

EAST STAFFORDSHIRE BOROUGH COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in the Coltman VC Room, Town Hall on Tuesday 29th October 2024 at 2.00pm.

Present:

Councillors A. Afsar (Chairman), L. Bullock, B. George, M. Holton, M. Huckerby, Mrs J Jones, Ms A. Legg, M. Slater, C. Smedley and C. Whittaker

Officers Present:

Thomas Deery (Head of Regeneration and Development), Barbara Toy (Principal Planner), Lisa Bird (Principal Planning Officer), Paige Stanley (Trainee Planner), Penelope James (Principal Solicitor), Martyn Manning (Environmental Protection Officer), Helen Morris (Senior Environmental Health Officer), Emily Thomas (Corporate Services Apprentice) and Daniel Caulkett (Democratic Services Officer)

An apology for absence was received from Councillor S. Slater

119/24 **DECLARATIONS OF INTEREST**

Cllr M. Holton declared an interest in application no. P/2023/00852 and therefore took no part in the debate and did not vote thereupon.

120/24 **PUBLIC MINUTES**

Resolved:

That the Public Minutes of the Meeting held on the 28th August 2024 be approved by the Committee and signed as a correct record.

Voting concerning the above decision was as follows.

Those voting for the motion	Those voting against	Those abstaining
Councillor A. Afsar Councillor L. Bullock Councillor M. Holton Councillor M. Huckerby Councillor J. Jones Councillor M. Slater Councillor C. Smedley Councillor C. Whittaker		Councillor B. George Councillor A. Legg

121/24 **URGENT BUSINESS**

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

122/24 **APPOINTMENT OF VICE CHAIRMAN**

Resolved:

That Councillor M. Huckerby be appointed Vice Chairman for the ensuing year.

Voting concerning the above decision was as follows.

Those voting for the motion	Those voting against	Those abstaining
Councillor A. Afsar Councillor L. Bullock Councillor B. George Councillor M. Holton Councillor M. Huckerby Councillor J. Jones Councillor A. Legg Councillor M. Slater Councillor C. Smedley Councillor C. Whittaker		

At this juncture Councillor M. Holton left the meeting.

123/24 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2023/00852 Retention of use as a café (Class E) and for consumption of food/ beverages on the premises and to allow for the sale of hot food for takeaway (Sui Generis) 1D Rolleston Road, Burton upon Trent, Staffordshire, DE13 0JT**

The site visit was attended by Councillors A. Afsar (Chairman), L. Bullock, B. George, M. Holton, M. Huckerby, Mrs J. Jones, Ms A. Legg, M. Slater, C. Smedley and C. Whittaker.

An officer presentation of the application was made to members of the Committee.

Joseph Robertshaw, Paul Feltham and Kay Lewis, spoke on the application.

Discussions took place.

Resolved:

A motion was put forward by Councillor B. George, which had been duly seconded by Councillor C. Whittaker to **APPROVE** the application subject to Conditions and Informatives.

Conditions:

1: 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:

A201 Proposed floor Plan scaled at 1:1000 and 1:50 dated as received on 15 October 2024

A101 Existing Site Plan scaled at 1:1000 and 1:50 dated as received on 15 October 2024

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP2, NP1, SP20, SP21, SP22, SP25, SP29, SP35, DP1, DP5, DP6, and DP7, Horninglow and Eton Neighbourhood Plan Policies HE1, HE5 and HE11, the East Staffordshire Design Guide, Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

2: Use restricted to that applied for

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall grant the use of the premises known as 1D Rolleston Road as described in your application and for no other purpose.

Reason: To ensure any future use of the premises does not adversely affect the amenities of occupiers of adjoining properties and the locality in general in accordance with the National Planning Policy Framework and East Staffordshire Local Plan Policies SP1 and DP7.

3: Hours of Opening

The Café and takeaway use hereby permitted shall not be open to customers outside the following times; between 08:00 to 14:00 Mondays to Fridays, 09:00 to 13:00 Saturdays and between 09:00 to 12:00 on Sundays and Bank Holidays.

Reason: To protect the amenities of occupiers of adjoining properties and the locality in general in accordance with East Staffordshire Local Plan Policies SP1 and DP7 and the National Planning Policy Framework.

4: Private Events

Notwithstanding any other conditions within this consent, prior to any Psychic Supper event outside of the opening hours within condition 3 a minimum of one

weeks' notice shall be given in writing to the Local Planning Authority detailing the date, event type and hours of opening.

There shall be no more than 7 events of this type per annum.

Reason: To protect the amenities of occupiers of adjoining properties and the locality in general in accordance with East Staffordshire Local Plan Policies SP1 and DP7 and the National Planning Policy Framework

5: Bin Store

Notwithstanding the details identified in Condition 1, within 3 months of the date of this permission details of an adequate bin store including screening shall be submitted to and approved in writing by the Local Planning Authority. Once approved the bin store shall be installed in accordance with the approved details and shall be retained as such for the lifetime of the development.

Reason: To safeguard the character and appearance of the building(s) and its heritage assets surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP25, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

Informatives:

1: 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.

2: Rights of Access Informative

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 maintenance or use of the land.

