

**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**PLANNING CONTROL COMMITTEE**  
**WEDNESDAY 6 DECEMBER, 2017 AT 3:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT:  
Councillors

Cartwright, Mrs. S.M. (Chairman)  
Pearson, A.R. (Vice-Chairman)

Allen, F.W.C.	Snape, P.A.
Cooper, Miss J.	Sutherland, M
Dean, A.	Todd, Mrs. D.M.
Kraujalis, J.T.	Witton, P. (substitute for Grice, Mrs D.)
Lea, C.I.	
Snape, D.J.	

(The Chairman altered the agenda order slightly and the application listed second on the agenda was considered first).

**71. Apologies**

Apologies for absence were received from Councillors A. Dudson, Mrs. D. Grice, M. Grocott and M.W.A. Hoare.

(Councillor P.T. Witton was in attendance as substitute for Councillor Mrs. D. Grice).

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

<b>Member</b>	<b>Interest</b>	<b>Type</b>
Pearson, A.R.	Application CH/17/212, 414 Rugeley Road, Hednesford, Cannock, WS12 0QP, Proposed front extension with internal alterations (resubmission of CH/15/0273) – Member lives next door to the application site. He would be speaking on the application as a member of the public and would then leave the room during the deliberations.	Personal and Pecuniary

**73. Disclosure of lobbying of Members**

Nothing declared.

**74. Minutes**

RESOLVED:

That the Minutes of the meeting held on 15 November, 2017 be approved as a correct record.

**75. Members' Requests for Site Visits**

None.

**76. Application CH/16/470, Land rear of 854 & 856 Pye Green Road, Hednesford – Proposed erection of 3 no. dwellings with new access road and demolition of garage (resubmission of CH/15/0395)**

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.19 – 6.40 of the Official Minutes of the Council).

The Development Control Manager circulated an update advising that the applicant has revised Plot 3 to provide an obscure glazed window adjacent the shared boundary with No. 856a to protect this neighbours privacy.

The owner at No 856a is in the process of building a wall to the front of his property and feels that this will affect the visibility splay. The vis-splays approved by Highways are achievable without crossing third party land regardless of whether there is a wall in situ or not.

Prior to consideration of the application representations were made by Mr. Westnidge, an objector, speaking against the application and Mr. Adam Price, speaking in support of the application.

In response to concerns raised regarding works to the drive and the effect on the tree the Development Control Manager advised that an additional condition could be added, should the application be approved, so that the Local Planning Authority was given 7 days notice of any works being carried out to the root protection area of the tree. The Council's Tree Protection Officer would then have the opportunity to be on site and monitor the works being undertaken. The Officer agreed that Members would be advised once the 7 day notice had been served.

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:-

"No works shall commence within the root protection zone of the sycamore tree on site until the developer has served notice on the Local Planning Authority that works within the root protection zone are due to commence and a period of 7 days has

elapsed”.

Reason: To allow the Local Planning Authority the opportunity to monitor works undertaken that could have an impact on the health of the tree.

**77. Application CH/17/358, Land at Brereton Fields, 37 Gorse Lane, Rugeley – Residential development:- Erection of 1 no. detached 4 bedroom house (outline application including appearance and scale)**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.18 of the Official Minutes of the Council).

The Development Control Manager circulated an update advising that Brereton & Ravenhill Parish Council had no objection to the amended plans subject to the District Council being satisfied that there was no adverse impact on No. 7 Gorse Lane.

RESOLVED:

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

**78. Application CH/17/236, Land at Hednesford Football Club, Keys Park Road, Hednesford – Residential development comprising 123 no. dwellings including 22 no. affordable dwellings, open space and associated road and parking**

Consideration was given to the report of the Development Control Manager (Item 6.41 – 6.105 of the Official Minutes of the Council).

