

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 31st May 2022.

Present:

Councillors Mrs V. Gould (Chairman), E. Barker, R. Faulkner, G. Hall, Ms A. Legg, S. McKiernan and Mrs L. Walker.

Officers Present:

S. Grant (Solicitor), N. Perry (Planning Manager) and L. Bird (Planning Officer).

Apologies for absence were received from Councillors Mrs B. Ashcroft, Mrs B. Brady, G. Lamb and C. Whittaker.

271/22 DECLARATIONS OF INTEREST

There were no declarations of interest.

272/22 APPOINTMENT OF VICE-CHAIRMAN

Councillor E. Barker was appointed vice-chairman for the ensuing year.

273/22 MINUTES

The Minutes of the meeting held on 26th April 2022 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 E Barker		Councillor Ms A Legg
Councillor R Faulkner		Councillor Mrs L Walker
Councillor Mrs V Gould		
Councillor G Hall		
Councillor S McKiernan		

274/22 URGENT BUSINESS

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

275/22 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2020/00323 – Erection of 2 detached dwellings, including alterations to existing vehicular access and alterations to car parking layout – 160 Newton Road, Burton upon Trent, Staffordshire DE15 0TR (Ward: Winshill)**

The site visit was attended by Councillors E. Barker, R. Faulkner, Mrs V. Gould, G. Hall, Ms A. Legg, S. McKiernan and Mrs L Walker.

Mr M. Kemp and Mr S. Arkesden, members of the public, spoke on the application.

Discussions take place.

A motion was proposed by Councillor Ms A. Legg (seconded by Councillor Mrs L. Walker) for a condition to be included regarding swift and bee bricks, with the wording to be delegated by the planning officer.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor E Barker		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor Ms A Legg		
Councillor S McKiernan		
Councillor L Walker		

Further discussions took place.

A motion was proposed by Councillor R. Faulkner (seconded by Councillor Ms A. Legg) for an informative to be included regarding a bird and hedgehog highway, with the wording to be delegated by the planning officer.

Voting concerning the above decision was as follows:

Those voting for the motion	Those voting against	Those abstaining
Councillor E Barker		
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor G Hall		
Councillor Ms A Legg		
Councillor S McKiernan		
Councillor L Walker		

Further discussions took place.

A motion was put forward by Councillor E. Barker (seconded by Councillor G. Hall) to permit the application.

Resolved:

To **GRANT** Planning Permission subject to the following conditions:

1. **Time Limit – 3 Year Standard**

The development hereby permitted shall be begun before the expiration of three years from the date of the 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:

001 NR, Rev H, 1:1250 Location Plan and 1:200 Site Plan including site sections dated as received on 23rd February 2022

002 NR Rev E, 1:100 Proposed Floor Plans and Roof Plan Plot 2 dated as received on 23rd February 2022

003 NR Rev E, 1:100 Proposed Elevations Plot 2 dated as received on 23rd February 2022

004 NR Rev E, 1:100 Proposed Floor Plans and Roof Plan Plot 1 dated as received on 23rd February 2022

005 NR Rev E, 1:100 Proposed Elevations Plot 1 dated as received on 23rd February 2022

SU2086_2D-1, 1:200 Topographical Survey dated as received on 2nd June 2020

Preliminary Ecological Appraisal by Midland Ecology dated as received on 2nd June 2020

Arboricultural Impact Assessment and Method Statement by AT2 Tree Surveys dated as received on 21st July 2021

Tree Survey by AT2 Tree Surveys dated as received on 2nd June 2020

Tree Protection Plan Rev A by AT2 Tree Surveys dated as received on 21st July 2021

3. **Materials**

All external materials used in the development shall be as set out on the plans and documents listed under Condition 2 as set out on the application form unless otherwise first agreed in writing with the Local Planning Authority.

4. **Details of Landscaping**

No development shall take place until a scheme of landscaping, fencing and walling, including details of replacement trees 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 next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

6. Protection of Trees During Development

All existing trees and hedges shown as being retained on the plans hereby approved shall be protected in accordance with the details set out in the Arboricultural Impact Assessment and Method Statement, listed in Condition 2 above. Such protection measures shall be erected before development commences and shall be retained at all times whilst construction work is taking place.

7. 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.

8. Formation of Access and Visibility Splays

Prior to the first occupation of the dwellings hereby granted permission the visibility splays shown on the approved drawings, listed under Condition 2, shall be provided and thereafter nothing exceeding 0.9m in height above adjoining the carriageway level shall be placed or allowed to remain forward of the splays.

9. Surfacing of Access, Parking and Turning Areas

Prior to the first occupation of the dwellings hereby granted permission the access, parking and turning areas shown on the approved plan listed under Condition 2, shall be provided in a bound porous material to ensure no surface water runs onto the highway, and thereafter shall be made available at all times for their designated purposes.