3: Signage

The applicant is advised that any signage may require an application for advertisement consent 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 A. Afsar Councillor L. Bullock		

Councillor B. George		
Councillor M. Huckerby		
Councillor J. Jones		
Councillor A. Legg		
Councillor M. Slater		
Councillor C. Smedley		
Councillor C. Whittaker		

At this juncture Councillor M. Holton re-joined the meeting.

2. **P/2022/01138 Outline application for up to 90 dwellings with all matters reserved and P/2022/01139 Outline application for up to 100 dwellings with all matters reserved Upper Outwoods Farm, Beamhill Road, Burton upon Trent, DE13 9QW**

The site visit was attended by Councillors A. Afsar (Chairman), L. Bullock, B. George, M. Holton, M. Huckerby, Mrs J. Jones, Ms A. Legg, M. Slater, C. Smedley and C. Whittaker.

An officer presentation of application nos. P/2022/01138 and P/2022/01139 was made to members of the Committee.

Alan Siveter, the agent for the application, spoke on the application.

Discussions took place.

Resolved:

A motion was put forward by Councillor J. Jones, which had been duly seconded by Councillor C. Whittaker to **GRANT** outline planning permission for application no. P/2022/01138 subject to the following Conditions, Informatives and s106 Agreement.

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 this permission.

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

2 – Reserved Matters Details

No development shall take place until plans and particulars of the access, layout, scale and appearance of the building(s) to be erected and the landscaping of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details that have been approved in writing by the Local Planning Authority.

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

3 – Time Limit for Commencement of Development

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.

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

4 – Approved Plans/Documents

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:

P21-1812-B_001 Sheet No. 1 Rev A, 1:1000 Site Location Plan dated as received on 28th September 2022

P21-1812-023 Sheet No. 1 Rev B, 1:500 Illustrative Masterplan dated as received on 28th September 2022

3457-L-09, 1:2000 Draft Public Open Space Provision Plan dated as received on 28th September 2022

03457-FPCR-XX-XX-DR-L-0200 Rev P3, 1:500 Indicative Landscape Strategy Plan dated as received on 28th September 2022

ADC2894/DR/052 Rev P1, 1:500 Proposed Drainage Layout dated as received on 28th September 2022

Figure 10.1, 1:6500 Agricultural Land Quality Plan dated as received on 28th September 2022

Air Quality Impact Assessment by Omnia Ref: C10845b dated as received on 15th February 2023

Arboricultural Assessment by FPCR Environment and Design Ltd dated as received on 28th September 2022

Design and Access Statement by Pegasus Group ref: P21-1812_GOO1A_DE dated as received on 28th September 2022

Ecological Appraisal by FPCR Environment and Design Ltd dated as received on 28th September 2022

Flood Risk Assessment and Drainage Strategy Ref: ADC2894-RP-F by ADC Infrastructure dated as received on 17th July 2024

Planning Statement by Pegasus Group ref: P21-1812 dated as received on 28th September 2022

Transport Assessment Ref: ADC2894-RP-C by ADC Infrastructure dated as received on 28th September 2022

Travel Plan Ref: ADC2894-RP-D by ADC Infrastructure dated as received on 28th September 2022

Outline Planning Application form dated as received on 28th September 2022

Chapters of an Environmental Statement in relation to Agricultural Use and Quality and Soil Resources, Archaeological Desk Based Assessment and Geo Environmental Appraisal dated as received on 28th September 2022

Biodiversity Net Gain Assessment (Technical Note and Metric) dated as received on 26th January 2024

Surface Water Drainage Addendum Report by ADC Infrastructure dated as received on 17th July 2024

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway, flood risk, ecology or trees in accordance with East Staffordshire Local Plan Policies SP1, SP2, NP1, SP3, SP4, SP6, SP7, SP9, SP10, Sp16, SP17, SP23, SP24, SP25, SP26, SP27, SP28, SP29, SP32, SP34, SP35, DP1, DP2, DP3, DP5, DP7 and DP8, Outwoods Neighbourhood Plan Policies TA1, TA2, TA3, TA4, TA5, CF1, CF2, CF3, CF4, CF5, RD1, RD2, RD3, RD4, LR1, LR2, LR3 and LR4, the Parking Standards Supplementary Planning Document, Housing Choice Supplementary Planning Document, Climate Change Supplementary Planning Document, East Staffordshire Design Guide, Separation Distances and Amenity Supplementary Planning Document, Open Spaces and Playing Pitch Supplementary Planning Document, Planning Obligations Supplementary Planning Document, Waste Storage and Collection Guidance Supplementary Planning Document and the National Planning Policy Framework.

5 – 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 be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the dwellings and their surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan Policy RD1, the East Staffordshire Design Guide and the National Planning Policy Framework.

6 – Number of Units

A total of no more than 90 dwellings shall be erected.

Reason: For the avoidance of doubt and to define the scope of the permission.

7 – Housing Mix

No development shall take place until details of the housing mix to be provided has been submitted to an agreed in writing by the Local Planning Authority.

Reason: In accordance with East Staffordshire Local Plan Policy SP16, Outwoods Neighbourhood Plan Policy RD3, East Staffordshire Housing Choice Supplementary Planning Document and the National Planning Policy Framework.

8 – M4(2) Compliance

The reserved matters submissions shall include a scheme to provide for at least 10% of the dwellings to be constructed in accordance with Building Regulation 2010 Standard M4(2) standards. The development shall be completed to the Building Regulation 2010 Standard M4(2) before the first occupation of the relevant dwelling unit(s) concerned.