The Development Control Manager circulated an update which advised the following:-

“A further representation has been received from the Landscape Trees and Countryside Officer which makes the following statement: -

For some time (certainly between 1990 and 2008) this Council has adopted and exceeded the National Playing Fields Standard (CCDC used 7ac) of providing outdoor space/Leisure facilities as part of the Development proposals in the District. This standard known as the 6 ac per 1000 population standard has been seen as the minimum standards required by Local Authorities and some authorities exceed it – Stratford use 3.0 ac per 1000 population. The point is that the provision whatever the quantity should aim to provide informal casual playing space, sports pitches and play areas. This is broken down in the old standard enclosed and of the 0.8 Ha of children’s play space 0.2-0.3 Ha of this should be equipped play areas. In 2009 Planning amended these to reduce it to 0.048Ha/1000 population but changed the classification to equipped Local Areas for Play-known as LAPS. According to the NPFA (now known as the Fields in Trust). I shall come back to this important classification in a while as this is what is being proposed for the Keys Park development. The key issue here is that we are dealing with children (up to the age of 18), young people and adults as all three use outdoor space and equipped play areas all of which are free to use. The standards vary depending on what else is available locally and I use the Ward as a local area. The Councils supplementary

Planning Document 2008 does make the case for issues around viability/space issues around smaller developments and allows for a viability test to either reduce the planning obligation for play and/ or allow for an off site contribution to upgrade another site either in the Ward or locally to the Ward where it can be shown that people will be able to get to. The viability test is subject to independent assessment.

Turning to what is been offered is a LAP- local area for play. These are generally small areas of open space laid out for very young children (up to age 6) to play close to where they live i.e. within 1 minute of where they live. It contains no equipment and is generally used for imaginative play. The activity zone where most children congregate must be a minimum of 100 sq. m. They were originally designed into developments where there were other play areas for older children so there was no conflict between the users. As part of the 2009 reworking of the CCDC standards we presumed against their use as they are impossible to police in terms of age use and generally get used by older children for ball games, which creates animosity with residents around the site, and for that reason have not been used for over 15 years. Planning also concluded in 2009 that developments with 100+ houses would automatically generate the minimum NPFA standards that would be a NEAP- a Neighbourhood Equipped Area for Play-such as you see at Park Farm, Kingswood Lakes-larger play areas with at least 8 pieces of equipment measuring at least 1000sqm of activity zone.

To put this into context of your Ward-it is 6Ha + plus deficient in POS and has no play areas, allotments or football pitches. It does have a kick about area at Littleworth Road and a play area in Arthur Street but this is not in the Ward and is 0.5 m away on the other side of main roads. The other main open spaces are Anglesey Park and The Brickworks, which are both, managed for their environmental/ecological attributes as opposed to informal/formal play.

The report also contains a viability statement that costs the play area and seeks recompense for these houses when in fact it includes ecological mitigation works and does not start from the point of incorporating a NEAP as per the SPD. The report also lists other areas close to the Ward such as the SBI which are not allowable as POS by the NPFA as you cannot formalise recreation in the general sense without impacting on their objectives of nature conservation.

Officers would comment that this site is a very complex site with a number of competing demands of particular importance being the Government's stated commitment to boost significantly the supply of housing, including the provision of affordable housing, and to encourage effective use of previously developed land and the ecological constraints of the SBI.

The provision of recreational open space is only one of a number of these competing factors and the issue is addressed at Section 4.15 of the Officer Report. Of particular relevance is that the SPD states that "larger scale development may give rise to the need for further on-site facilities" and as such it should not be automatically concluded that all large scale development will give rise to as need. In addition the SPD also makes it clear that the "exact nature of the on-site provision required will take into account the nature of the development (including site constraints)".

It should be noted that initially the applicant did provide for a path through the SBI to

allow for a measure of formal access. This was removed at the request of the ecologist but should members consider that on balance it would be beneficial a path could be incorporated and this could be controlled through an appropriately worded condition.

Ultimately the policy test with which to assess the proposal is: -

Whether any adverse impact of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, taken as a whole.

This exercise of weighing the social, economic and environmental aspects of the proposal is set out in Section 4.18 of the Officer Report which gives a summary of the planning balance of the various benefits and adverse impacts.

As such the further comments raised by the Landscape, Trees and Countryside Officer do not change the overall recommendation in the Officer report.

The following changes to the conditions schedule are recommended (changes shown in bold): -

6. Prior to first occupation of any of the new dwelling units a revised Travel Plan, **including measures to encourage sustainable travel to and from the development**, shall be submitted to and approved in writing by the Local Planning Authority.
  
11. The Local Area of Play shall not be brought into use until clean cover to a depth of 300mm has been provided and certification that the cover is suitable for use provided and validation that the works have been undertaken have been submitted to the Local Planning Authority. All verges and amenity areas (**excluding those areas within the SBI**) shall be provided with clean cover to a depth of 300mm and certification that the cover is suitable for use provided and validation that the works have been undertaken shall be submitted to the Local Planning Authority before they are made available for public use.
  
