

EAST STAFFORDSHIRE BOROUGH COUNCIL

PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in the Coltman VC Room, Town Hall, Burton upon Trent on Tuesday 31st January 2023.

Present:

Councillors Mrs V. Gould (Chairman), Mrs B. Ashcroft, E. Barker, R. Faulkner, Ms A. Legg, S. McKiernan, Mrs B, Toon, Mrs L Walker and C. V. Whittaker.

Officers Present:

G. McCusker (Locum Solicitor) (via Zoom), L. As (Trainee Solicitor), N. Perry (Planning Manager), A. Harvey (Principal Planning Officer), L. Bird (Planning Officer), F. Roux (Planning Officer) and E. Summers (Planning Officer).

Also Present:

Mr Mark Evans (Staffordshire County Council - Highways)

Apologies for absence were received from Councillors G. Hall and G. H. Lamb.

334/23 **DECLARATIONS OF INTEREST**

Councillor G. Lamb declared an interest in application no. P/2021/00868, in that he wanted to speak on the application being school governor at De Ferrers School. He attended the meeting but sat in the public gallery so did not take part in the debate or vote on the application.

335/23 **MINUTES**

The Minutes of the meeting held on 20th December 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 Mrs B Ashcroft		Councillor Mrs B Toon
Councillor E Barker		Councillor Mrs L Walker
Councillor R Faulkner		
Councillor Mrs V Gould		
Councillor Ms A Legg		
Councillor S McKiernan		
Councillor C Whittaker		

336/23 **URGENT BUSINESS**

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

1. **P/2022/01235 – Change of use from dwelling to (Class C3) to 2 bed home for children in care (Class C2) – 9 Rowbury Drive, Burton upon Trent, Staffordshire DE15 0LP**

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

Mr S. Hanley and Mrs C Hipwell, members of the public, spoke on the application.

Dr M Masuad, the applicant, spoke on the application.

Councillor D. Fletcher, Ward Councillor, spoke on the application.

Discussions took place which included Mark Evans from Staffordshire County Council and answered questions from Members on highway issues.

A motion was put forward by Councillor E Barker, seconded by Councillor Mrs B Ashcroft, to permit the application.

Resolved:

That the application be **REFUSED** for the following reasons:

1. Loss or amenity and change in character of the area due to the increased vehicle movements and activity, contrary to the NPPF.
2. Loss of house suitable for older people, contrary to the aims of the Winshill Neighbourhood Plan.

Voting concerning the above decision was as follows:

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

2. **P/2022/00302 – Erection of a part single and part two-storey building to incorporate a Class E retail unit along with car parking, new vehicular access, servicing arrangements and landscaping – Land Adjacent to junction of High Street and Riversfield Drive, High Street, Rocester, Uttoxeter, Staffordshire ST14 5JU**

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

Mr N. Pierzchalla and Mr H. Malhi, members of the public, spoke on the application.

Mr C. Edge, agent for the applicant spoke on the application.

Discussions took place.

Discussions took place which included Mark Evans from Staffordshire County Council and answered questions from Members on highway issues.

Councillor S. Sankey, Ward Councillor, spoke on the application.

A motion was put forward by Councillor Ms A Legg, seconded by Councillor S McKiernan, for a condition regarding boundary treatment, wording delegated to the planning officers.

Voting concerning the above decision was as follows:

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

Further discussions took place.

A motion was put forward by Councillor Ms A Legg, seconded by Councillor R Faulkner, to include the use of bee bricks on the development.

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

Further discussions took place.

A motion was put forward by Councillor Mrs V Gould, seconded by Councillor Mrs B Ashcroft, to **PERMIT** the application.

Resolved:

To **GRANT** planning permission subject to the following conditions and a S106 Agreement to secure off-site ecological enhancement measures, including tree planting to contribute biodiversity net gain.

