

# EAST STAFFORDSHIRE BOROUGH COUNCIL

## PLANNING COMMITTEE

Minutes of the Meeting of the Planning Committee held in the Coltman VC Room, Town Hall on Wednesday 29<sup>th</sup> May 2024 at 2.00pm.

### **Present:**

Councillors A. Afsar (Chairman), Mrs B Ashcroft, L. Bullock, S. Hussain, Mrs J Jones, Ms A. Legg, M. Slater, C. Smedley and C. Whittaker

### **Officers Present:**

Penelope James (Principal Solicitor and Deputy Monitoring Officer), Naomi Perry (Planning Manager), Barbara Toy (Principal Planning Officer), Alan Harvey (Principal Planning Officer) and Daniel Caulkett (Democratic Services Officer)

### **Also Present:**

Malcolm Jones (Staffordshire County Council – Highways)

Apologies for absence were received from Councillors M. Holton and M. Huckerby

### 91/24 **DECLARATIONS OF INTEREST**

Councillors A. Afsar, B Ashcroft, L. Bullock, S. Hussain, J Jones, A. Legg, M. Slater, C. Smedley and C. Whittaker declared they had received documents in relation to application P/2024/00083 via email and attended the meeting with an open mind.

### 92/24 **PUBLIC MINUTES**

#### **Resolved:**

That the Public Minutes of the Meeting held on the 23<sup>rd</sup> April 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<br>Councillor B. Ashcroft<br>Councillor L. Bullock<br>Councillor S. Hussain<br>Councillor J. Jones<br>Councillor A. Legg |                      | Councillor M. Slater |

|                         |  |  |
|-------------------------|--|--|
| Councillor C. Smedley   |  |  |
| Councillor C. Whittaker |  |  |

93/24 **URGENT BUSINESS**

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

94/24 **APPOINTMENT OF VICE CHAIRMAN**

**Resolved:**

That Councillor S. Hussain was appointed Vice Chairman for the ensuing year.

95/24 **APPLICATIONS FOR PLANNING PERMISSION**

1. **P/2024/00083 Change of use from a single residential dwelling (Use Class C3(a)) to use as a children's home (Use Class C2) for up to five children with associated bin and cycle stores Branscombe, 17 Bridge Street, Stretton, Staffordshire, DE13 0EL**

The site visit was attended by Councillors A. Afsar, Mrs B Ashcroft, L. Bullock, S. Hussain, 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.

Elaine Pritchard, Parish Councillor for Stretton Parish Council, spoke on the application.

Matthew Birks and Bill Hindmarsh, members of the public, spoke on the application.

Sian Brown, the applicant, spoke on the application.

Discussions took place.

A motion was put forward by Councillor C. Whittaker, which had been duly seconded by Councillor B. Ashcroft to **APPROVE** the application subject to conditions as per the main report and update sheet.

**Resolved:**

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

Proposed Site Plan Drawing 2023/25 PL006 Rev A dated as received on 28-02-2024

Proposed Ground and First Floor Plans Drawing 2023/25 PL004 dated as received on 22-01-2024

Proposed Second Floor and Roof Plan Drawing 2023/25 PL005 dated as received on 22-01-2024

Proposed Bike Store Drawing 2023/25 PL008 dated as received on 22-01-2024

Proposed Refuse and Recycling Store Drawing 2023/25 PL007 dated as received on 22-01-2024

Planning Statement Ref 23/111 dated as received on 22-01-2024

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 in accordance with East Staffordshire Local Plan Policies SP1, SP16, SP24, SP35, DP1, DP3, DP7 and DP8, the East Staffordshire Design Guide, Car Parking Standards SPD, Separation Distance and Amenity SPD and the National Planning Policy Framework.

### **3. Parking**

The access, car parking and turning areas as shown on; 'Proposed Site Plan Drawing No.'PL.006 Rev. A' shall be provided prior to the first occupation of the development hereby permitted. Thereafter these access, car parking and turning areas shall be retained in accordance with the approved plans for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the safe and efficient use of the adjoining highway and to mitigate on- street car parking in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the East Staffordshire Design Guide, Car Parking Standards SPD and the National Planning Policy Framework.

