

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 20th December 2022.

Present:

Councillors Mrs V. Gould (Chairman), Mrs B. Ashcroft, E. Barker, R. Faulkner, G. Hall, G. H. Lamb, Ms A. Legg, S. McKiernan and C. V. Whittaker.

Officers Present:

S. Grant (Solicitor), L. As (Trainee Solicitor), N. Perry (Planning Manager), A. Harvey (Principal Planning Officer), G. Shilton (Planning Officer) and B. Toy (Principal Planning Officer).

Also Present:

Apologies for absence were received from Councillor Mrs B. Toon and Mrs L. Walker.

325/22 **DECLARATIONS OF INTEREST**

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

326/22 **MINUTES**

The Minutes of the meeting held on 29th November 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 Mrs B Ashcroft
Councillor V Gould		Councillor R Faulkner
Councillor Ms A Legg		Councillor G Hall
Councillor S McKiernan		Councillor G H Lamb
Councillor C V Whittaker		

327/22 **URGENT BUSINESS**

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

1. **P/2017/01307 – Outline application (including details of access with other matters reserved) for the erection of up to 108 No. dwellings, formation of town park and re-naturalisation of Picknall Brook and alteration of existing vehicular access of Hockley Road and Pinfold Street – Bamford Works, Pinfold Street, Uttoxeter, Staffordshire (Ward: Town)**

The site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, R. Faulkner, Mrs V. Gould, G. Hall, G. Lamb, Ms A. Legg, S. McKiernan and C Whittaker.

Mrs L. Wood-Bailey, a member of the public, spoke on the application.

A motion was put forward by Councillor V. Gould (seconded by Councillor G Hall) to permit the application, subject to the S106 agreement and the conditions set out in the report.

Resolved:

That outline planning permission be **APPROVED** subject to a Section 106 Agreement (as detailed in section 22 in the report) and the following conditions:

1. **Time Limit for Reserved Matters to be Submitted**

Applications for approval of the reserved matters for any phase of the development shall be made to the Local Planning Authority before the expiration of three years from the date of the permission.

2. **Reserved Matters Details**

The developable residential area(s) within the application shall be shown on the approved plans (listed at condition 2 below) and no development shall take place within any phase until details of the following reserved matters for that 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 any phase shall be carried out strictly in accordance with the approved details to the satisfaction of the Local Planning Authority.

3. **Time Limit for Development to Start**

The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the last reserved matter(s) to be approved.

4. **Approved Plans/Documents**

The development hereby permitted insofar as it relates to the extent of the application site (and uses) and means of access only shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission.

Drawing No. MP.002A-Rev Site Location Plan dated as being received on 1.9.2022

Drawing No. MP.105A-Rev Masterplan - Site Access Updated dated as being received on 1.9.2022
Drawing No. 273.MP.101-Rev Zoning Plan dated as being received on 1.9.2022
Amended application form dated as being received on 1.9.2022
B Uttoxeter Properties Holdings Limited Update Supporting Statement dated as being received on 1.9.2022
SCP Revised Transport Assessment (July 2022) dated as being received on 1.9.2022
RSK Constraints Walkover Report (3rd Nov 2021) dated as being received on 1.9.2022
Weetwood Flood Risk Clarification Note (2nd Nov 2021) dated as being received on 1.9.2022
C Henshaw Archaeological Building Recording Report (2013) dated as being received on 27.10.2017
RSK Bat report (July 2013) dated as being received on 6.10.2017
RSK Ecological Constraints walkover Report (October 2017) dated as being received on 27.10.2017
Envirotrat Final Validation and Verification Report (August 2017) dated as being received on 27.10.2017
Weetwood Flood Risk Assessment Draft Report v2.0 (September 2017) dated as being received on 6.10.2017
GIP Phase 2 Ground Investigation and Test Report (3rd Nov 2011) dated as being received on 9.10.2017.
Echo Acoustics Noise Assessment (02 October 2017) dated as being received on 27.10.2017
Echo Acoustics Addendum Noise Assessment (25 October 2017) dated as being received on 27.10.2017
RSK Phase 1 Habitat report (July 2013) dated as being received on 6.10.2017
RSK Picknall Brook Ecological Survey Report (July 2013) dated as being received on 6.10.2017
C Henshaw Pinfold Street Uttoxeter Archaeological building recording report (July 2015) dated as being received on 27.10.2017
Envirotrat Remediation Strategy Rev 3 (November 2015) dated as being received on 6.10.2017.
Sustainable drainage SCP Travel Plan (September 2017) dated as being received on 6.10.2017.
Weetwood Utilities Assessment (March 2016) dated as being received on 27.10.2017
RSK Uttoxeter Otter and Water Vole letter report (26 September 2017) dated as being received on 6.10.2017
RSK Uttoxeter Walkover Report (01 September 2017) dated as being received on 6.10.2017

5. Phasing Plan

Details of a phased programme of work shall be agreed with the Local Planning Authority prior to the commencement of any development (including site clearance works/groundworks) and shall include a phasing timetable for the development of the residential element(s) of the scheme (including associated open space provision) along with the timing of the works for the re-naturalisation of the Picknall Brook and for the provision of the 'town park'/other open space provision along with the details of the treatment of any lands that may remain vacant upon the occupation of any dwelling unit(s) on other phases/areas of the site. The agreed phasing shall be adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.

6. **Re-naturalisation of the Picknall Brook**

Unless otherwise agreed under the provisions of the phasing scheme (to be agreed under condition 5) no development (including any site clearance works/groundworks) shall take place on the site precise details of the restoration/re-naturalisation of the Picknall Brook (including a long-term maintenance plan) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the commencement of any part of the development approved by the planning permission unless otherwise agreed under the provisions of the phasing scheme (to be agreed under condition 5).