1. **Time Limit**

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

2. **Approved Plans**

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

Drawing Nos:

21-1875/03b, 1:1250 Location Plan and 1:500 Block Plan dated as received on 16th March 2022

21-1875/01a, 1:100 Survey Plan as Existing dated as received on 9th March 2022

1-1875/10e, 1:500 Proposed Block Plan and 1:100 Proposed Site Plan dated as received on 27th January 2023

21-1875/11b, 1:100 Proposed Elevations, Floor Plans and Roof Plan dated as received on 1st July 2022

21-1875/12a, Proposed Streetscene Elevations dated as received on 16th January 2023

1, 1:100 Proposed Landscaping Plan dated as received on 26th July 2022

Arboricultural Impact Assessment by Middlemarch Environmental Ltd, Ref: RT-MME-157323-01 dated as received on 9th March 2022

Arboricultural Method Statement by Middlemarch Environmental Ltd, Ref: TR-MME-157323-02 dated as received on 15th March 2022

Car Park Noise Assessment submitted by Noise Solutions Ltd, Project Ref: 90461 Rev 01 dated as received on 9th March 2022

Delivery Noise Impact Assessment by Noise Solutions Ltd, Project Ref: 90461 Rev 01 dated as received on 9th March 2022

Flood Risk Assessment and Surface Water Drainage Strategy by Pegasus Group, Ref: P21-0850 dated as received on 9th March 2022

Phase 1 Preliminary Ecological Appraisal by Dr S Bodnar BSc (Hons) PhD MCIEEM, Ref: Roc0122_PEA dated as received on 9th March 2022

Plant Noise Guidance Report submitted by Noise Solutions Ltd, Project Ref: 90461 Rev 01 dated as received on 9th March 2022

Preliminary Arboricultural Impact Assessment by Middlemarch Environmental Ltd, Ref: RT-MME-155887-01 dated as received on 9th March 2022

Transport Statement by Pegasus Group Ref: P21-0850/TR/01 dated as received on 9th March 2022

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, roof tiles, stone cills and lintels and brickwork for boundary walls) 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 External Joinery**

No development shall take place until details of all proposed external joinery including materials and finish (for windows, doors and shopfronts), and sections to a minimum scale of 1:5, 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, and windows and doors shall not be subsequently replaced with any alternative type without the prior written consent of the Local Planning Authority.

5. **Rainwater Goods Material and Finish**

All guttering and downpipes shall be metal with a black finish, and guttering shall be fixed direct to the brickwork on rise and fall metal brackets unless otherwise agreed in writing with the Local Planning Authority.

6. **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 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 on any variation.

7. **Protection of Trees During Development**

All existing trees and hedges shown as being retained on the plans hereby approved shall be protected by 1m high chestnut fencing (set at least 2m away from protected trees or hedges). Such fencing shall be erected before development commences and shall be retained at all times whilst construction work is taking place.

8. **Tree Works in accordance with Method Statement**

The development hereby approved shall be carried out in accordance with the details set out in the Arboricultural Method Statement by Middlemarch Environmental Ltd Ref: RT-MME-157323-02 dated as received on 15th March 2022.

9. **Implementation of Walling and Fencing**

The details of walling and fencing detailed on the approved plans listed under Condition 2 above shall be completed prior to the development first being brought into use.

10. **Alterations to Match Existing**

All works of alteration and making good of the existing fabric of the boundary wall shall be carried out in materials to match the existing wall.

11. **Surfacing of Access, Parking and Turning Areas**

Prior to first occupation of the development hereby granted permission the access, parking and turning areas shown on the approved plan shall be provided in a bound porous material in accordance with the approved plans, and thereafter following the first use of the premises shall be maintained as such and shall be available at all times for their designated purposes.

12. Visibility Splays

The visibility splays shown on the submitted plans shall be kept clear of all obstructions to visibility greater than 0.9m above the level of the carriageway before any part of the building is occupied and once occupied shall be maintained as such thereafter.

13. Car Park and Delivery Vehicle Management Plan

Prior to the first use of the development hereby permitted a Delivery and Servicing Management Plan, detailing in way in which the car park will be managed during deliveries, shall be submitted to and approved in writing by the Local Planning Authority. The use of the development shall thereafter be carried out in accordance with the approved Delivery and Servicing Management Plan.

14. Provision of Cycle Storage Facilities

Prior to the first occupation of any of the development hereby granted permission, details of the cycle facilities shown on the approved site plan shall be provided and approved in writing by the Local Planning Authority, the approved details shall be provided on site prior to the first occupation of the development and thereafter retained for the life of the development.

15. Details of Disposal of Foul and Surface Water

No development shall take place until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to its occupation.

16. Details of Plant Equipment and Amendment to Noise Assessment

Prior to the first use of the development hereby permitted details of the exact plant equipment to be used (including refrigeration and air conditioning units) and a Noise Impact Assessment amended in line with the principles set out within BS4142:2014 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be completed prior to the first use of the development and shall not be replaced with alternative type without the prior written consent of the Local Planning Authority.

