

TO:- Planning Committee

Councillor Terry Mason , Councillor Matt Ewart , Councillor Penny Allen , Councillor Len Bates B.E.M. , Councillor Chris Benton , Councillor Barry Bond , Councillor Mike Boyle , Councillor Jo Chapman , Councillor Bob Cope , Councillor Brian Cox , Councillor Isabel Ford , Councillor Rita Heseltine , Councillor Lin Hingley , Councillor Diane Holmes , Councillor Janet Johnson , Councillor Michael Lawrence , Councillor Roger Lees J.P. , Councillor Dave Lockley , Councillor Robert Reade , Councillor Robert Spencer , Councillor Christopher Steel

Notice is hereby given that a meeting of the Planning Committee will be held as detailed below for the purpose of transacting the business set out below.

Date: Tuesday, 16 June 2020

Time: 18:30

Venue: Virtual meeting



D. Heywood
Chief Executive

A G E N D A**Part I – Public Session**

- | | | |
|----------|---|----------------|
| 1 | Minutes
To confirm the minutes of the Planning Committee held on the 19 May 2020 | 3 - 6 |
| 2 | Apologies

To receive any apologies for non-attendance. | |
| 3 | Declarations of Interest

To receive any declarations of interest. | |
| 4 | Determination of Planning Applications
Report of Development Management Team Manager | 7 - 56 |
| | Monthly Update Report
Report of the Lead Planning Manager | 57 - 60 |

RECORDING

Please note that this meeting will be recorded.

PUBLIC SPEAKING

Please note: Any members of the public wishing to speak must confirm their intention to speak in writing or e-mail to Development Management no later than 1 working day before the Committee i.e. before 12.00 p.m. on the preceding Monday.

E-mails to SpeakingatPlanningCommittee@sstaffs.gov.uk

Please see Speaking at Planning Committee leaflet on the website for full details. Failure to notify the Council of your intention to speak may mean you will not be allowed to speak at Committee.

PUBLIC ACCESS TO AGENDA AND REPORTS

Spare paper copies of committee agenda and reports are no longer available. Therefore should any member of the public wish to view the agenda or report(s) for this meeting, please go to www.sstaffs.gov.uk/council-democracy.

A paper copy is available for inspection at the Council Offices, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX.

Minutes of the meeting of the **Planning Committee** South Staffordshire Council held in the Virtual meeting [Venue Address] on Tuesday, 19 May 2020 at 18:30

Present:-

Councillor Penny Allen, Councillor Len Bates, Councillor Chris Benton, Councillor Barry Bond, Councillor Mike Boyle, Councillor Jo Chapman, Councillor Bob Cope, Councillor Brian Cox, Councillor Matt Ewart, Councillor Isabel Ford, Councillor Rita Heseltine, Councillor Lin Hingley, Councillor Diane Holmes, Councillor Janet Johnson, Councillor Michael Lawrence, Councillor Roger Lees, Councillor Dave Lockley, Councillor Terry Mason, Councillor Robert Reade, Councillor Robert Spencer, Councillor Christopher Steel

ALSO IN ATTENDANCE

Annette Roberts, Sue Frith, Kelly Harris and Manjit Dhillon

62 MINUTES

RESOLVED: that the minutes of the meeting of the Planning Committee held on the 21 April 2020 be approved and signed by the Chairman

63 APOLOGIES

There were no apologies for non-attendance

64 DECLARATIONS OF INTEREST

Councillor D Holmes declared an interest in application number 20/00092/FUL and took no part in consideration of this item

65 DETERMINATION OF PLANNING APPLICATIONS

The Committee received the report of the Development Management Team Manager, together with information and details received after the agenda was prepared.

19/00036/OUT – SEISDON LANDFILL SITE, EBSTREE ROAD, SEISDON, SOUTH STAFFORDSHIRE – APPLICANT – SEISDON UK LTD – PARISH – TRYSTALL AND SEISDON

This item had been deferred from the last meeting to allow members time to seek assurance on matters raised.

Andrew Hingley-Smith had submitted a statement and was against the proposed development. His statement was read out to the Planning Committee by the Corporate Director, Planning and Infrastructure.

Councillor V Wilson, as local member spoke against the development as inappropriate development in the green belt, harmful to the openness of the area and not meeting very special circumstances which would allow development to take place.

Councillor R Cope commented on the Green Belt letter submitted by the

Agent in support of the application and questioned the relevance of legal cases/appeal decisions in that letter.

Councillor R Lees commented that due process had been done and supported the Officer recommendation. Councillor L Hingley also supported the Officer recommendation.

Councillor T Mason commented that some of the issues raised by the speaker, particularly concerning drainage and highways, had been resolved

RESOLVED: that the application be refused as recommended for the following reasons, including an amended reason 1 and an amended Pro-active statement:

1. The site is within the Green Belt and the proposed development is considered to be inappropriate development contrary to Part 13 'Protecting Green Belt land' of the NPPF 2019 and policy GB1 of the adopted Core Strategy. The proposal would cause significant and greater harm to openness of the Green Belt from the erection of 49 dwellings with associated roads, parking, community building, gardens and boundary treatment than the existing development (use as landfill). The proposal would result in encroachment into the Countryside in conflict with one of the reasons for including land within the Green Belt.
2. The considerations advanced (provision of 30% affordable housing and homes for the over 55's) have been considered. However, it is not considered that these amount the very special circumstances needed to clearly outweigh the harm to the Green Belt. The site is disassociated from the existing village of Seisdon which has not been identified for housing growth, as it has limited facilities.
3. The proposal provides dwellings for the over 55's only, is gated and does not provide a range of homes for the local community or create, contrary to policy H1 of the Core Strategy and paragraph 91 of the NPPF.
4. The proposed development would have an adverse effect on the pleasant and open character of the area, contrary to policy EQ4 and EQ12 of the adopted Core Strategy.
5. The proposal would result in isolated homes in the countryside contrary to Core Policy 1 of the Core Strategy and paragraph 79 of the NPPF.

Pro-active statement:

Whilst paragraph 38 of the National Planning Policy Framework (2019) requires the Local Planning Authority to work with applicants in a positive and proactive manner to resolve issues arising from the proposed development; in this instance a positive solution could not be found and the development fails to accord with the adopted Core Strategy (2012) and the National Planning Policy Framework (2019).

**19/00092/FUL – SUNNYSIDE, KIDDEMORE REEN ROAD,
BREWOOD, ST19 9BH - APPLICANT – MR AND MRS MASSEY-SHORE
– PARISH – BREWOOD AND COVEN**

RESOLVED: that the application be approved with conditions as

recommended

19/00093/FUL – WILD WOOD, COUNTY LANE, CODSALL WOOD, WOLVERHAMPTON WV7 3AH – APPLICANT – MS SARAH DAKIN – PARISH – CODSALL

The applicant, Ms Sarah Dakin had submitted a statement in support of the application which was read out to the Planning Committee by the Corporate Director, Planning and Infrastructure.

Councillor M Ewart applauded the business enterprise and supported the Officer recommendation. Councillor P Allen commented that she understood that alpacas needed a lot of looking after.

RESOLVED: that the application be approved with conditions as recommended.

20/00173/FUL – STANDEK FARM, WOLVERHAMPTON ROAD, CHESLYN HAY, WALSALL WS6 7HX – APPLICANT – MR DAVE JEAVONS – PARISH – CHESLYN HAY

Councillor M Boyle queried what would be in the S106. Manjit Dhillon confirmed that its purpose was to prevent the previous garage from being built if this permission were implemented

RESOLVED: that the application be approved with conditions as recommended to delegate approval to the Team Manager to issue the decision on completion of a satisfactory Section 106 agreement. If this has not been achieved by 18th August 2020 this application will be referred back to the Planning Committee;

66 MONTHLY UPDATE REPORT

The Committee received the report of the Lead Planning Officer informing the Committee on key matters including training; changes that impact on National Policy; any recent appeal decisions; relevant planning enforcement cases (quarterly); and latest data produced by the Ministry of Housing Communities and Local Government

The Meeting ended at: 19:30

CHAIRMAN

SOUTH STAFFORDSHIRE COUNCIL**PLANNING COMMITTEE – 16 MAY 2020****DETERMINATION OF PLANNING APPLICATIONS****REPORT OF DEVELOPMENT MANAGEMENT TEAM MANAGER****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

To determine the planning applications as set out in the attached Appendix.

2. RECOMMENDATIONS

2.1 That the planning applications be determined.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	The reasons for the recommendation for each application addresses issued pertaining to the Council's Plan.
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	Determination of individual planning applications so not applicable- see below for equalities comment.
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	N/A	
FINANCIAL IMPACT	No	Unless otherwise stated in the Appendix, there are no direct financial implications arising from this report.
LEGAL ISSUES	Yes	Town and Country Planning Act 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 Planning (Consequential Provisions) Act 1990 Planning (Hazardous Substances) Act 1990 Planning and Compensation Act 1991 Planning and Compulsory Purchase Act 2004

OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Equality and HRA impacts set out below.
IMPACT ON SPECIFIC WARDS	Yes	As set out in Appendix

PART B – ADDITIONAL INFORMATION

4. INFORMATION

All relevant information is contained within the Appendix.

Advice to Applicants and the Public

The recommendations and reports of the Development Management Team Manager contained in this schedule may, on occasions, be changed or updated as a result of any additional information received by the Local Planning Authority between the time of its preparation and the appropriate meeting of the Authority.

Where updates have been received before the Planning Committee's meeting, a written summary of these is published generally by 5pm on the day before the Committee Meeting. Please note that verbal updates may still be made at the meeting itself.

With regard to the individual application reports set out in the Appendix then unless otherwise specifically stated in the individual report the following general statements will apply.

Unless otherwise stated any dimensions quoted in the reports on applications are scaled from the submitted plans or Ordnance Survey maps.

Equality Act Duty

Unless otherwise stated all matters reported are not considered to have any adverse impact on equalities and the public sector equality duty under section 149 of the Equality Act 2010 has been considered. Any impact for an individual application will be addressed as part of the individual officer report on that application.

Human Rights Implications

If an objection has been received to the application then the proposals set out in this report are considered to be compatible with the Human Rights Act 1998.

The recommendation to approve the application aims to secure the proper planning of the area in the public interest. The potential interference with rights under Article 8 and Article 1 of the First Protocol has been considered and the recommendation is considered to strike an appropriate balance between the interests of the applicant and those of the occupants of neighbouring property and is therefore proportionate. The issues arising have been considered in detail

in the report and it is considered that, on balance, the proposals comply with Core Strategy and are appropriate.