7. **Flood Risk Mitigation**

The development hereby permitted shall not be commenced until such time as a scheme to ensure adequate compensation for the loss of flood plain to the development up to a 1 in 100 year plus 30% allowance for climate change critical flood event, as defined by the flood levels included in the Flood Risk Assessment Version 2.0 (dated 27th September 2017), has been submitted to, and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall demonstrate through the submission of plans, drawings and calculations that the area of floodplain to be created exceeds the loss of floodplain for each and every phase of development as well as upon completion of the overall development.

The scheme to be submitted shall also show the location of the cut and fill works and provide detailed designs of any retaining structure/s and the flood plain compensation areas through the submission of plans and cross-sectional drawings, showing each 200mm horizontal slice through.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Environment Agency.

8. **Watercourse Alteration**

Prior to commencement of any phase of the development hereby permitted which includes the alteration of the watercourse detailed designs and alignment for the watercourse, as indicated on the Illustrative Masterplan for the proposed development (as listed at condition 4), shall be submitted and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The detailed designs shall demonstrate through the submission of plans, drawings, calculations and (where necessary) modelling the following:

- The alignment of the watercourse and any lowering of bank levels, including a minimum 8 metre easement/maintenance access strip from top of channel edge to any built development.
- The designs for any crossings pedestrian and/or vehicular.
- That the channel is capable of conveying flood flows without increasing the risk of flooding to third parties.
- How the design makes a net positive contribution to biodiversity.

- The incorporation of an unobstructed access for maintenance purposes.

The works shall be implemented in accordance with the approved detailed designs and a timetable of construction to be submitted to and approved in writing by the Local Planning Authority in consultation with the Environmental Agency.

9. **Construction Method Statement (Flood Plain)**

Prior to the commencement of any works affecting the flood plain/existing watercourse, including any site clearance works/groundworks, within each phase of the development, detailed Construction Method Statements for the flood plain compensation and separately any alterations of the watercourse shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The statements shall provide for:

- Methods used for all flood plain and/or channel and bank-side/water margin works including temporary and permanent works;
- Machinery to be used;
- Location and storage of plant, materials and fuel;
- Access routes to the works, access to the banks of the watercourses;
- Site supervision;
- Location of site office, compounds and welfare facilities.

The approved statements shall be adhered to throughout the construction period unless otherwise agreed in writing with the Local Planning Authority.

10. **Construction Vehicle Management Plan (Highways)**

No phase of the development shall take place (including any site clearance works/groundworks), until a Construction Vehicle Management Plan (CVWP) has been submitted to and approved in writing by the Local Planning Authority. The CVWP shall include the following:

- Arrangements for the parking of site operatives and visitors;
- Loading and unloading of plant and materials (including delivery hours);
- Storage of plant and materials used in constructing the development;
- Construction days and hours;
- Pedestrian and cyclist protection;
- Any proposed temporary traffic restrictions;
- Recorded daily inspections of the highway adjacent to the site access;
- Wheel washing and measures to mitigate mud and debris being carried onto the highway.

The approved CVWP shall be adhered to throughout the construction period unless agreed in writing with the Local Planning Authority.

11. Noise and Dust Mitigation (Construction Phase)

No phase of the development (including any site clearance works/groundworks) shall take place until details of a scheme of noise and dust mitigation during the construction process are first submitted to and agreed in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the proposed scheme unless otherwise agreed in writing by the Local Planning Authority.

12. Foul Water Drainage

No development (including any site clearance works/groundworks) shall take place on any phase of the development scheme until details of the proposed foul water drainage systems are first submitted to and agreed in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority.

13. Sustainable Surface Water Drainage

No development (including any site clearance works/groundworks) shall take place on any phase of the development scheme with details of Sustainable Surface Water Drainage systems to serve the development are submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the 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. The plan should include a named body responsible for undertaking the agreed management and maintenance plan over the lifetime of the development.

The development shall be undertaken in accordance with the approved scheme prior to the first occupation of any dwelling and thereafter maintained in strict accordance with the approved management and maintenance plan unless otherwise agreed in writing with the Local Planning Authority.

14. Vehicular Access Details

Prior to the commencement of development (including site clearance works/groundworks) on any relevant phase full details of vehicular access points including visibility splays shall be submitted to and approved in writing by the Local Planning Authority. The vehicular access points and visibility splays shall be provided in accordance with the approved details prior to the first occupation of any dwelling served by that access and thereafter retained and maintained for the lifetime of the development.

15. Road Construction Details

No development (including any site clearance works/groundworks) shall take place on any phase of development until details of road construction related to that phase, including the longitudinal sections and means of drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

16. Highway Surfacing Details

No development (including any site clearance works/groundworks) shall take place on any phase until details of all materials for hard-surfaced areas relating to that phase, including accesses, road, parking, turning areas, pavements, pathways and any other hard surfaced areas within the phase and around the buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

17. Finished Floor/Ground Levels

No development (including any site clearance works/groundworks) hereby permitted shall take place on any agreed phase until details of finished floor levels and finished ground levels and finished ground levels of that phase of the development are submitted to and approved in writing by the Local Planning Authority on consultation with the Environment Agency. The details to be submitted shall demonstrate that internal finished floor levels are set a minimum of 450mm higher than the 1 in 100 year plus 30% for climate change predicted flood level for that phase of the development.

