

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE

HELD ON WEDNESDAY 27 JANUARY 2021 AT 3:03 P.M.

VIA REMOTE ACCESS

PART 1

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

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

(The start of the meeting was delayed slightly as the Chairman experienced technical difficulties in joining the remote meeting).

84. Apologies

No apologies for absence were received.

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

None declared.

86. Disclosure of Lobbying of Members

Nothing declared.

87. Minutes

RESOLVED:

That the Minutes of the meeting held on 13 January, 2021 be approved as a correct record.

88. Members requests for Site Visits

None requested.

89. Application CH/20/074 – Blue Cedars, 29 Beechmere Rise, Etchingill, Rugeley, WS15 2XR – Alterations to land levels including formation of enlarged driveway/turning area, formation of seating area, provision of steps to lower level and landscaping and removal of partially constructed raised terrace

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.24 of the Official Minutes of the Council).

The Development Control Manager and the Principal Development Control Officer 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 Mr Markham and Russell McAusland, who spoke against the proposal and shared the 10 minutes between them. Rob Duncan, the applicant's agent, also made representations in support of the application.

The Committee discussed the land ownership issue and both the Development Control Manager and the Principal Solicitor confirmed that land ownership was not a material consideration and should not be taken into account when determining the application.

RESOLVED:

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

(Councillor A. Pearson joined the meeting whilst the application was being determined and therefore did not take part in the deliberations or vote on the application).

90. Application CH/20/ 075, 29 Beechmere Rise, Etchingill, 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 6.25 – 6.47 of the Official Minutes of the Council).

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

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

Email from the Council's Structural Engineer (25 January 2021)

“My emails dated 7th December 2020 and 22nd January 2021 should both refer to the retaining wall along the North East boundary to the site not the North West as mentioned.”

Further Report From Applicant's Structural Engineer Survey undertaken on 26 January 2021

"From our previous site inspection of this wall we were able to establish it is currently constructed as a boundary wall. Due to the ground conditions and outcropping rock formation it does not provide any stability to the garden to 29 Beechmere Drive as the rock formation appears stable and freestanding at a distance behind this wall.

Our previous recommendations were to concrete backfill between the rock face and the back of the boundary wall to provide protection to the face of the outcropping rock formation from weathering and deterioration and to prevent any material being placed or debris building behind the wall which could potentially cause the wall to become a retaining structure for which we do not believe its construction would be suitable.

Access to the boundary wall from the neighbour's garden enabled a visual inspection of a raking vertical crack at approximately 4m from the left-hand return of the wall which followed the line of the mortar course. The crack was approximately hair line to 2mm in width.

Another vertical raking crack was located 9.0m from the left-hand return of the wall. The crack following the mortar joints and split blocks in its path. The crack varied in width from hairline to 5mm.

The mortar bed joints were however, still found to be true and level along the length of the wall and no step in the plane of the wall face was noted across the cracked joints.

During our inspection, we noted a small test hole had been dug by unknown others potentially to assess the foundation depth/bearing strata. The foundation appeared to be founded on loose strata with a weak bearing capacity in this area.

Discussions with the builder were undertaken while on site who confirmed during excavation of the foundations, there were areas of the foundation with formation on outcropping rock and some areas on soft ground. The builder introduced reinforcement into the foundations to span these soft spots with the addition of a large pad foundation to the Eastern end of the wall to support the foundation".

Evaluation

As stated in our original report, no movement joints were visible which should have been incorporated at maximum 9m centres along the length of the wall. The 7N high density blockwork wall is extremely strong and able to withstand high compressible forces but offers poor performance when subject to tensile forces. As the material shrinks, the tensile forces cause cracking which is what we have observed in this wall. The wall is not out of plane or buckling in any areas, which indicates that these cracks are from thermal volume changes and are not due to the wall being structurally inadequate.

We would advise to locally take down the masonry at 9m centres along the full length of the wall and introduce vertical movement joints to allow for the expansion and contraction of the wall and prevent any future cracking. The hairline - 2mm cracking at approximately 4m from the left-hand return of the wall can be patch repaired and made good.

With the information provided by the builder and our site observations, the foundation can be considered to act as a ground beam spanning soft spots in the bearing strata to firm outcropping rock formations.

The boundary wall still appears to be in a sound serviceable condition with the exception of the shrinkage cracking noted in our original report and provided the recommendations of this report and our original report are undertaken and the wall remains as a boundary wall with concrete backfill behind to the face of the outcropping rock should remain so for the foreseeable future.