If the application is recommended for refusal then the proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The recommendation to refuse accords with the policies of the Core Strategy and the applicant has the right of appeal against this decision.

Consultations Undertaken

The results of consultations with interested parties, organisations, neighbours and Councillors are reported in each report in the Appendix.

CONSULTEES

CH – County Highways
CLBO – Conservation Officer
CPO – County Planning Officer
CPRE – Campaign to Protect Rural England
CPSO – County Property Services Officer
CA – County Archaeologist
CS – Civic Society
EA – Environment Agency
EHGS – Environmental Health Officer
ENGs – Engineer
FC – The Forestry Commission
HA – Highways Agency
LPM – Landscape Planning Manager
HENGs – Engineer
NE – Natural England
PC – Parish Council
OSS – Open Space Society
STW – Severn Trent Water
SWT – Staffordshire Wildlife Trust

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6. PREVIOUS MINUTES

Details if issue has been previously considered

7. BACKGROUND PAPERS

Background papers used in compiling the schedule of applications consist of:-

- (i) The individual planning application (which may include supplementary information supplied by or on behalf of the applicant) and representations received from persons or bodies consulted upon the application by the Local Planning Authority, and from members of the public and interested bodies, by the time of preparation of the schedule.
- (ii) The Town and Country Planning Act, 1990, as amended and related Acts, Orders and Regulations, the National Planning Policy Framework (NPPF), the Planning Practice Guidance Notes, any Circulars, Ministerial Statements and Policy Guidance published by or on behalf of the Secretary of State for the Department for Communities and Local Government.
- (iii) The Core Strategy for South Staffordshire adopted in December 2012 and Supplementary Planning Documents
- (iv) Relevant decisions of the Secretary of State in relation to planning appeals and relevant decisions of the courts.

These documents are available for inspection by Members or any member of the public and will remain available for a period of up to 4 years from the date of the meeting, during the normal office hours. Requests to see them should be made to our Customer Services Officers on 01902 696000 and arrangements will be made to comply with the request as soon as practicable. The Core Strategy and the individual planning applications can be viewed on our web site www.sstaffs.gov.uk

Report prepared by: Sue Frith, Development Management Team Manager

App no	Applicant/Address	Parish and Ward Councillors	Recommendation	Page
19/00636/FUL Non Major	Miss Sara Joyce 1 Estridge Lane Great Wyrley WALSALL WS6 6EL	GREAT WYRLEY Councillor Janet Johnson Councillor Michael Lawrence Councillor Kath M Perry MBE	Approve	13 - 20
19/00694/FUL Non Major	Mr Richard Dunkley Land South West South Cannock Farm Jacobs Hall Lane Great Wyrley	GREAT WYRLEY Councillor Raymond Perry Councillor Kathleen Williams	Approve	21 - 30
20/00135/VAR Major	Bovis Homes Ltd Land On The South East Side Of Hobnock Road Essington	ESSINGTON Councillor Warren Fisher Councillor Christopher Steel	Approve	31 - 40
20/00284/FUL Non Major	Rowe Hill Farm Bognop Road Essington WOLVERHAMPTON WV11 2AZ	HILTON Councillor Frank Beardsmore Councillor Bob Cope	Approve	41 - 48
20/00341/FUL Non Major	Severn Trent Water Ltd Pumping Station Dimmingsdale Road Lower Penn WOLVERHAMPTON WV4 4XF	LOWER PENN Councillor Robert Reade Councillor Barry Bond Councillor Dan Kinsey	Approve	49 - 56

**19/00636/FUL
NON - MAJOR**

Miss Sara Joyce

**GREAT WYRLEY
Councillor Janet Ann Johnson
Councillor Michael Lawrence
Councillor Kath M Perry MBE**

1 Estridge Lane Great Wyrley WALSALL WS6 6EL

Boundary fence (retrospective)

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site description

1.1.1 The application site consists of a corner plot three bedroom end of terrace modern dwelling, which has been extended at the side and rear fairly recently. The property is on the corner of Estridge Lane and Broad Meadow Lane. The application site has vehicular access from Estridge Lane and has amenity area at the rear and the side of the property.

1.1.2 Estridge Lane and Broad Meadow Lane have a 30mph speed limit and Broad Meadow Lane benefits from traffic calming measures, with speed bumps before and after the Estridge Lane junction.

1.1.3 To the rear of the application site is number 70 Broad Meadow Lane, which has its drive and rear access path at the rear of the application site.

1.2 Planning history

18/00130/FUL - Two-storey rear extension including internal alterations - approved 01.06.18 - (permission implemented and constructed).

2. APPLICATION DETAILS

2.1 The proposal

2.1.1 This retrospective application seeks planning permission for a boundary fence. The boundary fence is along three sides, on the rear (southern boundary), side (western boundary) and to the front (north) of the property. The fence is approximately 1.8 metres tall and consists of a 1.5-metre-tall timber close boarded panel, 0.3 metres tall base gravel boards with concrete fencing posts. The fencing lowers from 1.8-metre-tall to 1 metre tall at the front of the property via a specifically designed panel which helps maintain an element of openness for the corner plot. The fence has a natural timber fence panel finish.

2.1.2 On the southern boundary, where it borders a private rear access path adjacent to number 70 Broad Meadow Lane, it is approximately 14.3 metres long. On the western boundary where it borders Broad Meadow Lane it is approximately 17 metres long; it then returns back to the dwelling where the fence is approximately 5 metres long.

2.1.3 The fence encloses the side and rear private amenity of the property.

3. POLICY CONTEXT

Within the Great Wyrley Development Boundary.

Adopted Core Strategy

- Core Policy 3: Sustainable Development and Climate Change
- Policy EQ9: Protecting Residential Amenity
- Core Policy 4: Promoting High Quality Design
- Policy EQ11: Wider Design Considerations
- Core Policy 11: Sustainable Transport
- Policy EV12: Parking Provision
- Appendix 5: Car parking standards

South Staffordshire Design Guide 2018

NPPF 2019

4. CONSULTATION RESPONSES

Councillors (Received 05.02.20)

Councillor Michael Lawrence: *Raised no objections relating to the fence appearance although raised concerns regarding highway visibility and wished residents' concerns to be considered.*

Councillor Kath Perry. *'...I disagree with the highways decision on safety grounds. Residents have complained on numerous occasions about their lives being put at risk when exiting Estridge Lane'.*

Parish Council (Received 06.03.20) *objects strongly to this application on highway grounds. It is clear to all that the fence is blocking visibility to motorists onto this junction and should not receive consent under any circumstances.*

Neighbours (expired 26/02/20): Four objections have been received from local residents. Objections received raised the following concerns;

- When pulling out of Estridge lane into Broadmeadow lane you can't see, you have to pull out into the road to get a view of any oncoming traffic.

- Residents have had near misses pulling out of the driveway.
- The fence is a safety problem.
- There are also a lot of children who cross the end of that road who cannot see if there are cars coming.
- The fence is too high its 6 foot & it should only be 3 foot.
- No consideration for the residents of the street using the junction regularly every day has been taken into account.
- The fence is Incongruous, anti-social, selfish, dangerous, and moreover illegal.

Highways (Received 21/02/20) - There are no objections on Highway grounds to this proposal. The fence does not encroach onto any appropriate visibility requirements.

Site Notice (expired 13.01.20) No comments received.

5. APPRAISAL

5.1 The application has been called to Committee by Councillor Kath Perry and Councillor Mike Lawrence on highway safety grounds

5.2 Key issues:

- Principle of development
- Impact on neighbouring properties and residential amenity
- Impact on local character
- Highways/parking

5.3 Principle of development

5.3.1 The property is within the development boundary, where development such as this can be considered to be an acceptable, provided there is no adverse impact on neighbouring properties, the amenity of the area or highway safety.

5.4 Impact on neighbouring properties and residential amenity

5.4.1 Policy EQ9 states that new development "should take into account the amenity of any nearby residents, particularly with regard to [...] noise and disturbance, pollution [...], odours and daylight."

5.4.2 When considering potential impact on residential amenity the height of fencing needs to be considered.

5.4.3 Number 70 Broad Meadow Lane is the closest property and at risk from the development. The property's front access is adjacent to the application site and separated by a path approximately 1.5 metres wide.

5.4.4 Previously a hedge approximately 1.8 metres tall and a taller conifer hedge was present at the rear of the application site and up to the front of number 70, this then led into a low fence around the rest of the site. The current fence is of a similar

height as previous landscaping and away from habitable windows on the adjacent property.

5.4.5 Due to the small scale of the development, its position and separation distance it would not result in a loss of light or be an overbearing development to any adjacent properties. The development would not therefore cause any harm to adjacent residential amenity and complies with Policy EQ9 of the Core Strategy.

5.5 Impact on local character

5.5.1 Policy EQ11 requires that new development respects local character and distinctiveness, including that of the surrounding development and landscape. The policy requires development to contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and building in the local area.

5.5.2 The application site is on a corner plot. Whilst corner plot properties benefit from additional space, they are also prominent and their open character can contribute positively to the street scene.

5.5.3 Concerns have been raised from local residents that the development is incongruous.

5.5.4 In the local area, properties are set back from the highway and frontages are predominately open; a small green in close proximity to the application site further reinforces an open character. Conversely, 1.8-metre-tall close boarded timber fencing is also present in the local area, particularly when entering Broad Meadow Lane from Shaw's Lane. Other corner plot properties have tall hedging on the site boundary where it meets the highway.

5.5.5 Fencing on the application site is closely associated with the adjacent dwelling. It defines the side and rear amenity space in a clear and legible way and naturally follows the sweep of the road. The fencing lowers from 1.8-metre-tall to 1 metre tall at the front of the property via a specifically designed panel which helps maintain an element of openness for the corner plot.

5.5.6 The Council's Design Guide details that

'Buildings which have front doors and windows facing streets and spaces create lively and well-supervised streets. Avoid large gaps between buildings, blank walls and garden fences facing the street'.

5.5.7 Whilst it is acknowledged that the fence would result in a blank elevation, it is also noted that previously, prior to development on the site, the ground floor elevation visible on the dwellings was a predominantly blank elevation, with the exception of a small window.

5.5.8 The fencing does not remove natural surveillance as the street scene maintains significant natural surveillance from properties adjacent and opposite the application site.

5.5.9 Whilst the estate does have a predominately open character, it is considered in this location the development does not erode this characteristic. It respects the scale of spaces and buildings in the area and uses appropriate good quality residential materials. It is therefore considered the fencing does not form an incongruous feature, nor does it harm the character or appearance of the original dwelling or harm the character and appearance of the locality.

