

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

**Held on Wednesday 24 March 2021 at 3:00pm**

**Via Remote Access**

**Part 1**

PRESENT: Cartwright, Mrs S.M. (Chairman)  
Councillors Startin, P. (Vice-Chairman)

Allen, F.W.C.	Pearson, A.R.
Dudson, A.	Smith, C.D. ( <i>not present at the start</i> )
Fisher, P.A.	Stretton, Mrs. P.Z.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.
Jones, Mrs. V.	Todd, Mrs. D.M.
Layton, A.	Witton, P.
Muckley, A.M.	

(The Chairman advised that she had agreed that the order of the agenda be amended and Application CH/21/0030, 29 Ansty Drive, Heath Hayes, Cannock – Change of use to garage into small hairdressing salon, would be considered as the first item).

**113. Apologies**

No apologies for absence were received.

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

None declared.

**115. Disclosure of Lobbying of Members**

Councillors F.W.C. Allen, Mrs. A. Fitzgerald, P. Startin and Mrs. S. Thompson declared that they had been lobbied in respect of Application CH/20/075, Blue Cedars, 29 Beechmere Rise, Etchinghill, Rugeley, WS15 2XR – Retention of brick and panel fence, decking and reed fence, widening of driveway including associated construction of retaining walls and erection of boundary wall and fence to NE boundary (part retrospective).

**116. Minutes**

RESOLVED:

That the Minutes of the meeting held on 17 February 2021 be approved as a correct record.

## **117. Members requests for Site Visits**

A Member asked whether a site visit could be undertaken in respect of Application CH/21/0087, Land at end of Tower Road/Plantation Road, Pye Green, Cannock, outline application (some matters reserved), proposed new Scout Hut for 1<sup>st</sup> Hednesford Scout Group, so that the effect on the openness of greenspace could be assessed. As no site visits could be undertaken at the current time due to Covid-19 restrictions the Development Control Manager advised that he would ensure this application came before the Committee and a detailed presentation outlining the application would be provided showing photographs and plans of the proposals. Councillors Mrs. S.M. Cartwright and Mrs. A.A. Fitzgerald declared that they had been lobbied in respect of this application.

A Member asked also that a site visit be undertaken in respect of Application CH/20/075, Blue Cedars, 29 Beechmere Rise, Etchinghill, Rugeley, WS15 2XR – Retention of brick and panel fence, decking and reed fence, widening of driveway including associated construction of retaining walls and erection of boundary wall and fence to NE boundary (part retrospective) which was due to be considered on the agenda today (Minute no. 119 refers).

Officers reminded Members that the current Covid-19 restrictions meant that site visits were not allowed to take place. Members asked whether Officers were aware of a date when site visits would be allowed to commence again. The Principal Solicitor confirmed that there was no date set for the commencement of site visits, but she would liaise with the Council Solicitor and Monitoring Officer and advise Members accordingly.

## **118. Application CH/21/0030, 29 Ansty Drive, Heath Hayes, Cannock, WS12 3TZ, change of use of garage into small hairdressing salon**

Consideration was given to the report of the Development Control Manager (Item 6.79 – 6.97 of the Official Minutes of the Council).

The Development Control Manager advised that it was necessary to clarify the extent of the ground floor proposed for the hairdressers and the parking arrangements. Therefore, he requested that the application be deferred to allow these issues to be clarified.

RESOLVED:

That the application be deferred to allow officers to clarify the extent of the ground floor proposed for the hairdressers and the parking arrangements.

*(Councillor P.A. Fisher advised that he had some technical difficulties during the consideration of this application and lost connection. He therefore did not vote on this application).*

## **119. Application CH/20/075, Blue Cedars, 29 Beechmere Rise, Etchinghill, Rugeley, WS15 2XR – Retention of brick and panel fence, decking and reed fence, widening of driveway including associated construction of retaining walls and erection of boundary wall and fence to NE boundary (part retrospective)**

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.33 of the Official Minutes of the Council).

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

“Following compilation of the report for the Committee agenda, the following additional information was received:

**Further Neighbour Objections:**

- A further 17-page letter including photographs and diagrams was received which reiterated the previous comments made relating to the structural capacity and appearance of the existing wall to the north western boundary.
- A further neighbour letter was received which stated

“6.12 it is hard to differentiate which wall is being discussed.

6.13 one of the comments "pleased to see that alterations etc refers to the wall on the South East Boundary and then further down i.e. "Trespass has occurred etc" refers to the North East Boundary.

I think when the Planning Committee read these documents in order to prepare for the meeting, that is if they do read them, it will be hard for them to give a considered decision on the application as it is very confusing.”

- A further objection was received from Rugeley Town Council.

**Officer Response:**

Due to concerns about cracking in the wall on the North Eastern Boundary Officers can confirm that the site has been revisited by the applicant’s structural engineer who has advised that remediation is needed that will in turn require partial rebuild.

The applicant has submitted a construction method statement outlining how remediation works would be undertaken by the applicant. Re-consultation on this remediation method statement has been undertaken with neighbouring residents and the Council’s structural engineer.

The Council’s structural engineer concurs with the recommendations of the remediation method statement and states that a final inspection should be undertaken by the applicant’s structural engineer when the work is completed to ensure it has been completed in compliance with the method statement.

