

119. Minutes

RESOLVED:

That the Minutes of the meeting held on 6 February, 2019 be approved as a correct record subject to the amendment of Councillor Miss J. Cooper's name which had been misspelt.

120. Members' Requests for Site Visits

Councillor P.Z. Stretton requested that a site visit be undertaken in respect Application CH/19/048, Change of use of land to Gypsy Traveller Residential site for up to 7 caravans, Grove Colliery, Lime Lane, Pelsall.

RESOLVED:

That a site visit be undertaken in respect of Application CH/19/048, Change of use of land to Gypsy Traveller Residential site for up to 7 caravans, of which no more than 3 would be static caravans. The construction of a day room block and utility block, creation of a new vehicular access and the laying of hard standing, Grove Colliery, Lime Lane, Pelsall.

Reason: In order to view the site in its current form and establish whether it was appropriate for residential use.

121. Application CH/18/398, 25 Surrey Close, Cannock WS11 8UF – Retention of conservatory and alterations to rear garden levels

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.1 – 6.14 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Harry Wilkes (an objector) and David Hyden (a supporter, speaking on behalf of the applicant).

A Member had concern regarding the proposal to erect an additional fence and suggested that the application should be deferred to enable an amicable solution to be found for all concerned. This was seconded.

The Development Control Manager confirmed that, following discussions with the applicant, the application to erect an additional fence and reduce the lower patio was the preferred solution for the applicant.

RESOLVED:

That the application be deferred to enable officers to have further discussions with the applicant.

122. Application CH/18/433, Land adjacent to 7 Bridges Road, Norton Canes, Cannock WS11 9PB – Proposed erection of 4 no. dwellings

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.15 – 6.40 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by the Ward Councillor, Councillor J. Preece along with Josh Newbury and Ian Everall who were all objecting to the application. Further representations were made by John Freeman (the architect, speaking in favour of the application on behalf of the applicant).

The Development Control Manager clarified a number of points raised by the speakers in relation to overlooking, flooding and the number of responses received. He also advised that an update had been circulated which advised that since the production of the officer report, it was noted that a typo was apparent at paragraph 4.6.3 in the original officer report. The original wording suggested a Section 106 would be utilised to secure the relevant SAC contributions. For clarity Officers confirm that such contributions would be secured by CIL and would not require a Section 106 in this case.

Members questioned whether there could be electrical charging points and bird boxes at each property should the application be approved. The Development Control Manager confirmed that this could be covered by adding additional conditions should Members be minded to approve the application.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and to the following additional conditions:-

“No dwelling hereby approved shall be occupied until a scheme for the fitting of that dwelling with electric charging points for electric vehicles has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been completed. The works shall thereafter be retained for the lifetime of the development unless otherwise approved in writing by the Local Planning authority.

Reason

In the interests of improving air quality and combatting climate change in accordance with policy CP16 and the National Planning Policy Framework.

No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of 4 No swift integral nesting boxes has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate the specification of the swift nesting boxes and their height and location. The dwellings shall be completed in accordance with the approved scheme.

Reason

In the interests of compensating for the loss of bird breeding habitat as a

result of the development in accordance with Policy CP12 of the Local Plan and paragraphs 175 of the NPPF”.

(At this point in the proceedings the meeting adjourned for a 5 minute comfort break. Councillors P.A. Snape and M. Sutherland left the meeting and were not present to determine the remainder of the applications).

123. Application CH/18/240, The Ascot Tavern, Longford Road, Cannock WS11 1NE – Demolition of existing building and erection of new building for use as a convenience shop (Class A1) and a building for use as a micro pub (A4)

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.41 – 6.66 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Mark Dauncey (speaking in favour of the application on behalf of the applicant).

The Development Control Manager confirmed that the reference within the application to “micro brewery” should read “micro pub”.

Due to the site being located opposite a primary school concern was raised regarding the proposed hours of HGV deliveries from 8:00am. It was suggested that the hours on Condition 10 be amended to read 09:00 – 18:00 Monday – Saturday. The speaker confirmed that this would be acceptable to the applicant.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and subject to the following amendment to Condition 10:

“No heavy goods vehicles shall load, unload, arrive or depart from the premises outside the hours of 09:00 - 18:00 Monday - Saturday and 10:00 - 16:00hrs on Sundays or Public and Bank Holidays”.

124. Application CH/18/393, 12 Old Penkridge Mews, Old Penkridge Road, Cannock WS11 1GA – Retention of fence

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.67 – 6.77 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Tim Farmer, speaking in favour of the application on behalf of the applicant.

RESOLVED:

That the application, which was recommended for refusal, be approved, as the Committee considered the fence was not detrimental to the visual amenity of the area, subject to the following condition:

“Within one month of the date of this decision a scheme for the painting of the fence including the RAL No and paint description shall be submitted to and approved in writing by the Local Planning Authority. Within 3 months of the date of this permission the works comprising the approved scheme shall be implemented in full. Thereafter the fence shall be retained in the approved colour for the lifetime of the development.

Reason

In the interest of protecting the character of the area in accordance with policy CP3 of the Cannock Chase Local Plan”.