Reason: In the interests of residential amenities and in accordance with East Staffordshire Local Plan Policy SP16, the East Staffordshire Housing Choice Supplementary Planning Document and the National Planning Policy Framework.

9 – Levels

The reserved matters application(s) shall include details of existing and finished ground levels and the proposed floor levels of the units in relation to an existing datum point off the site. Finished Floor Levels are to be set at least 150mm above surrounding ground levels. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and to ensure the development takes the form envisaged by the Local Planning Authority in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

10 – Boundary Treatments

The reserved matters application(s) shall include details of all proposed boundary treatments. Boundary fence details for gardens shall 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. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and to safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policies SP24, SP29, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

11 – Details of Landscaping

The details required under condition 2 above shall include details of soft and hard landscaping, which shall be fully implemented prior to the first occupation of the dwellings hereby approved.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1, Outwoods Neighbourhood Plan, the East Staffordshire Design Guide and the National Planning Policy Framework.

12 – 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 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.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and occupiers of adjacent buildings, and in accordance with Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan and the National Planning Policy Framework.

13 – Implementation of Walling and Fencing

Any scheme of walling and fencing approved under condition 10 above shall be completed prior to the development first being brought into use.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan Policy RD1, and the National Planning Policy Framework.

14 – Dust Mitigation

No development shall commence until a scheme of dust mitigation is first submitted to and approved in writing by the Local Planning Authority. The scheme shall be undertaken in line with the Institute of Air Quality Management's (IAQM) *Guidance on the assessment of dust from demolition and construction*,

version 1.1 (or latest version). The agreed scheme shall be implemented for the earthworks/construction phase of the development.

Reason: To ensure the management of air quality impacts of the proposal in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

15 – Noise Mitigation

No development shall commence until a scheme of noise mitigation from construction activities is first submitted to and approved in writing by the Local Planning Authority. The scheme shall be in line with British Standard BS 5228-1:2009+A1:2014 Code of practice for noise control on construction and open sites, Part 1:Noise. The agreed scheme shall be implemented prior to the first construction activity on site.

Reason: To safeguard the amenity of occupiers of residential properties in accordance with East Staffordshire Local Plan Policies SP1 and DP7 and the National Planning Policy Framework.

16 – Contaminated Land

Contaminated Land:

- a. No development shall commence until a desktop study/Phase 1 Contamination Report has first been submitted to and approved in writing by the Local Planning Authority. This should document the previous history of the site and surroundings, identifying the potential sources of contamination and the impacts on land and/or controlled waters relevant to the site. A Conceptual Site Model should be produced for the site which should identify all plausible pollutant linkages.
- b. Where the Phase 1 identifies potential contamination no development, including any construction works, remediation or site demolition, shall commence until details of an intrusive site investigation including all technical data, as a Phase 2 Report has been submitted to and approved in writing by the Local Planning Authority. The intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature and composition of the contamination. Chemical analysis, identified as being appropriate by the desktop study, should be carried out in accordance with current guidance using UKAS/MCERTS accredited methods.
- c. In those cases where the phase 2 report has confirmed the presence of contamination, a Remediation Method Statement shall be submitted to the Local Planning Authority (for approval prior to works) detailing the exact manner in which mitigation works are to be carried out. The statement should also include details of validation testing that will be carried out once works have been completed.
- d. If during remediation works any contamination is identified that has not been previously considered within the Remediation Method Statement, then

additional remediation proposals for this materials shall be submitted to the Local Planning Authority for written approval. Any approved proposals should, thereafter, form part of the Remediation Method Statement.

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

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

17 – Ecology: Bat and Bird Boxes

No development shall commence on site until such time as:-

a) details of type and location of biodiversity enhancement measures including 5 groups of 3 no. swift boxes and 5 no. house sparrow terraces on or integrated into north- or east-facing brickwork of the dwellings; and

b) details of biodiversity enhancement measures including 10 no. integrated bat tubes or bat boxes within the new building(s), located on southern or western elevations of the dwellings

shall first be submitted to and approved in writing by the Local Planning Authority.

The approved measure shall be incorporated into the scheme and be fully constructed prior to the first occupation of the specific dwellings and retained as such thereafter.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

18 – Lighting Scheme

No development shall commence until an external lighting scheme, designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a lighting contour plan that demonstrates there will be minimal impact on receptor habitats such as biodiversity enhancements and neighbouring habitats / open space. The scheme shall be implemented prior to the occupation of the approved dwellings and retained as such thereafter.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

19 – Highways

Prior to the commencement of any work on the site details of the estate roads and footways serving the site including but not exclusively road widths, alignments, visibility splays, and turning areas shall first be submitted to and approved in writing by the Local Planning Authority. The roads shall be laid out and constructed in accordance with those approved plans prior to the occupation of any dwelling served by that section of road.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Outwoods Neighbourhood Plan Policy TA2 and the National Planning Policy Framework.