### **4. Cycle Storage**

The development hereby permitted shall not be brought into use until the cycle storage facility is provided in accordance with Drawing No. 'PL.008' – 'Proposed Bike Store' and shall be retained for the life of the development.

Reason: As recommended by the Highway Authority to promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policy SP35 and the National Planning Policy Framework.

### **5. Restricted Use**

The premises shall be used for a children's care home for a maximum of five children between 5 and 18 years of age and for no other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as

amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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.

#### 6. Management Plan

Prior to the first use of the premises for the use hereby approved a Management/Operation Plan shall be submitted to and approved in writing by the Local Planning Authority.

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.

### **Informatives**

#### **1. Environmental Health informative:**

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

The business will need to be registered with the Environmental Health Team 28 days prior to trading. The business can register through the following link: <https://register.food.gov.uk/new/east-staffordshire>. If the applicant has any queries please direct them to the Environmental Health Team on 01283 508 578 or [EHSupport@eaststaffsbc.gov.uk](mailto:EHSupport@eaststaffsbc.gov.uk)

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

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

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

**WASH-HAND BASINS** - There should be the provision of a separate washbasin for cleaning hands as required by Chapter I of Annex II to Regulation (EC) 852/2004.

In addition, following the Food Standards Agency's guidance on E.coli, wash-hand basins in commercial kitchens where raw and ready to eat foods are

handled should be provided with non-hand operated taps such as sensor, elbow or foot operated taps as they reduce the risk of cross-contamination.

Advisory Comment - It would be considered 'good practice' if provision was made for a separate toilet for staff use only.

## **2. 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.

## **3. Radon Informative:**

The applicant is advised that the proposed development is situated within a "Radon Affected Area". Radon Affected Areas are areas where 1% or more of homes are above the Action Level, as designated by the UK Health Security Agency (UKHSA)). This information was obtained from Indicative Mapping supplied by the British Geological Survey and the Health Protection Agency, which splits the borough up into 1km squares, and it is recommended that property-specific advice be obtained from [www.ukradon.org](http://www.ukradon.org). Our records indicate that the development is in an area where 3 to 5% of properties are above the action level.

If, after reference to the above website, there is still possibility of risk from radon, then protection measures should be installed (further advice can be found on the BRE website). Home testing kits can be obtained from the PHE through [www.ukradon.org](http://www.ukradon.org), but it may take several months to obtain the results.

For sites where between 1% and 3% of homes are above the action level, the use of protection measures is not mandatory, although ESBC continue to recommend that basic measures are installed in these circumstances.

Voting concerning the above decision was as follows.

| Those voting for the motion  | Those voting against   | Those abstaining |
|--|--|------------------|
| Councillor A. Afsar<br>Councillor B. Ashcroft<br>Councillor S. Hussain<br>Councillor J. Jones<br>Councillor M. Slater<br>Councillor C. Whittaker | Councillor L. Bullock<br>Councillor A. Legg<br>Councillor C. Smedley |                  |

2. **P/2023/00318 Alterations, new build works and extension to existing agricultural building to provide for increased eaves and ridge heights and floor area, re-cladding and installation of solar panels to accommodate a proposed change of use for the construction of holiday lodges – being a commercial/light industrial use (Class E(f)(iii)) – along with associated parking provision and access alterations Wallash Farm, Wallash, Mayfield, Staffordshire**

The site visit was attended by Councillors A. Afsar, Mrs B Ashcroft, L. Bullock, S. Hussain, 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.

Councillor Steve Sankey, Ward Councillor for the Stramshall & Weaver Ward, spoke on the application.

Brain Walker, Amy Bennett and Anita Garbett, members of the public, spoke on the application.

Ruby Stanley, the applicant, spoke on the application.