The development shall be undertaken in strict accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

18. Habitat Protection

No development (including any site clearance works/groundworks) shall take place on any phase until mitigation measures (including an implementation timetable) for the protection of protected species/other ecological interests on the relevant phase (including Picknall Brook) during and after construction works have been submitted to and approved in writing by the Local Planning Authority. Where any development commences within 2 years of the date of the most recently submitted ecological report(s) on this application (as listed in condition 4 above) the mitigation measures shall be based on the ecological survey work submitted with the application. Where any development commences after the aforementioned 2 year period the mitigation works shall thereafter be based on updated ecological survey work which shall have first be submitted to and approved in writing by the Local Planning Authority (and which in any case shall not be more than two years old at the time of works commencing). All mitigation works shall be undertaken in accordance with the approved details/timetable unless otherwise agreed in writing by the Local Planning Authority.

19. Biodiversity Strategy

No development (including any site clearance works/groundworks) shall take place until a biodiversity strategy for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The submissions (where relevant to that phase(s) shall relate to the 'town park' and other open spaces/green areas and built-up areas, and include a nature conservation management plan for the town park and other open space/green areas. The development shall only be carried out in accordance with the approved strategy and plan document(s) unless otherwise agreed in writing by the Local Planning Authority.

20. Highway Works (On Site)

The details required under condition 2 in relation to any development on Zone 1 shall include a Master Plan which shall include the following: Street layout and character including measures to restrain vehicle speeds to 20mph/Parking Strategy including the provision of secure cycle parking facilities for each dwelling unit/Phasing/timetable of the works/Pedestrian connectivity (especially for public transport/Clear delineation of roads and footways to be offered for adoption. The Master Plan (including timetable of works) shall be complied with unless otherwise agreed in writing by the Local Planning Authority.

21. Securing Access to Dwellings on Balance Street

The details required under condition 2 in relation to any development on Zone 1 shall include a Master Plan which shall include details of the means of ensuring that vehicular and/or pedestrian access to the rear of all those properties on Balance Street which currently benefit from vehicular and/or pedestrian access is retained during the construction phase and in relation to the development occupation phase.

22. Completion of Highway Works

All the following off site highway listed below shall be completed prior to completion of the 50th dwelling unless otherwise first agreed in writing with the Local Planning Authority:

- Provision of traffic calming measures on Pinfold Street;
- Provision of a Toucan crossing on Hockley Road;
- Provision of a Yellow box junction on Hockley Road; and
- Pedestrianisation scheme for the southern section of Pinfold Street.

23. Land Contamination (Zone 1)

- a. No development (including any site clearance works/groundworks) shall commence on Zone 1 (as identified on the approved drawings listed at condition 4 above) until the submission to and approval by the Local Planning Authority of the final phase of remedial works in Zone 1 including suitable capping layer and gas protection measures (where applicable) and a timetable for undertaking the works.
- b. Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to and agreed in writing with the Local Planning Authority.
- c. Upon completion of all approved remediation works, a closure report shall be submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up

criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

24. Laying out of an Open Space

The details required under condition 2 in relation of development on Zones 1 and 2 shall where relevant include details of the formal laying out of the 'town park' and other areas of open space/green areas, precise detailed of the pathways throughout the park/lands, including links with existing public footways (including a timescale for completion). The pathways and links shall be provided in accordance with the approved details and timescale and thereafter shall be retained and maintained as available for use for the life of the development.

25. Land Contamination Mitigation (Zone 3)

- a. No development (including any site clearance works/groundworks) shall commence on Zone 3 (as identified on the approved drawings listed at condition 4 above) until a submission to and approval in writing by the Local Planning Authority of the final phase of remedial works in Zone 3 including suitable capping layer and gas protection measures (where applicable) and a timetable for undertaking the works.
- b. Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be full assessed and an appropriate remediation scheme submitted to and agreed in writing with the Local Planning Authority.
- c. Upon completion of all approved remediation works, a closure report shall be submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

26. Energy Saving Construction

No development above damp proof course level shall take place on any residential element within a phase until details of sustainability/energy saving measures and techniques to be employed in relation to dwellings in that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

27. Noise Mitigation (Occupation Phase)

No development above damp proof course level shall take place on any residential element within a phase until details of noise attenuation measures to be incorporated in the residential properties in that phase have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall be completed in accordance with the approved measures unless otherwise agreed in writing by the Local Planning Authority.

28. External Materials

No development above damp proof course level shall take place in relation to residential development on any phase of the development scheme until samples and details of all external materials and finishes relating to that phase (including those for walls, roofs, windows, doors and chimneys), including details of colour, coursing and texture have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the agreed materials and finishes unless otherwise agreed in writing by the Local Planning Authority.

29. Redundant Crossing Closure

Upon the approved site access points being completed and first brought into use any existing footway crossing on Hockley Road and Pinfold Street, made redundant as a consequence of the development, shall be permanently closed with the access crossing reinstated as a footway in accordance with details which shall have been first submitted to and approved in writing by the Local Planning Authority.

30. Boundary Treatment Details

Before any development is first occupied/brought into use on each phase of the development details of boundary treatments, including materials, finishes, heights and sections (where there are changes in topography) in relation to that phase shall have been submitted to and approved in writing by the Local Planning Authority.

