

76. Members' Requests for Site Visits

RESOLVED:

- (A) That a site visit be undertaken in respect of an application which has been submitted following refusal of CH/18/373, for the development of a bungalow, Brindley Heath Road, Hednesford

Reason: In order to view the effect the development would have on the visual amenity of the area and to assess whether very special circumstances exist to justify this development in the Green Belt.

- (B) That a site visit be undertaken in respect of Application CH/19/374, construction of 79 houses, land between Wharf Road and Hardie Avenue, Rugeley WS15 1NX

Reason: In order to assess the impact on the highway

77. **Application CH/19/280, Pentalver, Pentalver Way, Cannock, WS11 8XY – Installation railhead to comprise 5 line rail siding with two gantry cranes and alterations to existing site layout to convert existing depot to a multi-modal container handling facility. Expansion of depot site onto adjoining former Rumer Hill Industrial Estate to include provision of trailer parking and car parking areas and erection of new 2 storey office building**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.70 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Stewart Charlesworth, representing Rumer Hill Residents Association, who was speaking against the application. Further representations were made by Nick Matthews, Operations Director, Pentalver, speaking in support of the application.

The Development Control Manager circulated the following update to the Committee:-

Following consultation with the applicant the recommended list of conditions to be attached to any permission has been subject to amendment as set out below:

Conditions (and Reasons for Conditions):

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason:

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

Design

2. No part of the office building hereby approved shall be undertaken above ground level until details of the materials to be used for the external surfaces have been submitted to and approved by the Local Planning Authority.

Reason:

In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3 and the National Planning Policy Framework.

3. No part of the gantries hereby approved shall be constructed above ground level until details of the colour coating to be used for the external surfaces have been submitted to and approved by the Local Planning Authority.

Reason:

In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3 and the National Planning Policy Framework.

Highways

4. The replacement office building hereby permitted shall not be occupied until the associated parking and turning areas have been provided in accordance with submitted Drg. No.CO0206798-1000 Rev. P11 the subject of this consent and shall thereafter be retained at all times for their designated purposes.

Reason:

In the interests of highway safety in accordance with paragraph 109 of the National Planning Policy Framework.

5. The replacement office building hereby permitted shall not be occupied until details of revisions to the Rumer Hill Road (U5050) access have been submitted to, and approved in writing by, the Local Planning Authority. The revisions to the Rumer Hill Road (U5050) access shall be carried out in accordance with the approved details prior to the replacement office building being occupied.

Reason:

In the interests of highway safety in accordance with paragraph 109 of the National Planning Policy Framework.

6. The proposed trailer slots within the site curtilage shall be retained at all times for their designated purpose.

Reason:

In the interests of highway safety in accordance with paragraph 109 of the National Planning Policy Framework.

7. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority indicating a Construction Vehicle Management Plan (CVMP). The approved CVMP shall thereafter be implemented prior to the commencement of the construction phase and thereafter adhered to throughout construction unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with paragraph 109 of the National Planning Policy Framework.

8. The replacement office building hereby permitted shall not be occupied until details of a secure weatherproof parking facility for 16No. bicycles, 16No lockers for bike users and showers have been submitted to, and approved in writing by, the Local Planning Authority. The bicycle parking facility, lockers and showers shall thereafter be installed in accordance with the approved details prior to the replacement office building being occupied. Thereafter the parking facility, lockers and showers shall be retained for the life of the development.

Reasons:

In the interests of site sustainability.

Drainage

9. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and

The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Reason:

In the interest of providing proper drainage to the development

10. No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local

Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

Provision of surface water run-off attenuation storage in accordance with the principles outlined in the Flood Risk Assessment and Drainage Strategy by Amey Consulting (ref: CO00206798/Rev1, dated 04/03/2019).

Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

Plans illustrating flooded areas and flow paths in the event of exceedance or failure of the drainage system.

Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

Evidence provided that the proposed discharge does not exceed the conveyance capacity of the receiving waterbody, particularly where proposed discharge points differ from the existing arrangement

Reason:

In the interest of providing proper drainage to the development and the prevention of flooding.

11. Prior to discharge to any watercourse, surface water sewer, soakaway or pond all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason:

In the interest of protecting the aquatic environment in accordance with the National Planning Policy Framework.

Contamination

12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason:

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

13. The construction of the office block shall not commence until ground gas protection measures evaluating to a score of 5.5 (as per BS8485:2015) have been submitted to and approved in writing by the Local Planning Authority.

No building on the site shall be occupied until

- (i) the works comprising the approved scheme have been implemented; and
- (ii) verification that the works have been completed has been submitted to the Local Planning Authority.

Reason:

Ground gas monitoring has demonstrated that the site is at high risk from ground gas.

14. The development shall be carried out in strict accordance with the Operational Noise Management Plan dated April 2019 and found at Appendix C of the Noise Assessment, Reference A110049 Revision 3, dated 19th June 2019, unless otherwise approved in writing by the Local Planning Authority. In such instances the development shall be carried out in strict accordance with the approved revised Operational Noise Management Plan.