20 – Surface Water Drainage – Completion of Drainage Infrastructure to wider site

No development shall take place until such time as:

- The hydrobrake in the upper basin shall be replaced to allow adhere to the discharge rates set out in the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants).
- Phase 4A (Bloor Homes) drainage infrastructure shall be completed.
- Persimmon South drainage infrastructure shall be completed (the remainder of the hatched blue area above the white land shown on 01.04.2024, 1701-505 Rev D, Site Wide Drainage Statistics and Drainage Constraints, Preece Consultants).
- The lower basin shall be installed and operational with discharge restricted to the rates set out in the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants).

Reason: As recommended by the SCC Lead Local Flood Authority in compliance with Strategic Objective SO10 and Policy SP27 of the East Staffordshire Local Plan and the National Planning Policy Framework.

21 Surface Water Drainage Scheme

No development shall take place until such time as a satisfactory scheme to manage surface water in accordance with: Staffordshire SuDS Handbook and in line with the key principles of the approved outline Drainage Strategy (16.07.2024, ADC2894-RP-G Rev 6, Surface Water Drainage Addendum Report, ADC Infrastructure) has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall contain the following mitigation measures:

- A detailed design for the lower basin in strict accordance with the principles of the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants) and any subsequent amendments.

- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return period and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% climate change return periods.
- Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).
- The first 5mm of rainfall shall be retained on site to minimise watercourse pollution. The design shall encompass two swales (one serving each of the eastern and western areas) before water is routed in the the upper/lower basins.
- All surface water shall be contained within the surface water network in all events up to and including the 100 yr + 40% climate change event plus a 10% allowance for urban creep.
- Provision of permeable paving for all driveways.
- Provision of conveyance swales.
- Provision of bioretention areas.
- 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.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system demonstrating:
 - An earthworks strategy shall be developed that will remove the localised troughs and valleys in the topography to rationalise the existing surface water flow paths through the site.
 - Finished floor levels shall be a minimum of 300mm above surrounding ground level.
 - All ground levels shall be profiled away from building entrances.
 - External site levels shall be designed to route any excess runoff away from buildings, and into landscaped areas or drainage outlets.
 - Any raising of levels onsite shall be designed to ensure that there is no increase in surface water runoff onto neighbouring third-party land.
- Provision of a finalised management and maintenance plan to ensure continued performance of the system for the lifetime of the development.

Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and contact details of the party or parties responsible for ongoing maintenance.

- Provision of a Surface Water Management Plan for the control of surface water are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased to either the site or to third party land, and water quality is managed prior to the completion of the approved drainage strategy.

The approved drainage scheme and all mitigation measures set out above shall be installed prior to the first occupation of the dwellings hereby approved, and shall be subsequently maintained in accordance with the timing/phasing arrangements embodied within the drainage scheme for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As recommended by the SCC Lead Local Flood Authority in compliance with Strategic Objective SO10 and Policy SP27 of the East Staffordshire Local Plan, the Climate Change Supplementary Planning Document and the National Planning Policy Framework.

22 – Disposal of Foul Water Flows (Bespoke)

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

Reason: To ensure adequate foul water drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with East Staffordshire Local Plan Policies SP1, SP27 and DP7, Outwoods Neighbourhood Plan Policy LR4 and the National Planning Policy Framework.

23 – Travel Plan

No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include a monitoring methodology which will include a survey methodology for assessing the travel mode choices of residents, an initial series of targets for modal shifts for residents and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change.

The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of residents, changes in those travel choices and submission of annual reports from the Travel Plan Co-

ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Outwoods Neighbourhood Plan Policy TA5 and the National Planning Policy Framework.

24 – Hardsurfacing

Prior to the first occupation of each dwelling, it shall be provided with:

- a) a hard surfaces access to a highway maintainable at public expense constructed to at least base course level and positively drained; and
- b) hard surfaced and drained parking areas
- c) car parking spaces in compliance with the Parking Standards SPD

which will be retained as such thereafter.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

25 – Compliance with Ecological Appraisal

All site clearance and construction works must comply with sections 5.13 to 5.25 of the Ecological Appraisal (FPCR, August 2022) listed under condition 4 above.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

26 – Compliance with Overall Site Strategy for Drainage

The development hereby permitted shall be in strict accordance with the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants) and any subsequent amendments.

- The site's impermeable area shall be split into east and west as defined by the green and hatched blue areas shown on plan: 01.04.2024, 1701-505 Rev D, Site Wide Drainage Statistics and Drainage Constraints, Preece Consultants
 - The eastern portion of the site will discharge north via the Persimmon Homes Southern Parcel through a swale and into the Lower Basin.
 - The western portion of the site will discharge via a swale constructed on Persimmon owned land to the north of the site

through the Bloor Homes Parcel (Phase 4A) and into the Upper Basin.

- The site's impermeable area (including a 10% allowance for urban creep) shall not exceed the values on plan: 01.04.2024, 1701-505 Rev D, Site Wide Drainage Statistics and Drainage Constraints, Preece Consultants to allow a free discharge into the upper/lower basins.

Reason: As recommended by the SCC Lead Local Flood Authority in compliance with Strategic Objective SO10 and Policy SP27 of the East Staffordshire Local Plan and the National Planning Policy Framework.

27 – Restrict Permitted Development Rights

Notwithstanding the provisions of Classes A, AA, 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 dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings and structures or hard surfacing shall be erected/installed within the curtilage of the new dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the dwellings and their surroundings and the amenities of occupiers of the adjoining dwellings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan Policy RD1 and the East Staffordshire Design Guide.

