

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**PLANNING CONTROL COMMITTEE**  
**WEDNESDAY, 18 JUNE 2014 AT 3.00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT: Councillors

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

|              |                  |
|--------------|------------------|
| Ball, G.D.   | Freeman, Miss M. |
| Bernard, J.  | Grocott, M.R.    |
| Bottomer, B. | Pearson, A.      |
| Dean, A.     | Todd, Mrs. D.M.  |
| Fisher, P.A. | Todd, R.         |

(The Chairman reported that the order of the agenda would be amended in order to accommodate the speaker).

**1. Apologies**

Apologies for absence were received from Councillors F.W.C. Allen, C. Anslow and P.A. Snape.

**2. 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.   | Application CH/13/0203, land adjacent to 67 McGhie Street, Hednesford – residential development – erection of 12 three bedroom houses – amended plans – Member knows the developer  | Personal         |
| Bottomer, B.  | Application CH/14/0141, McDonalds Restaurants Ltd., Hemlock Way, Cannock Variation of condition 2 of planning permission CH/11/0177 to allow opening 24 hours a day 7 days a week with the drive thru element only open between 23:00 | Predetermination |

and 5:00 hours – Member of the Planning Committee on the Parish Council and has predetermined the decision

Dean, A. Application CH/14/0141, McDonalds Restaurants Ltd., Hemlock Way, Cannock Predetermination  
Variation of condition 2 of planning permission CH/11/0177 to allow opening 24 hours a day 7 days a week with the drive thru element only open between 23:00 and 5:00 hours – Member of the Planning Committee on the Parish Council and has predetermined the decision

### **3. Disclosure of lobbying of Members**

None disclosed.

### **4. Minutes**

RESOLVED:

That the Minutes of the Meeting held on 28 May, 2014 be approved as a correct record.

### **5. Members' requests for site visits**

Councillor Dean requested a site visit in respect of Application CH/14/0817 – Peregrine Way, Heath Hayes, Cannock. The Development Control Manager advised that this application was due to be submitted to a future meeting of the Committee and a site visit would be arranged.

### **6. Application CH/14/0112, Conversion of detached garage into annex, Prospect Manor Cottage, Prospect Manor Court, Hednesford**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.13 – 6.21 of the Official Minutes of the Council).

The Development Control Manager advised that since the report was written the new Cannock Chase Local Plan (Part 1) 2014 had been adopted (11/06/2014). As such, references in the report to the previous Cannock Chase Local Plan, 1997 were no longer relevant. The relevant planning policies of the new adopted Local Plan to this application are:

CP1 – Strategy  
CP3 – Chase Shaping – Design  
CP15 – Historic Environment

The proposal has been considered in light of these policies and is, on balance, considered acceptable. References to policies in conditions will be updated to reflect the new Local Plan and NPPF.

He further advised that the proposed roof lights would be positioned to the rear elevation.

Prior to the determination of the application representations were made by Mr. J. Reynolds, the agent, acting for the applicant.

RESOLVED:

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

**7. Application CH/13/0203, Residential development – erection of 12 x two and three bedroom houses, Land adjacent to 67 McGhie Street, Hednesford**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.22 – 6.45 of the Official Minutes of the Council).

The Development Control Manager advised that since the report was written the new Cannock Chase Local Plan (Part 1) 2014 had been adopted (11/06/2014). As such, references in the report to the previous Cannock Chase Local Plan, 1997 were no longer relevant. The relevant planning policies of the new adopted Local Plan to this application are:

- CP1 – Strategy
- CP2 – Developer Contributions for Infrastructure
- CP3 – Chase Shaping – Design
- CP5 – Social Inclusion and Healthy Living
- CP6 – Housing Land
- CP7 – Housing Choice
- CP12 – Biodiversity and Geodiversity
- CP13 – Cannock Chase Special Area of Conservation (SAC)

The proposal has been considered in light of these policies, and is, on balance, considered acceptable. References to policies in conditions will be updated to reflect the new Local Plan and NPPF.

He further advised that the new Local Plan required that a developer make a financial contribution to affordable housing (based on a formula) if the development was less than 15 dwellings. As the application was being determined following the adoption of the new Local Plan this contribution applied. However, the report outlined that the developer had indicated there were viability issues and, as such, this contribution would not be sought.

He also advised that Staffordshire County Highways had indicated they had no objections to the application subject to the addition of 6 conditions and a number of informatives. He read these out for the benefit of the Committee. Should the application be approved these conditions/informatives would be added.

An additional condition was proposed in respect of the use and details of the proposed garage block.

Councillor J. Bernard arrived part way through consideration of this application and therefore took no part in the decision making process.

RESOLVED:

- (A) That the applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990 to secure a financial contribution of £5400 towards mitigating the impact of the proposed development on the Cannock Chase Special Area of Conservation;
- (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 the following additional conditions and informatives:-

### **Conditions**

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 commenced until details have been submitted to and approved in writing by the Local Planning Authority indicating all road construction, street lighting, drainage including longitudinal sections and a satisfactory means of draining roads to an acceptable outfall which shall thereafter be constructed in accordance with the approved drawings.
4. The development hereby permitted shall not be brought into use until the visibility splays shown on Drawing Number JMD 265-21A have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
5. The development hereby permitted shall not be brought into use until the parking areas have been provided in accordance with Drawing Number JMD 265-21A and thereafter retained for the lifetime of the development.
6. The development hereby permitted shall not be commenced until a Traffic Management Plan/Construction Method Statement comprising construction traffic access and routeing, delivery time restrictions, 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 traffic management scheme shall thereafter be implemented prior to any works commencing on site.

REASONS - 1-6. In order to comply with NPPF paragraph 32.

Notwithstanding the approved plans, the development shall not commence until details of the garages located within the site have been submitted to and approved by the Local Planning Authority. Thereafter, the garages 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 Policies CP1 Strategy, CP3 Chase Shaping - Design and Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport SPD

### **Informatives**

A. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. 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, Staffordshire, 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, Staffordshire, ST16 2DH. (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))

C. This consent will require approval under Section 7 of the Staffordshire Act 1983. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

D. This Form X is issued on the understanding that the site access road will be privately maintained and that the developer will provide details of the maintenance/management arrangements to the County Council in order that consideration may be given to the granting of an exemption under Section 219 of the Highways Act (1980).

**8. Application CH/14/0131, Retention of marquee for minimum of 3 years and use of vacant land as additional parking space, Park Gate Inn, Park Gate Road, Rugeley**

Following a site visit, consideration was given to the Report of the Development Control Manager (Item 6.1 – 6.12 of the Official Minutes of the Council).

The Development Control Manager advised that since the report was written the new Cannock Chase Local Plan (Part 1) 2014 had been adopted (11/06/2014). As such, references in the report to the previous Cannock Chase Local Plan, 1997 were no longer relevant. The relevant planning policies of the new adopted Local Plan to this application are:

CP1 – Strategy

CP3 – Chase Shaping – Design

CP14 – Landscaping Character and Cannock Chase Area of Outstanding Natural Beauty (AONB)

The proposal has been considered in light of these policies, and is, on balance, considered acceptable. References to policies in conditions will be updated to reflect the new Local Plan and NPPF.

He further advised that if Members were minded to approve the application Condition 8 would be removed. Additionally, he was recommending that the application be approved for a temporary 18 month period.

RESOLVED:

That the application be approved for a temporary 18 month period subject to the conditions contained in the report for the reasons stated therein.

**9. Application CH/14/0141, Variation of condition 2 of planning permission CH/11/0177 to allow opening 24 hours a day 7 days a week, with the drive thru element only open between 23.00 and 5.00 hours, McDonalds Restaurants Ltd.,,, Hemlock Way, Cannock**

Consideration was given to the Report of the Development Control Manager (Item 6.46 – 6.50 of the Official Minutes of the Council).

Councillors B. Bottomer and A. Dean advised that they had pre-determined the application and therefore left the room during consideration of the application and took no part in the decision making process.

The Development Control Manager advised that since the report was written the new Cannock Chase Local Plan (Part 1) 2014 had been adopted (11/06/2014). As such, references in the report to the previous Cannock Chase Local Plan, 1997 were no longer relevant. The relevant planning policies of the new adopted Local Plan to this application are:

CP1 – Strategy

The proposal has been considered in light of these policies, and is, on balance, considered acceptable. References to policies in conditions will be updated to reflect the new Local Plan and NPPF.

RESOLVED:

That the application be refused for the following reasons:-

The proposed variation of hours would result in additional customers and vehicle movements to and from the application site during the night and early morning, which would result in additional noise and activity and increased potential for anti-social behaviour to the detriment of the amenity of occupiers of nearby dwellings. Consequently, the proposed development would be contrary to adopted Local Plan Policies CP1, CP3 and the NPPF, particularly paragraph 123.

**10. Proposed Tree Preservation Order at 12 The Beeches, Rugeley**

Consideration was given to the Report of the Development Control Manager (Item 6.51 – 6.56 of the Official Minutes of the Council).

The Tree Preservation Officer provided the Committee with an update on the application.

RESOLVED:

That the Tree Preservation Order at 12 The Beeches, Rugeley be confirmed without modification.

(The meeting finished at 4.00 pm).

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CHAIRMAN