

1ROLLESTON ON DOVE PARISH COUNCIL
CLERK'S REPORT APRIL 2016

1. PLANNING APPLICATIONS

P/2016/00254 – Erection of single storey front side and rear extension, chimney on the side elevation, front bay and porch 13 The Lawns.

P/2016/00101- Erection of two storey and single storey rear extensions and rear porch, Ormuz Cottage, Mosely Mews.

Considered outside of the meeting. Councillors had no objections.

P/2016/00337 – Erection of a part two storey and part single storey rear and side extension and a front porch, 8 Walford Road.

Considered outside of the meeting. Councillors had no objections.

P/2016/00235 – Demolition of existing buildings to facilitate the erection of 5 dwellings and two detached garages and installation of package treatment plant. Cliff House, Dovecliffe Road

P/2016/00409 – Felling of an Oak, and crown reduction of 3 meters to reduce height to 18 meters and crown width to 15 meters from a Lime, Long Branch, Anslow Lane

P/2016/00417 – Erection of single storey extension, 99 The Lawns

P/2016/00451 – Felling of a Sycamore and a Hazel, Apple Acres
This is another application for the two trees rejected below.

2. PLANNING DECISIONS

P/2016/00094 – Felling of Hazel and Sycamore at Apple Acres Rejected.

P/2016/00168 – Felling of Plum, Ash and Sycamore Apple Acres, Knowles Hill approved.

P/2016/00193 – Reduction in height of four yew trees by 1.5 metres, Ivy House Chapel Lane approved.

3. NEIGHBOURHOOD PLANNING

Meeting held with the NHPSG on Tuesday 15th March.

4. CLEAN UP DAY – 14TH MAY 2016

Recreational subcommittee meeting has been arranged for the week of the PC Meeting. Notices are being renewed on noticeboards, facebook, Website and through the School to keep momentum.

I have received information at recent training event on simple risk assessments/organisation to guard against incidents which the sub-committee will agree at the meeting.

Meeting at the Croft at 0900.

5. **ESBC CONSULTATION ON LOCAL VALIDATION CRITERIA**

This consultation can be found on ESBC website under planning policy consultation. However the following sections are the ones with changes (highlighted).

| Validation Item and Location Required | Policy Driver | Types of Application to which this Requirement Applies | Information Required and Links to Further Advice |
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| Affordable Housing Statement Borough wide | National Planning Policy Framework (Particularly Section 6) Housing Choice SPD East Staffordshire Local Plan Policy SP17 | All applications for 4 or more dwellings* * Affordable housing is not required from Self-build Plots of up to 250 square metres in size, from Retirement Housing, or from Market Housing for Rent | ☐ Statement must include details of number of proposed affordable dwellings, tenure, size, type and location. |
| Ecological and biodiversity survey Borough wide | National Planning Policy Framework (Paragraphs 9, 109 and 118-119) Wildlife and Countryside Act 1981(as amended). Protection of Badgers Act 1992. Habitats Regulations 2010. Circular 6/2005: Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System Natural and Environment and Rural Communities Act 2006 The Conservation of Habitats and Species Regulations 2010 The Conservation of Habitats and | Any development which might affect designated nature conservation sites e.g. Sites of Special Scientific Interest (SSSIs), Special Area of Conservation (SACs), Regionally Important Geological Sites (RIGs), Local Nature Reserves (LNRs), Sites of Biological Importance (SBIs), Biodiversity Alert Sites (BAS) and/or impact on protected species and other important wildlife interests (e.g. the conversion of redundant buildings). All planning applications with the potential to destroy, damage or adversely affect any site, habitat or earth heritage feature should be supported by an impact assessment to a nationally recognised standard. All planning applications on sites where protected or important species have been recorded, reported or can reasonably be expected to be present should be supported by survey work to properly demonstrate presence or absence. | Ecological survey reports should include: ☐ a description of the proposal; ☐ a preliminary ecological appraisal (PEA) (including desk study and field survey as necessary) of the development site and any other areas likely to be affected by the proposals; ☐ evaluation of features (including geological and geomorphological features) and assessment of the likely impacts of the proposal; ☐ discussion of mitigation, compensation and enhancement measures – the mitigation strategy should be proportionate to the perceived impacts and should include clear, site-specific prescriptions rather than vague, general or indicative possibilities and should be feasible and deliverable. Where Preliminary Ecological Appraisals conclude the need for further assessments these should be carried out and submitted at the same time. Surveys need to be carried out at the appropriate time of the year. Surveys should be completed at an appropriate time of the year by suitably qualified and experienced ecological consultants and should comply with published guidance and best practice. A protected species is one which received legal protection through UK or European legislation, including: ☐ The Conservation of Habitats and Species (Amendment) Regulations) 2012 ☐ The Wildlife and Countryside Act 1981 (as amended) ☐ The Protection of Badgers Act 1992 Important habitats and species are defined as: |