31. Landscape Management (5 – 10 Years)

Before any dwelling is first occupied on each phase of the development details of landscape management plan related to that phase, for all landscape areas outside of private domestic curtilages, for years five to ten from initial planting shall be submitted for approval in writing by the Local Planning Authority. The landscape areas shall be managed in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

32. Travel Plan

No dwelling on any phase of the development shall first be occupied until a Travel Plan relating to that particular phase of the development has been submitted to and agreed by the Local Planning Authority in conjunction with the County Highway Authority. The Travel Plan shall be implemented through agreed mechanisms that have been approved unless otherwise agreed in writing by the Local Planning Authority.

33. Tree Protection Measures

No development (including any site clearance/groundworks) shall take place on any phase until such time as the protection measures for all existing trees and hedges to be retained in relation to that phase has been erected in accordance with the approved tree report (as listed at condition 4 above) and shall be retained at all times whilst construction work is taking place unless otherwise agreed in writing by the Local Planning Authority.

34. Lighting Scheme

No development shall be first occupied/first brought into use on any phase of the development until a lighting scheme to serve that phase has been completed in accordance with the details first submitted to and agreed in writing by the Local Planning Authority.

35. Floodplain Topographical Survey

Upon completion of the cut and fill works (floodplain compensation scheme) required by the development scheme for each phase and prior to any first occupation of each development phase/the bringing into use of the development, an 'as built' topographical survey of the area of floodplain compensation shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency.

36. Retained Ground Levels

Unless otherwise shown on any approved plans there shall be no raising of ground levels or erection of any building, structure or any other such obstruction to flood flows within the area of floodplain compensation created as part of the redevelopment of the site unless otherwise agreed in writing by the Local Planning Authority in consultation with the Environment Agency.

37. Landscaping (Zone 1)

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 dwelling(s) to which it relates or the completion of the development of the phase of which it forms part, 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.

38. Landscaping (Zone 3)

All planting, seeding or turfing comprised in the approved details of landscaping on Zone 3 shall be carried out in accordance with a timetable first agreed in writing by the Local Planning Authority prior to the occupation of any dwelling house on Zone 1. 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.

39. Boundary Treatment Provision

Any scheme of boundary enclosures approved as part of a condition of the permission shall be completed prior to that relevant phase of the development first being brought into use/ the relevant dwelling(s) being first occupied.

40. Timing of Tree/Hedgerow Removals

Any approved tree/hedgerow removal works shall be undertaken outside the bird breeding/nesting season unless that removal is undertaken in accordance with mitigation measures set out in the approved application submissions (listed at condition 4 above) or otherwise first agreed in writing by the Local Planning Authority.

Informative Notes

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

Condition Nos. 5 – 21 and 23 -25.

The condition(s) identified below require details to be approved during the development/works.

Condition(s) No. 22, 26-32, 34-35 and 38.

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

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

You are advised that 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 we will endeavour to discharge all conditions within 21 days of receipt of 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. The applicant is advised that in complying with the relevant condition(s) above regarding the submission of samples and details of all external materials, ensuring the product name and manufacturer is provided and must be submitted in writing to the Local Planning Authority as part of the relevant Discharge of Condition application along with correspondence confirming that date on which samples will be made available on-site and where they will be located.
3. The applicant's attention is drawn to the comments of the environment Agency in relation to the water environment (including pollution).
4. The applicant's attention is drawn to the comments of the Network Rail insofar as the submission of any discharge of condition submissions are concerned where it is necessary to have due regard to the operation of the railway (including level crossings) which adjoins the site.
5. The proposed site access works will 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. 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>

6. With regard to the provision of surface water drainage submissions under condition 13 submission your attention is drawn to the comments of Network Rail and to the fact that the County Highway Authority advises that any soakaway to be installed should be located a minimum distance of 4.5m to the rear of the highway boundary. The County Council as the Lead Flood Authority advises that the final drainage scheme shall be based upon the information detailed within the approved Flood Risk Assessment (revision 2) undertaken by Weetwood in September 2017 (and listed at condition 4 of this approval) and shall include a technical note appended by drawings/ information to demonstrate the following: -

- Evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations.
- If applicable, evidence of ground conditions/ and or contamination that prohibit the use of infiltration (i.e., intrusive ground investigation) or infiltration testing in accordance with BRE365 should be provided to fully demonstrate the viability (or non-viability) of discharging to ground.
- If discharge to a watercourse is proposed, then confirmation of acceptance to discharge at the point and proposed rate is required from the Environment Agency.
- Drawings showing the total permeable and impermeable areas of the pre-developed and post-developed site.
- Limiting the surface water run-off generated by the overall site so that the existing green field parts of the site will discharge at green field rates and the existing developed parts of the site will offer a significant reduction in discharge rates from current rates and therefore reduce the risk of flooding off-site.
- Provision of appropriate volumes of attenuation storage for all events up to and including the 100-year event plus an appropriate climate change allowance for residential developments.
- Detailed design (plans, network details and performance calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations.
- Finished floor levels are set in agreement with the Environment Agency or 150mm above local ground level, whichever is the highest. This will ensure that residential development is located outside of areas of fluvial and surface water flooding.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of supporting information to demonstrate that sufficient water quality measures have been incorporated into the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.

7. This permission does override any private legal issues such as rights of way or the requirements of other legislation (for example in relation to the operation of the railway).
8. The applicant/developer is advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of protected species is found at any point all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.
9. 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.
10. As is this application is outline approval with access only this approval does not imply approval for any housing layout plans or house type submitted with this application. Those documents have been treated as being for illustrative purposes only.
11. Severn Trent Water Ltd advises that it should be noted that 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 Severn Trent Water Ltd under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either the Severn Trent Water Ltd website (www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600).
12. The applicant(s) is/are advised to note and act upon as necessary the comments of the Police Architectural Liaison Officer. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.
13. This permission is subject to a Section 106 Agreement.

