

## PLANNING COMMITTEE

13 April 2015

### PRESENT:

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

(**APOLOGIES FOR ABSENCE** were received from Councillor Mosson and Mrs Richards)

### 243 DECLARATIONS OF INTEREST:

All Members of the Planning Committee - Declared a Non-Disclosable Pecuniary interest in 15/00232/FUL by reason that the applicant is a member of the Council and the Planning Committee and is known to them.

Councillor Mrs Fisher – A Disclosable Pecuniary interest in 13/00232/OUTMEI as Councillor Mrs Fisher is the applicant.

Councillor D S Smith – Non-Disclosable Pecuniary interest in 13/01214/OUTMEI as Chairman of the Rights of Way Committee at Staffordshire County Council.

**244 MINUTES:** The Minutes of the Meeting held on 16 March 2015 and previously circulated were taken as read, approved as a correct record and signed by the Chairman.

### 245 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 13/001214/OUTMEI, 15/00049/FUL and 15/00232/FUL.

**246 WEEFORD – 13/01214/OUTMEI - ERECTION OF 6 NO. BROILER REARING UNITS WITH ASSOCIATED FEED BINS, WEIGHING ROOMS, CONTROL ROOMS AND CATCHING CANOPIES AND AN AGRICULTURAL STORAGE BUILDING AND SITE OFFICE (OUTLINE) LAND SOUTH OF LITTLE HAY LANE, WEEFORD FOR JOHN BOWLER LTD**

**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 and subject to the following additional condition, additional reason and additional informative:

#### Additional Condition

“Before the development hereby approved is commenced, full details of the off-site highway works to improve the access to the A38 from Little Hay Lane, including details of the method to prevent vehicles turning right onto the A38 from Little Hay Lane, shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be implemented in accordance with the approved details and retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.”

Additional Reason

In the interests of highway safety, in accordance with Policy BE1 of the Local Plan Strategy.

Additional Informative

“A Traffic Regulation Order will be required in order to prevent vehicles turning right onto the A38 from Little Hay Lane. The developer should be advised that this recommendation of approval should not be construed as though the County Council is prejudging the outcome of the Order making process. The developer should note that the Order will be made on behalf of the developer by Staffordshire County Council at the developer's expense and has to be secured before development commences as it is an 'ESSENTIAL' component of the required mitigating measures associated with the proposed development. In case the Order is not already being processed the developer is requested to contact Geoff Evenson (refer to case officer of Development Control Section who shall liaise with Project Management) with immediate effect to enable the Order to be secured at the earliest convenience to avoid delays to implementation of the planning consent. Please note that there are no guarantees that the Order will be successful.”

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MR ROY MIDDLETON, OBJECTOR, COUNCILLOR YEATES, NON-COMMITTEE MEMBER AND MR IAN PICK, APPLICANT'S AGENT)

**247 FRADLEY AND STREETHAY – 15/00049/FUL – ERECTION OF A TWO BEDROOM DETACHED DWELLING AND ASSOCIATED WORKS PUMPING STATION, FORRESTER CLOSE, FRADLEY, LICHFIELD FOR MR R GOUGH**

**RESOLVED:** That planning permission be granted, subject to the following conditions and reasons for granting consent:-

“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, including a minimum separation of 7.25m from the closest point of the new dwelling to habitable windows in no. 3 Forester Road, 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, details, including samples, of the materials to be used in the construction of the external walls, roofs, windows and doors of the dwelling 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.

4 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 either of the dwellings hereby approved are first occupied.

5 Before the development hereby approved is commenced, details of the height, type and position of all site and plot boundary walls, retaining walls, gates, fences and other means of enclosure to be erected on the site 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 before the dwelling hereby approved is first occupied.

6 Before any part of the development hereby approved is commenced, the application site shall be subjected to a detailed scheme for the investigation and recording of any contamination of the site and a 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 the contamination harmless and the methodology 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 the dwelling, unless otherwise agreed in writing by the Local Planning Authority.

7 Before the development hereby approved is commenced, full details of the finished floor levels of the dwelling, including its relationship to the levels of the highway, existing surrounding development and existing ground levels, shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be undertaken in accordance with the approved details.