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| | <p>Species (Amendment Regulations) 2012 EU Water Framework Directive Humber River Basin Management Plan</p> | <p>☐ Habitats or species which are the subject of national or local Biodiversity Action Plans</p> <p>☐ Habitats or species listed by the Government as habitats or species of principal importance for the conservation of biodiversity in England (section 41, Natural Environment and Rural Communities Act 2006)</p> <p>Where proposals are likely to result in the loss or damage to SBIs or BASs clear justification should be based on comprehensive, relevant and up to-date data with reference to the national, regional or local contexts of the site and must accompany all planning applications. If an SBI or BAS is damaged or destroyed, compensatory provision of equivalent value will be required.</p> <p>Ecological surveys should consider the impact of the proposals on meeting the Water Framework Directive objectives particularly where development proposals have a watercourse flowing through the site, either in an open or culverted channel. The assessment should consider the current ecological status of the water body (as defined by the Humber River Basin Management Plan) and identify measures that could be taken to improve its current status and bring it towards its required status. It should ensure that the development proposals do not pose an obstacle to the meeting of its targets.</p> <p>Further Advice</p> <p>If a development is likely to impact on an internationally or nationally designated site, applicants are also advised to seek advice from Natural England about the scope of the assessment (0300 060 0723).</p> <p>Further guidance on survey standards, evaluation and impact assessment, and mitigation standards can be obtained using NATURAL ENGLAND GUIDANCE.</p> <p>Natural England offers pre-application advice on certain developments. To further understand this service please follow this link Natural England Discretionary Advice Service. Natural England also provides Standing Advice in respect of protected species and mitigation.</p> <p>Guidance specific to Staffordshire can be found in Staffordshire Requirements for Biodiversity and Geological Conservation and Staffordshire Ecological Records and should be used to inform application submissions:</p> <p>Staffordshire Wildlife Trust. Guidelines for Preliminary Ecological Appraisal</p> <p>Survey data will only be acceptable if the survey is carried out at the appropriate time of year. For precise guidance in respect of particular species please follow this link: Timing of Surveys</p> |
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| | | | National Planning Practice Guidance |
| Health Impact Assessment | National Planning Policy Framework (section 8) East Staffordshire Local Policy SP3 4 | This is required for strategic major applications (i.e. 50 dwellings or more or 10,000sq.m. commercial floorspace) | All applications will need submitted information on how the proposal has considered the health and well being of the users and residents of the scheme, particularly demonstrating how healthy lifestyles and social interaction will be achieved once the scheme is completed. For significant developments the Health Impact Assessment should also include an assessment of local health facilities which will be subject to consultation with health providers through the application process. |
| Housing Needs Survey | National Planning Policy Framework (section 6) East Staffordshire Local Plan policies SP1, SP4, SP16, SP17 and SP18 | All applications for sites of 4 new build dwellings or areas greater than 1.400 m2 outside settlement boundaries which are not classed as agricultural workers dwellings | All applications must be supported by a Housing Needs Survey. A housing needs survey should be no earlier than 3 years before the date of the planning application. For reserved matters applications where the outline was approved prior to October 2015, survey results must be provided with the reserved matters application. Housing Choice SPD |
| Planning Obligation (Section 106 Agreement or Unilateral Undertaking) Draft Heads of Terms Borough wide | Section 106 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 Section 12. Government Circular 05/2005. Supplementary Planning Documents Housing Choice and Open Space East Staffordshire Local Plan Saved Policy SP1, SP9, SP10, SP17, SP20, SP26, SP32 and SP34 | All applications above the thresholds set out in the adjacent guidance column. | A draft agreement under Section 106 should accompany all planning applications above the thresholds set out below and as a minimum should cover the following heads of terms depending on the size of the scheme: RESIDENTIAL Development of 4 or more dwellings (unless an exception referred to in L1): ☐ Contribution towards affordable housing Development of 7-10 dwellings (only required if floor space of all dwellings totals 1000m2 or more): ☐ Contribution towards the provision of school places. ☐ Contribution towards the provision of bins. between 11 and 24 dwellings: ☐ Contribution towards the provision of school places. ☐ Contribution towards or provision of open space. ☐ Contribution towards the provision of bins. ☐ Contributions towards public realm improvements for applications in Burton and Uttoxeter town centres 25 dwellings or more: ☐ Contribution towards or provision of Affordable Housing. ☐ Contribution towards the provision of school places. ☐ Contribution towards or provision of open space. ☐ Contribution towards town centre public realm improvements for applications in Burton and Uttoxeter town centres |

