

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE
WEDNESDAY 18 FEBRUARY, 2015 AT 3.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Cartwright, Mrs. S.M. (Chairman)

Allen, F.W.C.	Grocott, M.R.
Anslow, C.	Mitchell, Mrs. C. (substituting for
Ball, G.D.	Kraujalis, J.T.)
Bernard, J.D.	Pearson, A.
Bottomer, B.	Snape, P.A.
Dean, A.	Todd, Mrs. D.M.
Freeman, Miss M.	Todd, R.

109. Apologies

Apologies for absence were received from Councillor P.A. Fisher and J.T. Kraujalis (Vice- Chairman).

Councillor Mrs. C. Mitchell was in attendance as substitute for Councillor J.T. Kraujalis.

110. Declarations of Interests of Members and Officers in Contracts and Other Matters and Restriction on Voting by Members

The following declarations were made in addition to those already confirmed by Members in the Register of Members Interests:-

Member	Interest	Type
Freeman, Miss M.	Application CH/14/0430, <i>Spices Restaurant 192 Walsall Road, Cannock</i> , part change of use from car park to hand car wash including siting of amenity building (temporary consent for two years) – Member is a Bridgtown Parish Councillor	Personal
Grocott, M.R.	Application CH/14/0410, <i>91-93 High Green Cannock</i> , Change of use from non residential institution (D1) to supported house for people who are abstinent from drugs and alcohol (C2) – Member is Trustee for Aspire Housing (which	Personal and Pecuniary

was mentioned in Noreen Oliver's, MBE verbal representation to the Committee as working with the applicant)

Dean, A. Application CH/14/0410, *91-93 High Green Cannock*, Change of use from non Residential institution (D1) to supported house for people who are abstinent from drugs and alcohol (C2) – Member declared that he had predetermined the application

111. Disclosure of lobbying of Members

Councillors Mrs. S.M. Cartwright and G.D. Ball declared that they had been lobbied in respect of Application CH/14/0268, *Pye Green Valley between Greenheath Road and Cannock Road, Hednesford* – Residential development, erection of 425 dwellings and associated infrastructure (application for approval of reserved matters).

Councillors Mrs. S.M. Cartwright, F.W.C. Allen, C. Anslow, G.D. Ball, J.D. Bernard, B. Bottomer, A. Dean, Miss M.A. Freeman, M.R. Grocott, A. Pearson, P.A. Snape, Mrs. D.M. Todd and R. Todd declared that they had been lobbied in respect of Application CH/14/0410, *91-93 High Green, Cannock*, Change of use from non-residential institution (D1) to supported house for people who are abstinent from drugs and alcohol (C2).

112. Minutes

RESOLVED:

That the Minutes of the Meeting held on 28 January, 2015 be approved as a correct record.

113. Members' Requests for Site Visits

114. Application CH/14/0411, Residential development: demolition of existing building and erection of 7 houses and 14 flats, Hillsprings Clinic, Green Lane, Rugeley

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.1 – 6.23 of the Official Minutes of the Council).

The Development Control Manager circulated an update to the Committee, as follows:-

Item 6.10 – Recommendation should read: Section 106 Agreement then approve subject to conditions.

Item 6.22 – Paragraph 4.28 – The SAC mitigation figure has now been reviewed. As such, the new amount is £221 per additional dwelling.

Therefore the revised total contribution would be £3094.

Officers are still awaiting a formal response from County Highways. As such, any conditions/informatives recommended by County Highways will also be included subject to planning consent being granted.

Recommendation: Section 106 Agreement then approve subject to conditions (including any further conditions/informatives recommended by consultees).

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 a financial contribution of £3094 for mitigation of the impact of the development on the SAC;
- (B) On completion of the Agreement the application be approved subject to the conditions contained in the report for the reasons stated therein and to any further conditions/informatives recommended by consultees.

115. Application CH/14/0268, Residential development: erection of 425 dwellings and associated infrastructure (application for approval of reserved matters including – access, appearance, landscaping, layout and scale), Pye Green Valley between Green Heath Road and Cannock Road, Hednesford

Following a site visit consideration was given to the Report of the Development Control Manager (Item 6.24 – 6.53 of the Official Minutes of the Council).

The Development Control Manager circulated an update to the Committee, as follows:-

The reference to 447 dwellings contained within the report should be removed and replaced with the reduced figure of 425 dwellings.

Since the report was written, in response to the amended scheme for 425 dwellings the local planning authority has received a further 9 letters of objection. In summary the matters raised are:

- A neighbours house not selling because of the proposed development;
- Poor level of drawings in respect of the alterations to the existing road along Green Heath Road. Concern over design and future maintenance of revised junction;
- Traffic Impact;
- Impact on existing services;
- Concern that planning application is being approved without Highways comments and resolving other consultee concerns

Natural England - Are of the view that the Habitats Regulations should be applied to applications for approval of reserved matters or variations or renewals, where potential effects on the European Site were not fully considered when an existing permission was granted or where information more recently provided would make for a different assessment of effects.

Staffordshire County Council – Education – Request financial contribution towards education based on revised number of dwellings.

Item 6.37 – Staffordshire County Council Highways – No objections subject to conditions and informatives:-

1. Notwithstanding the submitted details relating to the re-aligned Green Heath Road construction details shall be submitted to and approved in writing by the Local Planning Authority before the development commences. The works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use.
2. Before construction works of any kind are commenced on site a Construction Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. The submitted Construction Management Plan shall include the following details:-
 - The routeing of construction vehicles to and from the site including measures to mitigate the impact on the local highway network;
 - Parking facilities for vehicles of site personnel, operatives and visitors;
 - Arrangements for the loading and unloading of plant and materials;
 - Areas of storage for plant and materials used during the construction of the proposed development;
 - Measures to prevent the deposition of deleterious material on the public highway during the construction of the proposed development;
 - The Construction Management Plan shall be adhered to for the duration of the construction phase.