5.6 Highways/parking

5.6.1 Estridge Lane is a cul-de-sac which directly serves approximately 20 dwellings. Vehicles leaving the site need to slow down and stop before entering Broad Meadow Lane. To the left land falls away and there is clear visibility for vehicles, a speed bump is present. To the right, land rises, there is bend in the road and a speed bump is present.

5.6.2 County Highways have been consulted on the planning application and have raised no objection to the application and have commented, 'the fence does not encroach onto any appropriate visibility requirements'.

5.6.3 Whilst concerns have been raised local residents and local councillors regarding visibility and highway safety issues, County Highways have raised no objection. It is therefore considered the development has no adverse impact upon highway safety of the local highway network.

5.6.4 The front of the property is already laid to hardstanding and used for the parking of vehicles. There is sufficient space for the parking of cars which conforms with the Councils Parking Standards, detailed in appendix 5 of the Core Strategy.

6. CONCLUSION

6.1 The development is of an appropriate scale, massing and uses materials appropriate for its location. The fence is in good condition and constructed of traditional residential fencing materials. It is considered that the fence does not harm the street scene and appearance of the locality.

6.2 In regard to residential amenity it is considered due to the design, scale and position of the development, the fencing would not result in any harm to the amenity of adjacent residents in terms of loss of light or overbearing development.

6.3 The development retains appropriate visibility and does not compromise highway safety or the local highway network.

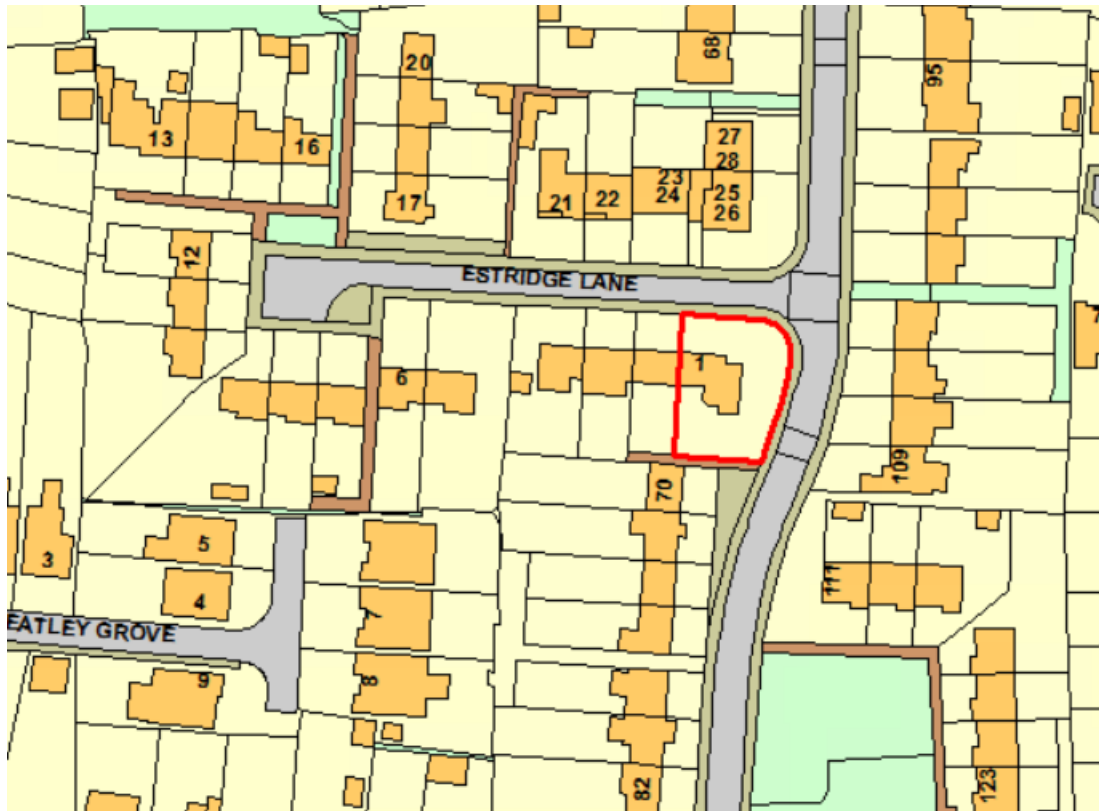
7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

1. The development shall be carried out and retained in accordance with the details contained within the application form and drawing submitted with the application.

Reasons

1. To define the permission.
2. Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner in accordance with paragraph 38 of the National Planning Policy Framework 2019.



1 Estridge Lane, Great Wyrley, WALSALL WS6 6EL

**19/00694/FUL
NON-MAJOR**

Mr Richard Dunkley

**GREAT WYRLEY
Councillor Raymond Perry
Councillor Kathleen Williams**

Land South West South Cannock Farm, Jacobs Hall Lane, Great Wyrley WS6 6AD

Erection of stable block

1.SITE DESCRIPTION, BACKGROUND AND PLANNING HISTORY

1.1 Site Description

1.1.1. The application site is situated off Jacobs Hall Lane and forms part of a much larger area of enclosed grazing land owned by the applicant, Mr. Dunkley and his associate Mr. Steve Kneller. It is understood Mr. Dunkley and Mr. Kneller intend to accommodate up to 12 retired former military horses on the land, which extends to around 5.2 hectares in total (13 acres).

1.1.2 The land currently forms part of an area of hard surfacing in the north-east corner of the applicants' land, with access available into the adjacent paddocks. Immediately to the north is an area of hard standing, beyond which lie residential properties in Jacobs Hall Lane. To the west is a collection of commercial buildings, with the access track serving these premises, the application site and a further commercial building further to the south. The access track also forms a public right of way known as the Timberland Trail.

1.1.3 Planning permission was granted in 2018 (Ref: 18/00631/FUL) for the erection of an 'L-shaped' stable block to be positioned in the south-east corner of the paddock. This building, which has yet to be erected, would provide covered accommodation for up to five horses together with other ancillary facilities. Following a recent enforcement investigation, it became evident that another building had been erected on this part of the site without planning permission instead of the permitted stables. This building was not in accordance with the approval. This structure is a brick building (dimensions 4.3m x 6.3m) with two roller shutter doors in its front elevation and a set of french doors in the side elevation facing the access track.

1.1.4 A planning application has also been submitted to retain this building (Ref:20/00018/FUL), with the applicants, Mr. Dunkley and Mr. Kneller, confirming that the existing structure is used to store feed and equipment in relation to the use of the land for the keeping of horses. This application (20/00018/FUL) has been refused under delegated powers on the basis that the building as constructed is not an appropriate facility for outdoor recreation and therefore represents inappropriate development in the Green Belt.

1.1.5 The site lies within the West Midlands Green Belt.

1.2 Relevant planning history

18/00631/FUL – Erection of stable block in the south east corner of the land – Approved.

20/00018/FUL - Storage building (retrospective) – Awaiting decision.

2. APPLICATION DETAILS

2.1 Proposal

2.1.1 Planning permission is sought to erect an ‘L-shaped’ stable block in the north east corner of the land, to provide additional covered accommodation for the former military horses which the applicant keeps/intends to keep on the land. It would provide stabling for 5 horses, a tack room, hay store and w.c. The proposed stable block would be very similar in size and design to the previously approved structure positioned in the south-east corner of the land, which has yet to be built and which would be located approximately 150m further south. In combination with the previously approved building, the proposed stable block would provide covered accommodation for a total of 10 horses.

2.1.2 The new stable block would have a hipped roof and be clad in fibre cement tiles and timber boarding. An on-site parking and turning area would also be provided, with additional landscaping to be planted along the site frontage and southern boundary of the land.

3. POLICY CONTEXT

Within the Green Belt

Adopted Core Strategy (CS)

Core Policy 1: The Spatial Strategy

Policy GB1: Development in the Green Belt

Core Policy 4: Promoting High Quality Design

Policy EQ1: Protecting, Enhancing and Expanding Natural Assets

Policy EQ4 Protecting and enhancing the character and appearance of the Landscape

Policy EQ9 Protecting Residential Amenity

Policy EQ11 Wider Design Considerations

Policy EQ12 Parking Provision

Core Policy 11: Sustainable Transport

Policy EV7: Equine Related Development

EV11 Sustainable Transport

EV12 Parking Provision

Appendix 5 Car parking standards

A

Appendix 7 Space about Dwellings

South Staffordshire Design Guide (SPD)

Green Belt and Open Countryside Supplementary Planning Guidance (GBOC SPD)

National Planning Policy Framework (the Framework)

Chapters 5, 6, 9, 12, 13 and 15

4. CONSULTATION RESPONSES

Councillor Kath Perry (27.03.2020) – *We should not be giving planning permission on a new application until the previous development on the land has been totally removed. I would therefore like to call the application into committee.*

Great Wyrley Parish Council (05.11.2019) *is very concerned that this application is a precursor to the matters enforced against earlier this year which then became the subject of an unsuccessful enforcement appeal. The Parish Council feels that any decision on a planning application of this nature should take into account the fact that the ongoing matters have yet to be resolved.*

Environmental Health (21.10.2019) - *This Service recommends that stables are to be a minimum of 25 meters from the boundary of neighbouring residential properties. This is to minimise potential noise and odour nuisance.*

County Highways (07.10.2019) – *No objections, subject to conditions*

Arboricultural Officer (04.10.2019) – *No objections, subject to conditions*

Coal Authority (17.12.2019) – *No objections, subject to a condition*

Severn Trent Water (27.09.2019) – *No objections, subject to conditions requiring the submission of details of foul and surface water disposal.*

1 letter of representation received raising the following objections:

- Land not large enough to accommodate all of the horses;
- Impact of the building on the Green Belt and character of the countryside;
- Impact on wildlife.

Site notice expired 15.10.2019

5. APPRAISAL

5.1 The application has been called to Committee by Councillor Kath Perry, who has concerns that planning permission should not be granted on a new application until the previous

development on the land has been totally removed. The application has therefore been called into committee.

5.2 Key Issues

- *Whether the proposal is inappropriate development in the Green Belt;*
- *The effect of the proposal on character and appearance of the area;*
- *The effect of the development on the residential amenities of nearby residents;*
- *Highway safety/parking; and*
- *The effect of historic coal mining operations in the area on the development.*

5.3 Whether inappropriate development in the Green Belt

5.3.1 The application site is situated within the Green Belt where paragraph 143 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 of the Framework states that local planning authorities should regard the construction of new buildings as inappropriate development in the Green Belt unless they fall under certain exceptions. Included in this list of exceptions, and not therefore to be regarded as inappropriate development, is the

‘provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.’

