

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**PLANNING CONTROL COMMITTEE**  
**WEDNESDAY 15 OCTOBER, 2014 AT 3.15 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT: Councillors

Cartwright, Mrs. S.M. (Chairman)  
 Kraujalis, J.T. (Vice-Chairman)

Allen, F.W.C.	Freeman, Miss M.
Anslow, C.	Grocott, M.R.
Ball, G.D.	Pearson, A.
Bernard, J.D.	Snape, P.A.
Bottomer, B.	Todd, Mrs. D.M.
Fisher, P.A.	Todd, R.

(The Chairman advised that she had agreed to change the order of the agenda and Application CH/14/0252 would be considered first).

**58. Apologies**

An apology for absence was received from Councillor A. Dean.

**59. 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:-

<b>Member</b>	<b>Interest</b>	<b>Type</b>
Grocott, M.R.	TPO/2014/15, The John Bamford School, Etching Hill - Member knows the objector speaking at the meeting	Personal and Pecuniary
Snape, P.A.	Application CH/14/252, Pied Piper, 114 Pye Green Road, Cannock – Residential development, demolition of existing public house and erection of a two storey block of 16 flats and 2 semi detached bungalows – Member knows one of the objectors speaking at the meeting through his previous employment	Personal

## **60. Disclosure of lobbying of Members**

All Members of the Committee declared that they had been lobbied in respect of the following applications:

CH/14/0175, 74 Hayfield Hill, Cannock Wood – Residential development, erection of a detached 3 bedroom dwelling with associated access and parking;

CH/14/0252, Pied Piper, 114 Pye Green Road, Cannock – Residential development, demolition of existing public house and erection of a two storey block of 16 flats and 2 semi detached bungalows

## **61. Minutes**

RESOLVED:

That the Minutes of the Meeting held on 24 September, 2014 be approved as a correct record subject to the resolution in respect of Minute No. 55 relating to application CH/14/0184 being amended to reflect that highways concerns were expressed in addition to concerns regarding density and layout of the site.

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

RESOLVED:

That site visits be undertaken in respect of the following applications:

CH/14/0630 - 148 Hednesford Road Cannock, Residential development bungalow, erection of 4 houses. Including:- alteration to existing access, parking and landscaping.

Reason: to assess potential overdevelopment

Applications in relation to Gestamp (Tallent Automotive), Wolverhampton Road, Cannock:-

CH/14/0283 - Demolition of former retail units and erection of 2 storey office building and associated parking and landscaping. (Option 1:- Car stacking platform)

CH/14/0346 - Demolition of former retail units and erection of 2 storey office building and associated car parking and landscaping. (Option 2:- Basement parking)

CH/14/0379 - Demolition of former retail units and erection of 2 storey office building and 31 associated car parking spaces and landscaping. (Option 3) - -

Reason: to assess whether the development was in character and whether any traffic management issues would arise

CH/14/0297 - Shell Service Station, Wolverhampton Road, Cannock  
Demolition of filling station and bathroom showroom to rear. Erection of replacement larger filling station including; the replacement of fuel tanks, sales building, forecourt and canopy above. As well as associated access alterations and landscaping scheme.

Reason: to consider impact of proposal on wider area, access and highway issues.

**63. Application CH/14/0252, Pied Piper, 114 Pye Green Road, Cannock, Residential development:- demolition of existing public house and erection of a two store block of 16 flats and two semi-detached bungalows for assisted living accommodation**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.58 – 6.80 of the Official Minutes of the Council).

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

**Additional conditions/informatives:**

Removal of conditions 3, 4 & 5 regarding access works and the attachment of the following conditions and informatives:-

1. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.
2. The development hereby permitted shall not be brought into use until the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as footway.
3. The development hereby permitted shall not be brought into use until the access drive, parking, servicing and turning areas have been provided in accordance with Drawing Number AL-90-101, surfaced in a porous bound material, and thereafter retained for the lifetime of the development.
4. No development hereby approved shall be commenced until a Traffic Management Plan/Construction Method Statement comprising details of construction access, site compound, provision for parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, and storage of plant and materials used in constructing the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented prior to any works commencing on site.
5. The residential units shall remain as “supported living” and shall be controlled by a registered provider for the life of the development.

REASONS: 1-5 - In order to comply with NPPF paragraph 32.

## **Informative:**

- A. The access works shall require a Minor Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Minor Works Information Pack and an application form for the Minor Works Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford. ST16 2DH (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))  
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>
- B. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford. ST16 2DH (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))

Additional information requiring that any work that is likely to impact upon nesting birds is carried out outside the nesting period.

