Condition 2 above, shall be retained as available for their designated purposes at all times for the life of the development.

## **Informatives**

### **1. During Development Conditions**

The condition identified below require to be approved during the development.

#### Condition 2

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

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 the Council endeavour to discharge all conditions within 21 days of receipt of the 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.

### **2. Environmental Health Comments**

The applicant is advised to note and act upon as necessary the comments of the Environmental Health Manager as set out below:

#### Food and Health & Safety Comments:

The business will need to be registered with the Environmental Health Team 28 days prior to trading. The business can register through the following link:  
<https://register.food.gov.uk/new/east-staffordshire>

If the applicant has any queries please direct them to the Environmental Health Team on 01283 508578 or [EHSupport@eaststaffsbc.gov.uk](mailto:EHSupport@eaststaffsbc.gov.uk)

#### KITCHEN LAYOUT

The layout, design, construction and size of the kitchen must comply with Chapters 1 and 11 of Annex 11 to Regulation (EC) 852/2004, including the provision of a separate washbasin for cleaning hands, and adequate ventilation as detailed below. For further details the applicant should contact Environmental Health.

#### GREASE TRAPS

Provision should be made to include the installation of one or more grease traps or oil interceptors within the drainage system to prevent waste from entering directly or indirectly into a public sewer.

#### VENTILATION

The kitchen must be provided with suitable and sufficient means of natural or mechanical ventilation to all cooking equipment other than microwave ovens, in order to comply with Chapters 1 and 11 of Annex 11 to Regulation (EC) 852/2004. The ventilation system used must be easy to clean.

#### WASH-HAND BASINS

There should be the provision of a separate washbasin for cleaning hands as required by Chapters 1 and 11 of Annex 11 to Regulation (EC) 852/2004. In addition, following the Food Standards Agency's guidance on E.coli, wash-hand

basins in commercial kitchens where raw and ready to eat foods are handled should be provided with non-hand operated taps such as sensor, elbow or foot operated taps as they reduce the risk of cross-contamination.

Advisory Comment

It would be considered ‘good practice’ if provision was made for a separate toilet for staff use only.

**3. Police Architectural Liaison Officer**

The applicant is advised to note and act upon as necessary the comments of the Police Architectural Liaison Officer, particularly in relation to the applicant signing to the Herbert Protocol in respect of missing persons. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.

**4. Engagement (Proactive)**

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.

Voting concerning the above decision was as follows:

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

2. **P/2022/00370 – Change of use of vacant public house into a flexible commercial, business or service use (Class E) including works to repair and make good the fabric and internals of the building, along with the demolition of two existing dwellings Nos. 46 and 48 Bridge Street) to form new access for the erection of 10 dwellings, parking landscaping and associated works, and P/2022/00381 – Listed Building consent for the internal and external alterations to repair and make good the fabric and internals of the building to facilitate the change of use of vacant public house into a flexible commercial, business or service use (Class E) – Wheatsheaf Inn, 54 Bridge Street, Uttoxeter, Staffordshire ST14 8AP**

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

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

Mr M. Darcey, agent, for the applicant spoke on the application.

Discussions took place.

A motion was put forward by Councillor G. Hall, seconded by Councillor Mrs B Ashcroft, to **PERMIT** the application with the conditions in the report.

**Resolved:**

To **GRANT** planning permission subject to the following conditions:

1. **Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. **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:

Topographical Survey 3030a dated as received on 20.04.22;

Existing Floor Plans 2013-03-11 dated as received on 24.03.22;

Existing Elevations 2013-03-12 Rev A dated as received on 24.03.22;

Proposed Ground Floor Plan 2017-50-20 Rev C dated as received on 24.03.22;

Proposed First and Second Floor Plans 2017-50-21 Rec C dated as received on 24.03.22;

Proposed Roof Plan 2017-50-22 Rev B dated as received on 24.03.22;

Proposed Elevations 1 of 2 2017-50-23 Rev C dated as received on 24.03.22;

Proposed Elevations 2 of 2 2017-50-24 Rev A dated as received on 24.03.22;

