

PLANNING COMMITTEE

1 September 2014

PRESENT:

Councillors Mrs Fisher (Chairman), Smedley (Vice-Chairman), Mrs Allsopp, Bacon, Constable, Cox, Drinkwater, Heath, Marshall, Pritchard, Roberts, D.S. Smith, Mrs Stanhope MBE, Strachan, Walker MBE, Wilks and Willis-Croft.

(**APOLOGIES FOR ABSENCE** were received from Councillors Mrs Arnold, Awty, Mosson, Mrs Richards and White)

78 DECLARATIONS OF INTEREST:

Councillor Drinkwater – Personal interest in application 14/00218/FULM.

79 MINUTES:

The Minutes of the Meeting held on 11 August 2014, as printed and previously circulated, were taken as read, approved as a correct record and signed by the Chairman.

80 DECISIONS ON PLANNING APPLICATIONS:

Applications for permission for development were considered with the recommendations of the Strategic Director – Democratic, Development and Legal Services and any letters of representation and petitions together with a supplementary report of observations/representations received since the publication of the agenda in the determination of Planning Applications numbered 14/00218/FULM, 14/00634/FUL, 14/00691/FUL and 14/00763/FUL.

81 SHENSTONE - 14/00218/FULM - ERECTION OF 26 NO. EXTRA CARE ASSISTED LIVING APARTMENTS AND ASSOCIATED WORKS, FOOTHERLEY HALL, FOOTHERLEY LANE, LICHFIELD FOR SISTERS HOSPITALLEERS OF THE SACRED HEART OF JESUS

Resolved: That subject to the application being referred to the Secretary of State under the Town and Country Planning (Consultation) (England) Direction 2009, and the owners/applicants entering into a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 to secure a contribution to mitigate the impact on the Cannock Chase Special Area of Conservation, planning permission be granted subject to the following conditions (as agreed with the Chairman):

CONDITIONS:

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject

CONDITIONS to be complied with PRIOR to the commencement of development hereby approved:

3. Before the development hereby approved is commenced, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
- i) all external materials to be used in the construction of the development;
 - ii) sections at a scale of 1:5 and elevations at 1:20, of all external joinery including fenestration, and doors and their proposed exterior finish;
 - iii) rainwater goods, their materials and design;
 - iv) eaves detailing;
 - v) height, type and position of all site and plot boundary walls, retaining walls, fences and other means of enclosure to be erected on the site; and
 - vi) finished floor levels to include the relationship between the building hereby approved and surrounding land, including the public highway.

Development shall thereafter be undertaken in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

4. Before the development hereby approved is commenced including any site clearance works, a schedule of tree works shall be submitted to and approved in writing by the Local Planning Authority. All works to the trees shall be carried out in accordance with the approved schedule and timescales set out therein and no additional pruning, root pruning or tree removal shall be undertaken, unless otherwise agreed in writing by the Local Planning Authority.
5. Before the development hereby approved is commenced including any site clearance works, a tree protection plan shall be submitted to and approved in writing by the Local Planning Authority. The tree protection plan should show the position and specification of temporary protective fencing, ground protection within 2m of any hedge plant to be retained and indicate the areas that will be used for the storage of materials and how they will be accessed. The ground protection must be sufficiently constructed for the expected use/plant. All protective measures should be to BS 58374:2012. The approved protective measures shall thereafter be installed before any development commences and shall be retained for the duration of the construction.
6. Before the development hereby approved is commenced, details of the location of any hard surfacing, walls, fences or any other excavation proposed within the root protection area of any tree shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.
7. Before the development hereby approved is commenced, details of additional bat roosting opportunities to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details and thereafter retained as such for the life of the development.
8. Before the development hereby approved is commenced, drainage plans for the disposal of surface water and foul sewage, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details before any of the dwellings hereby approved are first occupied.
9. Before the development hereby approved is commenced, a Phase 2 Contamination Site Investigation report shall be submitted to and approved in writing by the Local Planning Authority. The report shall identify any contamination on the site, the subsequent remediation works considered necessary to render any identified contamination harmless and the methodology to be used. The approved remediation

scheme shall thereafter be completed and a validation report submitted to and approved in writing by the Local Planning Authority within 1 month of the approved remediation being completed, to ensure that all contaminated land issues on the site have been adequately addressed prior to the first occupation of any part of the development, unless otherwise agreed in writing by the Local Planning Authority.

