

m) for the equestrian enterprise:
Member is the Ward Councillor and had predetermined the application. She would speak on the application before moving to the public gallery whilst the application was determined.

97. Disclosure of Lobbying of Members

Councillor A.R. Pearson declared that he had been lobbied in respect of Application CH/19/426, Land off Brindley Heath Road, Hednesford – erection of 1 no. 2 bed bungalow (resubmission of CH/18/373).

98. Minutes

RESOLVED:

That the Minutes of the meeting held on 15 January, 2020 be approved as a correct record.

99. Members' Requests for Site Visits

Councillor A.R. Pearson requested a site visit be undertaken in respect of Application CH/19/426, Land off Brindley Heath Road, Hednesford – erection of 1 no. 2 bed bungalow (resubmission of CH/18/373), which was listed on the agenda for today's meeting.

RESOLVED:

That a site meeting be undertaken in respect of Application CH/19/426 for the erection of 1no 2 bed bungalow.

Reason:

To assess the impact of the proposal on the Green Belt and AONB.

100. Application CH/19/363, Land adjacent to 38 Flaxley Road, Rugeley WS15 1LY – Residential development – one detached 3 bedroom dwelling

Prior to consideration of the application representations were made by John Heminsley, speaking in favour of the application on behalf of the Applicant.

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.20 of the Official Minutes of the Council).

RESOLVED:

That the application, which was recommended for refusal, be approved as the Committee considered that the impact on the character of the area was acceptable and that delegated authority be granted to the Development Control Manager to attach relevant conditions.

At this point, the Chairman agreed to change the order of the Agenda.

101. Application CH/19/173, Hill Farm, 84 Hayfield Hill, Cannock Wood, Rugeley, WS15 4RU – change of use of the buildings and land to light industrial (B1) and the retention of the fork lift truck store

Prior to consideration of the application representations were made by Susan Anderson, objecting to the Application, and John Heminsley, speaking in favour of the application on behalf of the Applicant.

Prior to the determination of the application representations were made by Councillor Ms. A.M. Muckley, the Ward Councillor speaking against the application. Having declared she had predetermined the application she then moved to the public gallery whilst the application was determined.

Consideration was given to the report of the Development Control Manager (Item 6.42 – 6.64 of the Official Minutes of the Council).

RESOLVED:

That the application be deferred in order to enable officers to ascertain further information as to the nature of the application and that a site visit be undertaken on the day the Committee meets to consider the application so that Members could view the area and assess the impact of the business on residential amenity.

102. Application CH/19/413, Court Bank Farm, Slang Lane, Cannock Wood, Rugeley WS15 4RY – Variation of Conditions (3 & 7) pursuant to CH/19/154 to allow storage of a tractor and revert building to its original siting

Prior to consideration of the application representations were made by John Heminsley, speaking in favour of the application on behalf of the Applicant.

Prior to the determination of the application representations were made by Councillor Ms. A.M. Muckley, the Ward Councillor speaking against the application. Having declared she had predetermined the application she then moved to the public gallery whilst the application was determined.

Consideration was given to the report of the Development Control Manager (Item 6.92 – 6.103 of the Official Minutes of the Council).

RESOLVED:

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

(Councillor P.E. Woodhead requested that his name be recorded as having voted against the decision).

(Councillor Ms. A.M. Muckley left the meeting following consideration of this application).

103. Application CH/19/395, White Gables, Kingsley Wood Road, Rugeley, WS15 2UG – Retention of swimming pool, proposed pool enclosure (resubmission of CH/19/241)

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.21– 6.41 of the Official Minutes of the Council).

The Development Control Manager circulated the following update to the Committee:-

Following compilation of the report for the Committee agenda, the following response was received from the AONB officer:

Proposed Site and Development

The site lies within the AONB and the Green Belt, and adjacent to Cannock Chase SAC.

