

DEVELOPMENT SERVICES
District Council House
Frog Lane, Lichfield
WS13 6YZ



APPLICATION NO: 06/00780/FUL

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

APPROVAL OF PLANNING PERMISSION

APPLICANT:

Drayton Manor Park
C/o Pegasus Planning Group
5 The Priory
Old London Road
Canwell
Sutton Coldfield
B75 5SH

AGENT:

Pegasus Planning Group
5 The Priory
Old London Road
Canwell
Sutton Coldfield
B75 5SH

LOCATION OF DEVELOPMENT:

Drayton Manor Park, Drayton Manor Drive, Tamworth, Staffordshire

DESCRIPTION OF DEVELOPMENT:

Renewal of application 01/00053/FUL : Erection of hotel

Planning permission is hereby **GRANTED** for the above development in accordance with the application and plans submitted and stamped 'approved', SUBJECT TO THE FOLLOWING CONDITIONS AND SUMMARY OF REASONS FOR GRANTING CONSENT:

CONDITIONS:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development authorised by this permission shall be carried out in complete accordance with the amended plans and specification approved by planning permission 01/00053/FUL unless otherwise agreed in writing by the Local Planning Authority.
- 3 Notwithstanding the content of the plans approved in planning permission 01/00053/FUL, this planning permission does not relate to the two staff car parks, on either side of the service road to the west of the hereby permitted hotel.

CONDITIONS to be complied with PRIOR to the commencement of development hereby approved:

- 4 Notwithstanding the details shown on the approved plans, prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority, of all external materials, including surfacing materials and the colour of any render. The development shall then be implemented using the approved materials, or as subsequently approved in writing.

5 No development shall be carried out until full details of proposed surface and foul water drainage including surface water outfall from the access parking and turning area have been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Severn Trent Water. The drainage system approved shall thereafter be provided prior to first use of the development and retained for the life of the development.

6 No development shall be commenced until details have been submitted to, and approved in writing by the Local Planning Authority of all trees to be retained within 50m of any of the works hereby approved, and no tree thereby shown as being retained shall be felled.

7 No development shall be commenced until details have been submitted to and approved in writing by the Local Planning Authority, of the means, specification and location of protection of all trees to be retained within 50m of any of the works hereby approved, in accordance with BS5837:2005. Such protection shall be installed prior to commencement of development and thereafter retained until the building is complete so as to be ready for occupation, and within those areas of protection, no materials shall be stored or temporary buildings erected, plant or vehicles parked, or fires lit or changes in ground level undertaken.

8 No development shall be commenced until details have been submitted to, and approved in writing by the Local Planning Authority of the location and depth of all foundations, together with the method of their construction. The foundations shall be formed in accordance with approved details, unless otherwise agreed in writing by the Local Planning Authority.

9 No development shall be commenced until details have been submitted to and approved in writing by the Local Planning Authority, of the method of construction of the service road, and the service road shall be formed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

10 No development shall be commenced until details have been submitted to and approved in writing by the Local Planning Authority, of the location of any site compound, site cabins and material storage areas, and, unless specifically approved in writing by the Local Planning Authority, no storage shall take place outside of these designated areas.

11 No development shall be commenced until details have been submitted to, and approved in writing by the Local Planning Authority, of the route and depth of all underground services running to and from the hotel hereby approved, and no services shall, thereafter, be laid other than at the route and depths approved or as subsequently approved.

12 No development shall be commenced until a 15 year landscape management plan has been submitted to, and approved in writing by the Local Planning Authority, relating to the management of the area of woodland to the south and west of the development. The landscape management plan shall then be implemented in accordance with its recommendations.

13 No development shall be commenced until details of the position of all external lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the approved scheme or as subsequently approved in writing.

14 No development shall be commenced until a landscape scheme for the grounds around the hotel and related works has been submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall be implemented within eight months of the first occupation of the hereby permitted hotel building.

15 No development shall be commenced until details have been submitted to and approved in writing by the Local Planning Authority, of the proposed refuse store, and this shall be provided, in accordance with the approved details, prior to the first occupation of the hotel unless other wise agreed in writing by the Local Planning Authority.