Discussions took place.

A motion was put forward by Councillor A Legg to include an informative to advise the developer that lighting should be 'bat friendly.'

A motion was put forward by Councillor J. Jones, which had been duly seconded by Councillor B. Ashcroft to **APPROVE** the application subject to conditions as per the main report and update sheet and the requested additional informative in relation to condition 13 to ensure the lighting is 'bat friendly.'

**Resolved:**

**1: Time Limit – 3 Year Standard Commencement**

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: 1080 - 001 Rev E- Location Plan dated as received 17-05-2024

Drawing No: 1080 - 002 Stanley - A3 Existing Block Plan Rev A dated as received 01-11-2023

Drawing No: 1080 - 003 Stanley - A3 Proposed Block Plan Rev D dated as received 17-05-2024  
Drawing No: 1080 - 004 - Existing Elevations dated as received 01-11-2023  
Drawing No: 1080 - 005 Rev A - Proposed Elevations dated as received 01-11-2023  
Drawing No: 1080 - 006 Rev A - Re-use of Materials dated as received 01-11-2023  
Drawing No: 1080 - 007 - Re-use of Materials to Elevations dated as received 01-11-2023  
Drawing No: 12297 - 001 - Swept Path Analysis and Proposed Widened Access (revised) - dated as received 22-05-2024  
Drawing No: 12297 - 002 - Swept Path Analysis, dated as received 01-11-2023  
Ventilation Fan specifications dated as received 01-11-2023  
Preliminary Ecological Appraisal dated as received 01-11-2023  
Design and Access Statement dated as received 20-03-2023  
Further Justification Statement dated as received 01-11-2023

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, flooding, ecology/biodiversity or the safe and efficient use of the adjoining highway(s) in accordance with the aims and objectives of East Staffordshire Local Plan Policies SP1, SP8, SP14, SP24, SP27, SP29, SP30, SP35, DP1, DP2 and DP7, Parking Standards Supplementary Planning Document, the East Staffordshire Design Guide, Re-Use of Rural Building Supplementary Planning Document, Climate Change Supplementary Planning Document and the National Planning Policy Framework.

### **3: External Materials**

All external materials to be used in the development hereby approved shall be as set out on the plans listed under condition 2 unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard the rural surroundings in accordance with East Staffordshire Local Plan Policies SP1, SP8, SP24 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

### **4: Noise Mitigation Management Plan**

No development shall commence in connection with the scheme hereby approved until a Noise Mitigation Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Noise Mitigation Management Plan shall provide for the following:

- a. Precise details of the ventilation scheme (including any noise attenuation measures) to ensure adequate ventilation is provided to the building during hours of operation whilst providing for all doors and window units to be retained in a closed/shut position.

- b. A scheme for the maintenance of the ventilation system (required under 4(a) above) to ensure it continues to be capable of operation for the life of the development.
- c. Specification of all machinery and power tools/equipment proposed to be used in connection with the use hereby approved along with details of any noise attenuation measures to be fitted

The approved Noise Mitigation Management Plan shall be complied with at all times for the life of the development unless otherwise approved in writing by the Local Planning Authority.

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

#### **5: Construction Environmental Management Plan (Ecology)**

No development shall commence (including any site clearance works) until details of a Construction Environmental Management Plan (including details of scheme of mitigation and a timetable of works for the development phase) have been submitted to and approved in writing by the Local Planning Authority. These provisions shall be in line with the recommendations of the approved Preliminary Ecological Appraisal dated 1 November 2023. The Construction Environmental Management Plan shall be adhered to all times during the development phase/for the life of the development.

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

#### **6: Landscaping (including compensatory ecological planting)**

Prior to the development hereby approved being first brought into use a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include commensurate planting necessary to compensate for the loss of ecology/biodiversity on lands within the application site as a result of the development (as agreed under condition 5 above)

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development, whichever is 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 in the interests of ecology and biodiversity and in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP29 and DP1 and the National Planning Policy Framework.