Informatives

1: Pre-Commencement/During Development Conditions

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

Condition Nos.: 2, 5, 7, 14, 15, 16, 17, 18, 19, 20, 21 and 22

The conditions identified below required details to be approved during the development:

Condition Nos.: 23 and 24

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 £145 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 online.

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 – Ecology

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.

3 – Highways Works Agreement

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. 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/HighwaysWorksAgreements.aspx>

4 – Parking Sizes

At the relevant reserved matters stage, all car parking spaces on the site will be a minimum of 2.5m x 4.8m and all garages shall have minimum internal dimensions of 3.0 x 6.0m.

5 – Drainage

The applicant is advised that any works within the Kitling Greaves Brook require Land Drainage Consent through Staffordshire County Council prior to any work being commenced.

6 – 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 A. Afsar Councillor L. Bullock Councillor B. George Councillor M. Holton Councillor M. Huckerby Councillor J. Jones Councillor A. Legg Councillor M. Slater Councillor C. Smedley Councillor C. Whittaker		

Resolved:

A motion was put forward by Councillor B. George, which had been duly seconded by Councillor J. Jones to **GRANT** outline planning permission for application no. P/2022/01139 subject to the following Conditions, Informatives and s106 Agreement.

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 this permission.

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

2 – Reserved Matters Details

No development shall take place until plans and particulars of the access, layout, scale and appearance of the building(s) to be erected and the landscaping of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details that have been approved in writing by the Local Planning Authority.

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

3 – Time Limit for Commencement of Development

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.

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

4 – Approved Plans/Documents

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:

P21-1812-B_001 Sheet No. 1 Rev A, 1:1000 Site Location Plan dated as received on 28th September 2022

P21-1812-024 Sheet No. 1 Rev B, 1:500 Illustrative Masterplan dated as received on 28th September 2022

3457-L-09, 1:2000 Draft Public Open Space Provision Plan dated as received on 28th September 2022

03457-FPCR-XX-XX-DR-L-0201 Rev P03, 1:500 Indicative Landscape Strategy Plan dated as received on 28th September 2022

ADC2894/DR/051 Rev P2, 1:500 Proposed Drainage Layout dated as received on 28th September 2022

Figure 10.1, 1:6500 Agricultural Land Quality Plan dated as received on 28th September 2022

Air Quality Impact Assessment by Omnia Ref: C10845a dated as received on 15th February 2023

Arboricultural Assessment by FPCR Environment and Design Ltd dated as received on 28th September 2022

Design and Access Statement by Pegasus Group ref: P21-1812_GOO2A_DE dated as received on 28th September 2022

Ecological Appraisal by FPCR Environment and Design Ltd dated as received on 28th September 2022

Flood Risk Assessment and Drainage Strategy Ref: ADC2894-RP-E by ADC Infrastructure dated as received on 17th July 2024

Planning Statement by Pegasus Group ref: P21-1812 dated as received on 28th September 2022

Transport Assessment Ref: ADC2894-RP-A by ADC Infrastructure dated as received on 28th September 2022

Travel Plan Ref: ADC2894-RP-B by ADC Infrastructure dated as received on 28th September 2022

Outline Planning Application form dated as received on 28th September 2022

Chapters of an Environmental Statement in relation to Agricultural Use and Quality and Soil Resources, Archaeological Desk Based Assessment and Geo Environmental Appraisal dated as received on 28th September 2022

Biodiversity Net Gain Assessment (Technical Note and Metric) dated as received on 26th January 2024

Surface Water Drainage Addendum Report by ADC Infrastructure dated as received on 17th July 2024

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway, flood risk, ecology or trees in accordance with East Staffordshire Local Plan Policies SP1, SP2, NP1, SP3, SP4, SP6, SP7, SP9, SP10, Sp16, SP17, SP23, SP24, SP25, SP26, SP27, SP28, SP29, SP32, SP34, SP35, DP1, DP2, DP3, DP5, DP7 and DP8, Outwoods Neighbourhood Plan Policies TA1, TA2, TA3, TA4, TA5, CF1, CF2, CF3, CF4, CF5, RD1, RD2, RD3, RD4, LR1, LR2, LR3 and LR4, the Parking Standards Supplementary Planning Document, Housing Choice Supplementary Planning Document, Climate Change Supplementary Planning Document, East Staffordshire Design Guide, Separation Distances and Amenity Supplementary Planning Document, Open Spaces and Playing Pitch Supplementary Planning Document, Planning Obligations Supplementary Planning Document, Waste Storage and Collection Guidance Supplementary Planning Document and the National Planning Policy Framework.

5 – 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 be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the dwellings and their surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan Policy RD1, the East Staffordshire Design Guide and the National Planning Policy Framework.

6 – Number of Units

A total of no more than 100 dwellings shall be erected.

Reason: For the avoidance of doubt and to define the scope of the permission.

7 – Housing Mix

No development shall take place until details of the housing mix to be provided has been submitted to an agreed in writing by the Local Planning Authority.

Reason: In accordance with East Staffordshire Local Plan Policy SP16, Outwoods Neighbourhood Plan Policy RD3, East Staffordshire Housing Choice Supplementary Planning Document and the National Planning Policy Framework.