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 R Faulkner		
Councillor G Hall		
Councillor Mrs V Gould		
Councillor G H Lamb		
Councillor Ms A Legg		
Councillor S McKiernan		

Councillor C V Whittaker		
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2. **P/2021/00739 – Erection of a detached dwelling, detached garage, Hamman and garden room – rear Of 243 Burton Road, Branston, Burton upon Trent, Staffordshire DE14 3DR (Ward: Branston)**

The site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, R. Faulkner, Mrs V. Gould, G. Hall, G. Lamb, Ms A. Legg, S. McKiernan and C Whittaker.

The Chairman read out a statement regarding the application on behalf of the Ward Councillor.

Mr D. Clark, a member of the public, spoke on the application.

Mr J. Malkin, agent for the applicant, spoke on the application.

Further discussions took place.

A motion was put forward by Councillor C. Whittaker (seconded by Councillor R. Faulkner) for a new condition to be added to support the sustainability to ascertain the green energy of the buildings scheme to be submitted to the Local Planning Authority.

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 R Faulkner		
Councillor G Hall		
Councillor Mrs V Gould		
Councillor G H Lamb		
Councillor Ms A Legg		
Councillor S McKiernan		
Councillor C V Whittaker		

Further discussions took place.

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

Resolved:

To **PERMIT** subject to the conditions in the report and the new condition proposed, wording delegated to the Planning Officer.

1. **Time Limit**

The development hereby permitted shall 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 subject to compliance with other conditions of this permission:

Drawing No's:

0230_00_200 Revision E Existing Site Plan scaled at 1:1250 and 1:200 dated as received on 1 November 2022

0230_20_200 Revision E Proposed Site Plan scaled at 1:1250, 1:200 and 1:20 dated as received on 1 November 2022

0230_20_201 Revision E Proposed L0 Plan scaled at 1:100 dated as received on 7 December 2022

0230_20_202 Revision D Proposed L1 Plan scaled at 1:100 dated as received on 7 December 2022

0230_20_203 Revision D Proposed L2 Plan scaled at 1:100 dated as received on 7 December 2022

0230_20_204 Revision D Proposed Front and Rear Elevations scaled at 1:100 dated as received on 1 November 2022

0230_20_205 Revision C Proposed Left, Right & Additional Elevations scaled at 1:100 dated as received on 1 November 2022

0230_20_206 Revision C Proposed Sections scaled at 1:100 dated as received on 7 December 2022

0230_20_209 Revision B Proposed Garden Room Plans and Elevations scaled at 1:100 dated as received on 7 December 2022

0230_20_800 Revision B Proposed Site Section scaled at 1:500 & 1:200 dated as received on 1 November 2022

0230_20_801 Revision B Proposed Site Access scaled at 1:200 and 1:100 dated as received on 1 November 2022

Preliminary Ecological Appraisal (PEA) Reference FE95/PEA01 dated 14 May 2021 dated as received on 25 May 2021

Arboricultural Survey Report, Method Statement & Impact Assessment dated as February 2022 dated as received on 2 March 2022

Planning Statement dated as received on 1 November 2022

Flood Risk Assessment (FRA) dated 2 May 2017 reference RAB 1647L Version 1.0 undertaken by RAB Consulting dated as received on 25 May 2021

3. **Details of Materials**

No development shall take place until samples and details of all materials to be used externally ensuring the product name and manufacturer is provided (including details of coursing of brickwork and roof tiles) 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**

No development shall take place until a detailed scheme of landscaping, planting and hedging (to mitigate the loss of biodiversity on site in accordance with the recommendations of the Preliminary Ecology Appraisal), fencing and walling (to include gaps of minimum 130mm square at ground level at least every 10m running length or that do not seal to the ground at all between posts with a 120mm gap from fence base to ground) 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 building(s) or the completion of the development, whichever is 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

No development shall take place on the site until a tree protection scheme (which shall include the access road), constraints plan and a detailed method statement for the works within the Root Protection Areas to 'British Standards BS 5837' has been submitted and approved in writing by the Local Planning Authority. The approved tree protection scheme as shown on the approved plans/documents shall be in place prior to any works commencing on the site and shall be retained in situ at all times during the construction phase unless otherwise agreed in writing to the Local Planning Authority.

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 and retained as such thereafter.

8. Surfacing of Access, Parking and Turning Areas

No development shall take place until a detailed plan indicating the parking layout (to meet the requirements of the Branston Neighbourhood Plan Policy B11), turning area and access road from Warren Lane shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter shall be made available at all times for their designated purposes.

9. Retention of Garage/Parking Space

Notwithstanding the provisions of the Town and country Planning (General Permitted Development) (England) Order 2015 the garage parking spaces provided in connection with the development hereby approved 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.

10. External Lighting

No development shall take place until full details of any external lighting including the location, height, type and direction of light sources, intensity of illumination and lighting contour plan that demonstrates there will be minimal impact on receptor habitats such as trees, has been to and approved in writing by the Local Planning Authority. The lighting scheme should be designed in accordance with Bat Construction Conservation Trust/Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK.

The development shall be carried out in accordance with the approved details and once installed shall not thereafter be altered without prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

11. Removal of PD Rights (External Alterations and Curtilage Buildings)

Notwithstanding the provisions of Classes A, B, C, D, E and F 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 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 buildings or hard surfacing unless planning permission has first been granted by the Local Planning Authority.

12. Removal of PD 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 that 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 dwelling(s) unless planning permission has first been granted by the Local Planning Authority.

