

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE
WEDNESDAY 5 OCTOBER, 2011 AT 3.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Kraujalis, J.T. (Chairman)

Allen, F.W.C.	Easton, R.
Ball, G.	Jones, R.
Bernard, J.D.	Rowley, J.
Burnett, G.	Todd, Mrs. D.
Cartwright, Mrs. S.M.	Todd, B.
Davies, D.N.	Whitehouse, Mrs. L.

(The Chairman reported that he had agreed to the order of the agenda being amended).

52. Apologies

Apologies for absence were received from Councillors J. Burnett (Vice-Chairman) and P.A. Fisher.

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

<u>Member</u>	<u>Interest</u>	<u>Type</u>
Kraujalis, J.T.	Application CH/11/0268, Proposed 17.5 metre high monopole antenna and associated equipment cabinets, Arvan House, Brookfield Drive, Cannock - Member declared he had spoke against the application at the Planning Control Committee on 30 March 2011	Pre-determination - Left the meeting and took no part in the decision making process
Burnett, G.	Application CH/11/0268, Proposed 17.5 metre high monopole antenna and associated equipment cabinets, Arvan House, Brookfield Drive, Cannock - Member declared he had contracts with one of the Applicants	Personal and Prejudicial

(As the Chairman had declared he would leave the meeting as he had pre-determined Application CH/11/0268 it was proposed that Councillor R. Easton be appointed Chairman when this item was considered).

54. Disclosure of lobbying of Members

Councillors J.T. Kraujalis, F.W.C. Allen, G.D. Ball, J.D. Bernard, G. Burnett, D.N. Davies, R. Easton, R. Jones, J. Rowley, Mrs. D. Todd, B. Todd and Mrs. L. Whitehouse declared they had been lobbied in respect of Application CH/11/0249, Variation of Condition 30 of Planning Permission CH/10/0451, to allow the permanent use of facility and illumination of floodlights between the hours of 8:00 and 22:00 on any day, Cardinal Griffin Catholic High School, Cardinal Way, Cannock

Councillor G. Burnett declared he been lobbied in respect of Application CH/11/0238, play area, site entrance and exit barrier, tarmacing of existing stone roads and extension of opening season to between 16 February and 5 January the following year, Cannock Chase Camping and Caravan Club site, Youth Hostel, Wandon, Brindley Heath

55. Minutes

RESOLVED:

That the Minutes of the meeting held on 14 September, 2011 be approved as a correct record.

56. Members' requests for site visits

RESOLVED:

That a site visit be undertaken in respect of Application CH/11/0316, retrospective application for the retention of a play area facility, between Pheasant Way and Peregrine Way, Heath Hayes

Reason: In order to assess the threat of anti social behaviour

57. Application CH/11/0249, Variation of condition 30 of planning permission CH/10/0451, to allow the permanent use of facility and illumination of floodlights between the hours of 8:00 and 22:00 on any day, Cardinal Griffin Catholic High School, Cardinal Way, Cannock

Consideration was given to the Report of the Planning Services Manager (Enclosure 6.10 – 6.28 of the Official Minutes of the Council).

The Planning Services Manager provided Members with an update which had been circulated to Members at the beginning of the meeting. Members were also provided with a photograph showing a similar facility that utilised similar technologies to the application site which had been taken off the Campaign for Dark Skies website. The update was as outlined below:

A letter of support for the proposed facility had been received on behalf of the following schools – Kingsmead Technology College, Cannock Chase High School, Hagley Park Sports College, Blake Valley Technology College and Norton Canes High School. The supporters state that the proposal would provide an outstanding facility for children to develop interest and ability in football; for schools it would remove the pressure placed on students to miss school based activities in order to train with Sunday League teams and the facility will allow teachers to organise and plan for the future.

A letter of support from Mrs. Dianne Tenn, Chair of Cannock Town Football Club had been

received advising that Cannock needs such a facility urgently; existing players have to travel distances to use such facilities, which places financial constraints and it was important for children's development in terms of "community" and "fitness".

Furthermore, a letter had been received from Mr. J. Armitage (Director of Cannock Civic Observations) who runs an Observatory Group which have an Observatory within Cardinal Griffin school grounds. The letter advises that he was not consulted on either application; he was consulted by the school at an early stage in the process assuring him that the proposal would not interfere with his activities – on this basis he did not object; the proposal does not comply with Campaign for Dark Skies (guidelines) – uncertainty over lighting specification and the project was ill conceived and badly handled.

In response to these objections the Planning Services Manager advised that Officers did not notify Mr. Armitage of either planning applications. The Council undertook the appropriate consultation for each application. On the initial application the Council were made aware of the Observatory as a result of other comments received. Accordingly, as the Council had no contact for the Observatory Group, the school were approached, who advised that they had consulted the Observatory Group and that they had no objections.

