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Thursday, 24 May 2018

Dear Sir/Madam

PLANNING COMMITTEE SUPPLEMENT

Please find attached supplement papers for Planning Committee on **MONDAY, 4TH JUNE, 2018 at 6.00 PM IN THE COUNCIL CHAMBER** District Council House, Lichfield.

Access to the Council Chamber is via the Members' Entrance.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner'.

Neil Turner BSc (Hons) MSc
Director of Transformation & Resources

SUPPLEMENT

4. Planning Applications

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SUPPLEMENTARY REPORT

PLANNING COMMITTEE (4th June 2018)

OBSERVATIONS/REPRESENTATIONS RECEIVED SINCE COMPLETION OF REPORT

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**17/00686/OUTM – OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING STRUCTURES AND REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES (USE CLASS C3), PUBLIC AND PRIVATE OPEN SPACE, CAR AND CYCLE PARKING, TOGETHER WITH LANDSCAPING AND ASSOCIATED WORKS (ALL MATTERS RESERVED EXCEPT POINTS OF ACCESS)
LAND EAST OF GORSE LANE, FORMER FRADLEY AIRFIELD, FRADLEY**

Additional Observations

It is noted that there are the following errors within the report:

Paragraph 10.7 should read as follows:

It is the conclusion of the District Valuer that this development is not viable should there be a requirement to provide a policy compliant level of affordable housing within this scheme. As such, in light of this conclusion, it is reasonable in this case, in order to secure the redevelopment of this brownfield site, to allow the scheme to proceed with a viable level of affordable housing, which, in this case has been determined to be 13%, which equates to **33 dwellings for the 250 dwelling scheme and 46 dwellings** for the 350 dwelling scheme.

Paragraph 10.11 should read as follows:

Following the recent submission of the reserved matters application for the second phase of the Fradley Park development, as discussed above, this site is now to deliver **602** dwellings, rather than the 750 permitted by the outline consent. Given this change in circumstance, the total site will deliver (if the cordon sanitaire can be removed) a maximum of 956 dwellings. Therefore, the 1.5FE school will be able to accommodate the pupils generated by this proposal. The monetary sum requirement remains and will be secured via a S106 agreement. Secondary school provision is addressed via the CIL payment.

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**17/00977/OUTMEI – OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR A FLEXIBLE COMMERCIAL DEVELOPMENT OF UP TO 2000 SQM AREA (CLASSES A1, A2, A3, B1, D1 AND D2), ASSOCIATED PARKING AREAS, NEW ACCESS ON TO THE BIRMINGHAM ROAD, PROVISION OF STRATEGIC LANDSCAPING, CYCLE AND PEDESTRIAN ACCESS ROUTES, INFRASTRUCTURE AND OTHER OPERATIONS INCLUDING THE SAFEGUARDING OF LAND FOR THE LICHFIELD SOUTHERN BYPASS AND SAFEGUARDED ROUTE FOR THE LICHFIELD CANAL.
LAND ON THE EAST SIDE OF BIRMINGHAM ROAD, LICHFIELD**

Additional Observations

The applicant has requested minor alterations to the wording of a number of conditions as detailed below. The amendments provide greater clarity and flexibility in relation to the phasing of the development. This is considered acceptable and appropriate. Furthermore, Condition 6 has been altered to require design approval of the access prior to

commencement of development but not to have the access constructed until first occupation, which is considered reasonable and appropriate.

Amended Conditions

Revise wording of the following conditions, as follows:

2. The development shall not be commenced within each phase of the development (as approved by condition 4) until details of the layout of the site including: the disposition of roads and buildings; existing and proposed ground levels and finished floor levels; the design of all buildings and structures; the external appearance of all buildings and structures including materials to be used on all external surfaces; the means of pedestrian access and car and cycle parking layout; and, the landscape and planting, specific to that phase, shall be submitted to and approved by the Local Planning Authority by way of reserved matters application(s).

5. Before the development hereby approved is commenced within each phase of the development (as approved by condition 4), a Construction Vehicle Management Plan specific to that phase shall be submitted to, and approved in writing by the Local Planning Authority. The Construction Vehicle Management Plan shall:
 - i. Specify details of the site compound;
 - ii. Specify the delivery and working times;
 - iii. Specify the types of vehicles;
 - iv. Specify noise and dust control;
 - v. The management and routing of construction traffic;
 - vi. Provide for the parking of vehicles of site operatives and visitors and wheel washing facilities;
 - vii. Provide for the loading and unloading of plant and materials; and
 - viii. Provide for the storage of plant and materials used in constructing the development.

The development shall thereafter be carried out in accordance with the approved Construction Vehicle Management Plan details and thereafter adhered to throughout the construction period within the specific phase of development, unless otherwise agreed in writing by the Local Planning Authority.

6. Before the development hereby approved is commenced full details of the access works as broadly indicated on Drawing Number 70001147-SK-009 Revision D shall be submitted to and approved in writing by the Local Planning Authority. The highway works shall thereafter be constructed in accordance with the approved details and the Phasing Plan approved pursuant to condition 4 of this permission. The approved access works shall be complete and open to traffic prior to the first occupation of the development.