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| | | | <p>☐ Contribution towards or provision of National Forest Planting in relevant area (see L13 and provided site area exceeds 0.5 hectare)</p> <p>☐ Provision of a Residential Green Travel Plan.</p> <p>☐ Contribution towards the provision of bins.</p> <p>Development of a site over 0.5ha:</p> <p>☐ Contribution towards or provision of National Forest Planting in relevant area (see L13)</p> <p>NB. See above for additional requirements related to number of dwelling thresholds.</p> <p>NON-RESIDENTIAL</p> <p>Development of 1000m² or more of new floorspace and/or the site area exceeds 1ha:</p> <p>☐ Contribution towards, or provision of National Forest Planting in relevant area (see L13)</p> <p>☐ Provision of a Green Travel Plan.</p> <p>☐ Town centre public realm improvements for applications in Burton and Uttoxeter town centres</p> <p>This list is not exhaustive and any other relevant and necessary matters that cannot be secured through the normal planning process may be included within a planning obligation if they are required in order for the development to be deemed acceptable in planning terms e.g. provision of refuse containers and highway works.</p> <p>The draft heads of terms will need to be accompanied by up to-date land title information, and an undertaking to pay the reasonable costs of the Council on a Solicitors letterhead.</p> <p>If there are known and justifiable financial constraints limiting commitment to S106 obligations please see L28 below relating to viability assessments.</p> <p>Further Advice</p> <p>Full details of the key heads of terms, and the draft undertaking to pay the cost of the Council, are available on the Council's website by clicking the following link:</p> <p>Section 106 Obligations and Information</p> <p>Waste Storage and Collection Guidance for New Developments</p> <p>National Planning Practice Guidance</p> |
| Planning and Sustainability Statement Borough wide | National Planning Policy Framework East Staffordshire Borough Council Statement of Community Involvement 2007 East Staffordshire Local Plan Made Neighbourhood Plans | All major applications, and major change of use applications | <p>The statement should identify the context and need for a proposed development and should include an assessment of how the proposed development accords with relevant national and local planning policies. For example, it should show how the development complies with and supports the following:</p> <p>☐ Key requirements of national policy guidance;</p> <p>☐ General principles/fundamental aims of the Development Plan.</p> <p>☐ Policies set out in 'Made' Neighbourhood Plans¹</p> <p>It should also include details of consultations with the Local Planning Authority and wider</p> |

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| | | | community/statutory consultees undertaken prior to submission, alternatively, a separate statement of community involvement may be appropriate (see L19). |
| Town Centre Uses/Retail Impact Assessment Borough wide | National Planning Policy Framework (Paragraphs 42-46) East Staffordshire Local Plan policy SP21 Managing Town and Local Centres | <p>A sequential assessment (Paragraph 24 of the NPPF) is required for main town centre uses that are not in an existing centre and are not in accordance with an up to-date development plan.</p> <p>An Assessment addressing the impacts in Paragraph 26 of the NPPF is required for all planning applications for retail and leisure developments over the following thresholds:</p> <p>Burton – 1,500 sq.m gross of more of convenience retail floorspace, or 750 sq.m gross or more of comparison retail floorspace</p> <p>Uttoxeter – 750 sq.m or more of convenience retail floorspace, or 500 sq.m gross of more of comparison retail floorspace</p> <p>REMOVE [2500 square metres gross floorspace, or any locally set floor space threshold not in an existing centre and not in accordance with an up to-date development plan.</p> <p>An impact assessment will also be required for applications in an existing centre, not in accordance with the development plan which would substantially increase the attraction of a centre to the detriment of other centres]</p> | <p>A Sequential Assessment should look at whether there are any sequentially preferable sites that exist and demonstrate why such sites are not practical in terms of their availability, suitability and viability.</p> <p>Impact Assessments should assess, in summary, the following:-</p> <ol style="list-style-type: none"> 1. The impact on existing investment within centres; 2. The impact on the vitality and viability of town centres; 3. The impact on allocated sites outside town centres; 4. The impact of the proposal in-centre trade/turnover and trade in the wider area; 5. Current and future consumer expenditure capacity in the catchment area; 6. Whether the proposal is of an appropriate scale and what effects it may have on locally important impacts. <p>The NPPF states that an impact assessment should include assessment of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area up to five years from the time the application is made. For major schemes, where the impact will not be realised in five years the impact should also be assessed up to ten years from the time the application is made.</p> <p>Further Advice National Planning Practice Guidance</p> |

6. COUNCILLORS REPORTS

Councillors will be invited to make their reports to the meeting.