10. Removal of Permitted Development Rights (External Alterations & Curtilage Buildings)

Notwithstanding the provisions of Classes A, B, C, D, E and G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-acting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, no chimneys shall be erected, and no buildings or structures shall be erected within the curtilage of the new dwellings unless planning permission has been first granted by the Local Planning Authority.

11. Removal of Permitted Development Rights (Gates, Walls)

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

12. Slab Levels

Before the development hereby permitted is first commenced, details showing the existing and proposed land levels of the site including spot heights and the finished floor levels, ridge and eaves heights of all buildings hereby permitted with reference to the finished floor levels, ridge and eaves heights of neighbouring buildings and an off site datum point, shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.

13. Obscure Glazing

The ground floor windows in the north (side) elevation of Plot 1 and the first floor windows in the side elevations of Plots 1 and 2 shall be permanently glazed in a minimum of level 4 Pilkington obscure glass (or its equivalent) and shall have fixed (i.e. non-openable) lights/units at all times, unless the opening parts are 1.7 metres above the floor level of the room in which they are installed.

14. Bin Receptacles

Prior to the first occupation of the dwellings hereby approved the applicant/developer shall provide each property with waste collection bins/receptacles in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

15. Compliance with Preliminary Ecological Appraisal

The development hereby approved shall be carried out in accordance with the recommendations contained in the Preliminary Ecological Appraisal, listed at Condition 2 above. Should any protected species be found during construction work must stop and the advice of a qualified Ecologist must be sought.

16. Ecological Enhancement Measures

No development shall take place until details of ecological enhancement measures (including bird nesting and bat roosting facilities, and bee bricks and hedgehog gaps to be installed on the site have been submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall be installed prior to the first occupation of any of part of the development and thereafter made available at all times for their designated purposes.

17. Lighting

No external artificial lighting shall be installed within the site unless planning permission has been obtained from the Local Planning Authority.

Informatives

1. Pre-commencement Conditions

The conditions identified below require details to be approved before commencement of the development.

Conditions Nos. 4 and 16

This means that a 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 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.

2. Landscaping and Trees

The applicant is advised that 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 planting to the existing tree lined boundaries to strengthen this into a hedgerow, along with addition planting to the site frontage, rear of the proposed front boundary walls.

3. Ecological Enhancement Measures

The applicant is advised that in complying with Condition 16 above, a hedgehog highway, bat and bird boxes within the boundary treatment should be incorporated into the fabric of the dwellings.

4. 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 licenced ecologist procured to ensure an offence is not committed.

5. Police Architectural Liaison Officer

The applicant is advised to note and act upon as necessary the comments of the Police Architectural Liaison Officer:

Gates are recommended to the rear gardens of the new dwellings, these should be set no further back from the front elevation of the dwellings than 600mm.

Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.

6. Public Sewer Crossing Site

The applicant is advised that there may be a public sewer on or close to the site. Public sewers have statutory protection and may not be built close to, directly over, or diverted without consent. For further advice on this matter Severn Trent Water should be contacted on 01902 793883.

7. Visibility Splays

The applicant is advised that the visibility splays required at condition 8 above must be kept free from obstruction at all times. This restriction applies to the land on the frontages of numbers 155 and 156 Newton Road shown on the approved drawings as being included in the visibility splays.

8. No Projection Over Highway Boundary

The applicant is advised that no part of the boundary wall or its foundations, fixtures and fittings shall project forward of the highway boundary.

9. Surfacing of Access, Parking and Turning Areas

The applicant is advised that in complying with Condition 9 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.

10. Informative 10 - Vehicle Access Crossings

The applicant is advised that a Section 184 Notice of Approval from Staffordshire County Council is required prior to the new access being constructed. A vehicle access crossings information pack and an application form for a vehicle access crossing (dropped kerb) are available on the County Council's website at www.staffordshire.gov.uk/transport/staffshighways/licences/Vehicle-access/VehicleAccessCrossings. The application form can be completed online or downloaded, completed and sent to Network Management Unit, Staffordshire County Council, Staffordshire Place 1, Wedgewood Building, Tipping Street, Stafford, ST16 2DH or emailed to nmu@staffordshire.gov.uk.

11. Informative 11 - 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 E Barker		Councillor Ms A Legg
Councillor R Faulkner		Councillor S McKiernan
Councillor Mrs V Gould		Councillor L Walker
Councillor G Hall		

276/22 APPEALS RECEIVED AND DETERMINED

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

277/22 PLANNING PERMISSIONS

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 14th March 2022 and 8th April 2022 was received and noted.

278/22 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