## **7: Vehicular Access Alterations**

Prior to the development hereby approved being first brought into use the proposed alterations to the access off Moorlands Drive as shown on Drawing No: 12297 - 001 - Swept Path Analysis and Proposed Widened Access (revised) - dated as received 22-05-2024 shall be completed in accordance with a detailed scheme of hard surfacing and surface water drainage which have been first submitted to and agreed in writing by the Local Planning Authority. The details shall provide for the access to be positively drained to ensure no surface water runs onto the public highway. Once provided the approved altered access arrangements shall be kept free from obstruction and available for use at all times for the lifetime of the development

Reason: In the interests of highway safety and mitigate any flooding risks, in accordance with East Staffordshire Local Plan Policies SP1, SP27 and SP35 and the National Planning Policy Framework.

## **8: Parking Provision**

Prior to the first bringing into use of the development hereby approved the 8 No. car parking spaces shown on Drawing No: 1080 - 003 Stanley - A3 Proposed Block Plan Rev D (dated as received 17-05-2024) shall be constructed, hard surfaced, positively drained and marked out in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Once provided the area shall be kept free from obstruction and be retained as available for use for the purposes of parking for the lifetime of the development.

Reason: In the interests of highway safety, in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

## **9: Turning Facilities**

Prior to the first bringing into use of the development hereby approved the additional area to be created for vehicle turning (the 'Turning Area') to the west of the application building shall be provided in the location shown on Drawing No: 1080 - 003 Stanley - A3 Proposed Block Plan Rev D (dated as received 17-05-2024) and shall be surfaced and positively drained in accordance with details to be first agreed in writing with the Local Planning Authority. Once provided the turning area shall be kept free from obstruction and be retained as available for use for its stated purpose for the lifetime of the development.

Reason: In the interests of highway safety in accordance with East Staffordshire Local Plan Policies SP1 and SP35, Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

### **10: Cycle Parking Provision**

Prior to the development hereby approved being first brought into use secure and covered cycle parking shall be provided in the position as shown on the Drawing No: 1080 - 003 Stanley - A3 Proposed Block Plan Rev D (dated as received 17-05-2024) in accordance with details to be first submitted to and agreed in writing by the Local Planning Authority. Once provided the secure and covered cycle parking provision shall be maintained and retained as available for use for the lifetime of the development

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policies SP1 and SP35, the Parking Standards Supplementary Planning Document and the National Planning Policy Framework.

### **11: Insulation/noise mitigation works scheme to building**

Prior to the first bringing into use of the development hereby approved a scheme of noise insulation/mitigation measures to the internal elevations and roof structure of the building shall have been installed/completed in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Once provided the approved noise insulation/mitigation measures shall be retained and maintained for the lifetime of the development.

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

### **12: Waste Facilities**

Prior to first use of the development hereby approved a scheme for the disposal of waste/waste bin(s) provision shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme for the disposal waste/bin(s) provision shall be installed/brought into operation upon the first use of the development hereby approved and thereafter maintained/adhered to for the life of the development.

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

### **13: Lighting on the site.**

No lighting shall be installed at the site in connection with the development hereby approved until an external lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all lighting units/types to be installed/used, including size, lumen output, direction/positioning, luminaire detail and any other measures to prevent or limit light overspill. The lighting scheme shall only be implemented in accordance with the approved details and no other lighting shall be installed on the site in connection with the development unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenity of the area and the amenities of occupiers of adjoining property and in the interests of ecology in accordance with East Staffordshire Local Plan Policies SP1, SP24, SP29, DP3 and DP7 and the National Planning Policy Framework

#### **14: Ventilation scheme to be installed to the building**

Prior to the first bringing into use of the development hereby approved the ventilation scheme shall have been installed in accordance with the details agreed under condition 4 above and thereafter retained in operational use at all times whilst the building is in use for construction/manufacturing activities for the life of the development.