Proposed Plans & Elevations Plots F and G 2017-50-30 Rev G dated as received on 24.03.22;

Site Section A-A 2017-50-101 dated as received on 12.04.22;

Site Section B-B 2017-50-102 Rev A dated as received on 27.07.22

Site Sections B-B and C-C 2017-50-102 dated as received on 12.04.22;

Site Section C-C 2017-50-104 dated as received on 28.07.22;

Site Section D-D 2017-50-103 Rev A dated as received on 28.07.22;

Proposed Plans -Plots H, I and J 2017-50-40 Rev J dated as received on 28.07.22;

Highways Improvement General Arrangement 0130 – PA dated as received on 03.01.23;

Proposed Site Plan 2017-50-10 Rev Q dated as received on 19.01.23;

Block and Location Plans 2017-50-11 Rec D dated as received on 18.01.23

Proposed Plans – Plots A to E 2017-50-60 Rev E dated as received on 26.05.22;

Proposed Streetscene dated as received on 24.03.22;

Archaeological Report Report No 119/2015 dated as received on 24.03.22;

Ecology Report Issue 1 dated 25/10/21 dated as received on 24.03.22;

Ground Investigation and Test Report Ref: DAP/23033 dated 30/10/15 dated as received on 24.03.22;

Heritage Statement Report Ref: HS/thewheatsheaf/AH556/11/03/22V2 dated as received on 24.03.22;

Planning and Design and Access Statement dated as received on 12.04.22;

Structural Appraisal Job No. 200231 dated 07.05.20 dated as received on 24.03.22 and

Transport Statement Version V3.0 dated as received on 24.03.22

3. **Materials**

No development (except for any approved demolition works) shall take place until details and/or samples of all the materials to be used externally on the Wheatsheaf Inn and the new dwellings hereby approved, ensuring the product name and manufacturer 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.

4. **Details of Landscaping**

Notwithstanding the submitted details no development (except for approved demolition works) shall take place until a scheme of landscaping and boundary treatments (i.e. hedgerows, fencing and walling), has been submitted to and approved in writing by the Local Planning Authority.

5. **Implementation of Landscaping**

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 buildings 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 planting season with others of similar size and species unless the Local Planning Authority give written consent to any variation.

6. **Implementation of Walling and Fencing**

Any scheme of walling and fencing approved as part of the landscaping scheme required by Condition 4 above shall be completed prior to the development first being brought into use.

7. **Off-site Highway Works**

No development (except approved demolition works) shall take place until the offsite highway works shown on Highways Improvement General Arrangement 0130 – PA dated as received on 03.01.23 have been fully completed in accordance with any plans given technical approval by the Local Highway Authority.

8. **Access**

No development (except approved demolition works) shall take place until the access to the site has been laid out, constructed and hard surfaces to at least base course level, drained to ensure no surface water runs onto the highway and shall be provided with a suitable wheel washing facility during the development phase to mitigate mud being carried from the site onto the highway.

9. **Parking**

Prior to the occupation of any dwelling hereby approved, the relevant dwelling shall be provided with car parking as shown on the Proposed Site Plan 2017 – 50 – 10 Rev Q dated as received on 19/01/2023 which shall be laid out, hard surfaced and drained. Once provided the parking spaces shall be retained and maintained available for parking at all times for the life of the development.

Prior to the first/use occupation of the Wheatsheaf Inn the 2 no. spaces to serve the Wheatsheaf Inn as shown on Proposed Site Plan 2017-50-10 Rev Q dated as received on 19/01/2023 shall be laid out, hard surfaced and drained. Once provided the parking spaces shall be retained and maintained available for parking at all times for the life of the development.

## 10. **Access for each Plot**

Prior to the occupation of any dwelling hereby approved, each dwelling shall be provided with a clean, hard surfaces access to at least base course level that connects to the adopted highway.

