

Cannock Chase Council
Minutes of the Meeting of the
Planning Control Committee

Held on Wednesday 20 April 2022 at 3:00pm
in the Council Chamber, Civic Centre, Cannock

Part 1

Present:
Councillors

Startin, P. (Chairman)
Muckley, A. (Vice-Chairman)

Beach, A.	Jones, Mrs. V.
Cartwright, Mrs. S.M.	Kruskonjic, P
Fisher, P.A.	Sutton, Mrs. H.M.
Fitzgerald, Mrs. A.A.	Wilson, Mrs. L.J.
Hoare, M.W.A.	

(The Chairman advised that he had agreed to change to order of the agenda and Applicatic
CH/20/381 would be considered as the first item.)

120. Apologies

Apologies for absence were received from Councillors F.W.C. Allen, C.D. Smith, and Mrs.
S.M. Thompson.

**121. Declarations of Interests of Members in Contracts and Other Matters and
Restriction on Voting by Members**

None declared.

122. Disclosure of details of lobbying by Members

All Members present, other than Councillor M.W.A. Hoare, declared they had been lobbied
in respect of Application CH/20/381.

Councillor A. Muckley declared she had been lobbied in respect of Application
CH/21/0434.

Councillor P.A. Fisher declared he had been lobbied in respect of Application CH/21/0023.

Councillor P. Kruskonjic declared he had been lobbied in respect of Applications
CH/21/0023 and CH/22/0009.

123. Minutes

Resolved:

That the Minutes of the meeting held on 6 April 2022 be approved as a correct record.

124. Members requests for Site Visits

None.

125. Application CH/20/381 - Land used as a Pony Paddock, field to north of Rawnsley Road, Cannock, Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure

Following a site visit, consideration was given to the report of the Development Control Manager (Item 6.63 – 6.180).

The Development Control Manager advised the Committee that a petition containing 534 signatures had been received today opposing the development. He then provided an update to the Committee as detailed in Annex A attached to the minutes. The update had been circulated in advance of the meeting.

He then gave a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Prior to consideration of the application, representations were made by Councillor Claire Wilkinson (Ward Councillor), objecting to the application. Representations were also made by Dave Williams and Bob Barratt, who were objecting to the application and shared the ten minutes between them. Further representations were made by Jo Noakes, on behalf of the applicant, speaking in support of the application.

The Chairman made reference to some derogatory comments that had been made by residents towards Members during the site visit. He reminded those in the public gallery to be respectful towards Members and anyone acting inappropriately would be asked to leave the meeting.

Resolved:

(A) That the applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990, as amended, to secure:

- (i) A contribution towards the mitigation of recreational pressures on Cannock Chase for that part of the scheme over and above the 20% affordable housing required under policy, equating to (48 dwellings x £290.58 per dwelling) £13,947.48.
- (ii) A contribution of £20,000 towards "Local Nature/Recreation Projects in mitigation of impacts on Hednesford Hills SSSI to be paid on the completion of the 1st dwelling.
- (iii) To provide a 100% affordable housing scheme subject to the Council's standard provisions.

(iv) An obligation to provide each household on the first occupation of a unit annual membership to the Cannock Chase Birches Valley Forest Centre (at a total cost of £3,600 for the 60 homes).

(B) That, on completion of the Agreement, the application be approved subject to the conditions and informatives contained in the report for the reasons stated therein and to the amendments outlined in the officer update (see Annex A below).

(At this point the Committee adjourned for a short comfort break.)

126. Application CH/21/0023 - Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX, Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access

The Development Control Manager advised that a land ownership issue had arisen following an email that had been received from Staffordshire County Council. This email advised that the County Council owned part of the land subject to the application and the applicant had not served the necessary notice. Following a discussion with applicant during the adjournment of the meeting, it had been agreed that the application should be deferred so that this issue could be addressed.

Resolved:

That the application be deferred to allow the applicant to resolve the land ownership issue with Staffordshire County Council and, if necessary, serve the required notice on the County Council.

127. Application CH/22/0089 - The Kings View, Stokes Lane, Cannock, WS12 3JB, Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12

Following a site visit, consideration was given to the report of the Development Control Manager (Item 6.46 – 6.62).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

A Member sought clarification as to when the kennel/livestock building abutting the south side of the compound would be removed from the site. The Development Control Manager advised that the applicant had indicated that he would be removing it but that he needed some time to re-locate the animals and this was not considered to be unreasonable. However, should the building remain on site after 2 months of any permission being granted, officers would consider taking enforcement action.

Resolved:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

128. Application CH/21/0434 - 'Parcel I' - land to the west of Pye Green, land west of Pye Green Road, Cannock, Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

The Development Control Manager referred to the update circulated in advance of the meeting as detailed in Annex A to the minutes, advising the following: -

“Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues”.