## Amendments to the Report

The officer's report make several references to "mental disabilities", this should read "learning disabilities". The proposal is not designed for those with mental health issues.

"Mental health accommodation in more complex instances can take the form of a registered psychiatric hospital under Use Class C2, for individuals suffering from enduring mental health issues, e.g. recurring depression, schizophrenia, post traumatic stress.

This development is for people with physical and learning disabilities from birth, where the learning abilities of those individuals is diminished and so they require additional support in everyday life, such as Downs Syndrome and mild forms of autism".

Item 6.66 states "Parish Council – objections" this is erroneous as there is no Parish Council.

## Responses to further publicity

Following the submission of amended plans a further 6 objections have been received and a further 49 signatures to add to the petition previously received.

Many of the original concerns regarding retaining the pub were repeated, however the following additional points were repeatedly raised in regard to the latest plans:-

- Concerns over the occupancy of those with "mental health issues" –

*this was an oversight on behalf of the Officer in referencing “mental disabilities” within the report however as mentioned above this is not correct.*

- *Queries over the validity of the bat survey and its results – the bat survey has been carried out in accordance with the legislative requirement. Although there maybe bats in the area as witnessed by the locals this does not necessarily mean they are roosting or feeding in the specific trees surveyed.*
- *Parking provision being less than that “stated in the NPPF – a minimum requirement of 1.25 spaces per flat” – there are no parking standards included within the NPPF. There is a local Supplementary Planning Document which states that developments such as this (those located close to existing transport links) should have a **maximum** provision of 1.25 spaces per unit. Given the close proximity of the site to the town centre it would be reasonable to expect open market flats to provide 1 space per unit as not all residents would be expected to own cars. In this instance, given the proposed user group and the applicant’s experience in other parts of the country, there will be a heavily reduced parking requirement. Further consideration of the parking requirement is included in paragraphs 4.17 – 4.19 of the report.*
- *No provision for an ambulance bay – as the proposal is for individual residential units and not a care home there is no specific requirement for an ambulance bay. There is sufficient space within the parking area for an ambulance to make an emergency visit which is considered acceptable in this instance.*

Prior to consideration of the application representations were made by two objectors - Mr. P. Dempster and Mr. D. Smith and two supporters – Mr. Alistair Sheenan (the applicant) and Mr. D. De Silva (Inclusion Housing).

RESOLVED:

That the application be refused for the following reasons:-

**1. The proposed development would result in the loss of the Pied Piper Public House, which is a valued community facility. As such, the proposal is contrary to policy CP5 of the adopted Cannock Chase Local Plan (Part 1) 2014 and the NPPF, which seek to retain community facilities.**

**2. The proposed development due to its layout, design and scale would result in a development, which would be out of keeping with the character of the surrounding area and would consequently have an adverse impact on the character and amenity of the wider area. Consequently, the proposal conflicts with policy CP3 of the adopted Cannock Chase Local Plan (Part 1) 2014 and the NPPF, which seek to secure high quality development in terms of design, which is in keeping with the character of the wider area.**

(Members requested that Officers write to Marstons, the owner of the application site, to remind them that permission was required to demolish a building).

(At this point in the proceedings the meeting adjourned for 5 minutes to allow a comfort break for Members).

**64. Application CH/14/0184, Land west of Pye Green Road, Hednesford, Residential development – erection of 119 dwellings with access off Pye Green Road; including play area, landscaping and other associated works**

Consideration was given to the Report of the Development Control Manager (Item 6.1 – 6.36 of the Official Minutes of the Council).

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

Conditions 3 and 4 should refer to drawing number 100 Revision **M** which showed the new layout with a fewer number of dwellings.

Paragraph 5.11 – The highways works listed are not an exhaustive list. There are additional works further from the site, notably including a new roundabout at the junction of Pye Green Road and Stafford Road.

The S106 payments towards SANG provision and allotment provision will be made to St. Modwen, not to the Council. This is because St. Modwen will be providing the SANGs and the allotments and taking on the cost of maintaining them in perpetuity.

He further advised that the application had been deferred at the previous meeting following concerns expressed regarding density and layout of the site and highways issues. The areas of land excluded from the site were outlined on the plan for Members information. Staffordshire County Council had confirmed that they were happy with the access and junction improvements and the roundabout and crossing improvements. Additionally, the bigger St. Modwen development on the land to the west of Pye Green Road which had outline planning permission would contribute to highways improvements in the area. He confirmed that the applicant had submitted an amended scheme following the concerns expressed by the Committee and the number of dwellings had been reduced to 119. This enabled more open space/garden area/landscaping within the site.