9. Before the development hereby approved is commenced, within each phase of the development (as approved by condition 4), a construction phase management plan to protect existing dwellings from noise and dust generated from the construction of the development, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The measures identified within the construction phase management plan hereby approved shall thereafter be followed throughout the construction phase specific to that phase of development.

11. Before the development hereby approved, including any site clearance works is commenced, or any equipment, machinery or materials is brought onto site, within each phase of the development (as approved by condition 4), full details of protective

fencing and/or other protective measures to safeguard existing trees and/or hedgerows on the site, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The agreed tree/hedge 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), specific to that phase, 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, specific to that phase, have been removed from the site.

14. Before the first use of any buildings approved by a reserved matters application, within each phase of the development (as approved by condition 4), as a restaurant or café (Class A3), details of a scheme for the control of odour and other emissions, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved odour mitigation shall be installed before the development, specific to that phase, is first brought into use and shall thereafter be retained for the life of the buildings use as a restaurant or café.
15. Before the first use of any buildings approved by a reserved matters application, within each phase of the development (as approved by condition 4), details of bat roost or bird nesting opportunities, to be installed, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved bat or bird boxes shall thereafter be installed in accordance with an agreed schedule of installation and thereafter shall be maintained in-situ for the life of the development, unless otherwise first agreed in writing by the Local Planning Authority.
16. Before undertaking any vibro-impact works on site, within each phase of the development (as approved by condition 4), a risk assessment and method statement, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved measures, specific to that phase.
17. Before any phase of the development hereby approved is first occupied, two car parking spaces shall have the infrastructure (cabling etc) provided for future provision of Vehicle Recharging Points, in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. The Vehicle Charging Point infrastructure shall thereafter be retained for the life of the development.
18. Any tree, hedge or shrub planted as part of an approved landscape and planting scheme (or replacement tree/hedge), within each phase of the development (as approved by condition 4), on the site and which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.
20. Before the development hereby approved is first occupied, within each phase of the development (as approved by condition 4), full details of secure weatherproof cycle parking facilities and shower/locker facilities for staff where possible, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall thereafter be provided for the unit to

which they relate prior to the development, specific to that phase, being first brought into use and shall thereafter be retained for the life of the development.

21. Before erecting any scaffold, within each phase of the development (as approved by condition 4), within 10 metres of a boundary of the railway line, a method statement, including details of measures to be taken to prevent construction materials from the development reaching the railway (including protective fencing), specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained in place throughout the construction phase on the specified buildings.
22. Within 6 weeks post completion of the shell and core works of the buildings to be erected within the site each phase of the development (as approved by condition 4), a certificate of compliance, specific to that phase, from an accredited assessor confirming that these buildings have achieved the required BREEAM minimum rating of Very Good, shall be submitted to and approved in writing by the Local Planning Authority.
23. Before the first use of any external plant or water storage tanks, within each phase of the development (as approved by condition 4), details of these machines and structures and any associated enclosures, specific to that phase, shall be submitted to and approved in writing by the Local Planning Authority along with full details of any noise mitigation measures, specific to that phase. Any approved mitigation or enclosure shall be installed prior to the first use of the plant or water tank, specific to that phase, and shall thereafter be maintained for the life of the development.
26. The opening hours for the identified commercial units shall be;

Food / Non-food Retail	07:00 – 22:00 Monday to Saturday 09:00 – 18:00 Sunday
Restaurant / Café	06:00 – 22:00 Monday to Saturday 09:00 – 18:00 Sunday

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17/01328/FULM – DEMOLITION OF 12 NO. DWELLINGS AND CONSTRUCTION OF 27NO. DWELLINGS WITH ASSOCIATED WORKS AND WIDENING OF EXISTING ENTRANCE LAND AT 61-83 MAIN STREET AND 1-11 LULLINGTON ROAD, CLIFTON CAMPVILLE, TAMWORTH, STAFFORDSHIRE

Additional Consultation

Severn Trent Water – No objections. The drainage details can be conditioned as advised by the Lead Local Flood Authority given that the flow rates and connection points as detailed are acceptable to us. (01/06/18)

Additional Observations

The suitability of the drainage scheme submitted by the applicant has now been assessed by both Staffordshire County Council Flood Team and Severn Trent Water Ltd, who both consider it acceptable and suitable for purpose. As such, the condition detailed within the committee report is therefore recommended to be updated accordingly, as set out below.

Amended Condition

5. The development hereby approved shall be carried out in strict accordance with the approved Floor Risk Assessment / Drainage Strategy and the following mitigation measures detailed therein:
- The development drainage hereby approved shall be built in accordance with the approved drainage strategy drawing B16256-203 P2;
 - Limit discharge from the two legs of the system to a maximum of 2l/s; and
 - Otherwise according to “Amended Drainage Strategy-Exceedance Calcs etc” submitted on the 24/10/17.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Once amended this condition will switch places with condition 6 and become a post commencement condition.