10. Before the development hereby approved is commenced, the visibility splays shown on the submitted drawing entitled 'Site Survey with Entrance Visibility Splays' shall be provided to the north and south of the access to the site, with nothing placed forward of the splays exceeding 600mm in height above the adjacent carriageway level.
11. Notwithstanding the details contained within Section 5.6 of the submitted Transport Statement, before the development hereby approved is commenced, a Construction Vehicle Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Vehicle Management Plan shall thereafter be implemented, in accordance with the approved details and adhered to for the complete duration of works, unless otherwise agreed in writing by the Local Planning Authority.

All other CONDITIONS to be complied with:

12. Before the development hereby approved is first occupied, the additional parking areas shown on the approved plan DWG. No 579 shall be provided and surfaced in a porous bound material with the individual parking bays clearly delineated.
13. The development hereby approved shall be carried out in complete accordance with the approved Flood Risk Assessment prepared by 'JMP' dated 14 February 2014 and with the addendum dated 29 May 2014. In addition, before the development hereby approved is commenced, details confirming that surface water will not leave the site in the 1 in 100 year 30% (for climate change) event shall be submitted to and approved in writing by the Local Planning.
14. Finished floor levels must be set no lower than 100.00m aod.
15. An easement of at least 8 metres must be provided from the top of the Fotherley Brook bank.
16. The occupation of the accommodation hereby approved shall be used only for the purposes set out in the application documents and for no other purpose including any other purpose within Class C3 of the Use Classes Order and shall be operated and occupied entirely in association with Fotherley Hall Care Home.

REASONS FOR CONDITIONS

1. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
2. For the avoidance of doubt and in accordance with the applicant's stated intentions, in order to meet the requirements of Policy DC1 of the Local Plan and the guidance contained with the Government document, 'Greater Flexibility for Planning Permissions'.
3. To ensure the satisfactory appearance of the development and to safeguard the visual amenity of the Green Belt in accordance with Policies DC1 and E4 of the Local Plan and Policies BE1 and NR2 of the emerging Local Plan Strategy.
4. To safeguard the existing and visually significant trees on the site in accordance with the requirements of Policies DC1 and DC17 of the Local Plan and Policies BE1 and NR4 of the emerging Local Plan Strategy.

5. To safeguard the existing and visually significant trees on the site in accordance with the requirements of Policies DC1 and DC17 of the Local Plan and Policies BE1 and NR4 of the emerging Local Plan Strategy.
6. To safeguard the existing and visually significant trees on the site in accordance with the requirements of Policies DC1 and DC17 of the Local Plan and Policies BE1 and NR4 of the emerging Local Plan Strategy.
7. To ensure that there is no net loss of biodiversity on the site as a result of the development in accordance with the requirements of Policy NR3 of the emerging Local Plan Strategy.
8. To ensure the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with the requirements of Policy DC1 of the Local Plan and Policy BE1 of the emerging Local Plan Strategy.
9. To safeguard the safety and living conditions of future residents in accordance with the requirements of Policy DC1 of the Local Plan and Policy BE1 of the emerging Local Plan Strategy.
10. In the interests of highway safety in accordance with the requirements of Policy DC1 of the Local Plan and Policy BE1 of the emerging Local Plan Strategy.
11. In the interests of highway safety in accordance with the requirements of Policy DC1 of the Local Plan and Policy BE1 of the emerging Local Plan Strategy.
12. In the interests of highway safety in accordance with the requirements of Policy DC1 of the Local Plan and Policies BE1 and ST2 of the emerging Local Plan Strategy.
13. To reduce the risk of flooding both on and off site in accordance with the requirements of Policy DC1 of the Local Plan and Core Policy 3 of the emerging Local Plan Strategy.
14. To reduce the risk of flooding both on and off site in accordance with the requirements of Policy DC1 of the Local Plan and Core Policy 3 of the emerging Local Plan Strategy.
15. To reduce the risk of flooding both on and off site in accordance with the requirements of Policy DC1 of the Local Plan and Core Policy 3 of the emerging Local Plan Strategy.
16. In accordance with the applicant's stated intentions and to prevent the use of the development for purposes other than those which formed part of the applicant's very special circumstances justifying development in the Green Belt and justifying why no affordable housing provision is being made, and in the interests of highway safety in accordance with Policies E4 and DC1 of the Local Plan and Policies NR2 and BE1 of the emerging Local Plan Strategy.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MR G. ULYATT, SUPPORTER, MR C. TIMOTHY, APPLICANT'S AGENT AND COUNCILLOR DAVID SALTER, NON COMMITTEE WARD MEMBER.