17. Contaminated Land (During Construction)

If during the course of the development, contamination not previously identified is found to be present on the site it must be reported immediately in writing to the Local Planning Authority and no further development (unless otherwise first agreed in writing with the Local Planning Authority) shall be carried out until an investigation and risk assessment undertaken by a competent person in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11' (or subsequent replacement) is submitted to and approved in writing by the Local Planning Authority.

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 shall be submitted to and approved in writing by 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. The contamination shall then be dealt with in accordance with the approved details.

18. Construction Hours

No construction works shall take place outside of the following times:

07.30 – 18.00 hours Monday to Friday

08.00 – 14.00 hours Saturdays

No working on Sundays or Bank Holidays

19. Control of Noise and Dust During Construction

Prior to the commencement of any works on the site an assessment and associated plan specifying how emissions of noise, vibration and dust shall be controlled during construction and earth moving works so as not to impact on nearby receptors, 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.

20. Lighting Design Strategy

Prior to the first occupation of the development hereby approved, a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

- a. Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. Show how and where external lighting will be installed (through the provisions of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territories or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without planning permission first being obtained from the Local Planning Authority.

21. Site Works to Comply with Measures within PEA

All site works, including site preparation and clearance, must comply with measures detailed on pages 21-22 of the Phase 1 Preliminary Ecological Appraisal (Dr D Bodnar, March 2022, Ref: Roc0122_PEA).

22. Great Crested Newts Compliance Condition

The development hereby approved shall be implemented strictly in accordance with the recommendations stated in section 4.3b of the Phase 1 Preliminary Ecological Appraisal (Dr D Bodnar, March 2022, Ref: Roc0122_PEA).

23. Ecological Enhancement Measures

The ecological enhancement measures detailed on the approved landscaping plan listed under Condition 2 above, and the use of bee bricks, shall be installed prior to the first use of any of part of the development and thereafter made available at all times for their designated purposes.

24. Hours of Opening (Commercial Use)

The use hereby permitted shall not be open to customers outside the following times:

07.00 until 23.00.

25. Hours of Deliveries

No HGV deliveries shall be taken at or despatched from the site outside the hours of 07.00 and 20.00 hours.

26. Use Restricted to that Applied For

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking or re-enacting that Order, this permission shall

related to the use of the premises as Class E (a) as describe in your application and for no other purpose.

Informative

1. Pre-commencement Conditions

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

Condition Nos. 3, 4, 15, 17 and 19.

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

The fee chargeable by the Authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

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

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

Condition Nos. 13, 14, 16 and 20.

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

The fee chargeable by the Authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request. Payment can be made by cheque or card only. Please telephone 01283 508606.

Although the Council endeavour to discharge all conditions within 21 days of receipt of 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. Vehicle Access Crossings

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

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. Police Architectural Liaison Officer

The applicant is 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.

6. Public Sewer Crossing Site

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

7. Potential Future Advertisements

The applicant is advised that any potential future advertisements are likely to require formal applications for advertisement consent.

8. Lighting Design Strategy

Any external lighting to the car park should be directed into the car park and away from neighbouring dwellings in order to limit any potential impacts on the occupiers of neighbouring properties.

9. Engagement (Proactive)

During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

Voting concerning the above decision was as follows:

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

At this juncture Standing Order was suspended.

3. P/2021/00868 – Outline planning application for up to 500 dwellings (Use Class C3), Specialist Residential Accommodation (Use Classes C2/C3(a, b)), Local Centre (Use Classes E (a, b, c, e, f, g, (i))) and associated works (all matters apart from access reserved); and

Full planning application for proposed access points and spine road between Tutbury Road/Rolleston Road – Land Bound by Tutbury Road, Rolleston Road, and Harehedge Lane, Burton upon Trent, Staffordshire

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

Mr T. Salmon and Mrs J. Allen, members of the public, spoke on the application.

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

A statement from Councillor G. Lamb, was circulated to Members of the Planning Committee prior to the meeting to correct an omission from the Update Sheet.

Discussions took place which included Mark Evans from Staffordshire County Council and answered questions from Members on highway issues.

Resolved:

To **DEFER** application so that the applicant could provide clarification on the traffic modelling scheme and could review their approach to the master plan including the location of the local centre/community car parking area.