Applicant's Agent Response Dated 27 January 2021:

I would also like to draw attention to the comments below from our structural engineer in response to your recent comment about the lack of structural calculations:

“With regard to calculations for this wall we believe it would be more robust an argument to ensure all understand that it is only a boundary wall and not a retaining structure. For a 1.1m high boundary wall this is of significant construction and if this was a boundary wall in a scenario between 2 level gardens then a 225mm thick (i.e. half its thickness) would be considered suitable and the only difference here is that there is a stable rock face at a distance behind it. In terms of calculations for the wall it's not retaining anything so the only calculations we could potentially do are lateral wind load calculations however, it is sheltered by the rockface on one side and when concreted behind will bear onto the rock if wind blows onto its face so any calcs would only really be for its current temporary state and seems somewhat irrelevant”.

I trust that the above and attached are self-explanatory and provide you with the comfort that this matter has been comprehensively addressed”.

Officer Response

Due to concerns about cracking the site was revisited by the applicant's structural engineer and resultant comments are shown above.

The result requires remediation, which will require partial rebuild.

Officers will need to refer to the Council's structural engineer for his impartial assessment of the updated structural report.

A method statement will also be required to establish how remediation works would be undertaken by the applicant, as the work could involve access over 3rd party land (if any).

Following receipt of this information, re-consultation would need to be undertaken with neighbouring residents.

Officers would therefore advise Members that this item should be deferred from a decision at today's meeting to allow time for these matters to be resolved".

The speakers who had registered to make representations in connection with the application did not speak today and would be able to make representations when the application came back to the Planning Control Committee for consideration.

RESOLVED:

That the application be deferred to enable the matters outlined in the update to be resolved.

(Although Councillor A. Pearson had joined the meeting he did not vote on this application as the Committee were not able to hear him).

91. Application CH/20/316, 37 Durham Drive, Rugeley, WS15 1LD – land between Durham Drive and Uplands Green, Pear Tree Estate, Rugeley, Erection of Detached Dormer Bungalow

Consideration was given to the report of the Development Control Manager (Item 6.48 – 6.67 of the Official Minutes of the Council).

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

“Point of Clarification

The recommendation should be altered to read:-

“Approve subject to a Section 106 unilateral undertaking in respect of securing the mitigation for impacts on Cannock Chase SAC and the attached conditions”.

Similarly paragraph 6.2 of the officer report should be altered to read:-

“It is therefore recommended that the application be approved subject to a Section 106 unilateral undertaking in respect of securing the mitigation for impacts on Cannock Chase SAC and the attached conditions.”

Prior to consideration of the application representations were made by John Heminsley, the applicant's agent, speaking in support of the application

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

RESOLVED:

- (A) That the applicant be requested to enter into a Section 106 unilateral undertaking in respect of securing the mitigation for impacts on Cannock Chase SAC;

(B) On completion of this unilateral undertaking the application be approved subject to the conditions contained in the report for the reasons stated therein.

(At this point in the proceedings the Committee adjourned for a 5-minute comfort break).

92. Application CH/20/369, 41 Sparrowhawk Way, Cannock, WS11 7JW – single storey bedroom and wet room extension

Consideration was given to the report of the Development Control Manager (Item 6.68 – 6.82 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.

93. Application CH/20/373, 54 New Penkridge Road, Cannock, WS11 1HW – Erection of 2 No 2-bed bungalows with accommodation in roof space as an amendment to approved plan (CH/17/243) - Plots 5 & 6

Consideration was given to the report of the Development Control Manager (Item 6.83 – 6.103 of the Official Minutes of the Council).

The Development Control Manager provided the following update that had been circulated prior to the meeting:-

“Point of Clarification

Since the report was compiled officers have received agreement from the applicant’s agent to amend the proposal description to read more accurately to: -

“Erection of 2 No 2-bed bungalows with accommodation in roof space as an amendment to approved plan (CH/17/243) - Plots 5 & 6”

The proposal description should be amended to correspond before the decision notice is sent out”.

He then 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.

94. Application CH/20/373, 54 New Penkridge Road, Cannock, WS11 1HW – Erection of 2 No 2-bed bungalows with accommodation in roof space as an amendment to approved plan (CH/17/243) Plots 5 & 6

Consideration was given to the report of the Development Control Manager (Item ~~6.804-661032~~ 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

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

The meeting closed at 17:22pm.

CHAIRMAN