

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE
WEDNESDAY, 20 FEBRUARY 2013 AT 3.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT:
Councillors

Kraujalis, J.T. (Vice-Chairman – in the Chair)

Allen, F.W.C.	Pearson, A.
Bernard, J.D.	Rowley, J.
Davies, D.N.	Sutherland, M.
Fisher, P.	Todd, R.
Freeman, Miss. M.	Whitehouse, Mrs. L.
Morgan, C.W.J.	

260. Apologies

Apologies for absence were received from Councillors Mrs. S.M. Cartwright (Chairman) and Mrs. D.M. Todd.

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

The Council's Solicitor reminded the Committee that she had emailed all Planning Control Committee Members to provide clarification regarding pre-determination. A more definitive note would be prepared and sent to all Councillors in due course.

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

Member	Interest	Type
Rowley, J.	CH/12/0250 – Land at junction of Norton Lane and Hickling Road, Cannock, Installation of single wind turbine – Member is a Staffordshire County Councillor and the Council had agreed that in relation to wind turbines anything above 105 feet in height should not be approved	Pre-determination
Bernard, J.	CH/12/0250 – Land at junction of Norton	Pre-determination

Lane and Hickling Road, Cannock,
Installation of single wind turbine – Member is
a Staffordshire County Councillor and the Council
had agreed that in relation to wind turbines anything
above 105 feet in height should not be approved.

262. Disclosure of lobbying of Members

Councillor J. Rowley declared that he had been lobbied in respect of application CH/12/0250, Land at junction of Norton Lane and Hickling Road, Cannock, installation of single wind turbine.

263. Minutes

RESOLVED:

That the Minutes of the Meeting held on 30 January 2013 be approved as a correct record.

264. Members' requests for site visits

There were no requests for site visits.

265. Application CH/12/0250, Land at junction of Norton Lane and Hickling Road, Cannock, Installation of a single wind turbine with a maximum height to tip of 102m, new access track and associated infrastructure

Following a site visit by Members of the Committee, consideration was given to the Report of the Development Manager (Enclosure 6.1 – 6.28 of the Official Minutes of the Council).

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

“Since writing the agenda report the Planning Authority has received further representations and consultee responses as set out below:

A further 27 letters/emails of objections have been received, objecting to the proposal for the following reasons:

- a) Adverse impact on the landscape character/countryside;
- b) Negative impact on property values;
- c) Impact on local wildlife;
- d) Adverse impact on skyline;
- e) Residents already suffering as a consequence of on-going problems associated with the Poplars Landfill and Anaerobic Digestion plant;
- f) Noise impact on amenity;
- g) Damage to surrounding area and amenity does not outweigh/benefits;
- h) Visual eyesore;
- i) Safety;
- j) Geological and hydrological interference.

The Officer response was that most of the matters raised have already been addressed in the report to the Planning Control Committee. Comments on matters not already addressed in the report are set out as follows:

Negative impact on property values – *This is not a material planning consideration.*

Residents already suffering as a consequence of on-going problems associated with the Poplars Landfill and Anaerobic Digestion Plant – *This application needs to be considered on its own merits.*

Safety – *There is no evidence to suggest that the proposed development would have an adverse impact on safety. However, if the development were to be approved the construction/maintenance and health and safety implications arising from the development would be the responsibility of the applicant. Also, these matters would be covered under other legislation.*

Geological and hydrological interference – *There is no evidence to suggest that the proposed development would have any material adverse impact on the geology and hydrology of the site and surrounding area.*

CONSULTEE RESPONSES

- A) County Highways – The applicant has submitted additional information as requested by them and they have confirmed that they have no objections to the proposal subject to recommended conditions.
- B) Highways Agency – No objections – subject to the applicant advising the agency of times and arrangements for the transportation of the turbine components.
- C) Environment Agency – No comments to make on this application.

The Officer recommendation was that the planning application be refused for reason 2 only, as set out in the report (Enclosure 6.7)".

Councillors J. Rowley and J.D. Bernard declared that they had pre-determined the application and would leave the meeting during consideration of the application and take no part in the decision making process. However, they had indicated that they wished to make representations in respect of the application prior to leaving the meeting.

Representations were then made by Councillors J. Rowley and J.D. Bernard. Following this, they then left the room. Further representations were made by two objectors. The Committee then considered the application.

RESOLVED:

That the application be refused for the following reasons:

1. The proposed turbine, due to its location and scale, would result in an unacceptable visual intrusion in the local landscape, thereby harming the character and appearance of the site and wider area. The proposal is therefore contrary to Local Plan Policy B8 and the NPPF.
2. The Site and surrounding areas are used by priority and protected species. However, the applicant has failed to provide sufficient information to consider the impact of the proposed development on priority and protected species. As such, the proposal is contrary to Local Plan Policy C12 and the NPPF, which together seek to safeguard and protect priority and protected species.

266. Application CH/12/0419, The Rag, Ironstone Road, Cannock Wood, Erection of 6 camping pods in field to rear

Following a site visit by Members of the Committee, consideration was given to the Report of the Development Manager (Enclosure 6.29 – 6.39 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by the applicant's agent.

