

Cannock Chase Council
Minutes of the Meeting of the
Planning Control Committee

Held on Wednesday 23 February 2022 at 3:00pm
in the Council Chamber, Civic Centre, Cannock

Part 1

Present:
Councillors

Muckley, A. (Vice-Chairman-in the Chair)	
Beach, A.	Kruskonjic, P.
Cartwright, Mrs. S.M.	Smith, C.D.
Fisher, P.A.	Sutton, Mrs. H.M.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.L.
Hoare, M.W.A.	Wilson, Mrs. L.J.
Jones, Mrs. V.	Witton, P.T.

96. Apologies

Apologies for absence were received from Councillors P.D. Startin (Chairman) and F.W.C. Allen.

Councillor Fisher indicated he would need to leave the meeting by 4pm should it not be finished by then.

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

Councillor	Application	Interest
Thompson, Mrs. S.L.	<i>Units 8 & 9 Orbital Retail Park, Voyager Drive, Cannock, WS11 8XP</i> - External alterations to elevations associated with the amalgamation of Units 8 & 9 to accommodate a foodstore, relaxation of the range of goods currently restricted under Planning Permission CH/97/0377 and CH/10/0454, to allow the sale of food and drink, other associated works.	Predetermination

98. Disclosure of details of lobbying by Members

Councillor Sutton advised she had been lobbied in respect of application CH/21/0407, 1 to 7 Park Road, Cannock.

99. Minutes

Resolved:

That the Minutes of the meeting held on 9 February 2022 be approved as a correct record.

100. Members requests for Site Visits

Councillor Smith requested that a site visit be undertaken in respect of application CH/21/0387, Mardell House, 33 Market Street, Rugeley, which was seconded by Councillor Hoare. Councillor Smith considered that owing to parking provision and use of the highway, the Committee needed to visit the site to fully appreciate the proposals as the photographs included with the report presented a misleading, but not incorrect view of the site.

Should the request be agreed, the application would be deferred until the next Planning Control Committee scheduled for 16 March for consideration. The applicant's representative, Mr John Reynolds, advised he would defer his right to speak on this matter until that meeting.

Resolved

That a site visit be undertaken in respect of application CH/12/0387, Mardell House, 33 Market Street, Rugeley.

101. Application CH/21/0407 - 1-7 Park Road, Cannock, WS11 1JN - Installation of external air conditioning units (retrospective application)

Following a site visit by Members of the Committee, consideration was given to the report of the Development Control Manager (Item 6.1 – 6.15 of the Official Minutes of the Council).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

The Development Control Manager outlined the following update that had been circulated in advance of the meeting:

“Following completion of the report, officers received additional comments from neighbours relating to the proposed method of enclosing the air conditioning units.

In response, officers would advise that the application does not specify the exact method as to how the air conditioning units would be enclosed.

Officers also requested further information as to the acoustic enclosure proposed. In response, the applicant's agent advised that as they would need to go to a specialist supplier for the enclosure to suit the criteria specified in the submitted Noise Report, this information would not be available in time for the committee meeting. However, they have provided images of examples of the type of enclosure to be expected.

It is therefore recommended that the condition in the officer report be amended to read as follows:

Notwithstanding the details of the approved plans, within 21 days of the date of this permission a scheme for the fitting of an acoustic enclosure shall be submitted to and approved in writing by the Local Planning Authority. Within 14 days of the approval of the scheme the works comprising the erection of the acoustic enclosure around the Air Conditioning Condenser Units shall be implemented in full. The acoustic enclosure shall thereafter be retained for the lifetime of the permission."

Prior to consideration of the application, representations were made by Mr S. Humphries, speaking in objection to the application.

Councillor Fisher moved that the application be refused, which was duly seconded by Councillor Smith.

Resolved:

That the application which was recommended for approval, be refused for the below reasons.

Reasons for Refusal

The external air conditioning units, by virtue of their stark utilitarian design, their height on the building and their proximity to the boundary with the adjoining property at 9 and 9A Park Road, which contained a residential flat at first floor and its associated outdoor amenity area to the rear, constituted an unsightly and overpowering addition that detracted from the visual amenity of the immediate area to the detriment of the amenity of the occupiers of that flat contrary to Policy CP3 of the Cannock Chase Local Plan and paragraphs 130(a), (b) and (f) of the National Planning Policy Framework.

The external air conditioning units by virtue of the noise that they generated detract from the residential amenity of the occupiers of the residential flat at 9A Park Road contrary to Policy CP3 of the Cannock Chase Local Plan and paragraphs 130(f) and 185 of the National Planning Policy Framework. Furthermore, whilst it may be possible to mitigate this noise by the fitting of an acoustic enclosure around the units, this would add to the overall bulk of the units and therefore further exacerbate the existing harm to visual amenity identified above. As such, it was considered that the harm by virtue of noise could not be satisfactorily mitigated through the fitting of an acoustic enclosure.

Prior to consideration of the next application, the Principal Solicitor reminded Members that questions of clarification were best left until after any registered speakers had presented their views to the Committee.

- 102. Application CH/21/0231 - Units 8 & 9 Orbital Retail Park, Voyager Drive, Cannock, WS11 8XP - External alterations to elevations associated with the amalgamation of Units 8 & 9 to accommodate a food store, relaxation of the range of goods currently restricted under Planning Permissions CH/97/0377 and CH/10/0454, to allow the sale of food and drink, other associated works**

(Councillor Thompson did not take part in the discussion or vote on this application having predetermined the matter.)

Consideration was given to the report of the Development Control Manager (Item 6.16 – 6.68 of the Official Minutes of the Council).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

(Councillor Fisher left the meeting during the Development Control Manager's presentation and did not return.)

Prior to consideration of the application, representations were made by Lucy Turner, the applicant's representative, speaking in favour of the application.

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 travel plan monitoring sum of £7,000.
- (B) That on completion of the Agreement, the application be approved subject to the conditions contained in the report for the reasons stated therein.

103. Application CH/21/0387 - 33 Mardell House, Market Street, Rugeley, WS15 2JH - Change of use of former funeral director's premises with first floor one bedroomed flat, garages and storage to 4 x 2 bedroomed flats together with rear first floor extension

The application was deferred until 16 March to allow for a site visit to be undertaken (as per minute no. 100, above).

The meeting closed at 4:19 pm

Chairman