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

4. P/2021/00728 – Erection of residential dwellings (Class C3) with associated infrastructure (additional 21 dwellings on the site above that approved under P/2015/01497 for 429 dwellings) – Hazelwalls Farm, Timber Lane, Uttoxeter, Staffordshire

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

Discussions took place.

A motion was put forward by Councillor Ms A Legg, seconded by Councillor E Barker, for bee bricks to be added to the buildings.

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

A motion was put forward by Councillor Mrs V Gould, seconded by Councillor Mrs B Toon, to approve the application.

Resolved:

GRANT PLANNING CONSENT subject to the following conditions and the completion of a Deed of Variation to the original S106 Agreement:

1. **Time Limit**

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

2. **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:

Received 7th September 2022

UTT.SLP.000 Site Location Plan at scale 1:2500 UTT.PL(C).001 Planning Layout (Composite) at scale 1:1000

UTT.PL(D).002 Planning Layout (DWH Parcel) at scale 1:500

UTT.PL(B).003 Planning Layout (Barratt Parcel) at scale 1:500

UTT.GA (C).001.01 Garden areas (Composite) at scale 1:1000

UTT.GA (D). 002.1 Garden areas (DWH Parcel) at scale 1:500

UTT.GA (B).003.1 Garden areas (Barratt parcel) at scale 1:500

R15-422-2501 Rev A General Arrangement Sheet 1 at scale 1:500

R15-422-2520 Rev A External Works Sheet 1 (plots D150 to D197) at scale 1:200

R15-422-2521 Rev A External Works Sheet 2 (plots D150 to D197) at scale 1:200

R15-422-2522 Rev A External Works Sheet 3 (plots D150 to D197) at scale 1:200

R15-422-2523 Rev A External Works Sheet 4 (plots D150 to D197) at scale 1:200

NWB21 - Semi - Floor Plans - Sheet 1 of 2 UTT.HT.010 at scale 1:100

NWB21 - Semi - Elevations - Sheet 2 of 2 UTT.HT.011 at scale 1:100

NWB21 - Terrace - Floor Plans - Sheet 1 of 2 UTT.HT.012 at scale 1:100

NWB21 - Terrace - Elevations - Sheet 2 of 2 UTT.HT.013 at scale 1:100

NWB22 - Semi - Floor Plans - Sheet 1 of 2 UTT.HT.014 at scale 1:100

NWB22 - Semi - Elevations - Sheet 2 of 2 UTT.HT.015 at scale 1:100

N286 - Terrace - Floor Plans - Sheet 1 of 2 UTT.HT.016 at scale 1:100
N286 - Terrace - Elevations - Sheet 2 of 2 UTT.HT.017 at scale 1:100
N382 - Semi - Floor Plans - Sheet 1 of 2 UTT.HT.018 at scale 1:100
N382 - Semi - Elevations - Sheet 2 of 2 UTT.HT.019 at scale 1:100
N331 - Semi - Floor Plans - Sheet 1 of 3 UTT.HT.020 at scale 1:100
N331 - Semi - Elevations - Sheet 2 of 3 UTT.HT.021 at scale 1:100
N331 - Semi - Elevations - Sheet 3 of 3 UTT.HT.022 at scale 1:100
Y341 - Detached - Floor Plans - Sheet 1 of 2 UTT.HT.023 at scale 1:100
Y341 - Detached - Elevations - Sheet 2 of 2 UTT.HT.024 at scale 1:100
NWB46 - Semi Detached - Floor Plans - Sheet 1 of 2 UTT.HT.025 at scale 1:100
NWB46 - Semi Detached - Elevations - Sheet 2 of 2 UTT.HT.026 at scale 1:100
NWB47 - Detached - Floor Plans - Sheet 1 of 2 UTT.HT.027 at scale 1:100
NWB47 - Detached - Elevations - Sheet 2 of 2 UTT.HT.028 at scale 1:100
N418 - Detached - Floor Plans - Sheet 1 of 2 UTT.HT.029 at scale 1:100
N418 - Detached - Elevations - Sheet 2 of 2 UTT.HT.030 at scale 1:100
Y456 - Detached - Floor Plans - Sheet 1 of 2 UTT.HT.031 at scale 1:100
Y456 - Detached - Elevations - Sheet 2 of 2 UTT.HT.032 at scale 1:100
Y469 - Detached - Floor Plans - Sheet 1 of 2 UTT.HT.033 at scale 1:100
Y469 - Detached - Elevations - Sheet 2 of 2 UTT.HT.034 at scale 1:100
Y577 - Detached - Floor Plans - Sheet 1 of 2 UTT.HT.035 at scale 1:100
Y577 - Detached - Elevations - Sheet 2 of 2 UTT.HT.036 at scale 1:100