The Operational Noise Management Plan shall be reviewed and if necessary revised bi-annually to account for changing circumstances and evidence of any adverse noise impact from the operations.

Reason:

In the interests of protecting the amenity of the occupiers of nearby residential properties in accordance with Policy CP3 of the Cannock Chase Local Plan and paragraph 127(f) of the National Planning Policy Framework.

15. The development shall be carried out in strict accordance with the Ecological Management Plan, dated October 2019 And prepared by FPCR Environment and Design Ltd unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of protecting the amenity of the occupiers of nearby residential properties in accordance with Policy CP12 of the Cannock Chase Local Plan and paragraph 174 of the National Planning Policy Framework.

16. The office hereby approved shall not be occupied until a scheme for the fitting of the car park with electric charging points for electric vehicles has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been completed. The works shall thereafter be retained for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of improving air quality and combatting climate change in accordance with policy CP16 and the National Planning Policy Framework.

Landscaping Conditions

17. Notwithstanding the details of the approved plans no trees within Group G10 as identified in the Arboricultural Assessment, prepared by FPCR Environment and Design Limited, shall be felled, topped or lopped until a detailed survey has been undertaken and a report identifying which trees are to be removed has been submitted to and approved in writing by the Local Planning Authority. The landscaping works thereafter undertaken shall be carried out in accordance with the scheme approved under this condition.

Reason:

Given the way the group of trees has grown up selection of trees to be felled and removed needs careful consideration to avoid future impacts on the remaining trees and the contribution they make to the character of the wider area in accordance with Policy CP3 of the Cannock Chase Local Plan.

18. The approved landscape works shown on Dwg. Nos. LN03931/LA2 Rev P5, LA3 Rev P5, LA4 Rev P5, LA5 Rev P5, LA6 Rev P5 and LA7 Rev P5 shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason:

In the interest of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

19. Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

20. The site landscape, following completion of establishment, shall be managed in accordance with the approved Management Plan Ref LN03931 Rev G, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

21. The development shall be carried out in accordance with the recommendations and terms of the Ecological Implementation Plan, dated November 2019, produced by FPCR Environment and design Limited.

Reason:

The measures contained with the Ecological Implementation Plan to upgrade and maintain remaining areas of semi- natural vegetation around the development are required to offset ecological damage resulting from the development proposals” in accordance with Policy CP12 of the Cannock Chase Local Plan and paragraphs 170, 174, 177, 179 of the National Planning Policy Framework.

22. The Ecological Management Plan, dated October 2019, shall be implemented for the life time of the development.

Reason:

The measures contained with the Ecological Management Plan to maintain remaining areas of semi- natural vegetation around the development are required to offset ecological damage resulting from the development proposals” in accordance with Policy CP12 of the Cannock Chase Local Plan and paragraphs 170, 174, 177, 179 of the National Planning Policy Framework.

23. Should discrepancies exist between the Ecological Implementation Plan and the Landscape Management Plan, the provisions of the Ecological Implementation Plan shall take precedence in all retained areas supporting semi-natural vegetation.

Reason:

The application of herbicides and pesticides should only be used where absolutely essential in areas of established semi-natural vegetation in order to safeguard the ecological value of the site in accordance with Policy CP12 of the Cannock Chase Local Plan and paragraphs 170, 174, 177, 179 of the National Planning Policy Framework.

24. No trees or hedges shown as retained on the approved plans shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed.

Any trees or hedges which, within a period of 5 years from completion of the development are cut down, topped, lopped or uprooted without permission of the Local Planning Authority or become seriously damaged or diseased or die shall be replaced in the next planting season with similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason:

The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP14, CP12 and the NPPF.

25. The approved arboricultural work shall be carried out fully in accordance with the submitted details including timetable and to BS 3998 Tree Work & BS 5837 Trees in Relation to Construction, unless otherwise approved in writing

by the Local Planning Authority.

Reason:

To ensure the retention and appropriate maintenance of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

26. No development shall not commence until:

- (a) a scheme of intrusive site investigations for approval which includes the investigation of both shallow coal workings and the recorded on-site mine entries has been submitted to and approved in writing by the Local Planning Authority; and
- (b) The scheme of intrusive site investigations has been implemented in full; and
- (c) A report of findings arising from the intrusive site investigations along with a scheme of remedial works / mitigatory measures for approval; has been submitted to and approved in writing by the Local Planning Authority and
- (d) the remedial works have been implemented in full.

Reason:

The site is located within an area which has been previously been subject to mineral workings and a scheme is required to ensure that the site can be redeveloped safely with appropriate remediation.