13. Existing and Finished Floor 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 offsite 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.

14. Ecological Enhancement Measures

Prior to the commencement of the development, details of the type and location of biodiversity enhancement measures including 1 group of 3 number swift boxes and 1 number house sparrow terraces on or integrated into north- or east- facing brickwork of the new buildings and 2 number integrated bat tubes or bat boxes within the new building, located on southern aspects, and 2 bee bricks shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the buildings and retained as such thereafter.

15. Ecology – Site Works

The development hereby approved shall be carried out in accordance with the recommendations contained in sections 5.8, 5.12 and 5.14 of the approved 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. Ecology – Site Clearance Works

Prior to the commencement of any site clearance works a survey as recommended in section 5.6 of the approved Preliminary Ecology Appraisal in Condition 2 above shall be submitted to and approved in writing by the Local Planning Authority.

17. 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.

18. Flood Risk

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) under condition 2 and the following mitigation measures detailed within the FRA as follows:

- The finished floor levels of the development are to be set at least 300mm above the 100 year plus climate change breach flood level as outlined in paragraph 4.1.1 of the Flood Risk Assessment.
- The mitigation measures set out within the Flood risk Assessment shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

19. Hours of Construction

There shall be no onsite works outside the hours of:

Monday to Friday 07:30 – 18:00 hours and Saturdays 07:30 – 14:00 and there shall be no work on Sundays or Bank Holidays.

20. Electric Car Charging Points

Prior to first occupation of the development hereby permitted details of electric vehicle charging points, shall be submitted in writing to and agreed in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed in accordance with the approved details and shall be retained and maintained for the lifetime of the development.

21. Sustainability

Prior to first occupation to support the sustainability to ascertain the green energy of the buildings scheme to be submitted to the Local Planning Authority.

Informative

1. Details of Proposed Materials

The applicant is advised that in complying with Condition 3 above regarding the submission of samples and details of all external materials, ensuring the product name and manufacturer is provided and must be submitted in writing to the Local Planning Authority as part of the relevant Discharge of Condition application along with correspondence confirming that date on which samples will be made available on-site and where they will be located.

2. Pre-Commencement Conditions

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

Condition No's 3, 4, 6, 8, 10, 13, 14, 15 and 16 (condition 20 is prior occupation)

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. 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. 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.

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 bats is found during demolition all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.

5. Landscaping

The applicant is also advised that the Landscaping scheme should maximise opportunities for wildlife needs to mitigate the loss of biodiversity on site as detailed within the Preliminary Ecological Appraisal.

6. **Public Sewer**

The applicant is advised that there may be a public sewer located within the application site. Although Severn Trent's sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent would seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is **vital** therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days.

7. **Boundary Informative**

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.

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 R Faulkner		
Councillor G Hall		
Councillor Mrs V Gould		
Councillor G H Lamb		
Councillor Ms A Legg		
Councillor S McKiernan		
Councillor C V Whittaker		

3. **P/2022/00980 – Reserved Matters application relating to P/2019/00258 for the erection of 100 dwellings including details of appearance, landscaping, layout and scale – Branston Leas (Phase 5) – Land South of Lichfield Road, Branston, Burton upon Trent, Staffordshire DE14 3EQ (Ward: Branston)**

The site visit was attended by Councillors Mrs B. Ashcroft, E. Barker, R. Faulkner, Mrs V. Gould, G. Hall, G. Lamb, Ms A. Legg, S. McKiernan and C Whittaker.

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

Resolved:

To **APPROVE RESERVED MATTERS** subject to the following conditions:

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:

Site Location Plan Drawing R9119-RGP-22-00-DR-A-1003 Rev A dated as received on 12-08-2022

Proposed Site Layout Drawing R9119-RGP-22-00-DR-A-1000 Rev Q dated as received on 08-12-2022

Boundary Treatment Plan Drawing R9119-RGP-22-00-DR-A-1001 Rev H dated as received on 07-12-2022

Materials Plan Drawing R9119-RGP-22-00-DR-A-1002 Rev H dated as received on 08-12-2022

Proposed Street Scene A-A Drawing R9119-RGP-22-00-DR-A-1004 Rev A dated as received on 12-08-2022

Proposed Street Scene B-B Drawing R9119-RGP-22-00-DR-A-1004 Rev B dated as received on 08-12-2022

CORE H1B0539V1 AS Drawing R9119-RGP-22-ZZ-DR-A-0001 Rev A dated as received on 12-08-2022

CORE H2B0637V1 AS Drawing R9119-RGP-22-ZZ-DR-A-0002 Rev A dated as received on 12-08-2022

CORE H2B0759V1 AS Drawing R9119-RGP-22-ZZ-DR-A-0003 Rev A dated as received on 12-08-2022

CORE H3B0790 AS (The Wilfred) Drawing R9119-RGP-22-ZZ-DR-A-0004 Rev A dated as received on 12-08-2022

CORE H3B0838V1 AS (The Mirin) Drawing R9119-RGP-22-ZZ-DR-A-0005 Rev A dated as received on 12-08-2022

CORE H3B0920V1 AS Drawing R9119-RGP-22-ZZ-DR-A-0006 Rev A dated as received on 12-08-2022

CORE H3B1036V1 AS (The Edwena) Drawing R9119-RGP-22-ZZ-DR-A-0007 Rev A dated as received on 12-08-2022

CORE H3B01012V1 AS (The Saxon) Drawing R9119-RGP-22-ZZ-DR-A-0008 Rev A dated as received on 12-08-2022

