

Planning Committee – Tuesday 23rd February 2021

Update Report of the Head of Service

This Update Report has been checked on behalf of Legal Services by Sherrie Grant

Letters were sent on Friday 12th February to those who commented on each application notifying them that the applications were on the planning committee. The letters incorrectly referenced a January committee date. Amended letters referencing the correct February date were sent on Monday 15th February.

Item 5.1

Application No: P/2020/01361

Land to the south of, Forest School Street, Rolleston on Dove, Staffordshire, DE13 9AZ

Substitution of house types on Plots 29 & 30, 71 to 74, 76 & 78 to 83

Additional Information and Comment

In the executive summary of the Committee Report, paragraph 1.6 refers to the recommendation being subject to a S106 agreement. This wording is incorrect as Officers consider that a S106 is not reasonable or required in this case, given the payments and contributions already secured on the site through the original outline consent. This is discussed in detail in part 17 (page 16) of the Committee report.

RECOMMENDATION

No change to the officer recommendation

For further information contact: Kerry Challoner

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Item 5.2

Application No: P/2020/00325

Land adjacent to, 97 Station Road, Rolleston On Dove, DE13 9AB

Construction of raised plateau and compensatory floodplain storage

Additional Information

This item has been withdrawn from the agenda to allow for further consultation with neighbours on the proposals.

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Item 5.3

Application No: P/2020/00649

The Cock Inn Public House, Hanbury Hill, Hanbury

Retention of land used as a camping field along with siting of toilet and shower block

Additional Submissions

Three additional representations have been received in relation to the application.

In one of the representations the party concerned re-iterates their strong overall objections to the scheme which it is stated is the most significant detrimental issue to arise in the forty year period of them living opposite the public house premises; in particular pointing that there will be a significant increase in the level of noise and disturbance created by a much larger number of people using the pub's facilities, its garden area and the seats outside in the car park with this potentially being all day every day from May to September - and as the quantity of alcohol consumed increases, so will the noise volume and anti-social behaviour. The resident concerned also points that there has been little evidence in recent times (i.e. outside lockdowns) of any attempt by the current management to moderate the behaviour and noise levels of patrons and that a likely increase in rubbish means more unnecessary disturbance to residents with increased waste collection activity (early morning), as well as questioning (if approval is given) as to how any management plan would relate to future owners/tenants of the public house. The correspondence concludes that *“unless you live on Hanbury Hill, the particular concerns of the affected residents may not be readily apparent or carry much weight. However, the impact of the proposed campsite will be significant and detrimental not only to the general environment but also to the daily lives of many people in this village.”*

The two other letters of correspondence also re-iterate many of the concerns expressed previously in other residents submissions which are already set out in the officer report including those of the lack of local facilities, the likely detrimental visual impacts, the potential for the blocking of the footpath, the likely detrimental impacts on residents and the highway safety concerns in terms of inadequate parking facilities, increased levels of traffic, increased traffic speeds/conflicts and the contention that the local highway network is inadequate to cope with such additional traffic. It is also pointed out that given the normal pub opening hours are restricted to late afternoon and evenings on some days that the camp site users will have shop/eat out outside of the village which will generate increased traffic on local roads.

The following additional points are made in the light of experiences of the local residents during Covid 19 related lockdowns :-

- Due to lockdowns the increase of residents walking around the village has increased by a minimum of 50% and it is likely this will continue leading to additional chances of conflict with the additional traffic the camp site use will bring.
- There has been some damage to verges already from the huge number of additional delivery vehicles which is likely to continue with the additional traffic associated with the proposed development causing muddy slippery roads.
- There is no confidence in the applicants as they (allegedly) have not followed Covid rules during the pandemic and it is not believed they have any experience in running such a camp site and what it entails.

The correspondences also contend that the scheme lacks clarity (such as precise drainage and electricity supply provision details) and is ill thought out in terms of using mesh to the access/parking areas (which will not stop mud being deposited on the highway), in marring customers views from the premises which will lose the establishment business and - despite providing takeaway food throughout lockdown - risks the applicants losing the goodwill of local residents. It is thus suggested that all the work to facilitate the camping site will be costly to the applicants and whilst potentially providing a small increase in income will result in a huge loss of revenue from pub and restaurant customers.

One of the letters also points out that the field the subject of the application proposal is only one field away from the Fauld Crater Site where over 70 people lost their lives in the explosion (during the second world war) and it is truly believed that this is an incredibly sensitive site, as many of these bodies were never found.

Comments

As already set out in the officer report on the committee agenda the potential impacts of the development in terms of noise and disturbance and impacts of highway safety are fundamental material issues and have been interrogated throughout the application process in conjunction with the Council's Environmental Protection Officers and County Highway Authority; both of whom have raised no objections in principle subject to the conditions that are listed in officer report. These conditions include one requiring compliance with a submitted site management plan (see condition 7) as well as others dealing with waste facility provision on site (see condition 5), lighting controls (see condition 11) as well as restricting the level of usage of the site (see condition 9) to no more than 5 No caravans and 20 No. tent pitches at any one time. It also is particularly pointed out that officers have sought to address the concerns of local residents in terms of any potential non-compliance with the site management plans with the recommendation that any approval be subject to one year temporary permission (as per condition 13) which enables this matter to be reviewed should the applicants seek to extend the use in due course. As the report also indicates any short term noise and disturbance issues in that year period could be addressed under the Environmental Health Acts. Should there be issues with the deposit of mud on the public highway there are powers under the Highways Acts to take necessary actions.

It is also considered that the officer report addresses fully the issue of potential impact on visual amenities and in terms of other matters raised these are addressed by specific suggested conditions; in that condition 4 deals with the provision of fencing to the public footpath which crosses the site whereas condition 14 relates to drainage provisions. These conditions take on board the comments of statutory undertakers. In relation to concerns about future operators condition 6 effectively only provides for the current applicants to operate the facility and even then only in conjunction with the operation of the public house.

With regard to the proximity of the site to the Fauld Crater explosion site the scheme does not propose any physical intervention that is likely to disturb any remains associated with that event. The collection times and actions of waste collection operatives sit outside the Planning Acts as does the issue of electrical connection to the site and the following (or otherwise) of Covid 19 safety measures.

RECOMMENDATION

No change to the officer recommendation of approval subject to the conditions set out in the officer report.

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Item 5.4

Application No: P/2020/00857

Lawns Farm, Shobnall Road, Shobnall, Burton-upon-Trent

Reserved Matters application relating to P/2012/01467 for the erection of 190 dwellings etc.

1. Additional Information

The Appendix that includes the full comments made by Shobnall Parish Council and the responses provided by the agent referred to in Section 5.2 of the report is attached for your information.

2. Additional Information

In Section 17 of the report - Ecology, Biodiversity and Trees, paragraph 17.7 is incorrect. A number of the Lombardy Poplar trees within Group 3 of the TPO will be removed.

Comment

The removal of these protected trees was agreed on site with the ESBC Tree Officer prior to the submission of this planning application. The landscape scheme for this phase includes 69 new trees throughout the site in mitigation for the loss together with areas of hedging. In addition 115 specimen trees are proposed as part of the landscape scheme for the areas of open space within the site that has been submitted for discharge of Condition 24 on the outline consent by site owners Nurton's.

Condition 10 recommended in the report ensures that all the trees to be retained as part of the proposals will be protected during construction work.

RECOMMENDATION

No change to the officer recommendation

For further information contact: Barbara Toy

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