UTT.HT.037 Chudleigh/Dursley/Fareham/Epping - Floor Plans - Sheet 1 of 4 at scale 1:100
UTT.HT.038 Chudleigh/Dursley/Fareham/Epping - Floor Plans - Sheet 2 of 4 at scale 1:100
UTT.HT.039 Chudleigh/Dursley/Fareham/Epping - Floor Plans - Sheet 3 of 4 at scale 1:100
UTT.HT.040 Chudleigh/Dursley/Fareham/Epping - Floor Plans - Sheet 4 of 4 at scale 1:100
UTT.HT.041 Kew - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.042 Kew - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.043 Kew - Terrace - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.044 Kew - Terrace - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.045 Holywell - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.046 Holywell - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.047 Holywell - Terrace - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.048 Holywell - Terrace - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.049 Holywell/Brancaster - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.050 Holywell/Brancaster - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.051 Holywell/Brancaster - Terrace - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.052 Holywell/Brancaster - Terrace - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.053 Brancaster - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.054 Brancaster - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.055 Matlock - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.056 Matlock - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.057 Winterbourne - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.058 Winterbourne - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.059 Lutterworth - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.060 Lutterworth - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.061 Marwood - Terrace - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.062 Marwood - Terrace - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.063 Charnwood - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.064 Charnwood - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.065 Charnwood - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.066 Charnwood - Detached - Elevations - Sheet 2 of 2 at scale 1:100

UTT.HT.067 Allerthorpe - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.068 Allerthorpe - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.069 Exminster - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.070 Exminster - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.071 Sheringham - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.072 Sheringham - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.073 Dearne - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.074 Dearne - Detached - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.075 T50 - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100 at scale 1:100
UTT.HT.076 T50 - Semi - Elevations - Sheet 2 of 2 at scale 1:100 at scale 1:100
UTT.HT.077 T50 - Terrace - Floor Plans - Sheet 1 of 2 at scale 1:100 at scale 1:100
UTT.HT.078 T50 - Terrace - Elevations - Sheet 2 of 2 at scale 1:100 at scale 1:100
UTT.HT.079 Chudleigh/Dursley/T50 - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.080 Chudleigh/Dursley/T50 - Semi -Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.081 Chudleigh/Dursley/T50 - Terrace - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.082 Chudleigh/Dursley/T50 - Terrace -Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.083 T52 - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.084 T52 - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.085 T52/T55 - Semi - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.086 T52/T55 - Semi - Elevations - Sheet 2 of 2 at scale 1:100
UTT.HT.087 Brancaster.V1 - Detached - Floor Plans - Sheet 1 of 2 at scale 1:100
UTT.HT.088 Brancaster.V1 - Detached - Elevations - Sheet 2 of 2 at scale 1:100

UTT-G-101 SDG1H8 Garage - Floor Plans & Elevations at scale 1:100
UTT-G-102 LSG1H8 Garage - Floor Plans & Elevations at scale 1:100
UTT-G-103 LDG2H8 Garage - Floor Plans & Elevations at scale 1:100

Bir.4741_11-H Detailed Soft Landscape Proposals at scale 1:250
Bir.4741_12-H Detailed Soft Landscape Proposals at scale 1:250
Bir.4741_13-I Detailed Soft Landscape Proposals at scale 1:250
Bir.4741_16-H Detailed Soft Landscape Proposals at scale 1:250
Bir.4741_17-G Detailed Soft Landscape Proposals at scale 1:250
Bir.4741_18-H Detailed Soft Landscape Proposals at scale 1:250

UTT.ED.006 Enclosure Details at scale 1:20
UTT.CS.007 Bin and Cycle Shed Details at scale 1:100
UTT.MP.003 Materials Plan at scale 1:1000