5.3.2 Although the precise wording of Policy GB1 of the CS slightly differs from paragraph 145, its overall aims concerning the provision of appropriate facilities for outdoor sport and recreation are broadly consistent with the Framework. As such, this policy should be given full weight in the assessment of this case.

5.3.3 The application site is currently used as paddock land for the keeping of horses. This proposal involves the erection of a small stable building to be used in connection with the existing use of the land to accommodate retired former military horses. It is therefore considered to represent an appropriate facility for outdoor recreation. Given the anticipated number of horses that are to be kept on the site and size of the land holding, it is also considered that the proposed and previously approved stable blocks would provide an appropriate level of provision for the proposed use.

5.3.4 Openness is an essential characteristic of the Green Belt. As set out in R. (on the application of Samuel Smith Old Brewery) v North Yorkshire CC [2020] UKSC 3 when assessing impact on openness it is possible to take into account both the spatial and visual impact of a development. In this case I believe it is relevant to look at the visual impact as well as the spatial.

5.3.5 In this case the proposed stable block would be situated on an existing area of hard surfacing, adjacent to residential properties in Jacobs Hall Lane, their associated outbuildings and a larger area of hard standing. It would be a low structure with shallow hipped roof and would only be visible from the private access track on which it is located. The introduction of additional landscaping along the southern and west boundaries of the site would also help to assimilate the development within the surrounding open countryside. As such, the proposal would not have a harmful visual or spatial impact, and therefore preserve openness.

5.3.6 Turning to the purposes of including land within the Green Belt, whilst the proposal would introduce new development on the site, it would be contained by the existing post and rail fencing which define the boundaries of the land. As such, it would also not encroach into the surrounding countryside.

5.3.7 Overall, I find that the scheme would have a minimal impact on the openness of the Green Belt and the purposes of including land within it. Consequently, the proposal would not represent inappropriate development in the Green Belt and would therefore accord with Policy GB1 of the CS and the Framework.

5.4 Character and appearance

5.4.1 The application site comprises of an existing hard surfaced area in the north-east corner of a wider area of paddock land. The new building would be set back from the lane, with new landscaping to be planted along the site frontage. Given its position, modest height and introduction of additional landscaping, the proposed stable block would not appear unduly prominent from the nearby footpath and access track or have a detrimental impact on the public enjoyment of users of the right of way. Indeed, it would be no more prominent than the stable block which has recently been approved in the south-east corner of the site. Thus, the proposal would accord with Policy EV7 of the CS which seeks to, amongst other things, ensure that horse related facilities are sympathetic to the rural character of the countryside.

5.4.2 I am mindful that the Arboricultural Officer has requested that conditions are imposed requiring the submission of hard and soft landscaping details. However, the submitted plans show full details of the new landscaping to be introduced on site, including the species that will be used, their positions and supply sizes. As such, it is only necessary to attach a condition requiring the development to be carried out in accordance with the submitted landscaping details. Subject to the imposition of this condition, and notwithstanding the comments of interested parties, the development would preserve the character and appearance of the

countryside and the landscape. In this respect, it would accord with Policies EQ4, EQ11 and EV7 of the CS and chapters 12 and 15 of the Framework.

5.5 Residential amenity

5.5.1 Rear gardens serving existing residential properties in Jacobs Hall Lane face out towards the site. However, there is a large area of hard surfacing between the existing houses and the proposed stable block. The new structure would also be sited around 50m from the rear boundary of these houses. consequently, any potential fly and odour nuisance associated with the keeping of horses/storage and disposal of manure would not have a detrimental impact on the residential amenities of the occupiers of properties in Jacobs Hall Lane. This is reflected in the comments of the Environmental Health Officer. Therefore, the proposal would accord with Policies EQ9 and EV7 of the CS and paragraph 127 of the Framework which, amongst other things, seeks to provide a high standard of amenity for existing and future users.

5.6 Highway safety/parking

5.6.1 The site is currently served by an existing vehicular access which would be utilised by the proposed stable block. A parking and turning area would be provided on-site, which will enable vehicles to maneuver and exit the land in a forward gear. As the proposed stables would provide covered accommodation for horses which are currently grazed on the land, it would not lead to a significant increase in the number of vehicle movements along the existing access track. Thus, it would not have an unacceptable impact on highway safety and the residual cumulative impacts of the development would not be severe. Consequently, the proposal would accord with the Framework in this respect.

5.7 Coal mining

5.7.1 The application site falls within the Development High Risk Area defined by the Coal Authority. Within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this application. The Coal Authority have raised no objections to the application, subject to conditions requiring site investigations prior to the commencement, to ensure that adequate information pertaining to ground conditions and coal mining legacy is available, enabling appropriate remedial and mitigatory measures to be identified.

5.8 Other matters

5.8.1 Representations have been received relating to concerns that this proposed development will lead to further development in the future and questioning the intentions of the application. While the representations on this application have been reviewed and taken into account, this application has to, and has been, considered on its individual planning merits and has resulted in the conclusion and recommendation below.

5.8.2 There are no material impacts raised with regard to ecology and biodiversity, save for the potential for improvements associated with the additional landscaping proposed. Although concerns have been raised regarding the overall site area and the ability to accommodate the number of horses on the land, with a total area of around 13 acres, the land is clearly large enough to accommodate 12 horses, many of which are elderly and therefore require less grazing land.

5.8.3 Severn Trent Water (STW) have requested that conditions are imposed providing details of foul and surface water disposal from the proposed stable block. The submitted plans indicate that a septic tank would be installed to take foul waste from the proposed WC within the new building, with surface water being disposed of via a soakaway. These are similar arrangements to those approved under the recent permission of the other stable block on the land. I do not therefore consider it either necessary or reasonable to impose the conditions suggested by STW having regard to advice in paragraph 55 of the Framework.

6. CONCLUSIONS

6.1 Accordingly, I find that the proposal would not represent inappropriate development in the Green Belt. It would also preserve the character and appearance of the countryside, residential amenities of nearby residents and highway safety. Therefore, the proposal is in accordance with local and national planning policies set out above and I recommend the application for approval.

7. RECOMMENDATION - APPROVE Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawing Nos: JMA-XX-S1-A-9001, JMA-XX-S1-A-9002 and JMA-XX-GA-A-001 received on 13 September 2019.
3. The development hereby permitted shall not be brought into use until the parking and turning areas shown on approved drawing no JMA-XX-S1-A-9002 has been provided.
4. This permission does not grant or imply consent for any external lighting on the site or its boundaries.
5. The landscaping and boundary treatment proposals shown on approved drawing JMA-XX-S1-A-9002 received by the Local Planning Authority on 13 September 2019, shall be completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the landscaping and boundary treatment proposals have been completed. The planting, hard landscaping and boundary treatments shall be retained and maintained for a minimum period of 10 years from the notified completion date of the proposals. Any plant failures that occur within the first 5 years of the notified

completion date of the proposals shall be replaced with the same species within the next available planting season after failure.

6. Prior to the commencement of the development hereby approved, a scheme of intrusive investigation works shall be undertaken to assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity and a report of findings arising from the intrusive investigation works, including the results of any gas monitoring and a scheme of proposed remedial works, shall be submitted to the local planning authority for prior written approval. Any remedial works shall thereafter be implemented in accordance with the approved details as part of the development.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. In the interests of highway safety, in accordance with the National Planning Policy Framework.
4. To preserve the character and appearance of the countryside, in accordance with Policies EQ4, EQ11 and EV7 of the South Staffordshire Core Strategy and the National Planning Policy Framework.
5. To preserve the character and appearance of the countryside, in accordance with Policies EQ4, EQ11 and EV7 of the South Staffordshire Core Strategy and the National Planning Policy Framework.
6. To ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

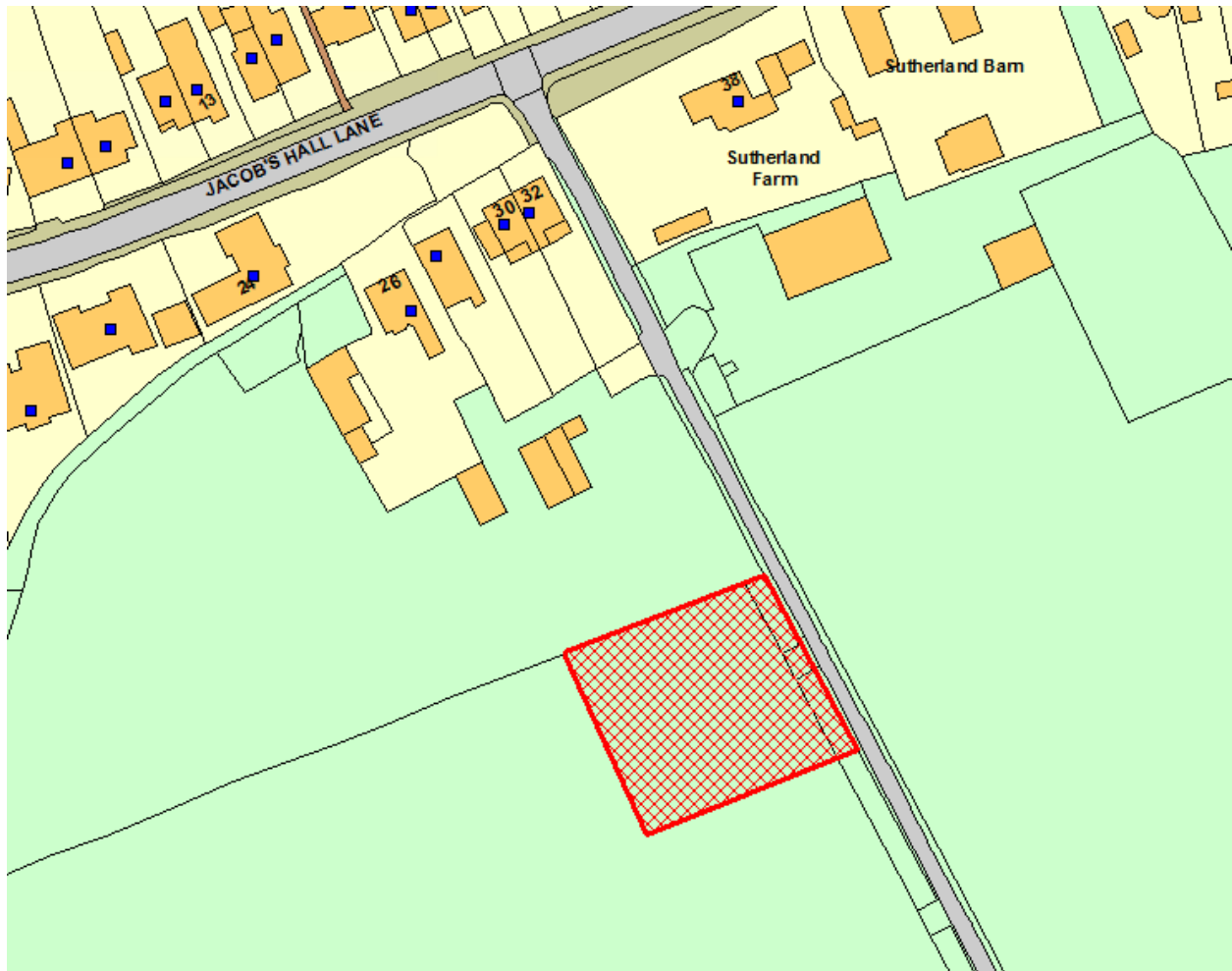
Proactive Statement

In dealing with the application, the Local Planning Authority has worked in a positive and proactive manner based on seeking solutions to problems in relation to dealing with the planning application, in accordance with paragraph 38 of the National Planning Policy Framework.

