

Cannock Chase District Council

Planning Control Committee

8th July 2020

Officer Update Sheet

Application No:	CH/19/173
Received:	10-May-2019
Location:	Hill Farm, 84, Hayfield Hill, Cannock Wood, Rugeley, WS15 4RU
Parish:	Cannock Wood
Description:	Change of Use of the buildings and land to light industrial (B1) and the retention of the fork lift truck store
Application Type:	Full Planning Application

1. Clarification

1.1 The officer report makes several references to use class B1 and the several sub categories within that use class. Use class B1 is defined as business uses which can be carried out in a residential area without detriment to its amenity. It is split into three sub categories: -

B1(a) Offices - Other than a use within Class A2

B1(b) Research and development of products or processes

B1(c) Industrial processes

1.2 However, category B1(a) Offices are considered to be “town centre” and are subject to a sequential test, that only allows out of uses where there is no capacity in the town centres.

1.3 With this in mind the description of the development should be amended to exclude offices (other than those ancillary to the main use) so as to read

“Change of Use of the buildings and land to research and development B1 (b) and light industrial (B1(c) and the retention of the fork lift truck store.”

For the same reason paragraph 2.1 of the report should also be amended to read

“The applicant is seeking approval for a change of Use of the buildings and land to research and development B1 (b) and light industrial (B1(c) and the retention of the fork lift truck store.”;

and paragraph 5.2.5 should be amended to read: -

- 1) The change of use of the land to B1(b) and B1 (c)

2. Amendments to the Schedule of Planning Conditions

2.1 Following further discussions with the applicant it is clear that the landscaping scheme required under condition 3 has already been implemented. As such condition 2 should be amended so that it now only requires the retention of the landscaping works.

2.2 In respect to condition 6 which requires the gates to be open it is considered it is noted that this was not required by either the Environmental Health Officer or the Highway Officer. It has also become apparent that the gates are monitored by CCTV and hence access can be controlled through the ancillary office and that delivery times could be controlled by a delivery hours condition. As such it is considered that the condition is not necessary and therefore it is recommended that it is deleted from the recommended Schedule of Conditions.

2.3 It is recommended that condition 7 be amended to read

“There shall be no deliveries by **heavy goods vehicles** to, or from, or loading or unloading of **heavy goods** vehicles at the site outside of the hours of 08:00hrs to 18:00hrs on Monday to Friday, 08:00hrs to 16:00hrs on Saturdays and at no times on Sundays and Bank and Public Holidays”.

as this would allow the flexibility of customers taking smaller items (such as bird baths) away on their visit in private cars or light good vehicles.

2.4 It is recommended that condition 8 be amended to include reference to B1(b) and to restrict any change of use to class B1(a) “Offices”.

2.5 Having regard to the above it is recommended that the Schedule of Conditions be amended as to read as follows: -

1. The use hereby approved shall only be used for business uses B1(b) 'research and development' and B1(c) 'light industrial' and ancillary storage, office and retail purposes to those uses.

Reason

In the interests of proper planning.

2. The hedge and associated landscaping works along the northern side of the access shall be retained for the lifetime of the development.

Reason

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

3. No industrial processes shall take place on the site outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, 08:00hrs to 16:00hrs on a Saturday and at no time on Sundays and Bank and Public Holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policies CP3 - Chase Shaping, Design, CP11 - Centres Hierarchy and the National Planning Policy Framework.

4. The premises shall not be open to the public outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, 08:00hrs to 16:00hrs on Saturdays and 10:00hrs to 16:00hrs on Sundays and Bank and Public Holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policies CP3 - Chase Shaping, Design, CP11 - Centres Hierarchy and the National Planning Policy Framework.

5. No means of illumination to the use hereby approved shall be brought into use until a scheme for external illumination has been submitted to and approved in writing by the Local Planning Authority. Any means of external illumination employed shall be in accordance with the approved scheme.

Reason

In the interests of protecting the rural character of the area from light pollution

6. There shall be no deliveries by heavy goods vehicles to, or from, or loading

or unloading of heavy goods vehicles at the site outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, 08:00hrs to 16:00hrs to a Saturday and at no time on Sundays and bank and public holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policies CP3 - Chase Shaping, Design, CP11 - Centres Hierarchy and the National Planning Policy Framework.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Part 3 of Schedule 2 Class PA shall be carried out without an express grant of planning permission, from the Local Planning Authority, namely:

- Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(b) (research and development) and B1 (c) (light industrial) of the Schedule to the Use Classes Order to a use falling within Class B1 (a) (offices) and Class C3 (dwellinghouses) of that Schedule.

Reason

The Local Planning Authority considers that such development would be likely to adversely affect the amenity of neighbouring occupiers and the landscape character of the area. It is considered to be in the public interest to require an application to enable the merits of any proposal to be assessed and to ensure compliance with Local Plan Policy CP3 - Chase Shaping - Design and the National Planning Policy Framework .

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

2019:50:02A

2019:50:03

Reason

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

Application No:	CH/20/091
Received:	31-Mar-2020
Location:	Hillary Crest, Rugeley, WS15 1NE
Parish:	Rugeley
Description:	Residential development, 5 dwellings
Application Type:	Full Planning Application

Errata

Paragraph 4.2.1 states

“The site is a windfall ‘greenfield’ site located in the urban area of Norton Canes”.

This should be amended to read

“The site is a windfall previously developed site in the urban area of Rugeley”