8 – M4(2) Compliance

The reserved matters submissions shall include a scheme to provide for at least 10% of the dwellings to be constructed in accordance with Building Regulation 2010 Standard M4(2) standards. The development shall be completed to the Building Regulation 2010 Standard M4(2) before the first occupation of the relevant dwelling unit(s) concerned.

Reason: In the interests of residential amenities and in accordance with East Staffordshire Local Plan Policy SP16, the East Staffordshire Housing Choice Supplementary Planning Document and the National Planning Policy Framework.

9 – Levels

The reserved matters application(s) shall include details of existing and finished ground levels and the proposed floor levels of the units in relation to an existing datum point off the site. Finished Floor Levels are to be set at least 150mm above surrounding ground levels. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area and to ensure the development takes the form envisaged by the Local Planning Authority in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

10 – Boundary Treatments

The reserved matters application(s) shall include details of all proposed boundary treatments. Boundary fence details for gardens shall 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. The development shall then be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and to safeguard protected species and their habitats in accordance with East Staffordshire Local Plan

Policies SP24, SP29, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

11 – Details of Landscaping

The details required under condition 2 above shall include details of soft and hard landscaping, which shall be fully implemented prior to the first occupation of the dwellings hereby approved.

Reason: to ensure that a landscaping scheme to enhance the development is provided in accordance with East Staffordshire Local Plan Policies SP1, SP24 and DP1, Outwoods Neighbourhood Plan, the East Staffordshire Design Guide and the National Planning Policy Framework.

12 – 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 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.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and occupiers of adjacent buildings and in accordance with Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan and the National Planning Policy Framework.

13 – Implementation of Walling and Fencing

Any scheme of walling and fencing approved as part of the landscaping scheme approved under condition 10 above shall be completed prior to the development first being brought into use.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan Policy RD1 and the National Planning Policy Framework.

14 – Dust Mitigation

No development shall commence until a scheme of dust mitigation is first submitted to and approved in writing by the Local Planning Authority. The scheme shall be undertaken in line with the Institute of Air Quality Management's (IAQM) *Guidance on the assessment of dust from demolition and construction*, version 1.1 (or latest version). The agreed scheme shall be implemented for the earthworks/construction phase of the development.

Reason: To ensure the management of air quality impacts of the proposal in accordance with East Staffordshire Local Plan Policy DP7 and the National Planning Policy Framework.

15 – Noise Mitigation

No development shall commence until a scheme of noise mitigation from construction activities is first submitted to and approved in writing by the Local Planning Authority. The scheme shall be in line with British Standard BS 5228-1:2009+A1:2014 Code of practice for noise control on construction and open sites, Part 1:Noise. The agreed scheme shall be implemented prior to the first construction activity on site.

Reason: To safeguard the amenity of occupiers of residential properties in accordance with East Staffordshire Local Plan Policies SP1 and DP7 and the National Planning Policy Framework.

16 – Contaminated Land

Contaminated Land:

- a. No development shall commence until a desktop study/Phase 1 Contamination Report has first been submitted to and approved in writing by the Local Planning Authority. This should document the previous history of the site and surroundings, identifying the potential sources of contamination and the impacts on land and/or controlled waters relevant to the site. A Conceptual Site Model should be produced for the site which should identify all plausible pollutant linkages.
- b. Where the Phase 1 identifies potential contamination no development, including any construction works, remediation or site demolition, shall commence until details of an intrusive site investigation including all technical data, as a Phase 2 Report has been submitted to and approved in writing by the Local Planning Authority. The intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature and composition of the contamination. Chemical analysis, identified as being appropriate by the desktop study, should be carried out in accordance with current guidance using UKAS/MCERTS accredited methods.
- c. In those cases where the phase 2 report has confirmed the presence of contamination, a Remediation Method Statement shall be submitted to the Local Planning Authority (for approval prior to works) detailing the exact manner in which mitigation works are to be carried out. The statement should also include details of validation testing that will be carried out once works have been completed.
- d. If during remediation works any contamination is identified that has not been previously considered within the Remediation Method Statement, then additional remediation proposals for this materials shall be submitted to the Local Planning Authority for written approval. Any approved proposals should, thereafter, form part of the Remediation Method Statement.

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

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

17 – Ecology: Bat and Bird Boxes

No development shall commence on site until such time as:-

- a) details of type and location of biodiversity enhancement measures including 5 groups of 3 no. swift boxes and 5 no. house sparrow terraces on or integrated into north- or east-facing brickwork of the dwellings; and
- b) details of biodiversity enhancement measures including 10 no. integrated bat tubes or bat boxes within the new building(s), located on southern or western elevations of the dwellings

shall first be submitted to and approved in writing by the Local Planning Authority.

The approved measure shall be incorporated into the scheme and be fully constructed prior to the first occupation of the specific dwellings and retained as such thereafter.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

18 – Lighting Scheme

No development shall commence until an external lighting scheme, designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK shall first be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a lighting contour plan that demonstrates there will be minimal impact on receptor habitats such as biodiversity enhancements and neighbouring habitats / open space. The scheme shall be implemented prior to the occupation of the approved dwellings and retained as such thereafter.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

19 – Highways

Prior to the commencement of any work on the site details of the estate roads and footways serving the site including but not exclusively road widths,

alignments, visibility splays, and turning areas shall first be submitted to and approved in writing by the Local Planning Authority. The roads shall be laid out and constructed in accordance with those approved plans prior to the occupation of any dwelling served by that section of road.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Outwoods Neighbourhood Plan Policy TA2 and the National Planning Policy Framework.