INFORMATIVE

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such

activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:<https://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>



Land South West South Cannock Farm Jacobs Hall Lane Great Wyrley

**20/00135/VAR
MAJOR**

Mr Daniel Wright

**ESSINGTON
Councillor Warren Fisher
Councillor Christopher Steel**

Land On The South East Side Of Hobnock Road Essington

Approved drawings (Condition 2 18/00450/REM) to be varied

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The site was granted outline planning permission in 2017 for residential development. A reserved matters application was then submitted and approved for 230 dwellings along with ancillary parking amenity space landscaping and associated infrastructure. The development is currently under construction.

1.2 Planning History

2016 The erection of approximately 210 dwellings with ancillary parking and private amenity space; a convenience store to serve existing and future residents; additional parking to serve St John's Primary School; Allotments for use by the wider community; site infrastructure and landscaping, approved with section 106 [16/00487/OUT].

2018 The erection of 230 dwellings with ancillary parking, private amenity space, site infrastructure and landscaping, approved with section 106 [18/00450/REM]

1.3 Pre-application Advice

1.3.1 No pre-application discussions have taken place.

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 This application follows on from the outline planning permission, and subsequent reserved matters approval for residential development at the site. The applicant states that changes are to be made to affordable housing units in Phase 2.

2.1.2 The changes involve both internal and external alterations but do not change the tenure or the number of bedrooms. The en suite of plots S325 will be omitted. External alterations involve minor changes in fenestration.

2.2 Applicants Submission

2.2.1 - Design and Access statement

3. POLICY CONTEXT

3.1 The site has safeguarded land status as defined in the Council's Core Strategy (2012) and Site Allocations Document 2018.

3.2 Core Strategy

National Policy 1 - The Presumption in Favour of Sustainable Development

Core Policy 1 - The Spatial Strategy for South Staffordshire

Core Policy 6 - Housing Delivery

Policy EQ4 - Protecting and Enhancing the Character and Appearance of the Landscape

Policy EQ9 - Protecting Residential Amenity

Policy H2 - Provision of Affordable Housing

Policy H4 - Delivering Affordable Housing

Policy EV11 - Sustainable Travel

Policy EV12 - Parking Provision

Appendix 6- Parking Standards

Appendix 6 - Space about Dwelling Standards

3.3 National Planning Policy Framework

4. CONSULTATION RESPONSES

No **Councillor** Comments (expired 23/03/2020)

No **Parish Council** comments (expired 23/03/2020)

Senior Housing Officer (received 26/05/2020) *The approved house types were:*

Type 24 - 2-bedroom, 4 person house - 79m²

Type 25 - 3-bedroom, 5 person house - 94m²

The applicant is proposing to replace these with:

Type S241 - 2-bedroom house - 71m² (both bedrooms fall short of required 11.5m² floorspace to be classed a double bedroom)

Type S351 - 3-bedroom house - 83m² (all bedrooms fall short of required 11.5m² floorspace/2.75m width to be classed a double bedroom, one bedroom falls short of required 7.5m² floorspace for single bedroom)

The amendments do not change the overall housing mix on the site (i.e. in terms of affordable housing or mix by bedroom count) so there is no change in terms of level of compliance with Policies H1 and H2.

The properties are being significantly reduced in size, which is considered to be a backward step in terms of housing standards. It is particularly concerning given the

properties are affordable homes, as there is therefore a reduced 'buyer beware' element. It is accepted however that a number of the original, larger affordable property types are still to be provided in other areas of the development, thereby continuing to ensure there is some provision of 2b4p and 3b5p affordable homes in the scheme.

In terms of compliance of the new house types with the nationally described space standard (NDSS), the minimum overall floorspace requirement (i.e. the total internal floorspace for the entire property) is generally met for the number of bedrooms proposed (the 3-bedroom property only falls 1m² short). However as highlighted above, the requirements for individual bedroom areas are not strictly adhered to. Dwellings with 2 or more bed spaces must provide at least one double/twin bedroom. Both house types fail to provide at least one double bedroom with an area of minimum 11.5m² as required by NDSS. In addition, the smallest bedroom in the 3-bedroom property falls below the 7.5m² required for it to be classed even as a single bedroom.

These issues can be addressed with minor tweaks to the internal layout of the house types, to ensure both provide at least one double bedroom to the required standard (both floorspace and width), and all remaining bedrooms meet the required single bedroom standard. This would not necessarily require changes to the overall footprint of the properties, so is considered achievable for the applicant.

No **neighbour** comments (expired 23/03/2020)

Site notice and advert (both expired 08/04/2020)

5. APPRAISAL

5.1 The application has been called to Committee by the Chairman, Councillor Mason.

5.2 Key Issues

- Principle of development
- NDSS and space about dwellings

5.3 Principle of the development

5.3.1 The principle of redeveloping the site to provide housing and access arrangements has already been established through previous planning permissions. This application relates solely to the changes in the affordable housing house types. The changes will not have any impact on highways, ecology or the amenity of neighbours.

5.4 NDSS and space about dwellings

5.4.1 The nationally described space standard replaced the existing different space standards used by local authorities as part of a wider housing standards review package which the government announced on 27 March 2015. It is not a building regulation and remains solely within the planning system as a new form of technical planning standard.

5.4.2 The initial changes were at odds with the standards and the applicants made revisions. The revised layouts are now in accordance with the internal space standards. The changes have resulted in separate kitchens and living areas to include the dining areas. The en suite's to the three bed dwellings have also been omitted. Notwithstanding these changes however a good standard of living accommodation will be provided and the standards are now satisfied bar Bedroom 1 in the 3 bedroom property falling slightly below the required width but this is only minimal - it measures 2.69m in width, compared to the 2.75m width required by NDSS.

5.4.3 A number of dwellings will no longer be able to meet the required 10.5m rear garden length as recommended in the Council's Space about Dwellings standards however the short falls are relatively minor varying from one plot having 9m to 10.3m (where below). The plot with the 9m garden has no overlooking issues due to the relationship with the neighbouring property and has a larger garden area wise. These minor technical shortfalls are considered acceptable as the amenity of the residents will not be affected.

5.5 Other matters

5.5.1 Both the reserved matters and the outline consent were subject to Section 106 agreements and both consents have been implemented and the requirements of the agreements remain. However, this application will need to be subject to a supplemental Section 106 agreement, to ensure all the permissions on the site are tied together. With the exception of the drainage, which is yet to be agreed, the conditions from the REM need to be transferred to this consent in accordance with the approved discharge of conditions submission. The drainage shall now require that the details are submitted and approved by the end of June 2020.

6. CONCLUSIONS

6.1 The principle of development, including access, has been established as part of the outline consent and subsequent reserved matters application to bring the site forward for housing. The proposed changes to the affordable units are considered acceptable as a good standard of living accommodation and external amenity space is to be provided. As such, I am recommending the application be approved.

7. RECOMMENDATION - Delegate APPROVAL to the Team Manager to issue the decision on completion of a satisfactory Section 106 agreement. If this has not been achieved by 15th September 2020 this application will be referred back to the Planning Committee;

Subject to the following condition(s):

1. The development shall be carried out in accordance with the approved drawings: ESSI-02-002A, ESSI 02-002B, ESSI-02-008, Apartment Block -VT1 Elevations, Type 1-2BF-P, Type 07-E, Type 07-P, Type 07P-E, Type 07P-P, Type 08-E, Type 07P-P, Type 08-E, Type 08-P, Type 12-E, Type 12-P, Type 13 -E, Type 13-P, Type 13P-E, Type 13P-P, Type 14-E, Type 14-P, Type 16-E, Type 16-P, Type 18-E, Type 18-P, Type B201 - E, Type B201 - P, Type SB201-E, Type SB201 -P, Type 04-E, Type 04-P, Type 24-E, Type 25-E, Type 25-P, ESSI-02-003A, ESSI-02-005A, ESSI-02-009A

Floor plans S351P Rev A, S241P Rev A

S351 Elevations 1011

S241 Elevations 1010

Plot Sub elevations 1000

Plot Sub elevations 1001

Plot Sub elevations 1002

and amendment to the site layout drawing X02 002 Rev A

2. The landscape scheme shown on the approved plan(s) LS01_D, LS02_D, LS03_D, LS04_D, LS05_D, LS06_D for approved application 18/00450/REM shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. The planting, hard landscaping (and any other introduced features shown on the approved plan(s) shall be retained and maintained for a minimum period of 10 years by the property owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).

3. The development shall be carried out in accordance with the recommends of the Supplementary Geo-Environmental Assessment submitted as part of approved reserved matters application 18/00450/REM.

4. By the 30th June 2020 a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and concurrently with any relevant discharge of condition application for approved application 18/00450/REM. The scheme must be based on the design parameters and proposed strategy set out in the Flood Risk Assessment (Job No. MID4259 Report No. R.001, 12/04/2016), Drainage Strategy (Drawing No. MID4259-004 Rev B, Oct 2016) and information subsequently submitted to the LPA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).