Resolved:

That the application be deferred to allow the applicant time to resolve the highway issues.

129. Application CH/21/0402 - Cannock Chase Forest Centre, Birches Valley, Rugeley, WS15 2UP, Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing

Consideration was given to the report of the Development Control Manager (Item 6.248 – 6.294).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

The Development Control Manager provided an update to the Committee as detailed in Annex A attached to the minutes. The update had been circulated in advance of the meeting. In response to the questions raised by Brindley Heath Parish Council he confirmed that the County Highways Department had no objection to the application, the land at Four Oaks Farm had appropriate permission for car parking to support the event and the marshalling plans would be prepared in consultation with County Highways and would be in place prior to the event.

Resolved:

That, Members were minded to approve the application subject to approval by Natural England of the Council's Appropriate Assessment, and that Officers be delegated to confirm Natural England's approval of the Appropriate Assessment under the Habitat Regulations and, following this, the application be approved subject to the conditions contained in the report for the reasons stated therein.

130. Application CH/22/0009 - 32 Attlee Crescent, Rugeley, WS15 1BP, Proposed detached double garage/access

Consideration was given to the report of the Development Control Manager (Item 6.295 – 6.308).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Prior to consideration of the application, representations were made by Mr. D. Slater, the applicant, speaking in support of the application.

Resolved:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

131. Application CH/22/0038 - 7 The Pingle, Slitting Mill, Rugeley, WS15 2UR, Rear ground floor extension

Consideration was given to the report of the Development Control Manager (Item 6.309 - 6.320).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Resolved:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

The meeting closed at 5:35pm.

Chairman

Officer Update Sheet

Application CH/20/0381, Land used as a pony paddock, field to the north of Rawnsley Road, Cannock - Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure

Amendment to the Wording of the Recommendation

Following discussions with Legal and Strategic Housing Officer the recommendation has been amended as follows: -

It is recommended that the application be approved subject to the conditions and informtives set out below and the completion of a Section 106 agreement to secure:

- (i) A contribution towards the mitigation of recreational pressures on Cannock Chase for that part of the scheme over and above the 20% affordable housing required under policy, equating to (48 dwellings x £290.58 per dwelling) £13,947.48.
- (ii) A contribution of £20,000 towards towards "Local Nature/ Recreation Projects in mitigation of impacts on Hednesford Hills SSSI to be paid on the completion of the 1st dwelling.
- (iii) To provide an 100% affordable housing scheme subject to the Council's standard provisions.
- (iv) An obligation to provide each household on the first occupation of a unit annual membership to the Cannock Chase Birch Valley Forest Centre (at a total cost of £3600 for the 60 homes).

Additional Letters of Objection

Following the publication of the Agenda 2 additional letters of objection have been received. These state:

1. These comments are in addition to the comments previously made.

Response to the amendments to the above application

There seems to be too many instances where issues might, or might not, be resolved after a more detailed design process.

Road Safety

The foot paths along Rawnsley Road are narrow and while cutting back some of the undergrowth could add to the width no significant improvement can be made without impacting on the hedgerow.

Beyond the junction of Rawnsley Road with Rugeley Road there is only a foot path on one side of the road, which is also narrow.

Along Rugeley Road, a short distance from its junction with Rawnsley Road there is no foot paths on either side of the road.

The access to the new estate would be half way down a steep hill. The widening of the proposed junction will do little to improve the visibility into that junction for the residents living in close proximity to it. To manoeuvre a car onto Rawnsley Road is difficult enough now, the road is narrow and the traffic comes at speed.

The snowfall, on 27th November last year, saw Rawnsley Road littered with vehicles not able to get up the hill.

Flooding

There are some areas north west of the site which are already subject to flooding. They are recognised as being medium to high risk. With surface water being directed away from the new development and into Bentley Brook to prevent flooding on the estate surely this will increase the risk elsewhere. Highways have already said that to this is unacceptable because of risk of flooding to the road.

Is the site sufficiently large enough to allow the soakaways to be placed 5m from the nearest building as recommended?

With the large number of soakaways and retaining walls required to make building here possible doesn't it prove the topography of the site is unsuitable for development?

It is not clear from the information given if piling will be used, this would be unsuitable in such a biologically sensitive area.

It seems the whole purpose of the exercise is to make it feasible to build, even if the properties are tiny and packed together. There seems to little or no consideration being given to the safety of the present residents.

2. As I mentioned I have grave concern with this application especially as it is my understanding that the application has now applied for all storm and surface water from the new development to flow into Bentley Brooke.

As I highlighted to you during our conversation, I am currently in dispute along with Beau Desert Golf Club about the current Culvert that was built by the council to divert water coming down stream as it is not sufficient to cope with the current water flow and is therefore causing major damage from flooding! Should you need further information on this dispute I would like to refer you to speak with the County Councils solicitor [name Redacted] , Interim Waste and Engineering Manager [Name Redacted] and [Names Redacted] of Stafford County Council as It looking very likely that is debate is heading to court.