CORE H3B0936V1 AS (The Kea / The Webster) Drawing R9119-RGP-22-ZZ-DR-A-0009 Rev A dated as received on 12-08-2022

CORE H2B0637V1 OPP Drawing R9119-RGP-22-ZZ-DR-A-0009 Rev A dated as received on 12-08-2022

CORE H2B0759V1 OPP Drawing R9119-RGP-22-ZZ-DR-A-0010 Rev A dated as received on 12-08-2022

CORE H3B0790 OPP (The Wilfred) Drawing R9119-RGP-22-ZZ-DR-A-0012 Rev A dated as received on 12-08-2022

CORE H3B0838V1 OPP (The Mirin) Drawing R9119-RGP-22-ZZ-DR-A-0013 Rev A dated as received on 12-08-2022

CORE H3B0920V1 OPP Drawing R9119-RGP-22-ZZ-DR-A-0013 Rev A dated as received on 12-08-2022

CORE H3B01012V1 OPP (The Saxon) Drawing R9119-RGP-22-ZZ-DR-A-0015 Rev A dated as received on 12-08-2022

CORE H3B0936V2 OPP (The Kea / The Webster) Drawing R9119-RGP-22-ZZ-DR-A-0016 Rev A dated as received on 12-08-2022

PURE H4B1474 AS (The Garnet) Drawing R9119-RGP-22-ZZ-DR-A-0100 Rev A dated as received on 12-08-2022

PURE H4B1379 AS M4(2) (The Barlow) Drawing R9119-RGP-22-ZZ-DR-A-0101 Rev A dated as received on 12-08-2022

PURE H4B1355 AS (The Hexham) Drawing R9119-RGP-22-ZZ-DR-A-0102 Rev A dated as received on 12-08-2022

PURE H4B1342 AS (The Paris) Drawing R9119-RGP-22-ZZ-DR-A-0103 Rev A dated as received on 12-08-2022

PURE H4B1210 AS (The Becket) Drawing R9119-RGP-22-ZZ-DR-A-0104 Rev A dated as received on 12-08-2022

PURE H3B1036 OPP (The Edwena) Drawing R9119-RGP-22-ZZ-DR-A-0105 Rev A dated as received on 12-08-2022

PURE H3B01012 AS (The Saxon) Drawing R9119-RGP-22-ZZ-DR-A-0106 Rev A dated as received on 12-08-2022

PURE H3B0936 AS (The Webster) Drawing R9119-RGP-22-ZZ-DR-A-0107 0936 Rev A dated as received on 12-08-2022

PURE H3B920 AS (The Houghton) Drawing R9119-RGP-22-ZZ-DR-A-0108 Rev A dated as received on 12-08-2022

PURE H3B0838 AS (The Mirin) Drawing R9119-RGP-22-ZZ-DR-A-0109 Rev A dated as received on 12-08-2022

PURE H4B1474 OPP (The Garnet) Drawing R9119-RGP-22-ZZ-DR-A-0110 Rev A dated as received 12-08-2022

PURE H4B1379 OPP M4(2) (The Barlow) Drawing R9119-RGP-22-ZZ-DR-A-0111 Rev A dated as received on 12-08-2022

PURE H4B1355 OPP (The Hexham) Drawing R9119-RGP-22-ZZ-DR-A-0112 Rev A dated as received on 12-08-2022

PURE H4B1342 OPP (The Paris) Drawing R9119-RGP-22-ZZ-DR-A-0113 Rev A dated as received on 12-08-2022

PURE H4B1210 OPP (The Becket) Drawing R9119-RGP-22-ZZ-DR-A-0114 Rev A dated as received on 12-08-2022

PURE H3B01012 OPP (The Saxon) Drawing R9119-RGP-22-ZZ-DR-A-0115 Rev A dated as received on 12-08-2022

PURE H3B0936 OPP (The Webster) Drawing R9119-RGP-22-ZZ-DR-A-0116 Rev A dated as received on 12-08-2022

PURE H3B920 OPP (The Houghton) Drawing R9119-RGP-22-ZZ-DR-A-0117 Rev A dated as received on 12-08-2022

PURE H3B0838 OPP (The Mirin) Drawing R9119-RGP-22-ZZ-DR-A- 0118 A Rev A dated as received on 12-08-2022

PURE H4B1342 AS (The Paris) Drawing R9119-RGP-22-ZZ-DR-A-0119 dated as received on 12-08-2022

PURE SINGLE GARAGE Drawing R9119-RGP-22-ZZ-DR-A-0200 dated as received on 12-08-2022

PURE TWIN GARAGE Drawing R9119-RGP-22-ZZ-DR-A- 0201 dated as received on 12-08-2022

General Arrangement Plan Drawing 21550-RLL-22-XX-DR-C-0101 P05 dated as received on 08-12-2022

Adoption Plan Drawing 21550-RLL-22-XX-DR-C-0102 P03 dated as received on 12-08-2022

Storm and Foul Drainage Strategy and Indicative Levels Drawing 21550-RLL-22-XX-DR-C-0103 P05 dated as received on 08-12-2022

FFL Plan Drawing 21550-RLL-22-XX-DR-C-0114 P03 dated as received on 08-12-2022

Location Plan Drawing 21550-RLL-22-XX-DR-C-0104 P05 dated as received on 12-08-2022

Longitudinal Sections Drawing 21550-RLL-22-XX-DR-C-0105 P01 dated as received on 12-08-2022

Exceedance Flow Routes Plan Drawing 21550-RLL-22-XX-DR-C-0107 P06 dated as received on 08-12-2022

