

**Cannock Chase District Council**

**Planning Control Committee**

**9<sup>th</sup> February 2022**

**Officer Update Sheet**

**Application No:** CH/21/0405

**Received:** 28-Sep-2021

**Location:** McArthur Glen Designer Outlet West Midlands, Mill Green, Eastern Way, Cannock, WS11 7JZ

**Parish:** Heath Hayes and Wimblebury CP/ Norton Canes CP/

**Ward:** Hawks Green/Cannock East/ Cannock South/ Norton Canes

**Description:** Environmental Impact Development - Outline Planning Application for the construction of a multi storey car park, increasing the overall level of car parking spaces up to 2,500 across the McArthur Glen Designer Outlet West Midlands, realignment of existing service road and all other works with all matters reserved except scale.

**Changes to the Recommended Schedule of conditions**

Following discussions with the applicant the following conditions are recommended to be attached to any permission granted

Conditions (and Reasons for Conditions):

1. In the case of any reserved matters, application for approval must be made not later than the expiration of three years beginning with the date on which this permission is granted; and

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason

To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

2. No part of the development hereby permitted shall be commenced until approval of the details of access, appearance, landscaping and layout ('the reserved matters') has been obtained from the Local Planning Authority.

Reason

The permission is in principle only and does not authorise development to commence until all 'the reserved matters' have been approved. To ensure compliance with the requirements of Section 92 of the Town & Country Planning Act 1990.

3. The development hereby permitted *shall* not commence (*other than enabling works*) 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.

#### Reason

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.

4. No development (*other than enabling works*) shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local Planning Authority. The approved CEMP shall be adhered to throughout the construction period. The statement shall include:

- Details of access;;
- Arrangements for the parking of site operatives and visitors;
- Location of the contractors compounds, cabins and materials storage areas;
- Construction hours;
- Delivery hours and routeing;
- Recorded daily inspections of the private road/ adopted highway leading to the site access;
- Measures to remove mud or debris carried onto the private road/ adopted highway;
- Measures to protect from neighbouring properties and prevent noise, vibration and dust;
- Measures to protect biodiversity; and
- Method of piling should piling be considered necessary.

#### Reason

In the interest of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

5. No development (*other than enabling works*) shall commence until a comprehensive scheme for lighting of the application site and buildings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include

- a) Baseline conditions at the site and assess the likely effects of artificial lighting from the development on identified receptors.

- b) Building luminance, service areas, car parks, under floor zones, signage and advertising boards.
- c) Measures to minimise light pollution or obtrusive light external from the development

Thereafter the lighting scheme shall be implemented in accordance with the approved details.

Reason

In the interests of the amenity of neighbours and safeguarding the nature reserve and associated wildlife in accordance with Policies CP3 and CP12 of the Cannock Chase Local Plan.

- 6. No development shall commence until a report outlining the methodology, and results of a survey of burrowing protected mammals, together with an assessment of potential impacts on any protected burrowing mammal and mitigation of any impacts identified has been submitted to and approved in writing by the Local Planning Authority. The survey shall encompass all land up to 50m from the edge of the application site.

The development shall thereafter be undertaken in accordance with the mitigation strategy outlined in the report.

Reason

In order to ensure adequate provision is given to conserving protected species of burrowing mammals in accordance with Policy CP12 of the Cannock Chase Local Plan and the National Planning Policy Framework.

- 7. No development (*other than enabling works*) shall commence until a scheme for the provision of nesting and roosting opportunities for bird and bats to be incorporated within the fabric of the building has been submitted to and approved in writing by the Local Planning Authority. The building thereafter shall be constructed in accordance with the approved scheme.

Reason

In order to ensure that the biodiversity value of the site is enhanced in accordance with Policy CP12 of the Cannock Chase Local Plan and the National Planning Policy Framework.

- 8. The Multi Storey Car Park will be operated in accordance with the updated Travel Plan as set out in Appendix 6.2 of Part III of the Environmental Statement. Any amendment to the Travel Plan will be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of reducing reliance on the private motor vehicle by promoting sustainable transport options in accordance with Policy CP10 of the Cannock Chase Local Plan and the National Planning Policy Framework.

9. No development (*other than enabling works*) shall commence until scheme(s) totalling 58 electric vehicle charging points across the site has been submitted to and approved in writing by the Local Planning Authority. The Multi-Storey Car Park shall not be brought into use until the approved scheme has been implemented and the electric vehicle charging points have been made available for their intended purpose. The electric vehicle charging points shall thereafter be retained and made available for their intended purpose the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of sustainability and tackling the causes of climate change in accordance with Policy CP16 of the Cannock Chase Local Plan and the National Planning Policy Framework.

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

A-90-401 (Rev B) MSCP – Red Line Location Plan

A-90-102 (Rev A) Phase 2 Parameters Plan

A-00-301 (Rev A) Ph 2 External Elevations, Ht Parameters

A-00-302 (Rev A) Ph 2 External Elevations, Ht Parameters

Reason

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

## **Amendments to Section 5 of the Officer Report**

Section 5.0 is amended to read as follows to reflect that the application is for approval and not refusal and to ensure consistency in reference to the Equality Act 2010: -

### **5.0 Human Rights Act 1998 and Equality Act 2010**

#### Human Rights Act 1998

- 5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve accords with the policies of the adopted Local Plan and the applicant has the right of appeal against this decision.

#### Equality Act 2010

5.2 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.

By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equality Act.