Prior to consideration of the application representations were made by the representative for the Applicant (BDW/Barratts).

A Member requested that an additional condition be added should permission be granted to ensure that this development is linked to the bigger development being provided by St. Modwen.

Members raised concern regarding the volume and speed of traffic along the Pye Green Road and considered that an island should be provided by

the Jubilee Public house. The Officer confirmed it would not be possible to secure this as part of this application. However, as part of the reserved matters application in relation to the bigger development by St. Modwen Officers could discuss the possibility of securing further highway improvements linked to the original S106 agreement. Members noted that there was no guarantee that this would be achieved.

RESOLVED:

(A) That the application be approved subject to receiving satisfactory comments from the Councils Landscape Officer and the applicant being requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990 to secure the following contributions:

- £5,098 per dwelling (excluding flats) for education contribution;
- £1,506.34 per dwelling for SAC mitigation;
- £1,000 per dwelling for open space, sport and recreation provision;
- £82.22 per dwelling for allotment provisions;
- £6,300 for residential/green travel plan and monitoring fee;
- An agreed design for the play area, on-site open space and landscaping and commuted sum for the maintenance of these;
- 20% affordable housing in perpetuity

(B) On completion of the above the application be approved subject to the conditions contained in the report for the reasons stated therein and to the following additional condition:-

**To ensure that the development is linked to bigger development being provided by St Modwen**

(Councillor G. Ball requested that his name be recorded as having abstained from voting in respect of this application).

**65. Application CH/14/0285, Land to the rear of ASDA, Surrey Close, Cannock, Erection of 2 pairs of semi-detached 2 bedroom bungalows**

Consideration was given to the Report of the Development Control Manager (Item 6.37 – 6.57 of the Official Minutes of the Council).

The Development Control Manager advised that the application had been deferred at the previous meeting due to concern raised regarding the number of dwellings. With regards to this application he confirmed that there was only a 5% increase when compared to the previous approved scheme for three dwellings and a minor increase in levels. Therefore there was no impact on the neighbours. He also confirmed that the boundary issue discussed at previous meetings had been addressed. However, any land transactions as a result of these discussions was outside the remit of the Committee.

- (A) That the applicant be requested to enter into a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990 to secure a financial contribution of £1,800 towards SAC mitigation;
- (B) That on completion of the Planning Obligation the application be approved subject to the conditions contained in the report for the reasons stated therein.

**66. Application CH/14/0199, 11 Albany Drive, Cannock, Detached double garage to front**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.81 – 6.89 of the Official Minutes of the Council).

The Development Control Manager circulated an update to the Committee which was as follows:

An additional letter of objection has been received along with photographs (displayed). The objection raised concerns over the impact upon visual amenity of the proposed garage.

Prior to consideration of the application representations were made by Mr. J. Freeman, the applicant's agent.

RESOLVED:

That the application be approved subject to the following conditions and reasons:-

**1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.**

**Reason**

**To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.**

**2. No part of the development hereby approved shall be commenced until details of the materials to be used for the external surfaces have been submitted to and approved by the Local Planning Authority.**

**Reason**

**In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3, CP15, CP16, RTC3 (where applicable) and the NPPF.**

**3. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until details for tree and hedge protection have been submitted to and approved by the Local Planning Authority. Details shall include the position and**



**construction of all fencing and the care & maintenance of the trees & hedges within.**

**Reason**

**The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.**

**4. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing ( pursuant to Condition 3 above shall be erected to the approved layout) 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.**

**Reason**

**To ensure the retention and protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.**

**5. The garage shall not be used for any purpose other than the accommodation of private motor vehicles belonging to the occupiers of the dwelling or any other use which is incidental to the enjoyment of the dwelling.**

**Reason**

**To safeguard the amenities of the area and to ensure that the use of the premises does not detract from the enjoyment of their properties by adjoining residents and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping Design and the NPPF.**

**6. The development hereby permitted shall be carried out in accordance with the approved plans.**

(Councillors Mrs. D. Todd and B. Todd requested that their names be recorded as having voted against this decision).

(At this point in the proceedings the meeting adjourned for 5 minutes).

**67. Application CH/14/0175, 74 Hayfield Hill, Rugeley, Residential development, erection of a detached bedroom dwelling with**

## **associated access and parking**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.90 – 6.107 of the Official Minutes of the Council).

The Development Control Manager clarified some of the points raised by the Applicant's agent in his email to Members and confirmed that the recommendation to refuse the application remained the same.

Prior to consideration of the application representations were made by Councillor B. Hardman, the Ward Councillor who was in support of the application.