Furthermore, as I briefly explained to you the previous works that were carried out by the council to control the flow of water coming down stream to prevent flooding has failed immensely and has caused considerable flooding and damage to my land at Bentley Brooke Stables. This has happened on numerous occasions. Therefore, if more water is to be diverted through the Brook from the proposed housing estate, I'm extremely concerned over the detrimental impact that this will have as the current culvert and Brooke cannot cope with present volume of water that flows! I appreciate and acknowledge that from your planning point of view that previous decisions made by the council cannot be taken into account but I am sure that you will find that within Case Law it very clearly states 'that if water is being discharged onto neighbouring land that the council has a responsibility'. Please correct me if I

am wrong?! I would therefore once again propose to you that we arrange for a site meeting at my land so that I can show you in person the affect the Brooke has on my land and also show you video and photographic evidence the damage it has already caused.

Finally, I would like to request the opportunity to speak at the next meeting regarding the new development. If you could please inform me if this is possible and how I would arrange to do so I would be most grateful.

Officer Response

Officers would respond that the issues of highway safety & capacity, and drainage & flood risk are addressed in the main body of the report and that the Highway Authority and the Lead Local Flood Authority have no objections to the proposal subject to conditions. As such these comments do not alter the officer recommendation to approve.

Amendments to the Schedule of Conditions

Following comments from the applicant the draft conditions are amended as follows [amendments underlined]: -

5. Prior to the development being brought into use, the access road, parking and manoeuvring areas broadly indicated on the submitted Plan '32512-BGL-A1-XX-DR-A-1100-P-16 Proposed Site Plan', shall be completed and surfaced in a porous bound material, unless otherwise agreed with the local planning authority, which shall thereafter be retained for the life of the development.

15. The development hereby approved shall not be commenced until:
 - i) Where the phase 1 report has identified potential contamination, an intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, water and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS/MCERTS accredited methods. The details of this investigation (including all technical data) shall be submitted to the Planning Authority, as a phase 2 report, for approval prior to any site demolition, remediation or construction works.
 - ii) Further site investigations shall be completed in accordance with the recommendations which are set out at section 12 of the Phase 1 and Phase 2 Site Appraisal report by GRM dated September 2019. The results of those further investigations shall be submitted to the Local Planning Authority.
 - iii) If during remediation works, any contamination is identified that has not been considered within the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to this Department for written approval. Any approved proposals shall thereafter, form part of the Remediation Method Statement.
 - iv) The development shall not be occupied until a validation/ phase 3 report has been submitted to and approved in writing by the Local Planning Authority. A Validation Report shall confirm that all remedial works have been completed and validated in accordance with the approved Remediation Method

Statement.

22. No part of the development hereby approved shall commence until the tree and hedgerow protection fencing has been erected in accordance with the specification and locations which are set out in the Focus Environmental Arboricultural Survey and Impact Assessment dated October 2020.

Within the enclosed area known as the Tree Protection Zone, no work will be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written consent of the Local Planning Authority is obtained. The Tree Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

26. The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy including the Levels & Drainage Concept - Drawing Ref AAC5537 RPS XX XX DR C 601 P09. (04/02/2022). Thereafter, the drainage scheme shall be retained and maintained in accordance with section 7.7 of the Flood Risk Assessment and Drainage Strategy (Maintenance and Adoption) by RPS group.

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Additional Comments Received from Brindley Heath Parish Council

Following compilation of the agenda a representation has been received from Brindley Heath Parish Council stating: -

Thank you for your letter dated 9 March 2022 inviting Brindley Heath Parish Council to make further observations on the above planning application.

The Parish Council has raised the following road safety concerns in respect of the newly created access point from the temporary car park at Four Oaks Farm to the Commonwealth Games event area (via Shooting Butts Road):

- The access is on to a fast national speed limit road (Shooting Butts Road).
- The access is very close – approximately three metres – from the junction with Penkridge Bank Road.
- Blind turning for vehicles into Shooting Butts Road from Penkridge Bank Road, to the new entrance.
- There are no pedestrian walkways or pathways on Penkridge Bank Road or Shooting Butts Road, providing safe passage to the Birches Valley event site.

The Parish Council would like to ask the following questions:

- Has the County Highways Department conducted a risk assessment on pedestrian safety?
- Has the County Highways Department conducted a live experience (feet on the ground) assessment of the access (to and from the new entrance) or has a theoretical assessment been done?
- What are the physical marshalling plans in place for both pedestrians and vehicles on all days that the parking facility is being used?
- How many days will the new entrance be used and what are the start and finish dates?