

**CANNOCK CHASE COUNCIL**

**MINUTES OF THE MEETING OF THE**

**PLANNING CONTROL COMMITTEE**

**HELD ON WEDNESDAY 10 JUNE, 2020 AT 3:00 P.M.**

**VIA REMOTE ACCESS**

**PART 1**

PRESENT: Councillors Pearson, A.R. (in the Chair)  
Allen, F.W.C. Vice-Chairman (joined at 3.02pm)

Crabtree, S.K.	Smith, C.D.
Fisher, P.A.	Startin, P.D.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.
Jones, Mrs. V.	Woodhead, P.E.

(This meeting was not able to be held at the Civic Centre due to the Coronavirus (Covid-19) pandemic. It was therefore held remotely).

As the Chairman had submitted her apologies for the meeting and the Vice-Chairman (Councillor F.W.C. Allen) had not connected to the meeting at the start, the Committee was asked to elect a Chairman for the meeting.

Councillor C.D. Smith proposed Councillor A.R. Pearson to be elected as Chairman and this was seconded by Councillor P. Fisher. Following a vote, Councillor A.R. Pearson was elected Chairman for the meeting

**148. Apologies**

Apologies for absence were submitted for Councillors Mrs. S.M. Cartwright (Chairman), A. Layton, Mrs. P. Stretton and Mrs. D.M. Todd.

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

None declared

**150. Disclosure of Lobbying of Members**

Councillors Mrs. A.A. Fitzgerald, Mrs. V. Jones, P. Startin, C.D. Smith and Mrs. S. Thompson declared that they had been lobbied in respect of Application CH/20/026, 21 Stafford Road, Cannock, WS11 4AF: site redevelopment to provide 18 Room House of Multiple Occupancy.

## **151. Minutes**

RESOLVED:

That the Minutes of the meeting held on 27 May, 2020 be approved as a correct record.

## **152. Members' Requests for Site Visits**

The Committee was aware that site visits were not currently being undertaken due to the on-going situation with the Coronavirus Covid-19 pandemic and the restrictions in place regarding public gatherings.

In view of this Councillor A.R. Pearson asked that more detailed information and additional photographs be provided in relation to Application CH/20/173, 268 Bradbury Lane, Hednesford, demolition of existing dwelling and outbuildings and erection of 10 dwellings in order to assess any overdevelopment of the site.

Councillor P. Woodhead asked that more detailed information and additional photographs be provided in relation to Application CH/20/183, 2 storey rear extension 76 Hayfield Hill, Cannock Wood in order to assess the impact on the AONB.

The Development Control Manager confirmed that these applications would be submitted to the Planning Control Committee at future meetings and more detailed information would be provided along with additional photographs.

## **153. Application CH/20/026, 21 Stafford Road, Cannock, WS11 4AF: site redevelopment to provide 18 Room House of Multiple Occupancy**

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.51 of the Official Minutes of the Council).

The Development Control Manager provided a number of photographs of the site and a detailed presentation to the Committee including a plan showing the size and scale of the building in comparison to the previous application that had been refused. He then provided the following update which had been circulated to the Committee in advance of the meeting:-

“Following the Committee meeting held on 27 May 2020, the following additional comments were received from interested parties as follows:

- The officer referred to the Inspectors Decision Report for the previous application (CH/18/247) which was refused on appeal. He appeared to indicate to the Committee that the main reason the appeal had been dismissed was because of the three storey element of the building. This was not the only reason for the dismissal of the appeal and I feel this was not made clear to the Committee.
- Section 8 of the Inspectors Decision Report states ‘The proposed House of Multi Occupancy (HMO) would occupy all but a very small section of the

existing building's built footprint, and would do so with a greater overall scale, bulk and massing. Furthermore, the three storey gable element of the proposals south facing flank extension would be a considerable and incongruously bulky element within its immediate context and surroundings'

- Section 12 of the Inspectors Decision Report states 'However, extending almost the entire depth and width of the appeal site plot. The buildings flank elevation would be an incongruous and dominant feature within the Park Road street scene. Moreover the position of such a dominant flank immediately to the back edge of the footpath would be an imposing and visually overpowering feature at a point where the pedestrian environment is constrained by the restricted width of the pavement and pedestrian crossing'.
- The comments made by the officer that the height of the building was the main reason for the Inspectors refusal, should have included the footprint of the building and its entire effect on the street scene. It is stated in the officer's report that the existing footprint of the building will be reduced by just 0.6m (60 centimetres) which is an insignificant reduction which does not address the points made by the Inspector in section 8 and 12 of the appeal report.
- The Inspector refers in detail to the large buildings nearby. He concludes that the existing building is of a scale comparable to the adjacent domestic setting rather than the other large buildings in the vicinity which he discounts as being 'set in different contextual settings'. Although this is referred to in sections 5.6.7 of the Appeal report, the Inspectors comments appear to be contradicted in the officer's report and are not mentioned in the officers summary of the decision.
- In the interest of clarity, I am asking that the Planning Inspectors Appeal Report should be discussed point by point at the Planning Meeting to give context to points raised and a complete understanding as to why the previous application was refused.
- On other issues, there is no Fire Risk Assessment for the building, especially as cooking facilities are included in the first floor rooms. Surely this is an oversight. Also, the total lack of provision for essential and inevitable tradespersons and deliveries for eighteen residents plus staff, all will be receiving goods and services by vehicle.
- As the entrance to the building is off Park Road, this will result in vehicles either parking on the footpath or road. It is a fact that one car parked in Park Road can cause the entire road system to come a standstill.
- There is an inaccuracy in the Officer's Report, which states:

'On the Park Road frontage, there is an existing dropped kerb, which is located

adjacent to the edge of the application site building. The existing vehicular access serves side access to the application site and is set behind black iron railing 2m high double gates'. There is no current vehicle access to the site and the entrance described in the report with black iron gates is a side entrance to 23 Stafford Road from Park Road which will not be able to be removed or blocked, as required by conditions 9 and 10 set by Staffordshire Highways.

- Confirmation is required to clarify that the gates are not associated with 21 Stafford Road and Highways have been informed as there's no parking for any services that would be required for the building.
- The Inspector acknowledged and described the lack of parking provision in sections 16 and 17 of his report. But then goes on to say in section 17 that the Council had provided no evidence to support their formal response which was social cohesion and the potential, and fear of crime' This was not made clear to the Committee. The Inspector did not say that parking provision was not required or necessary, he was responding to the Council's appeal response.

#### Officer Response

- A full copy of the Inspector's report was attached to the Committee Report and made available on the day of Committee in order to allow Members to have full access to the appeal information decision.
- The agent has produced elevational plans of the proposed building with the existing building superimposed and indicate with red dotted lines. It is considered that the drawings demonstrate that the scale of the proposed building would be similar to that of the existing building and the flank elevation would not present a dominant feature within the Park Road street scene.
- With regards to the issue raised relating to fire risk assessment, this is covered under Building Regulations legislation.
- The Highways Officer has been re-consulted and has amended their response, due to the error with regards access to the application site (see below). As a result, Members should note that the conditions are to be modified in the event of planning permission being granted to remove Conditions No.s 9 & 10.

#### Highways Re-Consultation Response ( Received 05.06.20)

- With regards to preventing parking on the pavement we believe there are sufficient things in place (double yellow lines, protection markings) to deter this. As these will be private residential dwellings no servicing as such will take place. If a utility company for example needs to come out there are 3 off-street parking bays to the rear of the Liquor Stop (30 Stafford Road) that can be

utilised.

- There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-
- Background: The proposal is for the redevelopment of the former Cannock Royal British Legion into an 18 room house of multiple occupancy. The site is located on the corner of Stafford Road and Park Road, which is within Cannock Town Centre (as defined by Cannock Chase District Council) and provides excellent access to public transport due to the town's main bus station being opposite. The site is also within walking/cycling distance of the town's main railway station. Stafford Road is an unclassified road which joins the main A classified Stafford Road. Park Road is a busy B classified road with a 30mph speed limit. There is no parking allocation with the site. The 18 rooms will be accessed via a pedestrian/cycle gate off Park Road.
- Current records show there have been no personal injury collisions 50m either side of the site access within the last 5 years.
- Recommendations: There are no objections on Highway grounds to the proposed development subject to conditions for a Highways Construction Method Statement (See Condition No.8) and Secure/Weatherproof Cycle Parking Provision (See Condition No.11)".

Prior to consideration of the application representations were made by Mr. Borg, an objector, speaking against the application.

After some discussion, Councillor P. Fisher moved refusal of the application and outlined a number of reasons why he considered the application should be refused which included:

- i. Overdevelopment of the site
- ii. The rooms are too small and that they barely meet the requirements of single rooms
- iii. There is a lack of parking and the parking at the nearby shop would not work.
- iv. The occupiers of the proposed HMO would cause anti-social behaviour; and
- v. Impact on the streetscene

Councillor Woodhead moved approval of the application and this was seconded by Councillor F.W.C. Allen.

Councillor C.D. Smith then seconded the motion to refuse.

The motion to approve was taken first and, following a vote, this motion fell.

The Development Control Manager confirmed which of the reasons put forward to refuse the application were valid planning reasons and advised that the issue of

room size was not a material planning consideration and that there was no evidence to substantiate the stance that the occupiers of the proposed HMO would cause anti-social behaviour. Councillor P. Fisher agreed to remove these two elements from his reasons for refusal.

The mover and seconder of the motion to refuse confirmed they were satisfied with these reasons.

The motion to refuse was then voted on and carried.

RESOLVED:

That the application be refused for the following reasons:-

1. The proposed building, by virtue of its size, scale would not be well-related to existing buildings along the northern side of Park Road and Stafford Road to the detriment of the streetscene contrary to Policy CP3 of the Cannock Chase Local Plan and paragraph 127(c) of the National Planning Policy Framework.
2. The proposal would introduce a 18 bedroom house in multiple occupation, with no parking provision for the occupants into an area with little or no public parking or on-street parking provision within the immediate vicinity that would be suitable for parking by residents to the detriment of highway safety.
3. The proposal would constitute an over development of the site.

The meeting finished at 3.57pm.

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CHAIRMAN