82 ELFORD - 14/00634/FUL - CONSTRUCTION OF LAGOON TO HOLD LIQUID FERTILISER, HOME FARM, CHURCH ROAD, ELFORD FOR MR P BRIDGEN

RESOLVED: That the planning application be deferred pending further information being provided regarding –

- Air quality issues
- Construction material of the lagoon
- Flooding risk
- Transport issues to and from the site
- Establishing whether fertiliser stored is for the exclusive use of Home Farm and/or to be transported elsewhere

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MR RICHARD WAIN (CHAIRMAN, ELFORD PARISH COUNCIL) AND MR HUGH GORE APPLICANT'S AGENT)

83 WALL - 14/00692/FUL - FIRST FLOOR EXTENSION TO FORM CONNECTING CORRIDOR AND BEDROOM, MEADOW CROFT, POUK LANE, LICHFIELD FOR MR J LARNER

RESOLVED: That planning permission be granted subject to the conditions contained in the report and supplementary report of the Strategic Director – Democratic, Development and Legal Services, in respect of the proposed development.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MR J. JOWETT OBJECTOR, MR LARNER, THE APPLICANT AND COUNCILLOR SALTER, NON COMMITTEE WARD MEMBER.)

84 ARMITAGE WITH HANDSACRE - 14/00763/FUL - RETENTION OF SINGLE STOREY DETACHED WORKSHOP, 54 FORD WAY, ARMITAGE FOR MR K PEACE

RESOLVED: That planning permission be granted subject to the conditions contained in the report and supplementary report of the Strategic Director – Democratic, Development and Legal Services, in respect of the proposed development.

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MR C. WAIN, OBJECTOR)

85 LICHFIELD DISTRICT COUNCIL TREE PRESERVATION ORDER No 274-2006 APPLICATION TO REMOVE THREE SYCAMORE TREES AT 96 SPRINGHILL ROAD, BURNTWOOD.

Members considered the application to remove three Sycamore trees which are protected by Tree Preservation Order No. 274-2006.

RESOLVED: That consent for the felling of three Sycamore Trees (T19, T24 and T25 of the Tree Preservation Order) be refused in accordance with the reasons contained in the report and supplementary report of the Strategic Director – Democratic, Development and Legal Services, in respect of the proposed application.

- 86 **ISSUES PAPER – APPLICATION REF. 14/00736/FULM & 14/00373/LBC FOR THE DEMOLITION OF SINGLE STOREY FACILITIES BUILDING AND OTHER ANCILLARY STRUCTURES, CREATION OF NEW BUILDING CONTAINING 38 'LATER LIVING' APARTMENTS (CLASS C3) AND ANCILLARY COMMUNAL FACILITIES, CONVERSION AND REFURBISHMENT OF BISHOP'S LODGING TO PROVIDE AN ADDITIONAL 7 UNITS (CLASS C3), MEANS OF ACCESS, LANDSCAPING, CAR PARKING, EARTHWORKS FOR DRAINAGE INFRASTRUCTURE AND OTHER ANCILLARY WORKS. LAND ADJACENT AND INCLUDING PART OF LICHFIELD LIBRARY, THE FRIARY**

Consideration was given to an issues paper relating to the proposed development.

RESOLVED: That the following issues also be addressed in the assessment of the above application:

- Materials used are in keeping with the immediate vicinity
- Design is in keeping with the vicinity
- Clarification as to whether any part of the site falls within the Green Belt
- Clarification as to whether proposal for development is coming from Staffs County Council or the developer

- 87 **MAJOR PLANNING APPLICATION AND APPEAL PERFORMANCE - IMPROVING PLANNING PERFORMANCE CRITERIA FOR DESIGNATION (REVISED 2014)**

Consideration was given to the above report relating to Major Planning Applications and Appeals Performance.

RESOLVED: That Members noted the content of the report

(The meeting closed at 8:50 pm)

CHAIRMAN