UTT.ST.004 Street Scene A-A at scale 1:250
UTT.ST.004.1 Street Scene B-B at scale 1:250
UTT.ST.004.2 Street Scene C-C at scale 1:250
UTT.ST.004.3 Street Scene D-D at scale 1:250
UTT.ST.004.4 Street Scene E-E & F-F at scale 1:250
UTT.ST.004.5 Street Scene G-G at scale 1:250
UTT.ST.004.6 Street Scene C-C_Vs Consented at scale 1:250
UTT.ST.004.7 Street Scene D-D_Vs Consented at scale 1:250

UTT.CPRS.002 Car Parking & Refuse Strategy at scale 1:1000

Air Quality Assessment (JAR02625 Rev 2 12/7/2021) by RPS
Arboricultural Impact Assessment (JSL4070 25/6/2021) by RPS
Design and Access Statement August 2022 by David Wilson Homes

Ecological Appraisal (OXF10628-R-06c Version 3 6/7/2021) by RPS
Ecological Update (OXF10628) 6/9/2021 by RPS
Health Impact Assessment Scoping Statement NP/12215 version 1 30/6/21 by RPS
Transport Statement by Mode Transport Planning (May 2021)
Highways Note by Mode Transport Planning
Statement of Community Consultation and Engagement (July 2021) by David Wilson Homes
Updated Planning Statement (September 2022) by David Wilson Homes
Revised Planning Statement Appendices (September 2022) by David Wilson Homes

8th September 2022

14-422-2558 S38 Swept Path Analysis Sheet 1 Fire Appliance at scale 1:500
14-422-2559 S38 Swept Path Analysis Sheet 1 Fire Appliance at scale 1:500
14-422-2560 S38 Swept Path Analysis Sheet 2 Fire Appliance at scale 1:500
14-422-2561 S38 Swept Path Analysis Refuse Vehicle Sheet 1 at scale 1:500
14-422-2562 S38 Swept Path Analysis Refuse Vehicle Sheet 1 at scale 1:500
14-422-2563 S38 Swept Path Analysis Refuse Vehicle Sheet 2 at scale 1:500

Received 12th September 2022

Air Quality Addendum (JAR02625 12/9/2022) by RPS

Received 15th September 2022

UTT.GA(C).001.1 Garden Areas (Composite)
UTT.GA(D).002.1 Garden Areas (DWH Parcel)
UTT.GA(B).003.1 Garden Areas (Barratt Parcel)

710 P03 Tree Protection Plan D3R and B2R at scale 1:500
711 P03 Tree Protection Plan D3R and B2R at scale 1:500
Highways Note

Received 20th September 2022

Flood Risk Assessment (HLEF80418) Issue 4 by RPS

Received 7th October 2022

R15-422-2502 SECTION 38 GENERAL ARRANGEMENT REPLAN B2R SHEET
1
R15-422-2503 SECTION 38 GENERAL ARRANGEMENT REPLAN B2R SHEET
2

Received 31st October 2022

UTT.AHLP A Affordable Housing Location Plan

Received 8 December 2022

15-422-1561C Drainage Strategy Plan Plots D150 to D193
15-422-1562C Drainage Strategy Plan Plots B49 to B181
15-422-1564 Replan SW Catchment Plan
15-422-1565 Replan SW Catchment Plan
15-422-1566 Site Drainage Layout Plan
SW Network All Site Rev B

SUDS Drainage Maintenance Plan

Received 10 January 2023

R15 422 – Drainage Strategy Report Rev C

Received 16th January 2023

15-422-2556D Flood Routing Plan – B2 SHT 1

15-422-2557D Flood Routing Plan – TW and B2 SHT 2

15-422-2555D Flood Routing Plan – D3 and TW

Received 19th January 2023

Recreational Facilities Leaflet

SHE Form 05 - Construction Phase Safety, Health and Environmental Plan

1377-02 Proposed Street Lighting Locations West section sheet 2 dated as received 19th January 2023

1377-02 Proposed Street Lighting Locations West section sheet 4 dated as received 19th January 2023

Outdoor Lighting Report (SE-HL-01377 AR1) by Eon dated 19th January 2023

3. **Auto Track Analysis**

Before commencement of any works on the site details of the estate road layout, including visibility splays at all junctions and bends an Auto Track analysis of the path of refuse vehicles around the site.

4. **Construction Management Plan**

No development shall take place until a Construction Management Plan, which shall specify the routing of demolition and construction vehicles to and from the site, parking of vehicles of site personnel, operatives and visitors, loading and unloading of plant and materials, storage area of plant and materials used during the construction of the development, appropriate wheel wash facilities and measures to prevent the deposition of deleterious material on the public highway, has been submitted and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be implemented and adhered to throughout the construction period unless otherwise first agreed by the Local Planning Authority.

