

CANNOCK CHASE DISTRICT COUNCIL

PLANNING CONTROL COMMITTEE

21st October 2020

Officer Update Sheet

Application No:	CH/16/267
Received:	19-Jul-2016
Location:	Land to North of Wyrley Common & South of A5 Watling Street
Parish:	Norton Canes
Description:	Proposed change of use to outdoor go-karting facility and associated operational development including formation of track (1200m), car park and associated landscaping and works. (Details also provided of proposed hospitality/administration, garage/shop and toilet buildings for illustrative purposes only.)

Further to the completion of the agenda a submission has been received by the applicant's agent. This contains several plans and illustrative drawings and what purports to be a rebuttal to the reasons for refusal outlined in the officer report.

Officers have considered the information and have concluded that there is nothing within that submission that has not been discussed within the officer report.

Habitat Regulations Assessment and Drainage

However, for the purposes of clarity officers reiterate that they have undertaken an 'appropriate assessment' as required under the Habitat Regulations 2017, in respect to the impacts of the proposal on the Cannock Extension Canal SAC. This has been considered by Natural England who has commented: -

"Natural England notes that your authority, as competent authority, has endeavoured to undertake an appropriate assessment of the proposal, in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on

the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

Your authority concludes that not enough information has been provided to ascertain that the proposal will not result in adverse effects on the integrity of Cannock Chase Extension Canal SAC.

Having considered the information available and the advice of the Council's ecologist and local lead flood authority Natural England concurs with the conclusion you have drawn, that it is not possible to ascertain that the proposal will not result in adverse effects on site integrity.

If the information sought is not provided to your authority to undertake a full appropriate assessment of the proposal then Natural England advises your authority should not grant planning permission at this stage [officer emphasis].

Therefore the applicant's assertion that Natural England has accepted the drainage strategy and therefore does not object is not correct.

Officers also advise that where there is ambiguity as to impacts on a SAC those matters cannot be lawfully dealt with by condition.

Landscape

The Extract of the Local development framework Interactive policies Map Plan included under the Heading "Landscape on page 8 should be interpreted with great care. As an interactive map, layers can be shown or hidden. It also includes layers showing the results of the call for sites for employment and housing. Such information does not mean that any particular site is designated, merely that a land owners has submitted a site to be considered as part of the plan making process. This has no bearing on the merits of the current case.

All other issues raised are dealt with in detail in the officer report and require no further comment in this update

Conclusion

Having considered all of the additional information provided officers conclude that the recommendation to refuse for the reasons provided still stand.