## 11. **Land Contamination**

In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken by a competent person in accordance with 'Land Contamination Risk Assessment ('LCRM') which was published in 2020'. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risk to human health, buildings and other property and the natural and historic environment, which is subject to the approval in writing of the Local Planning Authority. The scheme must ensure that the site will not qualify as Contaminated Land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to bringing the development into first use.

## 12. **Soils**

No soils are to be imported to the site until information on their source, the results of any soil analysis, and an assessment of their suitability for use has been submitted to and agreed in writing by the Local Planning Authority.

Prior to their import onto site, a suitable methodology for testing soils following their import and placement on the site should be submitted to and agreed in writing by the Local Planning Authority. The methodology should include:

- The sampling frequency
- Testing schedules
- Criteria against which the analytical results will be assessed (as determined by the risk assessment).

The agreed methodology shall then be carried out and validity evidence submitted to and approved in writing by the Local Planning Authority.

## 13. **Archaeology**

No development (except for site clearance works) shall take place until a written scheme of investigation ("the Scheme") has been submitted for the written approval of the Local Planning Authority.

The Scheme shall provide details of the programme of historic building recording works to be carried out within the site, including post-fieldwork reporting and appropriate publication. The Scheme shall thereafter be implemented prior to the occupation of any part of the development hereby approved, in full accordance with the approved plans.



#### 14. **Noise Mitigation**

Prior to the first occupation of the proposed dwellings hereby approved a scheme of noise mitigation measures shall be submitted to and agreed by the Local Planning Authority.

The mitigation measures shall be installed prior to the first occupation of the apartments and shall ensure compliance with BX 8233:2014 Guidance on sound insulation and noise reduction for buildings. A noise assessment will be required to demonstrate that the required mitigation is provided.

#### 15. **Compliance with Preliminary Ecological Appraisal**

The development hereby approved shall be carried out in accordance with the recommendations contained in Ecology Report Issue 1 dated 25/10/2021 dated as received on 24/03/2022. Should any protected species be found during construction work must stop and the advice of a qualified Ecologist must be sought.

#### 16. **Swift Boxes**

No development shall commence on site until such time as details of bird boxes and swift boxes/bricks, along with timescales for implementation, have been submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details and thereafter retained for the life of the development.

#### 17. **Bin Receptacles**

Prior to the first occupation of the dwellings hereby approved the waste bin and waste collection area shall be provided in accordance with the Proposed Site Plan 2017-50-10 Rev Q dated as received 19/01/2023 and shall thereafter be retained for the life of the development.

#### 18. **Drainage**

Prior to the first occupation of the development hereby approved, the development shall be implemented in accordance with the following documents:-

- a) BSU-LE-DPR-XX-TN-CE-TN01 - Proposed Drainage Strategy (Technical Note); and
- b) 2. BSU-LE-DPR-XX-DR-CE-500-P1 - Drainage Strategy (Drainage Plan showing design details)

Thereafter the drainage scheme shall be retained and maintained in accordance with the SuDS Management and Maintenance Plan contained within Section 2.7 of the above Technical Note.

#### 19. **Removal of PD Rights (Gates, Walls)**

Notwithstanding the provisions of Part 2 (Class A) of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) no gates, walls, fences or other means of enclosure (except those approved by this permission) shall be erected within the curtilage of the dwellings unless planning permission has first been granted by the Local Planning Authority.

20. **Removal of PD Rights (Extensions, Alterations etc.)**

Notwithstanding the provisions of Part 1 (Classes A-H) of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order) the dwellings hereby permitted shall not be enlarged, improved or altered, nor shall any building, enclosure, swimming or other pool, hard surface, plant or structure required for a purpose incidental to the to the enjoyment of the dwelling house be erected or installed unless planning permission has first been granted by the Local Planning Authority.

21. **Lighting**

No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by the Local Planning Authority prior to first occupation/use of the site. Any external lighting that is installed shall accord with the details so approved.

22. **Obscure Glazing**

The windows in the side elevations of Plots A and E serving bathroom(s)/en-suite(s) shall be—

- a) obscure-glazed, to Pilkington Standard 3 or its equivalent, and
- b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

which shall thereafter be retained as such unless planning permission has first been granted by the Local Planning Authority.

23. **Link to LBC**

No dwelling hereby approved shall be occupied until the works and Schemes have been implemented in full in conditions 3, 4, 5, and 6 attached to Listed Building Consent application ref: P/2022/00381.

24. **Balcony Screen**

Prior to first use of the balcony to Plot E, a scheme of screening along the eastern boundary (including a timeframe for implementation) shall first be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out in accordance with the agreed details and timeframes and thereafter retained for the lifetime of the development.

25. **No Dwelling to be first occupied until Listed Building Undertaken**

Unless otherwise agreed in writing by the Local Planning Authority all approved internal and external works in relation to the Grade 11 Listed Wheatsheaf Inn shall be completed in accordance with listed building consent ref: P/2022/00381 prior to the first occupation of any dwelling as approved as part of this application ref: P/2022/00370.

## **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 condition identified below require details to be approved before the commencement of the development.

Condition Nos. 3, 4, 6, 7, 8 and 13

This means that lawful commencement of the approved development cannot be made until the particular requirements of these conditions have been met.

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 the Council endeavour to discharge all conditions within 21 days of receipt of the 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. During Development Conditions**

The condition identified below require to be approved during the development/works.

Condition 5, 9, 10, 11, 12, 14, 15, 16, 17, 18 and 21

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

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 the Council endeavour to discharge all conditions within 21 days of receipt of the 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.

### **4. Details of Proposed Materials**

The applicant is advised that in complying with Condition 3 regarding eh submission of samples and details of all external materials, ensuring the product name and

manufacturer is provided and must be submitted in writing by 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.

## 5. **Landscaping and Trees**

The applicant is advised in complying with Condition 4 above regarding the submission of a landscaping scheme, the scheme should include plant species of known wildlife value, and additional tree within the site to compensate for the loss of trees.

## 6. **Bin Storage**

The applicant is advised in relation to Condition 17 that:

The communal waste collection area must be of adequate size to accommodate 2 wheelie bins per dwelling and constructed in a bound material.

Bin storage for each individual property must be at the side or rear of the dwelling. It is not clear how this is to be achieved for Plots A to E. Storage to the front of a dwelling is not acceptable.

Further details may be found in the Council's waste guidance document:

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

## 7. **Soils**

The applicant is advised the following in relation to Condition 12:

For material certified under BS3882:2015, a copy of the analysis certificate (comprising of the specified requirements, plus an appropriate list of contaminants, including hydrocarbons) should be submitted to the Local Authority for approval before material is imported. After approval and placement of material, the chemical quality should be analysed, with the frequency of analysis being one sample per 100m<sup>3</sup>. The depth of placement shall also be recorded in order to ensure remedial targets are met. The post-placement details shall be submitted as part of the validation report.

For material that has not been certified under BS3882:2015, full details of the location of material source(s), accompanied by representative chemical analysis (including a comprehensive set of parameters, for example: pH, particle composition, and contaminants – including hydrocarbons), at a frequency not less than one sample per 5000m<sup>3</sup> (with a minimum of at least one sample per source site) should be submitted to the Local Authority for approval before material is imported. After approval and placement of material, the chemical quality should be analysed, with the frequency of analysis being one sample per 50m<sup>3</sup>. The depth of placement shall also be recorded in order to ensure remedial targets are met. The post-placement details shall be submitted as part of the validation report.

## 8. **Ecological Enhancement Measures**

The applicant is advised that in complying with Condition 16 above the bat and bird boxes should be incorporated into the fabric of the dwellings.

## 9. **Ecological Responsibilities**

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

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended) it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

## 10. **Highway Works Agreement**

The applicant is advised that the proposed site access works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the 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 [road.adoptions@staffordshire.gov.uk](mailto:road.adoptions@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/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

## 11. **Party Wall Act and Ownership**

The applicant's attention is drawn to the provisions of The Party Wall etc. Act 1996, which may have implications for this development.