7. ACCOUNTS FOR PAYMENT

BACS

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| Jane Bucknall (Salary) | £462.45 |
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| HMRC (Tax) | £115.60 |
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Final submission made to HMRC for 2015-16

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| Jane Bucknall (Phone and Broadband) | £42.98 |
| Mr Gould (Goal mouth repairs) | £680 |
| Mr J Deacon (Environmental contract) | £760.80 |
| Mr Gould (Mowing contract) | £1101.99 |
| Glenwood Print Design (Walks Leaflet Printing – Funded) | £489 |
| ESBC (Bins and Roadsweeping) | £725.40 |
| Mr J Deacon (Jinnie Trail works) | £540 |
| Mr J Deacon (Installation of goal post) | £120 |
| Mr J Deacon (Brookside works) | £1177.20 |
| Mr J Deacon (Hole in paving Brookside) | £54 |
| Mr J Deacon (Planter Repairs) | £48 |
| RODSEC (Sponsorship of July tea party) | £90 |
| JPM Services (Village gateway re-build) | £1450 |

8. **CORRESPONDENCE RECEIVED**

The Neighbourhood Highways Team has been in contact asking what works we need doing in the village. I took the opportunity to highlight and reiterate some of the jobs that have been reported.

- The curb on Spread eagle bridge
- Road signs to be turned back facing the correct way
- broken hinge on the grit bin at the top of Hall Road.
- overhanging branches along Knowles Hill
- potholes and cracking of the road surface along Station Road?

Notice of Election & Notice of Election in respect of the Police & Crime Commissioners Election due to be held on Thursday 5 May 2016 received. Copies gone on website and noticeboards.

Blachere Illumination, the Christmas decorators and MK illumination have been contacted for quotes for decorating the Tree on Spread Eagle Island.

Brakes have been in touch regarding the damage to the bridge and have admitted liability. Quote to be arranged and sent to their insurance company to consider.

Reply from Andrew Griffiths MP received *"To answer your question about the Housing and Planning Bill, it is currently in committee stage in the House of Lords, after which it will come back to the House of Commons so MPs can consider any amendments that have been made. Therefore there is a caveat that it is still subject to change.*

It is not quite true that the new Bill would mean an inspected and approved plan would automatically come in to force after six months. Rather, where a local authority does not bring about a referendum following a neighbourhood plan being approved by an Inspector, and where the parish council requests it, the Secretary of State can intervene to force the authority to hold a referendum within a specified period of time.

The clause which makes this change is number 127. The wording will be inserted into Schedule 4B of the Town and Country Planning Act 1990 as 13B(1)(b) and 13B(2)(a). You can read the proposed legislation here: <http://www.publications.parliament.uk/pa/bills/lbill/2015-2016/0087/16087.pdf> and the explanatory notes here: <http://www.publications.parliament.uk/pa/bills/lbill/2015-2016/0087/en/16087en.pdf>.

You will be pleased to know that the primary reason this change is taking place is because of the situation encountered in Rolleston. It is specifically designed to tackle obstructions such as those affecting your neighbourhood plan.

I hope this helps clarify matters. I will try to keep you updated."

Approval received from the Insurance company for the village gateway, therefore Mr Jeremy Marshall has been informed to commence work and invoice.

Several reports of asbestos dumped over College Fields. Residents and I have contacted the enforcement team at ESBC. However ESBC have spoken with the landowners who have said that as

this is private land there was a bit of a delay in removing the material. The landowner was disappointed to see that it is being used as essentially a public footpath, people extended gardens into the field with gates, mowing, slabs etc. Plus as there are no litter bins, hundreds of bags of dog mess were thrown in the corner. I undertook to place notices on the on facebook and on the website.

Email received from Mr Barry Edwards regarding the long standing matter of registering footpath 18. In the minutes of September 2011 it states

“The clerk advised that she had received the following letter dated 8th August 2011 from SCC with regards to the section 53 application to have footpath 18 added to the definitive map:-

“Whilst I understand your wish to resolve this matter as quickly as possible I am unable to give you a timescale as to how long it will take for this Section 53 Application to be processed. The County Council has accrued a considerable backlog of applications for modification orders to be determined and very limited staff resources to deal with this work. It is consequently likely to be some time before the matter is considered”. “

I have since been in contact with SCC legal team to see if they can resurrect the claim on this footpath.

I have again chased Michael Hovers and Liz Eastaugh from ESBC regarding the £10,000 Shotwood Close open space maintenance funds. Nothing heard back at all.

Email correspondence received from Mr Adams regarding the installation of the junior goal post on Elizabeth Avenue. He wishes for Councillors to reconsider the placement of this goal explaining that he had intended that set for Craythorne Field and any of them removed to be sited on Elizabeth Avenue.

CONFIDENTIAL SECTION