- No discharge should be permitted to the south of the site unless it can be demonstrated that the proposed route of discharge to the south has sufficient capacity and connectivity to convey the flows without increasing the flood risk to others.
- SuDS management train to provide adequate water quality treatment in accordance with the Simple Index Approach (CIRIA SuDS Manual).
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus 30% (for climate change) critical rain storm to 15.8l/s at the north outfall, and 5.0l/s to the south outfall (if applicable).
- 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 of the drainage system.
- Potential for surface water flooding on Hobnock Road at the site entrance to be further investigated. Potential improvements and emergency access should be investigated and provided where necessary.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.
- Finished floor levels to be set at a minimum of 150mm above existing ground levels.

5. Before the 30th June 2020 a scheme for the provision and implementation of foul drainage works and in shall be submitted for the approval of the Local Planning Authority and concurrently with any relevant discharge of condition application for approved application 18/00450/REM. The development shall not be occupied/brought into use until the approved scheme has been completed.

6. The development shall be carried out in accordance with the approved off-site management scheme - 02-019 approved on the 31st of August under discharge of condition application 16/00487/COND2.

7. The development hereby permitted shall be carried out in accordance with the approved details of the following off-site highway works submitted to and approved

in writing by the Local Planning Authority for application 18/00450/REM which included;

- Signalisation of Hobnock Road/Bursnips Road and associated works.
- New Pedestrian crossing and traffic calming measures.
- Revision of single yellow lines waiting order in Hobnock Road.

The off-site highway works shall thereafter be constructed in accordance with the approved details.

8. The garages indicated on the approved plan shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

9. The development hereby permitted shall not be brought into use until the access drives, parking and turning areas have been provided in accordance with the approved plans.

10. During construction works the following measures shall be complied with:

- All works, including demolition, site works and construction shall only take place between the hours of 8.00 am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.
- Deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.

Reasons

1. In order to define the permission and to avoid doubt.
2. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
3. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimized, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EQ9 of the adopted Core Strategy.
4. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
5. 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 minimize the risk of pollution, in accordance with policy EQ7 of the adopted Core Strategy.

6. In order to define the permission and to avoid doubt.
7. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
8. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
9. In the interests of public and highway safety and convenience and to conform to the requirements of policy EQ11 of the adopted Core Strategy.
10. To ensure that the use of the premises does not detract from the reasonable enjoyment of surrounding residential properties in accordance with policy EQ9 of the adopted Core Strategy.

1. County Highways Informative

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

2. Public Rights of Way Informative

The attention of the developer should be drawn to the existence of the paths and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. If either path does need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The County Council will need to be formally consulted on the proposal to divert this footpath(s). The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

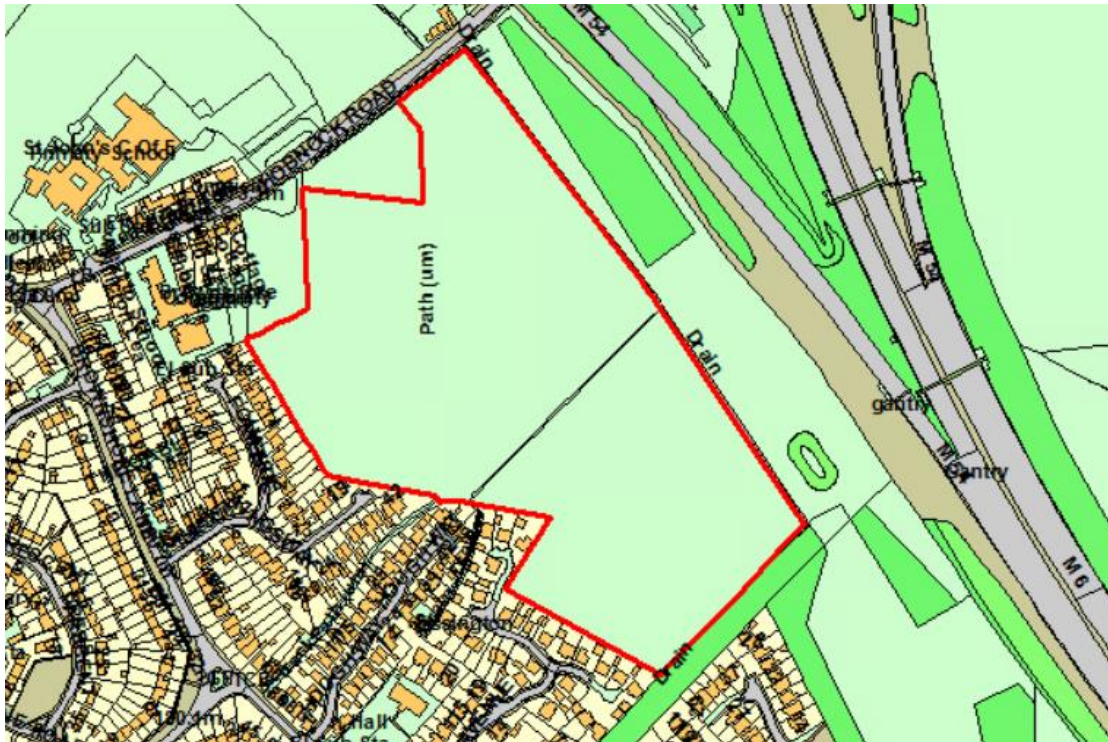
It is important that users of the path(s) are still able to exercise their public rights safely and that the path(s) is reinstated if any damage to the surface occurs as a result of the proposed development. We would ask that trees are not planted within 3 metres of the footpath unless the developer and any subsequent landowners are informed that the maintenance of the trees is their responsibility.

Please note that Rights of Way Circular 1/09 (section 7.8) recommends that "In considering potential revisions to an existing right of way that are

necessary to accommodate planned development, but which are acceptable to the public, any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic".

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public

Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner by agreeing amendments to the application and in accordance with paragraph 38 of the National Planning Policy Framework 2019.



Land On The South East Side Of Hobnock Road, Essington

**20/00284/FUL
NON-MAJOR**

Rowe

**HILTON
Councillor Frank Beardsmore
Councillor Bob Cope**

Hill Farm Bognop Road Essington WOLVERHAMPTON WV11 2AZ

The retention of the caravan compound (22 maximum) for a period up to 2 years accommodating motorway workmen Monday, Tuesday, Wednesday and Thursday nights.

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The application site is approximately 0.4ha and is located at Hill Farm which is located off Bognop Road outside of Essington. Hill Farm is a farmhouse located at the end of a private track. The house has large fishing pools to the front and has a large area of hardstanding to the rear. The site slopes towards the M54 which is to the north of the site. The site offers leisure activities including clay pigeon shooting and trout fishing, and there is an existing caravan compound for workers' accommodation.

1.2 Relevant Planning History

1986, Retention of earthworks and use of land and building for clay pigeon shooting including office and changing facilities, Approved, 86/00951

1986, Change of use of land and buildings to outdoor and indoor recreational use including fishing, archery, air rifle shooting and ancillary facilities, Approved 86/00991

1986, Erection of radio mast, Approved, 86/01023

1987, Conversion of farm building to indoor recreational use, Approved, 87/01031

1991, Use of field for car boot sales, Approved, 91/00848

1993, Use of land for car boot sales for 26 weeks from July to December, Approved, 93/01060

1995, Variation to condition 8 of planning permission SS1108/89/SS70/92 for the rerouting of the internal haul road, Approved, 95/00480

2013, The retention of the caravan compound (22 maximum) for up to a period of two years, accommodating motorway workmen on Monday, Tuesday, Wednesday and Thursday nights, Approved 13/00106/FUL

2015, The retention of the caravan compound (22 maximum) for a period up to 2 years accommodating motorway workmen Monday, Tuesday, Wednesday and Thursday nights, Approved 15/00989/FUL

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 The application is for the retention of the caravan compound for further temporary period of two years. This would be for a maximum of 22 caravans for motorway workmen for their accommodation on Monday to Thursday evenings. The original temporary consent for this use (13/00106/FUL) lapsed on the 31/03/15 and was renewed in 2015 for a further two years (15/00989/FUL). This application is retrospective as a number of caravans are presently on the site.

2.1.2 The caravans are individually owned by the workmen who travel from around the country. The men are employed on a variety of projects including smart motorway construction and preliminary works in preparation for the M54/M6 link.

2.1.3 The caravans do not have a fixed position as they move on and off the site, with no more than 22 allowed at any time. Sanitary facilities for the workmen are provided in the existing building.

2.2 Agent Submission

2.2.1 A design and access statement has been submitted.

3. POLICY CONTEXT

The site is within the West Midlands Green Belt.

Core Strategy

GB1: Development in the Green Belt.

EQ4: Protecting and Enhancing the Character and Appearance of the Landscape

EQ9: Protecting Residential Amenity

EQ11: Wider Design Considerations

EQ12: Landscaping

National Planning Policy Framework (NPPF)

Supplementary Planning Document

Green Belt and Open Countryside SPD

4. CONSULTATION RESPONSES

Councillors: No comments received [expired 20/05/2020]

Parish Council: No comments received [expired 20/05/2020]

County Highways: *No objections* [received 13/05/2020]

Highways England: No comments received [expired 20/05/2020]

Environmental Health: No comments received [expired 20/05/2020]

Neighbours: No comments received [expired 20/05/2020]

A site notice was posted on the 29/04/2020.

5. APPRAISAL

5.1 The application is being presented to Planning Committee because it is contrary to Policy GB1.

5.2 Key Issues

- Principle of development
- Very special circumstances
- Impact on the Green Belt and Visual amenity
- Impact on neighbouring amenity
- Highways

5.3 Principle of development

5.3.1 The site is within the Green Belt where policy GB1 states that a material change in use of land should have no material effect upon the openness of the Green Belt, or the fulfilment of its purposes.

5.3.2 The stationing of up to 22 caravans would have a material effect upon the openness of the Green Belt and as such the proposal would represent inappropriate development within the green Belt.

5.3.3 Paragraph 132 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.4 Very special circumstances

5.4.1 Paragraph 144 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special

circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.4.2 The caravans are used by workers currently involved on a variety of highway projects including smart motorway construction and preliminary works in preparation for the M54/M6 link. Therefore, the need for the base to be located with good access to motorway links is justified. The project was set up by the Highways Agency and the temporary planning permission gives the opportunity for the need to be reviewed in the future.

5.4.3 The caravans are tourers, not statics and are owned individually by the workmen and therefore are easily mobile.

5.4.4 The temporary nature of the proposal and the temporary nature of the structures which can easily be removed when the planning permission lapses, combined with providing a facility to accommodate workmen who are conducting works on the motorway, benefiting not only the District but the national highway network, in my view amount to very special circumstances required to justify inappropriate development within the Green Belt.