In respect to the comments relating to parts of the report referring to different walls and the potential for confusion Officers would clarify that the proposal entails various elements, namely: -

- (i) Retention of brick and panel fence, decking, and reed fence,
- (ii) widening of driveway including associated construction of retaining walls 9 to the south west boundary, and

(iii) erection of boundary wall and fence to NE boundary (Part Retrospective)

It is therefore important to read each part of the officer report in its proper context. At page 6.11 the Structural Engineer makes it clear that he his first referring to the proposed retaining wall to the south west of the site before moving on to the Remedial works to the Existing Retaining Wall (which on the north east boundary of the application site and which abuts the properties on Penk Drive north).

The comments made on page 6.13 are comments received in response to publicity. As such one should read them from the perspective of the person making the comments”.

Following the update, the Development Control Manager and the Principal Planning Officer then provided a presentation to the Committee outlining the application showing several photographs and plans of the proposals.

Prior to consideration of the application representations were made by Greg Markham and Russell McAusland, who were objecting to the application and shared the 10 minutes between them, Councillor John Williams, the Parish Councillor (objecting) and Rob Duncan, the applicant’s agent, speaking in favour of the application.

With regards to the request for a site visit to be undertaken, the Principal Solicitor confirmed that no site visits were allowed due to Covid-19 restrictions. Therefore, a detailed presentation outlining the application was provided to the Committee showing photographs and plans of the proposals. If Members considered they could not determine the application today as they felt they did not have sufficient information/photographs and were minded to defer the application to allow a site visit to be undertaken, she was not in a position to say when this site visit could take place. Members were asked to note that the applicant was entitled to have the application determined within a timely manner and had the right to make an application on appeal for non-determination.

Councillor Muckley moved that the application be deferred until a site visit could be undertaken. This was seconded by Councillor A. Dudson.

Following further debate around the possibility that the applicant may make an appeal for non-determination, Councillor A. Dudson withdrew his seconding of the motion to defer. Councillor Pearson, then moved refusal and this was seconded by Councillor Mrs. A.A. Fitzgerald. Further discussions took place and Councillor Mrs. A.A. Fitzgerald withdrew her seconding of the motion to refuse. Councillor A. Dudson then seconded the motion to refuse.

Following a vote, the motion to refuse was approved.

**RESOLVED:**

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

- The proposed rear wall, by virtue of its close proximity to the common boundary with Penk Drive North would give rise to such degrees of overlooking as to result in an oppressive relationship to the detriment to privacy and neighbour

amenity. As such the proposal would fail to maintain the high standard of residential amenity of the occupiers of Penk Drive North, contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127(f) of the National Planning Policy Framework.

- The proposed rear wall and fence, by virtue of its breeze block materials, height and scale relative to the common boundary with Penk Drive North would not be visually attractive or add to the quality of the area and would detract from the character of the area contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127 of the National Planning Policy Framework.

*(At this point in the proceedings the Committee adjourned for a short comfort break).*

**120. Application CH/20/378, Shop at 2 Elmore Lane, Rugeley, WS15 2DL, advertisement application 3 x fascia, 4 x F/ACM, 6xACM panels, 4 x poster cases**

Consideration was given to the report of the Development Control Manager (Item 6.34 – 6.48 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.

RESOLVED:

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

**121. Application CH/20/398, Lime Lane Kennels, Lime Lane, Pelsall, Walsall, WS3 5AL – Demolition of existing kennel buildings and erection of 3 no. detached bungalows and associated works**

Consideration was given to the report of the Development Control Manager (Item 6.49 – 6.78 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.

Prior to consideration of the application, representations were made by Rob Duncan, the applicant's agent, speaking in favour of the application.

RESOLVED:

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

**122. Application CH/21/0038, 246 Cannock Road, Heath Hayes, Cannock, WS12 3HA – Retention of detached garage**

Consideration was given to the report of the Development Control Manager (Item 6.98 – 6.112 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.

Prior to consideration of the application representations were made by John Reynolds, the applicant's agent, speaking in favour of the application.

RESOLVED:

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

*(Councillor A. Dudson did not take part in the debate or vote on this application).*

*(At this point in the proceedings the Committee adjourned for a short comfort break. Councillor Mrs. D. Todd left the meeting during the break due to connection issues. She had not re-joined the meeting when the meeting re-commenced after the short adjournment).*

**123. Application CH/21/0040, Stokes Lane, Cannock, WS12 3HJ, Application under Section 73 of the 1990 Town and Country Planning Act to develop the land not in accordance with approved plans but in accordance with plan JMD-60-07 (larger amenity block) Pursuant to CH/20/198**

Consideration was given to the report of the Development Control Manager (Item 6.113 – 6.148 of the Official Minutes of the Council).

The Development Control Manager referred to Condition 7, as outlined on Item No. 6.120 of the agenda and asked the Committee to note that, should Members be minded to approve the application, Condition 7 would be amended so as to remove the reference to a gas protection score of 6.5 (BS 8455).

He then provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Prior to consideration of the application representations were made by Gary Deffley, the applicant's agent, speaking in favour of the application.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and subject to the variation of Condition 7 as follows:

“the removal of the reference to a gas protection score of 6.5 (BS 8455)”.

*(Councillor Mrs. D. Todd re-joined the meeting during the debate on this item and therefore did not take part in the debate or vote on this application).*

**124. Application CH/21/0052, 5-7 Broad Street, Bridgtown, Cannock WS11 0DA, 1 no. 1&1/2 storey dwelling, resubmission of CH/20/354**

Consideration was given to the report of the Development Control Manager (Item 6.149 – 6.175 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.

Prior to consideration of the applications representations were made by Jonathan Pritchard, the applicant, speaking in favour of the application.

RESOLVED:

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

The meeting closed at 6:30pm.

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CHAIRMAN