Reasons: In the interests of highway safety.

Informative:

This form x is issued on the assumption that the conditions/obligations in the outline are fully complied with. 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.

Recommendation: Delegate to Development Control Manager to approve, subject to resolving matters raised by Natural England, conditions set out in the report and any other conditions recommended by consultees and officers.

Prior to consideration of the application representations were made by Wendy Heathcote, an objector and Richard Hodson for Persimmon, speaking in favour of the application.

RESOLVED:-

That the application be delegated to the Development Control Manager to approve, subject to (i) resolving matters raised by Natural England (ii) the conditions contained in the report for the reasons stated therein (iii) to any other conditions recommended by consultees and officers and (iv) the following additional condition to secure the future management of the Woodland buffer:

The development hereby approved shall not commence until a scheme for the future retention and management of the retained Woodland Buffer has been submitted to and agreed by the Local Planning Authority. Thereafter, the Woodland Buffer shall be retained and agreed in accordance with the approved details.

Reason: In the interests of preserving the woodland for its biodiversity and amenity benefits.

116. Application CH/14/0430, Part change of use from car park to hand car wash including siting of amenity building (temporary consent for two years), Spices Restaurant, 192 Walsall Road, Cannock

Following a site visit consideration was given to the Report of the Development Control Manager (Item 6.54 – 6.67 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Frances Biard, the Agent, speaking in favour of the application.

RESOLVED:

That the application, which was recommended for approval, be refused for the following reasons:

1. The application site is accessed off a busy major road. The access to the site would be shared with an existing restaurant facility. The proposed use, which would involve significant vehicular movements, particularly during peak periods would lead to restricted access onto the site, which would result in vehicles waiting along Walsall Road to the detriment of the free flow of traffic and highway safety. As such, the proposal conflicts with Local Plan Policy CP3, which seeks to promote ease of access and mobility within development and from its surroundings.
2. The application site is located to the rear of existing dwellings. Consequently, the activity and disturbance associated with the proposed car wash would have an adverse impact on the amenity of adjacent residents. As such, the proposal is contrary to Local Plan

Policy CP3 and the NPPF, which seek to safeguard the amenity of existing residents from new development proposals.

(At this stage in the proceedings the Committee adjourned for a 5 minute comfort break).

117. Application CH/14/0355, Change of use from Working Men's Club (A4) to a base for integrated drug and alcohol service (D1) including medical prescribing and needle exchange, Former Progressive Working Men's Club, Cannock Shopping Centre, Cannock

Following a site visit consideration was given to the Report of the Development Control Manager (Item 6.68 – 6.79 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Trudie McGuinness, an objector and Chris Judge (speaking on behalf of the applicant) who was in favour of the application.

RESOLVED:

That the application, which was recommended for approval, be refused for the following reasons:-

The proposal offers services for people that will be involved in substance misuse, including needle exchange. The application site is located at the gateway to the town centre adjacent to the bus station and a college. Consequently, the area is frequented by the wider community including vulnerable groups such as young adults and the elderly. As such, the juxtaposition of the proposed facility in relation to the town centre environment, bus station and college will heighten concerns over crime and anti-social behaviour, particularly, amongst vulnerable groups. As such, the proposal is contrary to Local Plan Policy CP3 and the NPPF, particularly paragraph 69, which seek to create safe environments where the fear of crime, does not undermine quality of life or character of the area.

(During consideration of this application an individual member of the public interrupted the proceedings and became quite vociferous. The Chairman had to ask her to remain silent on a number of occasions).

118. Application CH/14/0410, Change of use from non-residential institution (D1) to supported house for people who are abstinent from drugs and alcohol (C2), 91-93 High Green, Cannock

Following a site visit consideration was given to the Report of the Development Control Manager (Item 6.80 – 6.97 of the Official Minutes of the Council).

Having declared that he had predetermined the application Councillor A. Dean spoke in favour of the application and then left the room whilst the application was considered and determined.

The Development Control Manager circulated an update, as follows:-

A further letter of objection had been received querying the location of the proposed use in relation to bars and pubs and that Cannock should not host a facility for residents from outside the District.

He also read out a further letter of objection that had been received (at the request of the objector).

The Chairman made reference to an article that had appeared in a recent edition of the Express and Star. The headline of the article gave the impression that planning consent had already been granted. The Council's Principal Solicitor confirmed that no press release had been issued in relation to this development. The Chairman explained that investigations would commence with the Express and Star regarding the wording in relation to this article. The representative from the Express and Star, who was present at the meeting, commented that the article implied that the development was expected to go ahead; however, she would check on the wording that had been used.

Prior to consideration of the application representations were made by Mark Francis, an objector, Geoff Barnett, a supporter of the application and Noreen Oliver, MBE representing the applicant.

During the representations made by Noreen Oliver, MBE, she made reference to Aspire Housing. Councillor M.R. Grocott immediately declared that he was a Trustee for Aspire Housing and therefore left the meeting as he had a personal and pecuniary interest and took no part in the determination of the application.

RESOLVED:

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

(During consideration of this application the individual member of the public once again interrupted the proceedings. The Chairman warned the individual that she would be asked to leave if she continued to be vociferous. Despite this warning the individual continued and the Chairman therefore, pursuant to Rule 12(1) of the Council Procedure Rules, asked her to leave the Council Chamber. The individual refused and the Chairman adjourned the meeting and the Committee Clerk was asked to call the Police to assist in securing her removal from the meeting. However, the individual then left the Council Chamber and it was therefore not necessary for the Police to attend. Following this the meeting resumed).

The meeting finished at 6.15pm.

CHAIRMAN