27. The development hereby permitted shall be carried out in accordance with the following approved plans:

Application form dated 08.07.19

Drawing CO00206798/1011 Rev P1 - Site location plan (Amey Consulting)

Drawing CO00206798/1033 Rev P1 - Topographical Survey (Amey Consulting)

Drawing CO00206798/1000 Rev P11 – Proposed Masterplan layout (Amey Consulting)

Drawing CO00206798/2000 Rev P06 – Cross Sections Through the Site (Amey Consulting)

Drawing CO00206798/2001 Rev P0 – Typical Cross Section through Gantry Crane (Amey Consulting)

Drawing CO00206798/3000 Rev P04 – Proposed Phasing Plan (Amey Consulting)

Drawing PR1828_SPA_V1_DR_B_0001 Rev A – Proposed Office Ground Floor Plan & Section A-A (Spencer Pughe Associates)

Drawing PR1828_SPA_V1_DR_B_0002 Rev B – Proposed Office First Floor Plan & Roof Plan (Spencer Pughe Associates)

Drawing PR1828_SPA_V1_DR_B_0003 Rev A - New Office Proposed Elevations and Illustrations prepared by Spencer Pughe Associates;

Drawing PR1828_SPA_V1_DR_B_0004 Rev B – Proposed Authorised Testing Building Plans & Elevations (Spencer Pughe Associates)

Design and Access Statement (Spencer Pughe Associates)

Planning Statement dated July 2019 (WYG Planning)

Transport Statement dated October 2019 (Mayer Brown)

Transport Technical Note issued August 2019 (Mayer Brown)

Framework Travel Plan dated June 2019 (Mayer Brown)

Framework Construction Vehicle Management Plan dated October 2019 (Mayer Brown)

Phase I Geoenvironmental Site Investigation Report dated November 2018 (GeoCon Site Investigations)

Phase II Geoenvironmental Site Investigation Report dated November 2018 (GeoCon Site Investigations)

Noise Assessment dated October 2019 (WYG Acoustic team)

Air Quality Assessment dated September 2019 (WYG Air Quality team)

Air Quality Damage Costs note (WYG Air Quality team)

Ecological Appraisal dated May 2019 (FPCR Environment and Design Ltd)

Arboricultural Assessment Rev E dated 6 November 2019 (FPCR Environment and Design Ltd)

Bat Report dated October 2019 (FPCR Environment and Design Ltd)

Ecological Implementation Plan dated November 2019 (FPCR Environment and Design Ltd)

Lighting Assessment dated October 2019 (WYG Lighting team)

Landscape and Visual Impact Assessment Rev D dated October 2019 (WYG Landscape team)

Landscape Proposals Plans dated (WYG Landscape team) Drawing no's LA2 Rev P5, LA3 Rev P5, LA4 Rev P5, LA5 Rev P5, LA6 Rev P5 and LA7 Rev P5

Landscape Management Plan Rev G dated 6 November 2019 (WYG Landscape team)

Flood Risk Assessment & Drainage Strategy Revision 3 dated October 2019
(Amey Consulting)

CIL Additional Information Form.

Reason:

For the avoidance of doubt and in the interests of proper planning.

28. Notwithstanding the details of the approved plan the red line defining the boundary of the application site is that shown on the Drawing CO00206798/1000 Rev P11 "Proposed Masterplan Layout" prepared by Amey Consulting.

Reason:

For the avoidance of doubt.

Following this a Member asked whether it would be possible to include a condition to ensure larger HGV's did not enter the site via the Rumer Hill Road entrance. The Development Control Manager advised that an additional condition could be added should the application be approved.

A Member referred to the wording in Condition 14 of the officer update sheet, which made reference to the Operational Noise Management Plan being reviewed and, if necessary, revised "bi-annually". He sought clarification regarding the meaning of "bi-annually" and whether it was intended to mean twice each year or whether it was meant to read biennially (every other year). The Development Control Manager advised that he would liaise with Environmental Health Officers to clarify what they meant by "bi-annually".

RESOLVED:

(A) Members were minded to approve the application subject to:

- (i) the amended list conditions and reasons as outlined in the officers update sheet and;
- (ii) the following additional condition:-

The development hereby approved shall not be brought into use until a scheme for the servicing by vehicles of the office building has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been implemented in full. The office building shall thereafter be serviced in accordance with the approved scheme for the lifetime of the development.

Reason:

In the interests of highway safety and the amenity of the residents of Rumer Hill in accordance with Policy CP3 of the Cannock Chase Local Plan and Paragraph 127(f) of the National Planning Policy Framework

and;

- (iii) delegated powers being granted to the Development Control Manager to clarify the meaning of “bi-annually” as contained in Condition 14, and;
 - (iv) the completion of a Section 106 Agreement to secure funding for the implementation of a Travel Plan; and that
- (B) Provided no new material issues are received between the meeting of Planning Control Committee on 20 November and the expiration of the publicity period on 28 November 2019; delegated powers be granted to the Development Control Manager to issue the decision.

The meeting closed at 4.30pm.

CHAIRMAN