It is located on Kingsley Wood Road on the edge of a small cluster of properties within the core of the AONB. The site is in an elevated location relative to local roads. Land to the east and north is wooded. Woodland to the east between the site and roads of the site filters some views towards the site, although there is little understorey at lower levels. Promoted Route Cannock Chase Circular Walk passes along Stafford Brook Road approximately 160m to the east. The area is popular with visitors and land is freely accessible.

A swimming pool has been constructed and the proposal is for construction of an outbuilding to enclose the pool and provide changing rooms. The proposed building would be located to the side and rear of the house, within 1.5 metres of the site boundary. An existing (trimmed) hedge on the site boundary is shown as retained. The proposal is for a tiled roof (eaves height 2.4m, pitch 4m high), with brick wall to the rear and rendered wall to the garden; materials to match the main residence.

AONB Issues

The main issues for the AONB are:

- The impact of the proposed development on the landscape and scenic beauty of the AONB, and potential impact on wildlife and protected habitats of the SAC

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NPPF Paragraph 172 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. I also draw your attention to Cannock Chase AONB Management Plan 2019 - 2024 policies LCP1 and LCP 8 which are of particular relevance:

LCP 1: Development proposals within the AONB should be of high quality design and environmental standards, respecting local distinctiveness, be complementary in form and scale with their surrounding and should take

opportunities to enhance their setting and minimise their carbon footprint and negative impacts on the local environment.

LCP 8 Development and land management proposals in the area, which by virtue of their nature, size, scale, siting, materials or design can be considered to have a negative impact on the natural beauty and special qualities of Cannock Chase AONB, should be resisted.

The upper elevations of the proposal would be visible above the boundary hedge enlarging the horizontal extent of built form in an elevated location, with a negative impact on the natural beauty and special qualities of the AONB, hence the objection.

Officer Response

The applicant's agent and Committee have been notified of the above.

The above comments are noted and Officers would respond that these matters have been dealt with in the officer report. In that report Officers have acknowledge the impact the proposal on the Green Belt and AONB but have weighed these considerations against the fall-back position of the permitted development rights that exist for the property. In Officers' view the existence of the permitted development rights clearly outweigh these other considerations such that, on balance, the proposal is acceptable.

Following compilation of the report for the Committee agenda, the following response was received from Brindley Heath Parish Council:

Furthermore, with reference to the Planning Statement (January 2020), the Planning Committee would like to draw your attention to the following observations/ anomalies:

Paragraph 1.19:

1.19 In the case of this application, the main dwelling has a footprint of 272 sum. The proposed pool enclosure has a footprint of 149 sum, or 55% of the house's extent - this is an acceptable and 'proportionate¹' increase in this context of a large house standing some distance from other dwellings, and generally screened from external viewpoints, where the impact of the proposed pool house on the dwelling and locality is moderate. The tree survey indicates the retention of trees within the site and the retention of any boundary planting will also aid the integration of the proposals into the landscape.

As per Para 145 of the NPPF - 'c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'

Observation:

The site originally had a timber-built building -a type of bungalow — which was half

the size of the house that was then built to replace it. Brindley Heath Parish Council objected to such a large building, but the applicant at the time stated that it had to have a wing for his parents or a separate house.

Cannock Chase Council finally approved the building which was 100% larger than the original dwelling — on the understanding that it would always be one house only and could not be made larger.

However; a few years later the District Council approved an extension for a snooker room. The Parish Council objected to this application as it ran contrary to the planning conditions previously set.

The new proposal for a swimming pool enclosure will increase the development on site by a further 60% approximately, thus making a gross increase of over 200% of the original dwelling.

Paragraph 1.22:

1.22 To conclude, it is acknowledged that the proposed development would represent no meaningful conflict with the development plan policies listed above, or the general environment of Armitage.

Anomaly:

The proposed development is in the parish of Brindley Heath not Armitage.