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

#### **15: Solar Panels**

Unless otherwise agreed in writing by the Local Planning Authority prior to the first bringing into use of the development hereby approved the solar panels shall be installed to the roof structure of the building in accordance with approved details (as per plans/documents listed at condition 2 above) and these shall be retained and maintained for the lifetime of the development.

Reason: In the interests of sustainability in accordance with the East Staffordshire Local Plan Policies SP1 and DP2, Climate Change Supplementary Planning Document and National Planning Policy Framework.

#### **16: Specific Use.**

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 solely relate to the use of the premises for the construction of holiday lodges as described in the applicants agents 'further justification statement' document dated as received on 1.11.2023 and for no other purpose (including any use in Class E(f)(iii)) unless planning permission is first granted by the Local Planning Authority.

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 and in the interests of highway safety in accordance with the East Staffordshire Local Plan Policies SP1, SP35 and DP7 and the National Planning Policy Framework.

**17: Days and Hours of Operation.**

All operations/activities/use(s) in connection with the development hereby approved, including deliveries to and from the site, shall be undertaken between the hours of 08.00 - 17.00 Monday to Friday inclusive with the exception of Bank Holidays (and therefore there shall be no working on Saturdays, Sundays and Bank Holidays)

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

**18. Number of lodges dispatched per annum**

No more than 3 No. lodges shall be dispatched on vehicles from the application site in any calendar year.

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

**19: Doors and Windows retained closed**

Other than for access and egress by personnel all doors and windows units to the building hereby approved shall be retained in closed/shut position at all times unless otherwise first agreed in writing by the Local Planning Authority.

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

**20: No working on outside areas**

There shall be no outside working within the application site in association with the development hereby approved, other than in connection with operations to load the completed lodge(s) sections onto the vehicular transportation for dispatch from the site, unless otherwise first agreed in writing by the Local Planning Authority.

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

## **Informatives**

### **1: Engagement**

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

### **2: Discharge of Conditions**

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

Condition Nos 4 and 5.

The conditions identified below require details to be approved prior to the development being first brought into use:

Condition Nos 6, 7, 8, 9, 11 and 12.

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

Requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority which must be paid when the request is made. Any number of conditions can be included for each request.

Although the Local Planning Authority will endeavour to discharge all conditions within 21 days of receipt of a 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: Highway Works**

The County Highway Authority advise that prior to the access being constructed, a Section 184 Notice of Approval from Staffordshire County Council is required. It is likely that there will be the need for the highway drainage ditch to be cleared and not obstructed by the works required to construct the access which is likely to require some sort of structure the details of which will need to be approved as part of this agreement. Please email [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk) for further details. The link below provides an overview of the permissions and licences required for undertaking work on or adjacent to the adopted highway:

<https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx>

#### **4: Lighting**

With regard to condition 13 in relation to the provision of lighting above you are advised that a luminance plan which shows intensity of light across the site and surrounding area may be required where light overspill is likely. The lighting scheme should also 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 to mitigate any impacts accordingly

#### **5: Radon**

The applicant is advised that the proposed development is situated within a "Radon Affected Area". Radon Affected Areas are areas where 1% or more of homes are above the Action Level, as designated by the UK Health Security Agency (UKHSA)). This information was obtained from Indicative Mapping supplied by the British Geological Survey and the Health Protection Agency, which splits the borough up into 1km squares, and it is recommended that property-specific advice be obtained from [www.ukradon.org](http://www.ukradon.org). Our records indicate that the development is in an area where 5 to 10% of properties are above the action level.

If, after reference to the above website, there is still possibility of risk from radon, then protection measures should be installed (further advice can be found on the BRE website). Home testing kits can be obtained from the PHE through [www.ukradon.org](http://www.ukradon.org), but it may take several months to obtain the results.

For sites where between 1% and 3% of homes are above the action level, the use of protection measures is not mandatory, although ESBC continue to recommend that basic measures are installed in these circumstances.