5.5 Impact on the Green Belt and visual amenity

5.5.1 Openness is an essential characteristic of the Green Belt. Openness has both a visual and spatial aspect. The latter can be taken to mean the absence of built form.

5.5.2 Although collectively 22 caravans is a relatively large amount of development in the Green Belt, individually they are fairly small in size and temporary in nature. Although they undoubtedly have an impact on openness, in this instance, given the very special circumstances, it is not considered to be significant.

5.3.3 Policy EQ11 of the Core Strategy requires that in terms of scale, volume, massing and materials, developments should contribute positively to the street scene and surrounding buildings, whilst respecting the scale of spaces and buildings in the local area.

5.5.4 There is extensive vegetation binding the site adjacent to the motorway that screens views from passing traffic. The site is at a considerable distance from Bognop Road therefore views cannot be achieved from here. It is therefore considered that the visual amenity of the landscape and street scene would not be compromised and additional planting is not required.

5.5.5 The design of the caravans cannot be controlled through the planning process because they are designed through the specification of the manufacturer. As there is limited visibility of the site from the surrounding area there are no detrimental wider design considerations; complying with Policy EQ11.

5.6 Impact on neighbouring amenity

5.6.1 In accordance with Local Plan Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight.

5.6.2 There are no dwellings within close proximity to the site; therefore, the proposal will not have an impact on any existing residents, complying with Policy EQ9. The caravans are currently parked in random positions on the site and to ensure they comply with site licensing regulations a condition has been imposed to this effect.

5.7 Highways

5.7.1 Policy EV11 seeks measures commensurate with developments to provide sustainable forms of transport. The site serves a purpose for workmen who need to be at this location because they are conducting works on the motorway. It is therefore unlikely they can get to work via public transport or via bicycle.

5.7.2 Policy EV12 requires appropriate parking and the site is of appropriate size to provide parking provision.

5.7.3 The scheme has been approved before, and no concerns have been received over highway safety. It is considered the proposal complies with policies EV11 and EV12.

6. CONCLUSION

6.1 The site is within the Green Belt where there is a presumption against inappropriate development unless it can be clearly demonstrated that there are very special circumstances to outweigh the harm caused to the openness of the Green Belt.

6.2 On balance, I consider very special circumstances to exist to justify the departure from Green Belt policy, due to the temporary nature of the proposal and the temporary nature of the structures which can easily be removed when the planning permission lapses. The proposal provides a facility to accommodate workmen who are conducting works on the motorway which not only benefits the District but also the national highway network. I therefore recommend the application for approval.

7. RECOMMENDATION - APPROVE Subject to Conditions

Subject to the following condition(s):

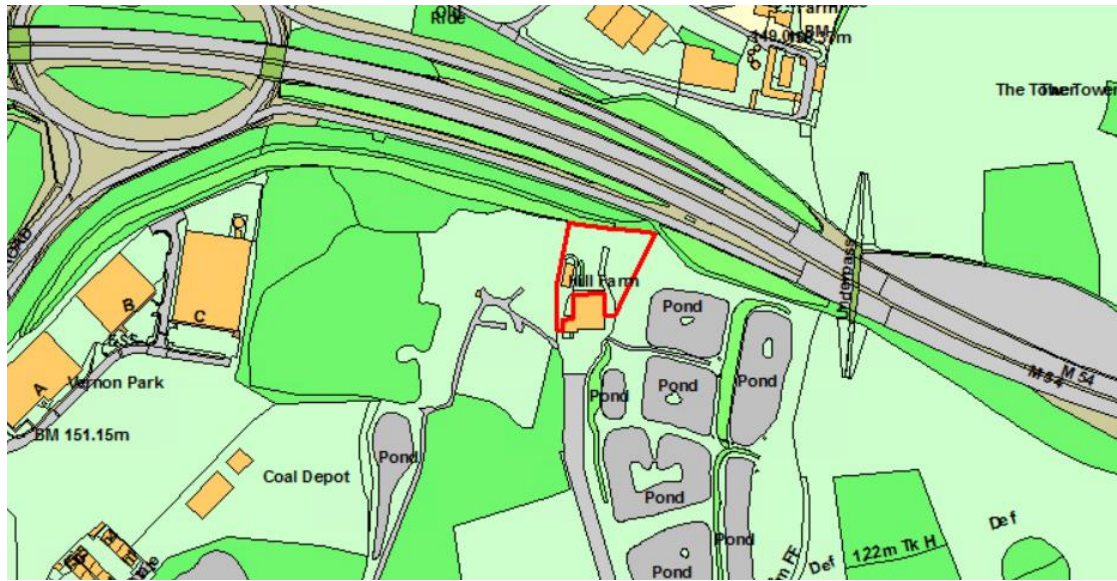
1. The use of the land for the stationing of caravans shall cease and all caravans shall be permanently removed from the site on or before 31st May 2022

2. The development shall be carried out within the redline as shown on the approved plans: 5000/1 and 1250/1 received 02/04/2020
3. Notwithstanding what is shown on the approved plans this permission does not grant or imply consent for the layout of the caravans which should conform with the most current Caravan Regulations.
4. There shall be no more than 22 caravans located on the application site at any time.

Reasons

1. The site is within the Green Belt within which, in accordance with the planning policies in the adopted Core Strategy, there is a presumption against inappropriate development.
2. In order to define the permission and to avoid doubt.
3. In order to define the permission and to avoid doubt.
4. In order to define the permission and to avoid doubt.

Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Hill Farm, Bognop Road, Essington WV11 2AZ

**20/00341/FUL
NON-MAJOR**

Severn Trent Water Ltd

LOWER PENN

**Councillor Robert Reade
Councillor Barry Bond
Councillor Dan Kinsey**

Pumping Station Dimmingsdale Road Lower Penn WOLVERHAMPTON WV4 4XF

Installation of a new kiosk at Dimmingsdale Borehole Pumping Station

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Site Description

1.1.1 The proposal is located within the wider site of an existing Severn Trent Water pumping station on Dimmingsdale Road, which lies within the Green Belt. The site is a fully operational borehole pumping station and consists of a white walled flat roofed dosing plant building surrounded by areas of amenity grassland and hard standing. The site is bounded by an area of grassed land to the east and by the River Stour to the west, which is designated as part of the Staffordshire & Worcestershire Canal Conservation Area.

1.2 Relevant Planning History

2010: Construction of GRP kiosk to house fluoride dosing plant, approved [09/00912/FUL]

2013: Demolition of building and installation of fluoride dosing kiosk, approved [13/00260/FUL]

2015: Installation of 1 No. (GRP) kiosk at Dimmingsdale Borehole Pumping Station to accommodate UV equipment, approved [15/01123/FUL]

2018: Site extension to the operational area of the Dimmingsdale Borehole Pumping Station and erection of 2.4 m boundary fence, approved [18/00484/FUL].

2. APPLICATION DETAILS

2.1 The Proposal

2.1.1 The application proposes to install a new hypo chlorination dosing system and interceptor kiosk. This kiosk is required to facilitate the water treatment process and forms part of the wider scheme to refurbish existing and install new boreholes.

2.1.2 The proposed kiosk will be constructed from glass reinforced plastic [coloured Holly Green] and will measure 5.5m in length, 4m in width and 3.15m in height, creating a total floorspace of 22m² and capacity of 69.3 m³. The kiosk will be

positioned upon a reinforced concrete base slab which will be 100mm (above ground level).

2.1.3 The kiosk is proposed to be located adjacent to the internal access road towards the eastern boundary of the site.

2.2 Agents Submission

2.2.1 The application is accompanied by;

- Design and access statement [including flood risk assessment]
- Ecological Constraints Technical Note.

3. POLICY CONTEXT

Within the Green Belt

Core Strategy [2012]

Core Policy 1: The Spatial Strategy

Policy GB1: Development in the Green Belt

Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

Policy EQ3: Conservation, Preservation and Protection of heritage assets

Core Policy3: Sustainable Development and Climate Change

Policy EQ7: Water Quality

National Planning Policy Framework [2019]

Supplementary Planning Documents

Green belt and Open Countryside SPD

4. CONSULTATION RESPONSES

Councillors: No comments received [expired 26/05/2020]

Parish Council: *no objections* [26/05/2020]

Environmental Health: No comments received [expired 26/05/2020]

County Ecology: *The proposal will result in the removal of small areas of grassland and scrub. To achieve no net loss to biodiversity in line with NPPF, a modest amount of new planting such as a native hedge should be incorporated* [received 26/05/2020]

Neighbours: No comments received [expired 26/05/2020]

A **site notice** was posted on the 05/05/2020.

5. APPRAISAL

5.1 The application is being referred to planning committee as the proposal is contrary to Policy GB1.

5.2 Key Issues

- Principle of development
- Very Special Circumstances
- Impact on the Green Belt and visual amenity.
- Impact on the Heritage Asset
- Flood risk
- Protected Species
- Neighbouring amenity
- Highways/access

5.3 Principle of development

5.3.1 The development is located within the Green Belt. The Council's Core Strategy and the NPPF indicates that new buildings within the Green Belt will only be acceptable where new buildings are for specific purposes set out in Policy GB1 of the Core Strategy and Paragraph 145 of the NPPF. The proposed development does not fall within any of these categories and as such it is inappropriate development in the Green Belt.

5.3.2 Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

5.4 Very special circumstances

5.4.1 Paragraph 144 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.4.2 The proposal is within an existing operational site and is small in scale [22m² floorspace]. The applicant's Planning, Design & Access Statement sets out that the new kiosk will form part of a key phase of development which will involve the refurbishment of the two existing boreholes, installation of new boreholes and enable the continuity in quality water supply for the locality.

5.4.3 It is considered that the proposal's public benefits, i.e. water supply and quality, outweigh the harm caused to the Green Belt by reason of inappropriateness, and any other harm. Consequentially, very special circumstances exist to allow the development to be permitted.

5.5 Impact on openness and visual amenity of the Green Belt

5.5.1 Openness is an essential characteristic of the Green Belt. Openness has both a visual and spatial aspect. The latter can be taken to mean the absence of built form.

5.5.2 The proposed kiosk would have a relatively small footprint and would sit within a site containing numerous other built structures. Because of this, any impact on the Green Belt's openness and visual amenity will be very limited. Furthermore, the proposed development would not undermine any of the five purposes of Green Belt land set out in paragraph 134 of the NPPF.