Paragraph 3.4:

3.4 Whilst the proposal would undoubtedly lead to a consolidation of the built form of development in the locality, the site is close to the settlement with its shops, pubs and business and transport services. it is precisely in such highly accessible and sustainable locations that development is encouraged in national and local planning policies, while advice in the NPPF urges the importance of utilising land efficiently.

Anomaly:

This statement is misleading as there are no shops or pubs close to the development.

Officer Response

Planning case law has establish that should a house be replaced the replacement dwelling should then be taken as the 'original building' for the purposes of applying Green Belt policy in respect to extensions. As such any assessment to determine whether an extension is disproportionate necessitates a comparison between the proposed extension and the original replacement dwelling. The report follows this approach and Officers have confirmed within the report that the proposal would not result in a disproportionate addition over and above that of the original dwelling.

As to the anomalies it is clear that the applicant's agent has cut and paste from a

previous report. The site is clearly not within Armitage nor is it near any shops or local services. However, this does not lend any weight against or in favour of the recommendation outlined in the report.

RESOLVED:

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

104. Application CH/19/426, Land off Brindley Heath Road, Hednesford – erection of 1 no. 2 bed bungalow (resubmission of CH/18/373)

It was agreed earlier in the meeting that the application be deferred to allow amongst other things a site visit to be undertaken (see Minute 99).

105. Application CH/19/408, Former Council Depot, Old Hednesford Road, Cannock – major application, Construction of 44 dwellings

Consideration was given to the report of the Development Control Manager (Item 6.104 – 6.162 of the Official Minutes of the Council).

The Development Control Manager circulated the following update to the Committee:-

Changes to the Schedule of Conditions

Condition 9 should be amended to read to refer to Drawing 17029/5C and not 17029/5B as follows: -

No dwelling hereby approved, shown to be served by an electric vehicle charging point on Drawing 17029/5C, shall be occupied until a EV ready 13amp external socket mode 2 electric vehicle charging point has been fitted to that dwelling. The electric vehicle charging point shall thereafter be retained for the lifetime of the development.

Condition 12

In the light of the receipt of an amended drawing Condition 12 should be amended to read

Any fencing, or other form of boundary treatment, shall be erected in accordance with Drawing 17029/5C so to allow the passage of hedgehogs through the site. The boundary treatments shall thereafter be retained for the lifetime of the development.

Condition 15

In the light of the receipt of an amended drawing Condition 15 should be amended to read

The development hereby permitted shall not be brought into use until the

access, parking and turning areas have been provided in accordance with approved Drawing 'Site Layout' No.17029/5C and surfaced in a bound and porous material and shall thereafter be retained for the lifetime of the development.

Subject to the provisions of condition 21 no dwelling hereby permitted shall be brought into use until the approved drainage scheme shown in drawings K787-102 Rev P05' Strategic Drainage Plan Sheet 1 of 2', and K787-103 Rev P03 'Strategic Drainage Plan Sheet 2 of 2' has been implemented. Thereafter the drainage scheme shall be retained and maintained in accordance with drawings K787-108 Rev P04'Maintenance Plan' Sheet 1 of 2 and K787-109 Rev P03 'Maintenance Plan' Sheet 2 of 2 for the lifetime of the development.

Reference to

THL-R20-05, Arboricultural Method Statement, Dated 17 January 2020

To be omitted from the list of approved plans/ documents and replaced by an amended condition 18, to read

The development shall not commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement, shall amongst other things, clearly distinguish between 'Tree Protection Fencing' and 'Root Barriers', and show the boundary/ line of these two forms of protection. The Statement shall also provide details of the means of construction for the area shown as 'Special Measures on Drawing THL-0761-7 'Tree Protection Plan'. The development shall thereafter be carried out in strict accordance with the details of the approved Arboricultural Method Statement.

RESOLVED:

That the application be approved subject to the conditions contained in the report as amended in the officer update sheet for the reasons stated therein.

The meeting closed at 4.40 pm.

CHAIRMAN