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18/00415/FUL – ERECTION OF 1 SEMI-DETACHED 2 BEDROOM DWELLING (TO INCREASE THE NUMBER OF DWELLINGS TO 28 RELATING TO APPLICATION 17/01328/FULM) LAND AT 61-83 MAIN STREET AND 1-11 LULLINGTON ROAD, CLIFTON CAMPVILLE, TAMWORTH, STAFFORDSHIRE

Additional Consultation

Severn Trent Water – No objections. The drainage details can be conditioned as advised by the Lead Local Flood Authority given that the flow rates and connection points as detailed are acceptable to us. (01/06/18)

Additional Observations

The suitability of the drainage scheme submitted by the applicant has now been assessed by both Staffordshire County Council Flood Team and Severn Trent Water Ltd, who both consider it acceptable and suitable for purpose. As such, the condition detailed within the committee report is therefore recommended to be updated accordingly, as set out below.

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 - Limit discharge from the two legs of the system to a maximum of 2l/s; and
 - Otherwise according to “Amended Drainage Strategy-Exceedance Calcs etc” submitted on the 24/10/17.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.

Once amended this condition will switch places with condition 6 and become a post commencement condition.

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**18/00250/FUL – ERECTION OF A SINGLE STOREY 2 BEDROOM DETACHED ANNEXE IN REAR GARDEN
74 PARK ROAD, ALREWAS**

Amended Applicant

Mr & Mrs Spooner

Additional Consultation

Alrewas Parish Council - Comments received to revised plans are as follows:

- Refuse on same grounds as before;
- Overdevelopment of site of a listed cottage in the conservation area adjacent to another listed building; and
- Unsafe access onto Park Road – cars reverse onto Park Road and this will become more hazardous when the Dark Lane houses are built. (22/5/18)

Additional Observations

Whilst the additional comments are noted, it is considered that the issues raised have previously been addressed in the main committee report and therefore the recommendation to approve remains unchanged.

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**18/00276/COU - CHANGE OF USE FROM POST OFFICE AND NEWSAGENTS (A1) TO DENTAL SURGERY (D1), INCLUDING SINGLE STOREY EXTENSION TO REAR TO FROM OFFICE AND STORE AND INSTALLATION OF REAR PARKING AREA
BOORA NEWSAGENTS AND POST OFFICE, 5 CANNOCK ROAD, CHASE TERRACE, BURNTWOOD**

Additional Representations

An additional 42 letters of representation has been received from neighbouring businesses within the locality regarding the loss of banking facilities within the Sankeys Corner area. Comments also raised concerns regarding the implications of the loss of these facilities for local businesses with regards to handling cash, safety and costs of operation. Comments were also made regarding the use of the Post Office as an essential facility to the elderly and local people.

Additional Observations

Whilst comments regarding the loss of the Post Office facility are acknowledged, the unit could cease the element of the Post Office function at any time and remain a Newsagents or any retail use that would fall under an A1 use i.e. a hairdressers or a shop. Whilst it is acknowledged that comments and objections raised relate to the loss of the Post Office, this application seeks change of use from general A1 use to a D1 use. The Local Planning Authority has no control over the closure of the Post Office and Newsagents. The reopening as another retail use falling within an A1 use class, would not require planning permission.

Therefore, the application is to be assessed in relation to the change in the wider use class of the unit and not on the basis of how it is occupied at the present time. As such, the recommendation to approve remains unchanged.

**18/00467/FUL - VARIATION OF CONDITION 9 OF APPLICATION 13/01328/COU TO ALLOW INCREASED OPENING HOURS
FISH FACE, WILLOW COURT, TAMWORTH ROAD, LICHFIELD**

Amended Condition

6. The premises shall be open for custom only between the following hours of: 12.00 **noon** and 9:30pm on Mondays to Thursday's inclusive; and 12.00 **noon** and 10:30pm on Fridays and Saturdays inclusive. There shall be no opening whatsoever on Sundays, Public or Bank Holidays.

Amended Observations

This slight amendment to the wording of the recommended condition provides clarity and accuracy with regards to the opening hours. The effect of this condition does not alter and the reason remains the same. Notwithstanding this, the recommendation to approve remains unchanged.

**18/00604/FUL – RETROSPECTIVE APPLICATION TO INCREASE HEIGHT OF SOUTHERN BOUNDARY WALL TO 2.40M, DWARF WALL AT FRONT TO 1.2M WITH PILLARS AT 1.36M AND 1.45M (AMENDMENT TO APPLICATION 14/00310/FUL)
11 FIELD ROAD, LICHFIELD, STAFFORDSHIRE**

Additional Consultation

Staffordshire County Council (Highways) - There are no objections on highway grounds to the proposed development subject to conditions relating to the access remaining ungated and development being carried out in accordance with the approved plan. (16/5/18)

Additional Observation

The comments have been noted. The conditions referred to are already recommended in the main committee report and therefore no change to the main recommendation is proposed.

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