

Cannock Chase District Council

Planning Control Committee

6th April 2022

Officer Update Sheet

Application No: CH/22/0012

Received: 13-Jan-2022

Location: West Midland Designer Outlet

Parish: Heath Hayes, Norton Canes

Ward: Hawks Green Ward, Cannock South Ward, Norton Canes Ward, Cannock East Ward

Description: Application Under Section 73 of the 1990 Town and Country Planning Act to vary Conditions 36 & 41 of Planning Permission CH/21/0197 to allow an increase in Class A3 hours, transfer of 938 sq m of NSA from Phase I to Phase II and increase height of Phase II. (Revised plans A-00-301 rev H, A-90-102-rev E

Recommendations:

The recommendation should be amended to read

‘Approve subject to the completion of a further deed of variation to the Section 106 Agreement dated 29 June 2018 and the conditions contained in the report for the reasons stated therein.’

Planning History

The Section on Planning History should be amended to read: -

“was subsequently approved by Planning Control Committee and issued on 11 October 2017 following completion of a Supplemental Agreement under Section 111 of the Local Government Act 1972 which required the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) when the applicant acquired the freehold in the application site from the Council. That Section 106 Agreement was completed on 29 June 2018 [officer emphasis].”

The original Section 106 has subsequently been subject to a Deed of Variation (DOV), dated 2 February 2021 (relating to CH/20/435) and a second DOV dated 16 June 2021 (that amended provisions in the S106 relating to the Chase Heritage Trail.)

Consultee Responses

Following the completion of the agenda the following consultation response has been received

Economic Development Officer

Further to the additional information that I am now in receipt of and with the benefit of reviewing the Alder King Retail Impact Assessment please remove the objection from Economic Development.

Errata

Condition 43 should read as follows: -

Phase 2 (as shown on Drawing A-00-301 H Phase 2 External Elevations and A-90-102 E Phase 2 Parameters Pan of the development hereby permitted shall not be commenced (other than Enabling Works) until approval of the details for appearance, landscaping, layout and scale ('the reserved matters') has been obtained from the Local Planning Authority.

Paragraph 4.5 is amended to read: -

4.5 The proposal as three distinct elements, namely: -

- (i) an increase in Class A3 hours; and
- (ii) to transfer of 938 sq m of Net Sales Area (NSA) from Phase I of the development to Phase II of the development; and
- (iii) to increase in height of one unit of the eastern block of Phase II from the consented 15m height up to 20m. All other heights across Phase II will remain as consented (15m);

as shown in revised plans A-00-301 rev H and A-90-102-RevE

Application No: CH/22/0078

Received: 28-Feb-2022

Location: 1-7, Park Road, Cannock, WS11 1JN

Parish: None.

Description: Installation of external air conditioning units (re-submission of CH/21/0407)

Application Type: Full Planning Application

Following completion of the report, officers received the following comments from the applicant in relation to the siting of the air conditioning units: -

- “Relocating the units to the back wall will result in them being immediately below one of the flats above the retail unit- this will breach Cannock Council's policy.
- Relocating the units to the back wall will also result in them being near the block of flats across the road with immediate complaints likely from all the residents from these flats.
- A trellis can be fitted above the dividing fence between our property and 9 Park Road, thereby no visibility of the units from the adjacent property.

Note, the first two of the above points were already considered prior to fitting the units at the present location”.

In response, officers would advise that the Council can only consider the location of the units as they are shown in this application. Relocating the units to the rear elevation would require a new application which would need to be assessed separately on its own merits.

Officers would also add that details and specification of such a trellis has not been provided, however, a condition requiring details of the trellising to be provided and erected as such could also be included on the decision notice should the committee be minded to grant permission.

The following wording is therefore recommended for the condition: -

Within 21 days of the date of this permission, details of a trellis to be fitted above the fence on the shared south-eastern boundary with No. 9 and 9A Park Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the trellis shall be retained as such for the life of the development.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policy CP3 and the NPPF.

The applicant has also provided the several photographs showing the site which have been included in the presentation.

Application No: CH/21/0434

Received: 10 November 2021

Location: 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock

Parish: Hednesford CP

Ward: Hednesford Green Heath

Description: Approval of Reserved matters following outline approval (CH/19/421)
Appearance, Landscape, Layout, Scale

Application Type Reserved Matters

Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues.