

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE
WEDNESDAY 11 JANUARY, 2012 AT 3.00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Kraujalis, J.T. (Chairman)
 Burnett, J. (Vice-Chairman)

Allen, F.W.C.	Jones, R.
Ball, G.	Rowley, J.
Bernard, J.D.	Todd, Mrs. D.
Cartwright, Mrs. S.M.	Todd, B.
Easton, R.	Whitehouse, Mrs. L.
Fisher, P.A.	

Prior to the commencement of the meeting the Chairman advised that he had agreed that a Briefing Note would be considered at the end of the meeting regarding the issue of predetermination.

90. Apologies

An apology for absence was received from Councillor G. Burnett.

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

<u>Member</u>	<u>Nature of Interest</u>	<u>Type</u>
Bernard, J.D.	Application CH/11/0316, Multi Use Games Area, Public open space between Pheasant Way and Peregrine Way, Cannock – Member is a Ward Member and had pre-determined the application	Pre-determination - left the meeting and took no part in the decision making process
Rowley, J.	Application CH/11/0360, Residential development, Erection of nine 2 bedroom houses, Prince of Wales Public House car park, Sheepfair, Rugeley – Member was present at Rugeley Parish Council when the application was considered and had pre-determined the application	Pre-determination - took no part in the decision making process
Allen, F.W.C.	Application CH/11/0408, Residential development – two detached 3 bedroom bungalows with accommodation in	Personal

roofspace, Land to side and rear of 31 & 33 Broadhurst Green, Hednesford – Members sister-in-law was the previous occupant of No. 33 Broadhurst Green

92. Disclosure of lobbying of Members

None declared.

93. Minutes

RESOLVED:

That the Minutes of the meeting held on 21 December, 2011 be approved as a correct record.

94. Members' requests for site visits

No requests for site visits were made.

95. Application CH/11/0316 – Amended design and layout of play equipment and multi-use games area (retrospective), public open space between Pheasant Way and Peregrine Way, Hawks Green, Cannock

Consideration was given to the Report of the Planning Services Manager (Enclosure 6.1 – 6.21 of the Official Minutes of the Council).

The Planning Services Manager advised Members that a letter from an objector (who had spoke against the application previously) had been received and this was read out for the benefit of the Committee. A further letter had been received from the Partnership Development Unit which was in support of retaining the teen shelter and this was also read out.

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

RESOLVED:

That the application be refused for the following reason:

The use of the development, which includes play and socialising by children and young people, some of which takes place at unsocial hours, generates noise and disturbance, which results in detrimental impact on the amenity of occupiers of nearby dwellings. Consequently, the development conflicts with Local Plan Policy B8 (v) – Design Principles for New Built Development, which seeks to avoid any adverse effects of loss of amenity to adjacent properties.

(Councillor J.T. Kraujalis requested that his name be recorded as having voted against this decision).

Councillor Allen then moved the following motion which was seconded:

“That Enforcement action be commenced to remove all the play equipment on site.”

Following a vote it was RESOLVED:

That Enforcement action be commenced to remove all the play equipment on site.

96. Application CH/11/0174, Restaurant with drive through, external seating area, car park and associated landscaping, Land west of A51 roundabout, Power Station Road, Rugeley

Following a site visit by Members of the Committee consideration was given to the Report of the Planning Services Manager (Enclosure 6.22 – 6.38 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by the Applicant.

RESOLVED:

(A) That the Applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990 (as amended) in order to provide a financial contribution to enhance pedestrian/cycle links via Love Lane and the canal tow path;

(B) That, on completion of the agreement, the application be approved subject to the conditions contained in the report for the reasons stated therein.

(At this point in the proceedings the meeting adjourned for a 15 minute comfort break for Members).

(Councillor J. Burnett left the meeting prior to consideration of the following items).

97. Application CH/11/0360, Residential development – erection of nine 2 bedroom houses; associated parking and landscaping, with access from Sheep Fair, car park adjacent to 62 Sheep Fair, Rugeley

Following a site visit by Members of the Committee consideration was given to the Report of the Planning Services Manager (Enclosure 6.39 – 6.48 of the Official Minutes of the Council).

Having declared that he had predetermined the application Councillor J. Rowley took no part in the decision making process.

Prior to consideration of the application representations were made by an objector, Councillor Mrs. P. Williams (Ward Member) and the Applicant's Agent.

The Planning Services Manager reported that an additional condition regarding landscaping would be added should permission be granted.

RESOLVED:

That the application be deferred to enable Officers enter into discussions with the developer and landowner of the Prince of Wales Public House regarding creating additional parking facilities in the beer garden.

98. Application CH/11/0408, Residential development – two detached 3 bedroom bungalows with accommodation in roof space, Land to side and rear of 31 & 33 Broadhurst Green, Hednesford

Following a site visit by Members of the Committee consideration was given to the Report of the Planning Services Manager (Enclosure 6.49 – 6.58 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Councillor G. Adamson (Ward Councillor) and the Applicant's Agent.

RESOLVED:

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

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions, alterations or additional openings other than those hereby permitted in the roof of the development shall be formed without an express grant of planning permission from the Local Planning Authority.

99. **Application CH/11/0362, Change of use from residential dwelling to residential dwelling and cattery business; with outdoor boarding cattery in rear garden with associated office/storage building, 24 Hawthorne Road, Wimblebury, Cannock**

The Committee was advised that this application had been withdrawn at the request of the applicant.

100. **Briefing Note – Localism Act 2011 – Pre-determination**

Consideration was given to the Briefing Note which was circulated at the meeting. The Council's Solicitor led Members through the Briefing Note which explained that the Localism Act 2011 received Royal Assent on 15 November 2011 and its sections would gradually come into force during 2012. On 15 January Section 25 of the Act, which contained provision relating to predetermination and bias, came into effect and the Briefing Note advised Members of the consequences of this.

AGREED:

That the Briefing Note be noted.

CHAIRMAN

(The meeting closed at 5.40 p.m.)