5. **Site Waste Management Plan**

No development shall take place until a waste management plan has been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved Site Waste Management Plan.

6. **Materials**

The development shall only be carried out in accordance with the external materials that are stated within the application and shown on the approved plans (listed in Condition 2 above) unless otherwise first agreed in writing by the Local Planning Authority.

7. **Levels**

The development hereby approved shall be completed in accordance with the slab level and finished ground level details shown on the approved plans (listed in Condition 2 above) unless otherwise first agreed in writing by the Local Planning Authority.

8. Foul and Surface Water

The development hereby approved shall be completed in accordance with foul and surface water drainage details shown on the approved plans/documents (listed in Condition 2 above) unless otherwise first agreed in writing by the Local Planning Authority.

9. Ecological Enhancement Measures

The ecological enhancement measures contained within the Ecological Appraisal (OXF10628-R-06C) by RPS group dated as received 14th July 2021 shall be installed prior to the first occupation of any part of the development and thereafter retained and made available at all times for their designated purposes.

10. Landscape and Ecology/Biodiversity Management Plan

The development shall be completed in accordance with the Landscape and Ecology/Biodiversity Management Plan 'Ecological Appraisal' (version 3) by RPS dated as received 14th July 2021 unless alternatives are first agreed in writing by the Local Planning Authority.

11. Landscaping

The development shall be completed in accordance with the landscaping, fencing and walling plans (as listed in Condition 2) during the course of the development unless alternatives are first agreed in writing by the Local Planning Authority.

12. Parking and Turning Facilities

Prior to the first occupation of any of the dwellings hereby granted permission the proposed external parking and turning facilities (as show on the approved drawing list in Condition 2) shall have surfaces in accordance with materials that have first agreed in writing by the Local Planning Authority. Once provided the external parking and turning facilities shall thereafter shall be maintained and made available at all times for their designated purposes for the life of the development.

13. Cannock Chase SAC

Prior to first occupation of any dwelling, the Recreational Facilities Leaflet dated as received 19th January 2023 shall go into the welcome pack for each property.

14. Lighting and Method Statement (Bats)

The development hereby approved shall be completed in accordance with the approved lighting plans unless first agreed in writing by the Local Planning Authority.

- 1377-02 Proposed Street Lighting Locations West section sheet 4 dated as received 19th January 2023
- 1377-02 Proposed Street Lighting Locations West section sheet 2 dated as received 19th January 2023
- Outdoor Lighting Report (SE-HL-01377 AR1) by Eon dated 19th January 2023

15. Ecological Mitigation Measures (Construction Phase)

The construction phase of the development hereby approved shall be carried out in accordance with the species protection measures contained within the dated as received Ecological Appraisal' (version 3) by RPS dated as received 14th July 2021.

16. Contamination

If during the course of the development, contamination not previously identified is found to be present on the site, then no further development plans (unless first agreed in writing by the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

17. Soil Imports

Any soil to be imported to the site shall first be chemically analysed for contaminants, with the results submitted to and approved in writing by the Local Planning Authority prior to the soil being installed.

18. FRA Compliance

The development shall only be carried out in accordance with the mitigation measures recommended by the approved Flood Risk Assessment (Issue 4) by RPS dated as received 20th September 2022 (section 6).

19. Landscaping Implementation

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building 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 on any variation.

20. Boundary Treatment Implementation

The scheme of walling and fencing approved as part of the landscaping scheme required by Condition 10 above shall be completed prior to the relevant dwelling/relevant part of the development first being occupied/brought into use.

21. Provision of Garages

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 the garage accommodation/parking space 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.

22. Surface Water Drainage

Prior to being discharged into any watercourse, surface water system or soakaway, all surface water drainage from parking areas and hardstanding draining towards the public highway shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

23. Cycle Storage Shed/Facilities

Prior to the first occupation of any of the residential units hereby granted permission the cycle storage shed/facilities shown on the approved plans (as defined in Condition 2) shall be provided and thereafter retained for use for the life of the development unless otherwise first agreed in writing by the Local Planning Authority.