#### **6: Public Right of Way**

You are advised that Public Footpath which runs through the lands at Wallash Farm should not be obstructed or extinguished as a result of this development. The public right of way should be available for users without any restrictions at all times.

#### **7. Ecology**

The applicants are advised that this permission does not absolve them from their responsibilities in relation to protected species. The applicants are also encouraged to install further nesting boxes around their lands to provide enhanced habitats for wildlife, including tawny owls.

Voting concerning the above decision was as follows.

| Those voting for the motion  | Those voting against | Those abstaining |
|--|----------------------|------------------|
| Councillor A. Afsar<br>Councillor B. Ashcroft<br>Councillor L. Bullock<br>Councillor S. Hussain<br>Councillor J. Jones<br>Councillor A. Legg<br>Councillor M. Slater<br>Councillor C. Smedley<br>Councillor C. Whittaker |                      |                  |

3. **P/2024/00114 Reserved Matters application relating to P/2012/01467 for the rection of a single detached industrial/ warehouse unit, with ancillary offices, covering Use Classes E1, B2 and B8, providing 9,393 sq m (GIA) (9,669.5 sq m GEA) of floorspace, with associated vehicle parking, cycle storage, yard space, circulation, lighting, landscaping, access road, access point off the access road, and other ancillary developments. Quintus – Phase 3, Branston Lock, Tatenhill Lane, Branston, Staffordshire, DE14 3PD**

The site visit was attended by Councillors A. Afsar, Mrs B Ashcroft, L. Bullock, S. Hussain, 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.

Tom Robinson, the agent for the application, spoke on the application.

Discussions took place.

A motion was put forward by Councillor M. Slater to include an informative to request the developer to consider the installation of solar panels on the roof of the building.

Voting concerning the above decision was as follows.

| Those voting for the motion  | Those voting against | Those abstaining |
|--|----------------------|------------------|
| Councillor A. Afsar<br>Councillor B. Ashcroft<br>Councillor L. Bullock<br>Councillor S. Hussain<br>Councillor J. Jones |                      |                  |

|  |  |  |
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| Councillor A. Legg<br>Councillor M. Slater<br>Councillor C. Smedley<br>Councillor C. Whittaker |  |  |
|--|--|--|

A motion was put forward by Councillor A. Legg to include a condition for the developer to submit proposals regarding a rest area and smoking shelter.

Voting concerning the above decision was as follows.

| Those voting for the motion  | Those voting against | Those abstaining |
|--|----------------------|------------------|
| Councillor A. Afsar<br>Councillor B. Ashcroft<br>Councillor L. Bullock<br>Councillor S. Hussain<br>Councillor J. Jones<br>Councillor A. Legg<br>Councillor M. Slater<br>Councillor C. Smedley<br>Councillor C. Whittaker |                      |                  |

A motion was put forward by Councillor J. Jones, which had been duly seconded by Councillor C. Whittaker to **APPROVE** the application subject to conditions as per the main report, update sheet and requested solar panel informative and rest area/ smoking shelter condition.

**Resolved:**

**1. Approved Plans**

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

Site Location Plan Drawing 23008 0501 Rev P03 dated as received on 13-02-2024

Proposed Site Layout Plan Drawing 23008 0602 Rev P.09 dated as received on 01-02-2024

Proposed Building Layout Drawing 23008 1001 Rev P01 dated as received on 01-02- 2024

Proposed Office Layout Drawing 23008 1002 Rev P01 dated as received on 01-02-2024