5.6 Impact on the Heritage Asset

5.6.1 Chapter 16 of the National Planning Policy Framework and Policy EQ3 of the adopted Core Strategy state that care and consideration must be taken to ensure no harm is caused to the character or appearance of a heritage asset. Heritage assets are buildings, sites, monuments, places, areas or landscapes identified as significant features in the historic environment. Conservation areas are designated under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and defined as "an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance." The NPPF stipulates that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

5.6.2 The proposed kiosk would be sited within the site of the existing pumping station, which is bounded to the west by the Staffordshire & Worcestershire Canal Conservation Area. The proposed development is small in scale and will be sited near the pumping station buildings, which are set back from the canal and separated from it by substantial tree planting, reducing its visual prominence from the Conservation Area. Therefore, the proposed development is not considered to cause any harm to this heritage asset.

5.7 Flood Risk

5.7.1 The proposed development site is located within Flood Zone 2, as identified on the Environment Agency's Flood Map for Planning. The National Planning Policy Framework (NPPF) requires that proposals in Flood Zone 2 are supported by a flood risk assessment. This must demonstrate that within the site the development is located in the areas at lowest risk of flooding and that the development is appropriately flood resilient and resistant. Planning Practice Guidance (PPG) clarifies that a flood risk assessment should also be appropriate to the nature, scale and location of development.

5.7.2 A Flood Risk Assessment was undertaken for the site in 2015 for a previous project and considered that the overall risk of flooding of the site from all sources is considered as low and as such no flood resistance or resilience measures are necessary.

5.7.3 The document provides that the new development will not have any significant impact on run-off rates, given that there is only a very minor increase in the area of hard standing [22sqm]. Surface water run-off from the development will drain into the existing drainage system or infiltrate into the surrounding grass covered areas.

5.7.4 The proposal is classed as 'water compatible' development, as defined by the PPG. The Environment Agency standing advice (FRSA) for vulnerable developments provides that 'water compatible' development within flood zone 2 is appropriate development. It is therefore considered that the proposed development is acceptable in terms of flood risk.

5.8 Protected Species

5.8.1 Local plan policy EQ1 provides that developments should not cause significant harm to habitats of nature conservation, including woodlands and hedgerows, together with species that are protected or under threat.

5.8.2 The National Planning Policy Framework (2019) s.170 states: "Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"

5.8.3 An ecological constraints technical note has been submitted with the application and provides that the amenity grassland affected is of a low ecological value.

5.8.4 In line with the County's Ecologist comments a planting plan will be conditioned which ensures no net loss in biodiversity.

5.8.5 The proposal is compliant with Policy EQ1 and section 170 of the NPPF.

5.9 Impact on neighbouring amenity

5.9.1 In accordance with Local Plan Policy EQ9, all development proposals should take into account the amenity of any nearby residents, particularly with regard to privacy, security, noise and disturbance, pollution, odours and daylight.

5.9.2 The proposal will cause no adverse harm on neighbouring amenity as there are no neighbouring properties adjacent to the site boundary.

5.9.3 The application is compliant with Policy EQ9.

5.10 Highways/access

5.10.1 There are no highways or access issues with respects to this application.

6. CONCLUSIONS

6.1 The proposed development is inappropriate development in the Green Belt and therefore very special circumstances must be demonstrated for the development to be approved.

6.2 The application has demonstrated very special circumstances as the proposal is required to improve water quality

6.3 The proposal complies with all the relevant policies and therefore I recommend the application for approval.

7. RECOMMENDATION - APPROVE Subject to Conditions

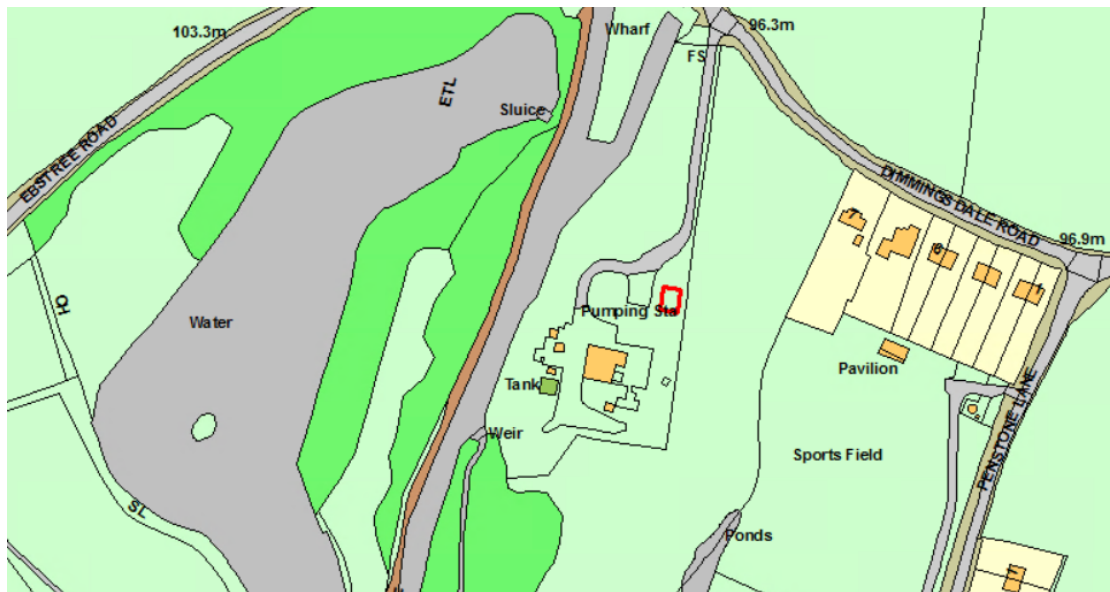
Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the approved drawings: A6W11373-PA00120 Rev A, A6W11373-PA00121 Rev A received 01/05/2020.
3. Within 6 months of the commencement of the development, a planting plan regarding the planting of native species hedge or similar to replace lost scrub and grassland habitats shall be submitted to the Local Planning Authority for approval. The approved plan shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. The planting shall be retained and maintained for a minimum period of 10 years by the land owner from the notified completion date of the scheme. Any plant failures that occur during the first 5 years of the notified completion date of the scheme shall be replaced with the same species within the next available planting season (after failure).

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. In order to comply with paragraph 170 of the National Planning Policy Framework [2019]

4. Proactive Statement - In dealing with the planning application the Local Planning Authority has worked in a positive and proactive manner in accordance with paragraph 38 of the National Planning Policy Framework 2019.



Pumping Station, Dimmingsdale Road, Lower Penn WV4 4XF

SOUTH STAFFORDSHIRE COUNCIL**PLANNING COMMITTEE – 16 JUNE 2020****MONTHLY UPDATE REPORT****REPORT OF THE LEAD PLANNING MANAGER****PART A – SUMMARY REPORT****1. SUMMARY OF PROPOSALS**

1.1 A monthly update report to ensure that the Committee is kept informed on key matters including:

- Proposed training
- Any changes that impact on National Policy
- Any recent Planning Appeal Decisions
- Relevant Planning Enforcement cases on a quarterly basis
- The latest data produced by the Ministry of Housing Communities and Local Government

2. RECOMMENDATION

2.1 That the Committee note the update report.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	
SCRUTINY POWERS APPLICABLE	No – for information report for Planning Committee	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	28 January 2020	
FINANCIAL IMPACT	No	There are no direct financial implications arising from this report.
LEGAL ISSUES	No	Any legal issues are covered in the report.

OTHER IMPACTS, RISKS & OPPORTUNITIES	No	No other significant impacts, risks or opportunities have been identified.
IMPACT ON SPECIFIC WARDS	No	District-wide application.

PART B – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 Future Training** – Changes to Planning Committee were approved at the 26 March 2019 meeting of the Council to reduce committee size from 49 potential members to 21 members. As part of these changes an update report will now be brought to each meeting of the Committee. The intention has been that with a reduced size of Committee additional training will be provided throughout the year, namely before each Planning Committee (starting at 5:30pm). The sessions may well change depending on what issues are on the agenda.

Please note that given the current public health situation, we are investigating how to do training remotely. We will confirm once agreed.

- 4.3 Changes in National Policy** – there are no substantive changes in Government Policy that will impact on any decisions of the Committee.
- 4.4 Planning Appeal Decisions** – every Planning Appeal decision will now be brought to the Committee for the Committee to consider. There have been no appeal decisions since last Planning Committee.
- 4.5** We are still awaiting the 2 Crematoria applied for some time ago, and the decision is still awaited. It was due by 12 September 2019. We have sent a further email to PINS for an update since last Planning Committee in light of the queries raised by Councillors last month. At the time of writing this report, we have not received an update from PINS.
- 4.6** The Secretary of State for Transport has now made an order granting development consent West Midlands Interchange (WMI). Documents can be seen here : <https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/west-midlands-interchange/> Officers are now in the process of considering the decision to understand next steps. The Legal Challenge period expires on 15 June 2020.
- 4.9 Relevant Planning Enforcement cases on a quarterly basis** – 46 planning enforcement cases have been logged for investigation since lockdown began and cases are being progressed efficiently. The Planning Enforcement target of 80% of cases being logged and investigated within 12 weeks of logging is being achieved and currently stands at 92%.
- 4.10 The latest data produced by the Ministry of Housing Communities and Local Government** – As members will recall MHCLG sets designation targets that must be met regarding both quality and speed of planning decisions. The targets are broken

into Major and Non major development. If the targets are not met then unless exceptional circumstances apply MHCLG will “designate” the relevant authority and developers have the option to avoid applying to the relevant designated Local Planning Authority and apply direct, and pay the fees, to the Planning Inspectorate. Details can be seen at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/760040/Improving_planning_performance.pdf

- 4.11 We will ensure that the Committee is kept informed of performance against the relevant targets including through the MHCLG’s own data.
- 4.12 For Speed – the 2020 target for major developments is that 60% of decisions must be made within the relevant time frame (or with an agreed extension of time) and for non-major it is 70%. For Quality – for 2020 the threshold is 10% for both major and non-major decisions. Current performance is well within these targets and the position as set out on MHCLG’s website will be shown to the Committee at the meeting – the information can be seen on the following link tables:
- 151a – speed – major
 - 152a – quality – major
 - 153 – speed – non major
 - 154 – quality – non major

The link is here – <https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics>

The latest position is on the MHCLG website and the key figures are below:

Speed

151a – majors – target 60% (or above) – result = 89.4% (data up to December 2019)

153 – others – target 70% (or above) – result = 86.3% (data up to December 2019)

Quality

152a – majors – target 10% (or below) – result = 5.4% (date up to September 2018)

154 – others – target 10% or below – result = 1.1% (date up to September 2018)

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

N/A

6. PREVIOUS MINUTES

N/A

7. BACKGROUND PAPERS

N/A