22. Notwithstanding the details of the approved plans: -
  - (i) that part of the southern boundary to Plots 50-51 running between the car park to the football ground to the access strip to the Site of Biological Importance shall be comprised of **ranch style fencing and defensible planting**.
  - (ii) a revised scheme for the planting of trees along the entrance to the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with approved time table for the implementation of the wider landscape scheme.
  - (iii) the knee rail running along the boundary of the approved estate and the Site of Biological Interest shall run along the rear of the bin collection points so as to allow unfettered access to the storage areas.
  - (iv) the height of the acoustic fence along the boundary of plots 22- 38 and 39-50 shall be increased to at least 2.2m.
  
29. The development hereby permitted shall be carried out in accordance with the

following approved plans and documents:

PL-01	Planning Layout Rev F.
MP0-01	Material Plan Rev F.
BTP0-01	Boundary Treatments Rev G.
17-15-06	Tree Retention / Removal plan Rev A.
17-15-07	Tree Constraints Plan.
17-15-03A	Landscaping Sheet 1 Rev A.
17-015-04A	Landscaping Sheet 2 Rev A.
17-015-05B	Landscaping Strategy Rev B.
SLP-01	Slab Levels Rev C.
20093-801	Sections.
20093	UCP Utility Corridor Routes.
22881/08-17/5090	Parking Study Rev B.
22881/05-17/4802	Transport Assessment Rev B.
17015/DP/AIA001	Arboricultural Report Rev A.
WM11069	Site Investigations.
LEMP A	
17015/TGW/TS001	Tree Report Rev A
17443-1	Noise Report.
LE13883	Air Quality
	Design and Access Statement RevB.
	Travel Plan, August 2017.
	Preliminary Ecological Appraisal, dated August 2015, prepared by ADAS.
	Reptile Survey, dated November 2015, prepared by ADAS.
	Great Crested Newt Survey, dated July 2016, prepared by ADAS.
	Final Invertebrate Survey, prepared by ADAS.
	Landscape and Ecological Management Plan, dated October 2017, prepared by ADAS.
	Botanical Survey.
22881/03-17/4818	Flood Risk Assessment.
2281/09-17/5156	Flood Risk Assessment Addendum.
1001-HT-A A -	
1001-HT-C C -	
1001-HT-D D -	
1001-HT-E E -	
1001-HT-F F -	
1001-HT-G G -	
1001-HT-H H -	
1001-HT-L L -	
1001-HT-W W -	
1001-HT-X X -	
1001-HT-Y Y -	
1001-HT-Z Z -	
1001-GAR-1	Garages

Prior to consideration of the application representations were made by Mr. John Williams, the applicant, speaking in support of the application.

Members raised concern regarding the affordable housing contribution, the numbers of houses proposed for the site and parking/highways issues. A Member moved that the application should be deferred to allow Officers to discuss these concerns with the applicant. This was seconded.

The Development Control Manager suggested that the meeting adjourn for a short period to enable him to speak with the applicant regarding this proposal. The meeting then adjourned for 5 minutes.

The meeting re-convened and the Development Control Manager advised that the applicant would prefer the Committee to defer the application rather than to refuse it. This would enable Officers to work with the applicant and reach a compromise.

Following a vote this proposal was carried.

RESOLVED:

That the application be deferred to allow Officers to enter into further discussions with the applicant in respect of the affordable housing contribution, overdevelopment of the site and highways/parking issues.

**79. Application CH/17/325, Land adjacent to 15 Cannock Wood Street, Cannock – Residential development:- erection of 4 no. dwellings**

Following a site visit by Members consideration was given to the report of the Development Control Manager (Item 6.106 – 6.122 of the Official Minutes of the Council).

The Development Control Manager circulated an update which advised the following:-

“The agent has submitted further information on 1 December 2017 (Drawing Nos. 2017:385:01A & 02A), to update the plans showing the existing trees, finished floor levels of the houses, landscaping and mitigation measures as suggested by their ecologist’s Ecolocation.

The client has also agreed to give up part of the undeveloped part of the site to become part of the nature reserve at the rear and to make a £10,000 S106 contribution for maintenance and works to the new dedicated area, as was previously stated in the Design and Access Statement.