Proposed Building Elevations Drawing 23008 1301 Rev P01 dated as received on 01-02-2024  
Proposed Roof Layout Drawing 23008 1005 Rev P01 dated as received on 01-02-2024  
Proposed Building Section Drawing 23008 1101 Rev P01 dated as received on 01-02-2024  
Proposed M and E Compound Details Drawing 23008 0705 Rev P01 dated as received on 01-02-2024  
Proposed Refuse Enclosure Details Drawing 23008 0704 Rev P01 dated as received on 01-02-2024  
Proposed Cycle Shelter Details Drawing 23008 0703 Rev P01 dated as received on 01-02-2024  
Proposed Fencing Details Drawing 23008 0702 Rev P01 dated as received on 01-02-2024  
Proposed External Surfacing Drawing 23008 0701 Rev P01 dated as received on 01-02-2024  
External Materials Schedule dated as received on 01-02-2024  
External Lighting Assessment Report by mba Consulting Engineers dated as received on 01-02-2024  
Indicative External Lighting Layout Drawing 23LP055-MBA-EX-SP-DR-E-0001 Rev PL2 dated as received on 01-02-2024  
Heritage Compliance Statement by Smith Jenkins Planning & Heritage dated as received on 01-02-2024  
Planning Supporting Statement by JLL dated as received on 01-02-2024  
Design and Access Statement by UMC Architects Rev P02 dated as received on 01-02-2024  
Statement Demonstrating Compliance with Design Guide by JLL dated as received on 01-02-2024  
Energy & Sustainability Strategy by MBA Consulting Engineers P2 dated as received on 01-02-2024  
Detailed Soft Landscape proposals Drawing 23-086-P01 dated as received on 14-05-2024  
5 Year Landscape Maintenance Plan Ref 2386/TGW/LMP001 dated 12-09-2023 dated as received on 14-05-2024

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, SP5, SP7, SP23, SP24, SP25, SP26, SP27, SP29, SP35, DP1, DP2, DP5, DP6 and DP7, the East Staffordshire Design Guide, the Parking Standards SPD, Branston Neighbourhood Plan Policies and the National Planning Policy Framework.

## **2. Materials**

All external materials used in the development shall be as set out on the plans listed under condition 1 and as set out on the application form unless otherwise first agreed in writing with the Local Planning Authority.

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

### **3. Landscape Implementation**

All planting, seeding or turfing comprised in the approved details of landscaping required under conditions 1 shall be carried out in the first planting and seeding season following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the landscaping scheme installation 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. Trees within the public realm shall be heavy gauge and those flanking the entry to the site shall be extra heavy gauge.

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 in accordance with East Staffordshire Local Plan Policy SP1, SP24 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

### **5. No Working or Storage in the Open**

No working or storage shall take place in the open areas of the site, except for loading and unloading of vehicles hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area and in the interests of existing and future occupiers of the remainder of the Branston Locks Sustainable Urban Extension in accordance with East Staffordshire Local Plan Policy SP24, DP1 and DP7 and the National Planning Policy Framework.

### **Details Approved under Conditions attached to Planning Application P/2012/01467: 2 and 4**

#### **Informatives**

##### **1. Engagement**

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

##### **2. Ecological Responsibilities**

The applicant(s) is/are 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.

Voting concerning the above decision was as follows.

| Those voting for the motion  | Those voting against | Those abstaining |
|--|----------------------|------------------|
| Councillor A. Afsar<br>Councillor B. Ashcroft<br>Councillor L. Bullock<br>Councillor S. Hussain<br>Councillor J. Jones<br>Councillor A. Legg<br>Councillor M. Slater<br>Councillor C. Smedley<br>Councillor C. Whittaker |                      |                  |

96/24 **APPEALS RECEIVED AND DETERMINED**

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

**NOTED.**

97/24 **DELEGATED PLANNING PERMISSIONS**

The Report of the Head of Regeneration and Development on applications determined under delegated authority between 8<sup>th</sup> April 2024 and 10<sup>th</sup> May 2024 was received and noted.

**NOTED.**

98/24 **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

Voting concerning the above decision was as follows.

| Those voting for the motion  | Those voting against | Those abstaining |
|--|----------------------|------------------|
| Councillor A. Afsar<br>Councillor B. Ashcroft<br>Councillor L. Bullock<br>Councillor S. Hussain<br>Councillor J. Jones<br>Councillor A. Legg<br>Councillor M. Slater<br>Councillor C. Smedley<br>Councillor C. Whittaker |                      |                  |