20 – Surface Water Drainage – Completion of Drainage Infrastructure to wider site

No development shall take place until such time as:

- The hydrobrake in the upper basin shall be replaced to allow adhere to the discharge rates set out in the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants).
- Phase 4A (Bloor Homes) drainage infrastructure shall be completed.
- Persimmon South drainage infrastructure shall be completed (the remainder of the hatched blue area above the white land shown on 01.04.2024, 1701-505 Rev D, Site Wide Drainage Statistics and Drainage Constraints, Preece Consultants).
- The lower basin shall be installed and operational with discharge restricted to the rates set out in the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants).

Reason: As recommended by the SCC Lead Local Flood Authority in compliance with Strategic Objective SO10 and Policy SP27 of the East Staffordshire Local Plan and the National Planning Policy Framework.

21 Surface Water Drainage Scheme

No development shall take place until such time as a satisfactory scheme to manage surface water in accordance with: Staffordshire SuDS Handbook and in line with the key principles of the approved outline Drainage Strategy (16.07.2024, ADC2894-RP-G Rev 6, Surface Water Drainage Addendum Report, ADC Infrastructure) has been submitted to, and approved in writing by, the Local Planning Authority. The drainage scheme shall contain the following mitigation measures:

- A detailed design for the lower basin in strict accordance with the principles of the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants) and any subsequent amendments.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the

performance of the designed system for a range of return period and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% climate change return periods.

- Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).
- The first 5mm of rainfall shall be retained on site to minimise watercourse pollution. The design shall encompass two swales (one serving each of the eastern and western areas) before water is routed in the the upper/lower basins.
- All surface water shall be contained within the surface water network in all events up to and including the 100 yr + 40% climate change event plus a 10% allowance for urban creep.
- Provision of permeable paving for all driveways.
- Provision of conveyance swales.
- Provision of bioretention areas.
- 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.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system demonstrating:
 - An earthworks strategy shall be developed that will remove the localised troughs and valleys in the topography to rationalise the existing surface water flor paths through the site.
 - Finished floor levels shall be a minimum of 300mm above surrounding ground level.
 - All ground levels shall be profiled away from building entrances.
 - External site levels shall be designed to route any excess runoff away from buildings, and into landscaped areas or drainage outlets.
 - Any raising of levels onsite shall be designed to ensure that there is no increase in surface water runoff onto neighbouring third-party land.
- Provision of a finalised management and maintenance plan to ensure continued performance of the system for the lifetime of the development. Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and contact details of the party or parties responsible for ongoing maintenance.

- Provision of a Surface Water Management Plan for the control of surface water are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased to either the site or to third party land, and water quality is managed prior to the completion of the approved drainage strategy.

The approved drainage scheme and all mitigation measures set out above shall be installed prior to the first occupation of the dwellings hereby approved, and shall be subsequently maintained in accordance with the timing/phasing arrangements embodied within the approved drainage scheme for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: As recommended by the SCC Lead Local Flood Authority in compliance with Strategic Objective SO10 and Policy SP27 of the East Staffordshire Local Plan, the Climate Change Supplementary Planning Document and the National Planning Policy Framework.

22 – Disposal of Foul Water Flows (Bespoke)

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

Reason: To ensure adequate foul water drainage facilities are provided to serve the development to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with East Staffordshire Local Plan Policies SP1, SP27 and DP7, Outwoods Neighbourhood Plan Policy LR4 and the National Planning Policy Framework.

23 – Travel Plan

No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The Travel Plan shall include a monitoring methodology which will include a survey methodology for assessing the travel mode choices of residents, an initial series of targets for modal shifts for residents and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change.

The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of residents, changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Outwoods Neighbourhood Plan Policy TA5 and the National Planning Policy Framework.

24 – Hardsurfacing

Prior to the first occupation of each dwelling, it shall be provided with:

- a) a hard surfaces access to a highway maintainable at public expense constructed to at least base course level and positively drained; and
- b) hard surfaced and drained parking areas
- c) car parking spaces in compliance with the Parking Standards SPD

which will be retained as such thereafter.

Reason: As recommended by the Highway Authority in the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

25 – Compliance with Ecological Appraisal

All site clearance and construction works must comply with sections 5.13 to 5.25 of the Ecological Appraisal (FPCR, August 2022) listed under condition 4 above.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

26 – Compliance with Overall Site Strategy for Drainage

The development hereby permitted shall be in strict accordance with the Overall Site Strategy (April 2024, Drainage Design Statement, Preece Consultants) and any subsequent amendments.

- The site's impermeable area shall be split into east and west as defined by the green and hatched blue areas shown on plan: 01.04.2024, 1701-505 Rev D, Site Wide Drainage Statistics and Drainage Constraints, Preece Consultants
 - The eastern portion of the site will discharge north via the Persimmon Homes Southern Parcel through a swale and into the Lower Basin.
 - The western portion of the site will discharge via a swale constructed on Persimmon owned land to the north of the site through the Bloor Homes Parcel (Phase 4A) and into the Upper Basin.