16 No development shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall be implemented in accordance with the approved programme and details.

17 No development shall be commenced including preparatory works until a European protected species survey for all bat species and for great crested newts has been undertaken and this survey, including any mitigation methods, has been submitted to and approved in writing by the Local Planning Authority. Should any European protected species be present or affected by the development then no works should be carried out until a DEFRA licence for the species present has been attained. Once the license has been approved it shall be presented to the Local Planning Authority prior to the commencement of works. The mitigation measures shall be fully implemented prior to the development first being brought into use and thereafter maintained in accordance with the approved scheme.

18 No development shall be commenced until details of the approved access, clearly delineated parking bays and manoeuvring areas within the site, including pedestrian areas, have been submitted to and approved in writing by the Local Planning Authority. The access, parking and manoeuvring areas shall thereafter be provided and surfaced in accordance with the approved details prior to first use of the premises.

All other CONDITIONS to be complied with:

19 Any tree, hedge or shrub planted as part of a landscaping scheme (or replacement tree/hedge) on the site, and which dies or is lost through any cause during a period of 5 years from the date of first planting, shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.

20 Prior to the first occupation of the hotel, the car parking shown on the approved plans shall be surfaced in the material approved under terms of Condition 4, marked out and thereafter retained for the parking of vehicles.

REASONS FOR CONDITIONS:

1 In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.

2 For the avoidance of doubt in that additional information was submitted after the submission of the original application, in accordance with Policy D2 of the Structure Plan and Policy DC1 of the Local Plan.

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4 To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the area, in accordance with Policy D2 of the Structure Plan and Policy DC.1 of the Local Plan.

5 To ensure the provision of adequate drainage facilities, in order to meet the requirements of Policies D2 and NC9 of the Structure Plan and Policies DC1 and E15 of the Local Plan.

6 To safeguard the existing trees and landscaping features found within the site in the interests of safeguarding the character and appearance of the area, in order to meet the requirements of Policies NC13 and D2 of the Structure Plan and Policies DC.17 and DC.1 of the Local Plan.

7 To safeguard the existing trees and landscaping features found within the site in the interests of safeguarding the character and appearance of the area, in order to meet the requirements of Policies NC13 and D2 of the Structure Plan and Policies DC.17 and DC.1 of the Local Plan.

8 To safeguard the existing trees and landscaping features found within the site in the interests of safeguarding the character and appearance of the area, in order to meet the requirements of Policies NC13 and D2 of the Structure Plan and Policies DC.17 and DC.1 of the Local Plan.

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10 To safeguard the existing trees and landscaping features found within the site in the interests of safeguarding the character and appearance of the area, in order to meet the requirements of Policies NC13 and D2 of the Structure Plan and Policies DC.17 and DC.1 of the Local Plan.

11 To safeguard the existing trees and landscaping features found within the site in the interests of safeguarding the character and appearance of the area, in order to meet the requirements of Policies NC13 and D2 of the Structure Plan and Policies DC.17 and DC.1 of the Local Plan.

12 To safeguard the character and appearance of the area and to ensure adequate replacement tree planting to mitigate for the loss of existing trees, in accordance with Policies NC13 and D2 of the Structure Plan and Policies DC.1 and DC.17 of the Local Plan.

13 To safeguard the character and appearance of the area, in accordance with Policy D2 of the Structure Plan and Policies E5 and DC1 of the Local Plan.

14 To safeguard the character and appearance of the area and to ensure adequate replacement tree planting to mitigate for the loss of existing trees, in accordance with Policies NC13 and D2 of the Structure Plan and Policies DC.1 and DC.17 of the Local Plan.

15 To safeguard the character and appearance of the area, in accordance with Policy D2 of the Structure Plan and Policy DC1 of the Local Plan.

16 To prevent the increased risk of flooding, in accordance with Policies NC10 and D2 of the Structure Plan and Policy DC1 of the Local Plan.