RESOLVED:

(A) That the applicant be requested to enter into a Planning Obligation under S106 of the Town and Country Planning Act, 1990 to secure a contribution of £450 towards SAC mitigation;

(B) On completion of the Planning Obligation the application be approved subject to the following conditions and reasons:-

**1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.**

### **Reason**

**To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.**

**2. The development hereby permitted shall not commence until details of vehicular access including its location, design and surfacing materials have been submitted to and agreed in writing with the Local Planning Authority. Thereafter the access shall be constructed in accordance with the approved details and retained as such for the life of the development.**

### **Reason**

**In the interests of highway safety to ensure compliance with the NPPF.**

**3. No materials shall be used for the external surfaces of the development other than those specified on the application, except with the written approval of the Local Planning Authority.**

### **Reason**

**In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3, CP15, CP16, RTC3 (where applicable) and the NPPF.**

**4. No development shall commence until details of storm and foul**

**water drainage have been submitted to and agreed in writing with the Local Planning Authority. The approved drainage scheme shall be implemented in accordance with approved details and retained for the life of the development.**

**Reason**

**In the interests of proper planning and to ensure that that the approved development has adequate drainage.**

**5. No existing trees or hedges shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed, until a landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority.**

**Any trees or hedges which, within a period of 5 years from completion of the development are cut down, topped, lopped or uprooted without permission of the Local Planning Authority or become seriously damaged or diseased or die shall be replaced in the next planting season with similar size and species unless the Local Planning Authority gives written consent to any variation.**

**Reason**

**The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP14, CP12 and the NPPF.**

**6. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including levels, planting, fencing, walls, retaining walls, surface treatment & construction details for the site has been submitted to and approved by the Local Planning Authority. The details shall be in the form as specified in Annex C of the Supplementary Planning Guidance 'Trees, Landscape and Development'.**

**Reason**

**In the interest of visual amenity of the area and in accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.**

**7. The approved landscape works pursuant to Condition 6 shall be carried out in the first planting and seeding season following the occupation of the dwelling hereby approved.**

**Reason**

**In the interest of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.**

**8. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until details for tree and hedge protection have been submitted to and approved by the Local**

**Planning Authority. Details shall include the position and construction of all fencing and the care & maintenance of the trees & hedges within.**

**Reason**

**The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.**

**9. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing pursuant to Condition 7.**

**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.**

**Reason**

**To ensure the retention and protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.**

**10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development within Part 1 of Schedule 2 to the Order shall be carried out without an express grant of planning permission, from the Local Planning Authority, namely:**

- The enlargement, improvement or other alteration of the dwellinghouse;**
- The enlargement of the dwellinghouse consisting of an addition or alteration to its roof;**
- Any other alteration to the roof of the dwellinghouse;**
- The erection or construction of a porch outside any external door of the dwelling;**
- The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;**
- The provision within the curtilage of the dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such;**

- The erection or provision within the curtilage of the dwellinghouse of a container for the storage of oil for domestic heating.
- The installation, alteration or replacement of a satellite antenna on the dwellinghouse or within the curtilage of the dwellinghouse.

**Reason**

The Local Planning Authority considers that such development would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area. It is considered to be in the public interest to require an application to enable the merits of any proposal to be assessed and to ensure compliance with Local Plan Policies CP3, CP14 and the NPPF.

11. Notwithstanding the submitted plans no development shall commence until a plan denoting the access and curtilage of No. 74 Hayfield Hill (host dwelling) and the proposed dwelling has been submitted to and agreed in writing with the Local Planning Authority.

**Reason**

In the interests of proper planning.

12. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drawing No 0818:01;
- Drawing No.0818:02;
- Drawing No. 0818:03;
- Drawing No. 0818:04;
- Drawing No. 0818:05;
- Drawing No. 0818:06;
- Drawing No. 0818:07;
- Drawing No.0818:08.

**Reason**

For the avoidance of doubt and in the interests of proper planning.

**68. Proposed Tree Preservation Order – John Bamford School, Etching Hill, Rugeley**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.108 – 6.112 of the Official Minutes of the Council).

Having declared a personal and pecuniary interest Councillor M. Grocott left the meeting during consideration of this application and took no part in the decision making process.

Prior to consideration of the application representations were made by Mr. P. Brian, an objector.

The Tree Protection Officer was in attendance and outlined the report for

Members information.

RESOLVED:

(A) That TPO No. 2014/15 be confirmed without modification.

(B) That the Tree Protection Officer liaise with the objector to ensure that the trees are cut back/pruned as much as possible.

The meeting closed at 6.40pm.

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CHAIRMAN