

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE

HELD ON WEDNESDAY 2 DECEMBER 2020 AT 3:00 P.M.

VIA REMOTE ACCESS

PART 1

PRESENT: Cartwright, Mrs. S.M. (Chairman)
Councillors

Allen, F.W.C.	Layton, A.
Buttery, M. (substitute)	Pearson, A.R.
Crabtree, S. (substitute)	Smith, C.D.
Dudson, A.	Stretton, Mrs. P.Z.
Fisher, P.A.	Thompson, Mrs. S.L.
Fitzgerald, Mrs. A.A.	Todd, Mrs. D.M.
Jones, Mrs. V.	Witton, P.

61. Apologies

Apologies for absence were received from Councillors P. Startin (Vice-Chairman) and A. Muckley.

Notification had been received that Councillor M. Buttery would be substituting for Councillor P. Startin and Councillor S. Crabtree would be substituting for Councillor A. Muckley.

62. Disclosure of Lobbying of Members

Councillors F.W.C. Allen, Ms. A. Fitzgerald, Mrs. V. Jones, A. Layton, A. Pearson, C.D. Smith, Mrs. D. Todd and Mrs. S. Thompson declared that they had been lobbied in respect of application CH/20/26 - Land adjacent to 69 Meadow Way, Heath Hayes, Cannock WS12 3YG – change of use to a private domestic garden.

63. Minutes

RESOLVED:

That the Minutes of the meeting held on 11 November, 2020 be approved as a correct record.

64. Members requests for Site Visits

None.

65. Application CH/20/269 Land adjacent to 69 Meadow Way, Heath Hayes, Cannock WS12 3YG – Change of use to a private domestic garden

Consideration was given to the report of the Development Control Manager (Item 6.1-6.19 of the Official Minutes of the Council).

The Development Control Manager provided the following update that had been circulated to the Committee prior to the meeting: -

“With reference to paragraph 4.2.1 officers would clarify that the S52 Agreement which was completed on 17 January 1985 did not show this particular area of land or indeed any as open space as it was an outline planning application. The details in relation to each phase of the development were provided via the reserved matters applications and then the land identified as part of that process as either open space or incidental open space transferred to the Council via use of an amenity agreement. It is not clear from the Council’s records from that time whether this area was included in that.

Officers would also draw Member’s attention to a comment made by a neighbour in their letter of objection that wasn’t fully included in the report.

The neighbour commented as follows: -

“My understanding is that the land to be incorporated into the garden of 69 Meadow Way, in the above application, already has planning permission (CH/184/84) as landscaped open land for the enjoyment of the local population. Consequently, I see this application as a request to change planning permission from a public space into a private space for the sole benefit of the occupier. I do not think that this should be allowed and is certainly not in the best interests of the community”.

In response officers would advise Members that planning permission CH/184/84 was the outline application which did not provide any detailed information in regard to landscaping or open spaces. These were dealt within the subsequent reserved matters application CH/42/85, but unfortunately the information held on file is limited and does not definitively confirm the application site as public open space, although the details from other plans on record do give an indication that this land was intended to be as such once transferred to the Council. Notwithstanding this, the fact that there is an existing planning permission on the application site does not prevent new applications from being made or the exercise of permitted development rights. Any application that is made should be on its individual merits at that time.

Officers consider that on the basis of the circumstances surrounding the application at this point in time the application should be approved”.

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

Prior to consideration of the application representations were made by Lucy Hales and Wesley King, speaking were against the application and shared the 10 minutes between them, Councillor P. Hewitt (the Ward Councillor) also speaking against the application and Alistair Moore, the applicant, speaking in favour of the application.

In response to concerns raised by Members regarding similar plots within the estate the Principal Solicitor confirmed that the Landscape Team had been asked to provide a plan showing similar types of land within the estate so that the Legal Team could undertake title checks.

RESOLVED:

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

66. Application CH/17/279 Land between A460/Eastern Way and Mill Green Nature Reserve, Mill Green, Eastern Way, Cannock – Request to vary opening hours in relation to planning application CH/17/279 – Mill Green Designer Outlet

Consideration was given to the report of the Development Control Manager (Item 6.20 – 6.26 of the Official Minutes of the Council).

The Development Control Manager provided the following update that had been circulated prior to the meeting: -

“The Recommendation is altered to include the words “ in any calendar year” and should therefore read: -

Approve the written request made pursuant to condition 42 of planning permission CH/17/279 to amend the opening hours of the store to: -

- (i) Extend opening hours on Public Holidays by 3 hours to match those permitted on Mondays to Friday;
- (ii) Allow extended opening hours from 9.00am to 10.00pm on a maximum of 5 Promotion Days **in a calendar year** on Mondays to Friday; and
- (iii) Allow extended opening hours from 9.00am to 10.00pm on a maximum of 2 Promotion Days **in a calendar year** on a Saturday”

However, the Development Control Manager clarified that “in a calendar year” should be read as “in any calendar year”.

RESOLVED:

That the written request made pursuant to condition 42 of planning permission CH/17/279 to amend the opening hours of the store be approved, as follows:

- (i) Extend opening hours on Public Holidays by 3 hours to match those permitted on Mondays to Friday;
- (ii) Allow extended opening hours from 9.00am to 10.00pm on a maximum of 5 promotion days in any calendar year on Mondays to Fridays; and

- (iii) Allow extended opening hours from 9.00am to 10.00pm on a maximum of 2 promotion days in any calendar year on a Saturday.

The meeting closed at 4.10pm.

CHAIRMAN