17 To ensure the protection of European Protected Species, in accordance with Policies NC8 and D2 of the Structure Plan and Policies E19 and DC1 of the Local Plan.

18 To prevent the increased risk of flooding, in accordance with Policies NC10 and D2 of the Structure Plan and Policy DC1 of the Local Plan.

19 To safeguard the character and appearance of the area and to ensure adequate replacement tree planting to mitigate for the loss of existing trees, in accordance with Policies NC13 and D2 of the Structure Plan and Policies DC.1 and DC.17 of the Local Plan.

20 In the interests of highway safety, in accordance with Policy D2 of the Structure Plan and Policies T4 and DC1 of the Local Plan.

SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION including DEVELOPMENT PLAN POLICIES that were relevant in the determination of this application:

The decision to grant planning permission for the renewal of planning permission 01/00053/FUL has been taken as there has been no material change in circumstances since the determination of the previous application. Although the development represents inappropriate development in the Green Belt the Council are satisfied that very special circumstances exist which outweigh the harm the development would have on the Green Belt. Furthermore the development would not have a detrimental impact on adjacent trees, highways or flooding, subject to the imposition of recommended conditions.

The decision to grant planning permission has also been taken having regard to all the relevant material planning considerations and to the following relevant policies and proposals in the Development Plan: Policy QE3 (Creating A High Quality Built Environment For All) and QE1 (Conserving and Enhancing the Environment) of the Regional Spatial Strategy; Policies D1 (Sustainable Forms of Development), D2 (Design and Environmental Quality of Development), D5B (Green Belt), NC10 (Flood Risk), NC9 (Water Resources) and NC13 (Protection of Trees Hedgerows and Woodlands) of the Structure Plan; and Policies E4 (Green Belts), E5 (Character of the Green Belt), T4 (Parking), E15 (Flood Protection), Emp5 (Major Developed Sites in the Green Belt), Emp6 (New Tourist Attractions), Emp8 (Hotels in Green Belt and Countryside), DC1 (Amenity and Design Principles for Development) and DC17 (Existing Trees and Hedges on Development Sites) of the Local Plan.

NOTE TO APPLICANT

The Development Plan comprises the Regional Spatial Strategy for the West Midlands (RPG11) (2004), the Staffordshire and Stoke on Trent Structure Plan (2001) and the Lichfield District Local Plan (1998).

Signed **DATE OF DECISION: 22nd March 2007**

On behalf of Lichfield District Council

PLEASE SEE NOTES OVERLEAF

IMPORTANT ADVICE TO APPLICANTS

PLEASE READ

1. If the applicant is aggrieved by the decision or is aggrieved by any specific conditions attached to this permission by the Local Planning Authority, they may appeal to the Planning Inspectorate within **six** months of receipt of this notice, or in exceptional cases, a longer period as the Planning Inspectorate may allow, in accordance with Section 78 of the Town & Country Planning Act 1990 (as amended). Appeals must be made on a form, which is obtainable from The Planning Inspectorate, Room 3/02 (k), Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0117 372 6027/372 6212 or Web site: www.planning-inspectorate.gov.uk
2. This permission does not imply any approval under the Building Regulations, for which a separate application may be required, or any other formal consents required by other statutory bodies, for example drainage, highway permits etc. It is the applicant's responsibility to ensure that all of the relevant permissions in relation to this development are in place.
3. The applicant is reminded of the need to comply with the requirements of the Party Wall etc. Act 1996 where relevant.
4. Conditions may be attached to this permission, which require the applicant to submit details to the Local Planning Authority for approval **prior to the commencement of any development on site**. The applicant must therefore ensure that all necessary approvals have been gained before commencing work on site. **Failure to do so could result in the Local Planning Authority taking formal action in respect of the unauthorised works.**
5. This decision only relates to the development as shown on the approved plans and any conditions imposed. Should the applicant need to make any variation to these (including the need to comply with the Building Regulations) they should contact the Local Planning Authority to discuss the implications of these variations and agree an appropriate method of resolution, prior to carrying out the works. **Failure to do so could result in the Local Planning Authority taking formal action in respect of the unauthorised works.**