Statutory Consultation Responses To Additional Plan Information:

Council Ecologist Response

The mitigation proposals are insufficient to avoid significant harm to the reptiles present on the site. The remaining part of the site would not be capable of supporting the displaced animals in its current or proposed state. This would result in a significant adverse impact on Priority Species that is not being adequately mitigated or compensated rendering the application contrary to Local Plan Policy CP12.

Although the incursion is fairly minor in nature it is noted that drawings

(2017:385:01A and 2017:385:02A) show a 1.8 metre high close board fence within the designated Local Nature Reserve boundary. It is unlikely that Cannock Chase Council as landowner will agree to fencing being located in the position shown. All fencing must be on the applicant's own land. It should be noted that the existing post and rail fence and LNR boundary hedge are in the ownership of Cannock Chase Council and not the applicant.

#### Tree Officer Response

No objections, subject to the imposition of suitable tree and landscaping conditions.

#### Additional Neighbour Objection

A further neighbour objection has been received, after the end of the neighbour consultation period and after the report was written, raising the following issues:

- The introduction of another vehicle access would cause safety issues.
- The refusal reasons of CH/13/401 refused in 2015 should be carried forward to the current application.
- The site notice was not posted on a lamp post immediately in front of the site.

#### Officer Response

- The Highways Officer was consulted on the application and had no objection to the proposal, subject to conditions to provide visibility splay, parking area and cycle spaces, therefore there would be no detriment to highway safety.
- The refusal reasons from the 2015 decision have been carried forward, as suggested onto the current refusal recommendation..
- The additional information received on 1 December 2017 does not alter the Council's Ecologist, or Planning Officer's recommendation, nor the refusal reasons as stated within the agenda report.
- The site notice was attached to the nearest accessible lamp post directly adjacent to the edge of the site, due to the other lamp post being located within the front hedgerow. This is considered within closest proximity to the relevant site, as there are not always accessible lamp posts directly in front of the proposal site".

Prior to consideration of the application representations were made by Mr. John Heminsley, on behalf of the applicant, speaking in favour of the application.

RESOLVED:

That the application be refused for the reasons outlined in the report.

- 80. Application CH/17/349, Holme, Kingsley Wood Road, Rugeley - Residential development:- demolition of existing dwellinghouse down to dpc level and erection of new dwellinghouse on same footprint but with raised eaves level and re-modelling of roofspace**

Consideration was given to the report of the Development Control Manager (Item 6.123 – 6.138 of the Official Minutes of the Council).

RESOLVED:

That the application be approved subject to the conditions contained in the report for

the reasons stated therein.

**81. Application CH/17/389, Pye Green Valley between Greenheath Road and Cannock Road, Hednesford - Application to vary Condition 26 to substitute house types to incorporate the revised housing mix and to remove Condition 25 which required revised drawing to be submitted in respect of the apartment block of Planning Permission CH/14/0268**

Consideration was given to the report of the Development Control Manager (Item 6.139 – 6.155 of the Official Minutes of the Council).

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and subject to the completion of a new Section 106 Agreement to reflect the changes of the revised housing mix and affordable housing provision and subject to no additional material issues arising as a result of the extended period of consultation.

**82. Application CH/16/212, 414 Rugeley Road, Hednesford - Proposed front extension and chimney**

Consideration was given to the report of the Development Control Manager (Item 6.156 – 6.173 of the Official Minutes of the Council).

Councillor A. Pearson had declared a personal and pecuniary interest in this application and would leave the meeting. However, prior to leaving the meeting he made representations against the application as a member of the public. He then left the room and did not take part in the debate or vote on the application.

RESOLVED:

That the application, which was recommended for approval, be refused for the following reasons:-

1. The proposed extension, by virtue of the use of a render finish on a brick built building would be out of character with the host property and the wider streetscene and hence with the immediate character of that part of the streetscene within the Cannock Chase Area of Outstanding Natural Beauty, contrary to Policies CP3 and CP14 of the Cannock Chase Local Plan and the National Planning Policy Framework.
2. The proposal, by virtue of the height and location of the chimney would exacerbate existing problems of smoke and odour that have arisen from the use of a wood burning stove on site and hence would fail to secure a high quality design and a good standard of amenity for the occupants of the neighbouring property at No 416 Rugeley Road, Hednesford, contrary to Paragraph 17 of the National Planning Policy Framework.

The meeting closed at 17:05 pm.

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CHAIRMAN