Drainage Area Plan Drawing R9119-RLL-22-00-DR-C-0106 P05 dated as received on 08-12-2022

Vehicle Tracking Fire Appliance Drawing 21550-RLL-22-XX-DR-C-0110 P06 dated as received on 08-12-2022

Vehicle Tracking Refuse Vehicle Drawing 21550-RLL-22-XX-DR-C-0111 P06 dated as received on 08-12-2022

Section 104 Agreement Plan Drawing R9119-RLL-22-00-DR-C-1002 P03 dated as received on 08-12-2022

Earthworks Strategy Plan Drawing 21550-RLL-22-XX-DR-C-0115 P03 dated as received on 12-08-2022

Cross Sections Location Plan Drawing 21550-RLL-22-XX-DR-C-0120 P04 dated as received on 08-12-2022

Cross Sections Plan Drawing 21550-RLL-22-XX-DR-C-0121 P05 dated as received on 08-12-2022

Detailed Soft Landscape Proposals - General Arrangement Plan Drawing JSL4561-RPS-XX-EX-DR-L-9001_P05_Detailed Landscape General Arrangement dated as received on 07-12-2022

Detailed Soft Landscape Proposals - Sheet 1 of 3 Drawing JSL4561-RPS-XX-EX-DR-L-9002_P05_Detailed Landscape Proposals 1 of 3 dated as received on 07-12-2022

Detailed Soft Landscape Proposals - Sheet 2 of 3 Drawing JSL4561-RPS-XX-EX-DR-L-9003_P05_Detailed Landscape Proposals 2 of 3 dated as received on 07-12-2022

Detailed Soft Landscape Proposals - Sheet 3 of 3 Drawing JSL4561-RPS-XX-EX-DR-L-9004_P05_Detailed Landscape Proposals 3 of 3 dated as received on 07-12-2022

Detailed Soft Landscape Planting Schedule and Specification Drawing JSL4561-RPS-XX-EX-DR-L-9005_P05_Detailed Planting Schedule and Specifications Dated as received on 07-12-2022

Storm Water Network 1 (1, 2, 30 yr) Drawing Branston Phase 5A Network 1 dated as received on 08-12-2022

Storm Water Network 1 (100 yr + CC) Drawing Branston Phase 5A Network 1 dated as received on 08-12-2022

Storm Water Network 2 (1, 2, 30 yr) Drawing Branston 5B SW Network 2 dated as received on 08-12-2022

Storm Water Network 2 (100 yr + CC) Drawing Branston 5B SW Network 2 dated as received on 08-12-2022

Transport Assessment Compliance Statement dated as received on 12-08-2022

Planning Statement dated as received on 12-08-2022

Design & Access Statement Rev B dated as received on 12-08-2022

SuDs Maintenance Schedule dated as received on 08-12-2022

2. **M4 (2) Compliance**

The 12 dwellings identified on the layout plans approved under condition 1 shall be completed to the Building Regulation 2010 Standard M4 (2) before the first occupation of the relevant dwelling unit(s) concerned.

3. **Surface Water Drainage Scheme**

The development hereby permitted shall be brought into use as per the detail shown upon the following drainage drawings:-

- Storm and Foul Drainage Strategy & Indicative Levels (drawing number 21550-RLL-22-XX-DR-C-0105 Revision P03), and
- Cross Sections Plan (drawing number R9119-RLL-22-XX-DR-C-0121 Revision P05).

Thereafter, the drainage scheme shall be retained and maintained by Encore in accordance with the SuDS Maintenance Schedule approved under Condition 1.

4. **Pre-Commencement – Contaminated Land**

Prior to commencement of the development hereby approved, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. 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.

5. **Implementation of Approved Remediation Scheme**

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, verification report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority.

6. **Reporting Contamination**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation

scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

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.

7. Electric Vehicle Charging Points

Prior to first occupation of each dwelling the electric vehicle charging points identified on the Proposed Site Layout Plan approved under condition 1 shall be installed and shall be retained and maintained for the lifetime of the development.

8. Landscaping Implementation

All planting, seeding or turfing comprised in the approved details of landscaping required under conditions 1 above 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.

9. Landscape Maintenance

Prior to the first occupation of any of the dwellings hereby approved details of the maintenance and management schedule for the landscaping outside of plots shall be submitted to and approved in writing by the Local Planning Authority.

10. Walling and Fencing Implementation

Any scheme of walling and fencing approved as part of the landscaping scheme required by Condition 1 above shall be completed prior to the development first being brought into use.

11. Removal of Permitted Development for Garage Conversions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the garage parking spaces provided in connection with the development shall not be converted into living accommodation/habitable rooms unless planning permission has first been granted by the Local Planning Authority.

Informative

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 2018.

2. **Condition Discharge**

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

Condition No's 4

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

Condition No's 7 & 9

This means that a lawful commencement of the approved development 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. 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. **Ecological Responsibilities**

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

4. **Highway Works Agreement**

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 may be taking on the responsibilities and liabilities of the highway authority with regards to maintenance, snow clearance etc and advised to take advice on public liability insurance against claims associated with those responsibilities.

5. **Network Rail**

Standard informative regarding working in the proximity of the railway and Drainage requirements – Send to agent

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 R Faulkner		
Councillor G Hall		
Councillor Mrs V Gould		
Councillor G H Lamb		
Councillor Ms A Legg		
Councillor S McKiernan		
Councillor C V Whittaker		

329/22 APPEALS RECEIVED AND DETERMINED

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

330/22 PLANNING PERMISSIONS

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 14th November 2022 and 2nd December 2022 was received and noted.

331/22 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