On this planning application the Council did not consult with them as a) no issue had been highlighted on the first application, and b) because the application relates to varying a condition in the interests of amenity. The Council had received an assurance from the School that they had been kept informed and in addition they had no formal lease which would entitle them to be consulted.

Campaign for Dark Skies is guidance and therefore there is no obligation for the applicant to meet such guidelines. A summary of their advice is:

Lights should shine only *where* needed;
Lights should only shine *when* needed;
These guidelines should apply everywhere.

The applicants have confirmed that the proposals meet such requirements. In fact, the applicants have pointed out that the Campaign for Dark Skies website shows a scheme undertaken by Abacus Lighting (Upton Leisure Centre, Chester) of a well-lit sports facility, which utilises similar technologies as proposed for the application site.

Cardinal Griffin school have advised that prior to setting up the Observatory, Mr. Armitage was told that the school would be applying for a floodlit playing pitch; that the Observatory is sited to look South, where as the proposed ATP would be located West; they have received no written complaint or objection to the proposed facility from Mr. Armitage or anyone else representing the Observatory Group and no formal agreement exists between the Observatory Group and school over the use of the Observatory.

The Planning Services Manager also advised that a further letter and email correspondence had been received from Friends of Cannock Park. The correspondence advised that the lighting technical report which supports the application is not consistent with the technical details submitted with planning application number CH/10/0451. The technical details contained in MUK 371-07 differ substantially from the technical information included with the above application for the variation of Condition 30. Of particular concern was the increased Illuminance Level to 314

Lux (initial 100 hours) and maintained 243 lux (4,000 hours) in the technical report dated 25 July 2011. Whereas the specifications in MUK 371-07 dated 22 December 2010 gives the Illuminance levels as 255 lux (initial 100 hours) and maintained 204 lux. A further drawing dated 7 February 2011 detailed the Illuminance levels as 234 lux (initial 100 hours) and maintained 180 lux (4,000 hours).

The floodlights in MUK 371-07 are detailed as AL 5767/2KW/MH and AL5768/2KW/MH and lamps 2KW MH TS2000W/L/K12/4k however the floodlights in the report dated 25 July are detailed as AL5779/2K/WMH and AL5780/2KW/WMH, the specifications for the lamps are not fully legible 70W/SON-T but it is believed they are OSRAM lamps.

The specifications and Illuminance levels appear to have been altered from the original details contained in planning application number CH/10/0451.

Bearing in mind that survey's and consultations were based on details submitted with application CH/10/0451, any technical report submitted for the purpose of the variation of condition 30 should only have been based upon the specifications for the lighting submitted as part of application number CH/10/0451.

In response to these comments the Planning Services Manager advised that drawing MUK 371-07 was originally submitted showing details of proposed lighting along with a specification for the proposed floodlighting. This information was considered sufficient to consider general impact of the proposed lighting on the amenity of neighbours. In terms of impact on wildlife the Council Ecologist had no objections but had requested additional information on lighting. Accordingly, officers recommended Condition 3, to ensure that a Lighting Assessment Report was required by condition. The only specification which was approved was the Challenger 1 – AL5760, floodlight specification.

Subsequently, at Committee Members also suggested an additional condition controlling the hours of use of the proposed flood lighting (Condition 30). As part of proving the case for variation of Condition 30, the applicants have provided a Lighting Assessment Report.

70W/SON-T – OSRAM lamp is the lamp proposed for the lighting to the access road and car park.

The lighting columns are to remain at 15m in height and would be of the Challenger 1-AL5760 specification as approved.

The floodlighting reflectors (and associated AL numbers) were changed to further reduce the level of light spill. As a consequence of using the proposed reflectors, the light spillage is reduced and the Lux levels on the pitch are increased. Both Environmental Health and the Council Ecologist have looked at the most recent Lighting Assessment Report and are satisfied that the proposals would have no material adverse impact on the amenity of neighbours or wildlife.

Furthermore, drawing UKS6893/3/H states that the Car Park: Maintained (4000 hrs) Lux level is 251 Lux, this is an error and it should be 14 Lux.

The Planning Services Manager confirmed that Officers were recommending that Condition 3 be removed and he advised that all the conditions which had been approved along with permission CH/10/0451 had also been included in this application (as this was best practice).

He then explained that in addition to the recommendation set out in the report, it was recommended that:

Based on the submitted Lighting Technical Report, that Condition 3 is removed and that the Lighting Technical Report and attached plans are included in the list of approved drawings.

The Chairman asked the Officer to confirm the Football Foundation's position. The Planning Services Manager advised that the Football Foundation had confirmed their position in the letter attached to the agenda at Enclosure 6.27. However, they had declined the invitation to send a representative to the meeting. The Football Foundation confirmed that they would support the project financially if the hours were 8:00 to 22:00.

The Chairman noted that 3 speakers had addressed the Committee on this application at its last meeting and that the Council's Protocol for public speaking at the Planning Control Committee enabled speakers to only address the Committee once on an application. He requested that Members consider an amendment to the Protocol which would give speakers the opportunity to address the Committee again if the matter was deferred. He requested that a report considering such an amendment to the Protocol be brought to the next meeting.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein with the following additional conditions:

Amended Condition 3:

3. Details of the design of the lighting bodies, baffles, reflectors and timing controls shall be submitted to the Local Planning Authority prior to installation. The lighting shall not be brought into use unless the Local Planning Authority's written approval of these details has been given. No other design of lighting shall be installed or operated without the prior approval of the Local Planning Authority.

Amended Condition 31 to include the following approved details relating to lighting:-

Floodlighting Specification – Challenger1 AL5760 – Abacus Lighting:
Technical Report (Floodlighting) dated 11/04/2011;
Horizontal Overspill Drawing – UKS6893/3/H;
Vertical Overspill Drawing – UKS6893/3/V

(As Councillor Mrs. S.M. Cartwright was not present for the whole of the debate she did not vote on this application).

58. Application CH/11/0210, Change of use from an electrical contractors office to a reclamation yard (building materials) and construction of fencing panels (sui generis), 198 Hednesford Road, Norton Canes, Cannock

Following a site visit by Members of the Committee consideration was given to the Report of the Planning Services Manager (Enclosure 6.1– 6.9 of the Official Minutes of the Council).

The Planning Services Manager advised that the Committee may wish to impose an additional

condition should the application be approved to cover any concern regarding noise levels in view of the possible use of spray/nail guns at the premises.

Members raised concern regarding the potential fire hazard in the premises. It was requested that Officers inform the applicant to contact Staffordshire Fire and Rescue Services and request an Officer to visit the premises to provide advice on fire safety should the application be approved.

RESOLVED:

(A) That the application be approved subject to the conditions contained in the report for the reasons stated therein and to the following additional condition:

12. No machinery or extraction equipment shall be installed or operated within the building unless the specification of the type of machinery and extraction equipment has been submitted to and approved in writing by the Local Planning Authority. No machinery or extraction equipment other than that approved by the Local Planning Authority, shall be installed or operated within the building at any time.

(All other conditions 12-16 renumbered 13-17)

(B) That the applicant be requested to contact Staffordshire Fire and Rescue Services to request an Officer to visit the premises to provide advice on fire safety.

59. Application CH/11/0238, Play area, site entrance and exit barrier, laying tarmac on existing stone roads and extension of opening season to between 16 February and 5 January the following year, Cannock Chase Camping and Caravan Club Site, Old Youth Hostel, Wandon, Rugeley

Consideration was given to the Report of the Planning Services Manager (Enclosure 6.29 – 6.37 of the Official Minutes of the Council).

The Planning Services Manager advised that the application had been deferred at the previous meeting to enable Officers to liaise with the applicant regarding tarmac, drainage and opening times. The applicant had advised that the request to extend the opening season was in response to customer requirements. In response to the concern raised by Members regarding tarmac, the applicant had confirmed that the tarmac would be a light colour. Additionally, the applicant had agreed to erect screen fencing along the boundary with the neighbour where the play area was to be sited.

RESOLVED:

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

(Councillor R. Easton requested that his name be recorded as having voted against this decision).

60. Application CH/11/0268, Proposed 17.5 metre high monopole antenna and associated equipment cabinets, Arvan House, Brookfield Drive, Cannock

Consideration was given to the Report of the Planning Services Manager (Enclosure 6.38 – 6.43 of the Official Minutes of the Council).

Councillor R. Easton was appointed Chairman for consideration of this item. Councillor R. Easton in the Chair.

Having declared a personal and prejudicial interest Councillor G. Burnett left the meeting during consideration of the application and took no part in the decision making process.

Prior to consideration of the application representations were made by the Ward and Parish Councillor (Councillor J.T. Kraujalis). Having declared that he had pre-determined the application, the Chairman, Councillor J.T. Kraujalis left the meeting during consideration of the application and took no part in the decision making process

The Planning Services Manager advised that an amended plan had been circulated showing the correct position of the mast compared with the one that was refused by Members at the Committee in March 2011.

RESOLVED:

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

(Councillor R. Jones left the meeting whilst Members were considering the application and was not present when the vote was taken).

(The meeting closed at 4.45 pm)

CHAIRMAN