24. Bin Storage

The bin storage points indicated on the drawings titled 'Parking and Refuse Strategy' and drawing no. UTT.CS.007 Bin and Cycle Storage received 7th September 2022 shall be provided before the relevant dwelling(s) they serve are first occupied and thereafter retained for their stated purpose for the life of the development 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 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 on any variation.

25. Electric Car Charging

The electric vehicle charging points indicated on the drawing no. H7092/ECP/01 'Electric Chargers Plan' dated as received 4th November 2022 shall be installed prior to the first occupation of each dwelling concerned and shall be retained and maintained for the lifetime of the development unless the Local Planning Authority gives written consent on any variation.

26. Removal of PD Boundary Treatments

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 the consent) shall be erected within the front curtilage of the dwelling(s) unless planning permission has first been granted by the Local Planning Authority.

27. Tree Protection Measures

The tree protection measures detailed in the Arboricultural Impact Assessment (Version 1) by RPS dated as received 14th July 2022 shall be put in place prior to works commencing and be retained in situ for during the construction of the development unless otherwise agreed in writing by the Local Planning Authority.

28. Noise Mitigation

The development hereby approved shall be carried out in accordance with the document 'SHE Form 05 – Construction Phase Safety, Health and Environmental' dated as received 19th January 2023 unless alternatives are first agreed in writing by the Local Planning Authority.

29. Dust Mitigation (Construction)

The development hereby approved shall be carried out in accordance with the mitigation measures contained within the document 'SHE Form 05 – Construction Phase Safety, Health and Environmental' dated as received 19th January 2023 unless alternatives are first agreed in writing by the Local Planning Authority.

30. Surface Water Drainage Maintenance Scheme

Prior to the first occupation of any dwelling unit on the development hereby approved as detailed scheme for the future maintenance of the surface water drainage system shall be first submitted to and agreed in writing by the Local Planning Authority. The surface water drainage system shall thereafter be maintained for the life of the development in accordance the approved scheme.

31. Windows to be Obscured Glazed

The window unit(s) to be installed in the first floor side elevations of Plots No. 117 (Northern) 118 (Northern) and 127 (Northern) shall be glazed in obscure glass and shall be non-opening below a height of 1.7 metres measured from the internal finished floor level. The windows shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Informatives

1. 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. Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either their website (www.stwater.co.uk) or by contact to the Development Services Team (Tel: 0800 707 6600).
3. The applicant is advised that Public Footpath No. 16 in the Parish of Uttoxeter Town runs through the site and no works should be undertaken which might adversely affect the rights of users.
4. The consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. The developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works agreed.

5. The condition above requiring off-site highway works shall require Major Works Agreements with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provide a further link to a Major Works Agreement Information Pack and an application form for the Major Works Agreement. Please complete and send to the address indicated on the application form which is Network Management Unit, Staffordshire County Council. Staffordshire Place 1, Wedgewood Building, Tipping Street, Stafford ST16 2DH or email to nmu@staffordshire.gov.uk
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>
6. The applicant(s) is/are advised that this permission does not absolve them from their responsibilities in relation to protected species and in terms of vegetation removal during the breeding season. If evidence of active nests or bats is found during the development work should cease and the services of a licensed ecologist procured to ensure an offence is not committed.
7. The applicants' attention is drawn to the comments of the Police Architectural Liaison Officer dated 28th September 2021.
8. The County Council Public Rights of Way Officer advises that:-

The attention of the developer should be drawn to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the rights of way or their closure or diversion.

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any changes to the surface occurs as a result of the proposed development. The surface of the footpath must be kept in a state of repair such that the public right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Some attention needs to be drawn to this and that surface works may be required. Further details are required regarding how the surface will be safeguard during the development.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtues of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

We would ask that trees are not planted alongside the footpath unless the developer and any subsequent landowners are informed that the maintenance of the trees in their responsibility, not the County Council.

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

338/23 **APPEALS RECEIVED AND DETERMINED**

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

339/23 **PLANNING PERMISSIONS**

The Report of Sal Khan, Head of Service regarding planning applications determined under delegated authority between 5th December 2022 and 13th January 2023 was received and noted.

340/23 **EXCLUSION OF THE PRESS AND PUBLIC**

Resolved:

That, in accordance with Section 100(A) (4) of the Local Government Act, 1972, the Press and Public be excluded from the Meeting during discussion of the following items it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated in brackets before each item number on the Agenda:

PRIVATE MINUTES

ENFORCEMENT SCHEDULE

Chairman