8 Before the development hereby approved including any demolition and/or site clearance works is commenced or any equipment, machinery or materials is brought onto site, full details of protective fencing and/or other protective measures to safeguard existing trees on adjoining land including those in the vicinity of the site entrance, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include that no excavation work is to be undertaken in the hard surfacing area at the entrance and bell mouth of the site access. The agreed tree protection measures shall thereafter be provided in accordance with the British Standard 5837: 2012 and retained for the duration of construction (including any demolition and / or site clearance works), unless otherwise agreed in writing by the Local Planning Authority. No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment; machinery and surplus materials have been removed.

**All other CONDITIONS to be complied with:**

9 Before the dwelling hereby approved is first occupied, the parking area broadly indicated on approved plan reference 1489-01F shall be provided and thereafter retained for the life of the development.

10 Before the dwelling hereby approved is first occupied, the windows hatched black on the approved plans shall either be fitted with top opening windows or permanently fixed shut, unless otherwise agreed in writing by the Local Planning Authority, and shall thereafter be retained as such for the life of the development.

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification) the dwelling hereby approved shall not be enlarged or extended without the prior written permission, on application, to the Local Planning Authority.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification) no windows, dormers or other openings shall be created in the dwelling in addition to or as enlargements of any which may be hereby approved without the prior written permission, on application, to the Local Planning Authority.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any Order revoking or re-enacting the Order with or without modification) no buildings, enclosures or other structures required for a purpose incidental to the enjoyment of the dwellinghouse shall be erected within the curtilage of the approved dwelling without the prior written permission, on application, to the Local Planning Authority.

#### **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 BE1 of the Local Plan Strategy and the guidance contained with the Government document, 'Greater Flexibility for Planning Permissions'.

3 To ensure that the external appearance of the development is physically well related to existing buildings and its surroundings, in accordance with Core Policy 3 and Policy BE1 of the Local Plan Strategy.

4 To ensure that 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 Core Policy 3 and Policy NR9 of the Local Plan Strategy.

5 To ensure the satisfactory appearance of the development and the privacy of adjoining occupants, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

6 To prevent the risk of exposure of future occupiers to contamination resulting from the nature of the previous land use, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

7 To ensure the satisfactory appearance of the development and the privacy of adjoining occupants, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

8 To safeguard existing off site trees in order to ensure the satisfactory appearance of the development, in accordance with the requirements of Core Policies 3 and 13 and Policies NR4 and BE1 of the Local Plan Strategy.

9 In the interests of highway safety, in accordance with the requirements of Core Policies 3 and 5 and Policy ST1 of the Local Plan Strategy.

10 To safeguard the privacy and amenity of adjoining occupants, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

11 To ensure the satisfactory appearance of the development and safeguard the privacy of adjoining occupants, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

12 To safeguard the privacy of adjoining occupants, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

13 To ensure the satisfactory appearance of the development and safeguard the privacy of adjoining occupants, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Local Plan Strategy.

#### **NOTES TO APPLICANT**

1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and saved policies of the Lichfield District Local Plan (1998) as contained in Appendix J of the Lichfield District Local Plan Strategy (2015).

2. The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £28 for a householder application or £97 for any other application including reserved matters.

3. The applicant is advised that there is a public sewer located within the application site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 metres of a public sewer. In many cases under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

4. The applicant is reminded that it is a criminal offence to disturb birds whilst nesting, therefore, any clearance of vegetation from the site should be completed outside the bird nesting season."

(PRIOR TO CONSIDERATION OF THE ABOVE APPLICATION REPRESENTATIONS WERE MADE BY MR GAVIN BOBY, APPLICANT'S AGENT)

BEFORE THE COMMITTEE CONSIDERED THE NEXT APPLICATION NO. 15/00232/FUL COUNCILLOR MRS FISHER LEFT THE COMMITTEE MEETING AT 8:00PM.

COUNCILLOR SMEDLEY IN THE CHAIR

**248 15/00232/FUL – BURNTWOOD – LOFT EXTENSION WITH ROOF LIGHTS TO FORM GYMNASIUM AND NEW ROOF TO PORCH 15 CHURCH STREET, CHASETOWN FOR MR AND MRS K FISHER**

**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.

(The Meeting closed at 8:08 pm)

CHAIRMAN