You are advised that any grant of planning permission does not override private legal matters such as rights of access onto lands outside the applicant's ownership for the purposes of construction or maintenance.

## 12. **Severn Trent Water**

Severn Trent Water advise "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](http://www.stwater.co.uk)) or by contact our Development Services Team (Tel: 0800 707 6600)."

## 13. **Associated Application**

The applicant are reminded to also comply with the conditions of Listed Building Consent application P/2022/00381.

## 14. **Hedgehog Highway**

The applicant/developer is advised that it is recommended that all close boarded fencing and solid walling should have provision for hedgehog holes comprising gaps of no less than 130mm per 10m or maintain 120mm clearance from ground level.

## **P/2022/00381 – Application 2**

To **GRANT** listed building consent subject to the following conditions:

### 1. **Time Limit**

The works to which the consent relates shall be begun before the expiration of three years from the date of the consent.

### 2. **Approved Plans/Documents Listed Buildings**

The works hereby granted consent shall be carried out in accordance with the following approved plans/documents subject to compliance with other conditions of this consent:

Block and Location Plans 2017-50-11 Rec D dated as received on 18.01.23  
Topographical Survey 3030a dated as received on 20.04.22;  
Existing Floor Plans 2013-03-11 dated as received on 24.03.22;  
Existing Elevations 2013-03-12 Rev A dated as received on 24.03.22;  
Proposed Ground Floor Plan 2017-50-20 Rev C dated as received on 24.03.22;  
Proposed First and Second Floor Plans 2017-50-21 Rec C dated as received on 24.03.22;  
Proposed Roof Plan 2017-50-22 Rev B dated as received on 24.03.22;  
Proposed Elevations 1 of 2 2017-50-23 Rev C dated as received on 24.03.22;  
Proposed Elevations 2 of 2 2017-50-24 Rev A dated as received on 24.03.22  
Archaeological Report - Report No 119/2015 dated as received on 24.03.22;  
Heritage Statement Report Ref: HS/thewheatsheaf/AH556/11/03/22V2 dated as received on 24.03.22; and  
Structural Appraisal Job No. 200231 dated 07.05.20 dated as received on 24.03.22

### 3. **Method Statement**

No works shall commence until a detailed method statement detailing for all internal works has first been submitted to and approved in writing by the Local Planning Authority. The works shall include details of breathable membranes and insulation to be used and details of which timbers are to be removed and which are to be retained and strengthened. The works shall be implemented in accordance with the approved details.

### 4. **Materials**

No works shall commence until samples of the types and colours of materials to be used on the internal and external elevations including a sample of mortar mix and finish are provided on site for inspection and approval in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

### 5. **Window and Door Opening Details**

No works shall commence until a detailed drawings (including cross-sections) of all openings to a scale 1:10 (or other appropriate scale first agreed with the Local Planning Authority) have been first submitted to and agreed in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details.

## 6. **Archaeology**

No works to the listed building shall take place until a written scheme of investigation (“the Scheme”) has been submitted to and agreed in writing with the Local Planning Authority.

The Scheme shall provide details of the programme of historic building recording works to be carried out within the site, including post-field reporting and appropriate publication. The Scheme shall be implemented in accordance with the approved details/timetable.

## 7. **Making Good**

All works of alteration and making good of the existing fabric of the building shall be carried out in materials to match the existing building in accordance with the details approved until Condition 4 above.

## **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.

Condition No’s. 3, 4, 5 and 6.

This means that a development may not be lawful until the particular requirements of these conditions have been met.

The 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 the Local Planning Authority 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. **Associate Application**

The applicants are reminded to also comply with the conditions of Detailed Planning Permission ref: P/2022/00370.

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 Ms A Legg		
Councillor S McKiernan		
Councillor Mrs B Toon		
Councillor Mrs L Walker		
Councillor C Whittaker		

**347/23 APPEALS RECEIVED AND DETERMINED**

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

**348/23 PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 16<sup>th</sup> January 2023 and 10<sup>th</sup> February 2023 was received and noted.

**349/23 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**