RESOLVED:

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

Reason for approval:

In accordance with paragraphs (186-187) of the National Planning Policy Framework the local planning authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the National Planning Policy Framework for the following reason:

The proposal constitutes inappropriate development within the Green Belt. However, in this instance 'very special circumstances' exist, which are that the proposal is of a small scale, which is associated with the adjacent pub/restaurant business, which together would facilitate tourism in the local area. Consequently, the harm caused by the inappropriateness of the proposed development is outweighed by the 'very special circumstances'. Therefore the proposed development as such, is acceptable and accords with the National Planning Policy Framework.

Conditions:

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 and Country Planning Act, 1990.

2. No part of the development hereby approved shall be commenced until details, including materials of the proposed camping pods, cycle stands and barbeque seating area have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be undertaken in accordance with the approved details.
Reason: In the interests of visual amenity and to ensure compliance with Local Plan Policies B8: Design Principles of New Built Development and C6: Green Belt and Area of Outstanding Natural Beauty: Design of Development.
3. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including planting, fencing, walls, lighting, surface treatment and construction details for the site has been submitted to and approved by the Local Planning Authority. (The scheme shall include additional tree planting along the boundaries of the site). 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 B8, C8 and C15.
4. The approved landscape works (pursuant to Condition 3) shall be carried out in the first planting and seeding season following the occupation of any camping pod or the completion of the development whichever is the sooner.
Reason: In the interest of visual amenity of the area. In accordance with Local Plan Policies B8, C8 and C15.
5. Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
Reason: In the interests of visual amenity of the area. In accordance with Local Plan Policies B8, C8 and C15.
6. No goods, plant, materials or waste shall be stored or deposited on any part of the site outside the camping pods except in an enclosed container, the siting and design of which has been agreed in writing with the Local Planning Authority.
Reason: To safeguard the amenities of the Green Belt and AONB, and to ensure that adequate space is retained for the parking of vehicles and to ensure compliance with the Local Plan Policies E5, C6 and C8.
7. No development shall commence until details of the access and car parking (including visibility, construction and surfacing details) have been submitted to and agreed in writing with the Local Planning Authority. The access and parking area shall be provided in accordance with approved details prior to the use of the development hereby approved and thereafter shall be retained for the life of the

development.

Reason: In the interest of highway safety and to comply with Staffordshire and Stoke-on-Trent Structure Plan (1996-2011) saved policy T13.

8. Each camping pod hereby approved shall only be occupied by two persons at any one time and shall only be used for short term leisure and recreation use and not for residential purposes within use Class C3 of the Town and Country Planning (Use Classes) Order 1987, as amended.

Reason: In the interests of safeguarding the amenity of the surrounding area and Green Belt in accordance with Local Plan Policy B8.

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

12044/1A

12044/2A

12044/3

Design and Access Statement

Reason: For the avoidance of doubt and in the interest of proper planning.

267. Application CH/12/0359, 37 Cumberledge Hill, Rugeley, Two storey side and rear extension – amended plans and additional information

Following a site visit by Members of the Committee, consideration was given to the Report of the Development Manager (Enclosure 6.40 – 6.51 of the Official Minutes of the Council).

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

“Since writing the agenda report the Planning Authority has received a further representation from a neighbour:

- He has again raised matters which are set out and addressed in the report. In particular, he has expressed concerns in respect of the following:-
 - a) The impact of the proposed development on an existing retaining wall. (This matter is already addressed in the report). Furthermore, any such issues can be addressed between the neighbours through the Party Wall Act.
 - b) Discrepancy in the dimensions on amended drawings: Officers have noted that on one of the submitted drawings (block plan) the dimensions are incorrect, in that the overall depth of the extension is shown as approximately 8.6m as opposed to 10.1m. Officers can confirm that the overall depth of the proposed extension would be 10.1m (including a 3m projection from the existing rear extension). As set out under paragraph 2.2 of the report (Enclosure 6.46).

The Officer recommendation remained as set out in the report.”

Prior to consideration of the application representations were made by an objector and the applicant.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein subject to Officers ensuring that dimensions on site are in accordance with any approved drawings.

268. Local Protocol for Planning Decision Making, Engagement with Parish Councils in Decision Making on Planning Applications

Consideration was given to the Joint Report of the Council's Solicitor and Monitoring Officer and Economic Development and Planning Services Manager (Enclosure 6.52 – 6.55 of the Official Minutes of the Council).

RESOLVED:

- (A) To note the outcome of the discussions at the consultation event for Parish Councils held on Thursday 22 November, 2012, so far as these relate to decision making processes on planning and other applications submitted under the Town and Country Planning Acts on which Parish Councils are consulted.
- (B) That a letter be sent to Parish Council's informing them of decisions to approve an application contrary to a parish objection, including an explanation of the reasons why the objection has not been supported.
- (C) That the Committee recommend to Council that paragraph 6.19(b) of the Scheme of Delegations contained in Part 3 of the Constitution and also paragraph 7.4 of the Local Protocol for Planning Decision Making contained in Part 5 Section 49 of the Constitution be amended to state that when a Parish Council objects to an application which officers are not intending to refuse using delegated powers, the application be determined by Committee rather than by officers.
- (D) That the above changes be trialled for 1 year and their effectiveness be reviewed in consultation with the Parish Councils.

269. Streamlining the Planning Application Process Consultation from the Department for Communities and Local Government (DCLG)

Consideration was given to the Report of the Planning and Economic Development Manager (Enclosure 6.56 – 6.59 of the Official Minutes of the Council).

RESOLVED:

That the Officer recommendations on the three proposals as set out in the

report be the agreed response to the consultation.

CHAIRMAN

The meeting closed at 4.45p.m.