- The site's impermeable area (including a 10% allowance for urban creep) shall not exceed the values on plan: 01.04.2024, 1701-505 Rev D, Site Wide Drainage Statistics and Drainage Constraints, Preece Consultants to allow a free discharge into the upper/lower basins.

Reason: As recommended by the SCC Lead Local Flood Authority in compliance with Strategic Objective SO10 and Policy SP27 of the East Staffordshire Local Plan and the National Planning Policy Framework.

27 – Restrict Permitted Development Rights

Notwithstanding the provisions of Classes A, AA, 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 dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings and structures or hardsurfacing shall be erected/installed within the curtilage of the new dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the character and appearance of the dwellings and their surroundings and the amenities of occupiers of the adjoining dwellings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, Outwoods Neighbourhood Plan Policy RD1 and the East Staffordshire Design Guide.

Informatives

1: Pre-Commencement/During Development Conditions

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

Condition Nos.: 2, 5, 7, 14, 15, 16, 17, 18, 19, 20, 21 and 22

The conditions identified below required details to be approved during the development:

Condition Nos.: 23 and 24

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 £145 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 online.

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 – Ecology

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.

3 – Highways Works Agreement

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. 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/HighwaysWorksAgreements.aspx>

4 – Parking Sizes

At the relevant reserved matters stage, all car parking spaces on the site will be a minimum of 2.5m x 4.8m and all garages shall have minimum internal dimensions of 3.0 x 6.0m.

5 – Drainage

The applicant is advised that any works within the Kitling Greaves Brook require Land Drainage Consent through Staffordshire County Council prior to any work being commenced.

6 – 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 A. Afsar Councillor L. Bullock Councillor B. George Councillor M. Holton Councillor M. Huckerby Councillor J. Jones Councillor A. Legg Councillor M. Slater Councillor C. Smedley Councillor C. Whittaker		

3. **P/2024/00633 Erection of a single storey side and rear extension and erection of a 2 metre high boundary wall 1 Hollyhock Way, Branston, Staffordshire, DE14 3FE**

The site visit was attended by Councillors A. Afsar (Chairman), L. Bullock, B. George, M. Holton, M. Huckerby, Mrs J. Jones, Ms A. Legg, M. Slater, C. Smedley and C. Whittaker.

An officer presentation of the application was made to members of the Committee.

Discussions took place.

The Committee requested an additional Informative be included for the applicant to consider planting a replacement tree on the site.

Resolved:

A motion was put forward by Councillor J. Jones, which had been duly seconded by Councillor C. Whittaker to **GRANT** permission subject to the following Conditions and Informatives.

Conditions:

1 Time Limit - 3Yr Standard

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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 No.s:

Drawing No: 50779-2024-NH-01A – 1:1250 Location Plan dated as received 03.07.2024

Drawing No: 50779-2024-NH-02B – 1:500 Existing Site Layout and 1:100 Existing Elevations, Floor Plans, Roof Plan and Section dated as received 07.10.2024

Drawing No: 50779-2024-NH-03D – 1:500 Proposed Site Layout and 1:100 Proposed Elevations, Floor Plan, Roof Plan and Section and Flood Risk Information dated as received 07.10.2024

Application Form dated as received 16.08.2024

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP25, SP27, SP35, DP1, DP3, DP5 and DP7, Branston Neighbourhood Plan Policies B2, B3 and B11, the East Staffordshire Design Guide, the Separation Distances and Amenity Supplementary Planning Document, the Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

3 Matching Materials

All external materials used in the development shall match those of the existing building including colour, size, coursing and texture unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the character and appearance of the buildings and its surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP24, DP1 and DP3, the East Staffordshire Design Guide and the National Planning Policy Framework.

4 Contaminated Land Condition (Reporting of unexpected 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.

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

Informatives:

003a: 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.

004b: Compliance with simple FRA Form

The applicants is advised that the submitted flood risk details, which indicate that the internal floor level of the development will be set no lower than the building's existing internal levels and that flood proofing measures will be incorporated where appropriate, form part of the approved scheme and must be complied with.

Land Contamination

You are advised that in relation to land contamination mitigation that the responsibility for securing a safe development rests with the developer and/or landowner.

Great Crested Newts

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): to deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defense against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease and a professional and/or a suitably qualified and experience ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a license.

Highways

The applicant is advised to contact the Highway Authority (Staffordshire County Council) to enquire regarding the need for any permit or license to build adjacent to the public footpath.

Replacement Tree

Following the removal of the beech tree, the applicant is advised that it is recommended that a replacement tree of a similar species and of at least a light standard (6-8cm girth) is planted within the site in the next planting season.

Voting concerning the above decision was as follows.

Those voting for the motion	Those voting against	Those abstaining
Councillor A. Afsar Councillor L. Bullock Councillor B. George Councillor M. Holton Councillor M. Huckerby Councillor J. Jones		

Councillor A. Legg		
Councillor M. Slater		
Councillor C. Smedley		
Councillor C. Whittaker		

124/24 **APPEALS RECEIVED AND DETERMINED**

The Report of the Head of Regeneration and Development on appeals received, withdrawn and determined was received and noted.

NOTED.

125/24 **DELEGATED PLANNING PERMISSIONS**

The Report of the Head of Regeneration and Development on applications determined under delegated authority between 12th August 2024 and 11th October 2024 was received and noted.

NOTED.

126/24 **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 as it would 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