125. Application CH/18/392, Land at 71 Burntwood Road, Norton Canes WS11 9RG – Erection of 70 dwellings, access and open space, landscaping, drainage and associated works

Consideration was given to the report of the Development Control Manager (Item 6.67 – 6.133 of the Official Minutes of the Council).

The Development Control Manager advised that an update had been circulated to the Committee. The update was attached at Appendix A to the minutes.

Prior to consideration of the application representations were made by Will Brearley, speaking in favour of the application on behalf of the applicant.

RESOLVED:

(A) That the applicant be requested to enter into a Section 106 Agreement to secure:-

- (i) Provision and transfer to a registered Provider of 20% on-site affordable housing
- (ii) Provision for the adoption and management of
 - (a) public open space
 - (b) SuDS
 - (c) Reptile Protection Area
 - (d) Footpath/ Access Corridor/ Stream

by a management company.

(iii) An education contribution of £154,434.00

(iv) Contribution for footpath link of £4400.00

and delegated authority to be granted to officers to attach appropriate landscape conditions to any permission granted

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

The meeting closed at 5.50pm.

CHAIRMAN

Application CH/18/392, Land at 71 Burntwood Road, Norton Canes, WS11 9RG, erection of 70 dwellings, access and open space, landscaping, drainage and associated works

In respect to the query by Norton Canes Parish Council in respect to who will maintain the brook the applicant has confirmed that this will be passed on to the Management Company.

Natural England

Has confirmed that they have no objections to the proposal and the Habitats Regulations Screening process.

Highway Authority

No objections subject to conditions.

Recommended Amendment to the Recommendation

Approve subject to the attached conditions and the completion of a Section 106 agreement to secure:

- i. Provision and transfer to a registered Provider of 20% on-site affordable housing.
- ii. Provision for the adoption and management of
 - (e) public open space
 - (f) SuDS
 - (g) Reptile Protection Area
 - (h) Footpath/ Access Corridor/ Streamby a management company.
- iii. An education contribution of £154,434.00
- iv. Contribution for footpath link of £4400.00

and delegated authority to be granted to officers to attach appropriate landscape conditions to any permission granted

Landscape Team

Have maintained their objections but have suggested that the following conditions are attached to any permission granted.

- E1 Tree & Hedge Retention
- E2 Tree and Hedge Protection Details
- E3 Tree & Hedge Protection Implementation
- E4 Special Surface Construction – Tree/Hedge Protection
- E5 Special Surface Construction – Implementation
- E6 Arboricultural Work
- E7 Arboricultural Work Implementation
- E10 Landscape Details Required
- E12 Landscape Implementation
- E13 Landscape Implementation - Phased
- E14 Landscape Implementation – S106 Agreement

E15 Landscape Maintenance
E16 Landscape Management
E17 Landscape Management – Implementation

Officers have not had time to appraise the suggested conditions and it therefore recommended that delegated authority is given to officers to appraise the conditions and attach the ones which are appropriate to any permission granted.

Recommended Amendments to the Schedule of Conditions

In response to amended plans been received and the comments form Consultees the recommended schedule of conditions has been amended to read: -

6. No dwelling shall be occupied until a scheme for the specification of the tarmac footpath/cycle path shown running along the north eastern side of the site on Layout Drawing P18-1659-08J has been submitted to, and approved in writing by, the Local Planning Authority and the works comprising the approved scheme have been implemented in full.

Reason

In the interests of improving air quality and combatting climate change in accordance with policy CP16 and the National Planning Policy Framework.

7. The boundary treatment to the site shall be carried out in accordance with the details shown in Drawing No P18-1659-14J unless otherwise approved in writing by the Local Planning Authority, with the exception that before the development is commenced a 2m high close boarded wooded fence is erected along that part of the boundary of the site between the south western corner of Plot 18 and the junction of the site with the disused mineral line.

Reason

In the interests of preventing crime and the fear of crime in accordance with paragraph 127(f) of the National Planning Policy Framework.

10. The development shall be carried out in strict accordance with the Recommendations outlined in Section 6 of the Badger Survey, Report No RT-MME-129154, dated October 2018, produced by Middlemarch Environmental unless otherwise approved in writing by the Local Planning Authority. In particular: -

- (a) A walkover survey shall be completed by a suitably experienced ecologist in advance of any site works to establish whether there are any active badger setts on site, or within 30m of the site boundary and which are likely to be impacted on by construction activities.
- (b) If any setts are found that are likely to be impacted on a Natural England license shall be sought.
- (c) Any excavations which are necessary on site shall be covered at night or fitted with suitable mammal ramps.

- (d) Any open pipework with an outside diameter of greater than 150mm must be covered at the end of each work day to prevent badgers entering or being trapped.
- (e) Should no work be commenced within 12 months a full badger survey shall be undertaken to inform whether any further mitigation is necessary. If any setts are found that are likely to be impacted on a Natural England license shall be sought.

Reason

In the interest of protecting badgers in accordance with Policy CP12 of the Local Plan and paragraph 175 of the National Planning Policy Framework.

12. The external materials to be used in the dwellings hereby approved shall be as shown in Drawing P18-1659-_04J 'Facing Materials Layout' received on 17 January 2019 unless otherwise approved in writing by the Local Planning Authority

Reason

In the interests of visual amenity and to ensure compliance with Policy CP3 of the Cannock Chase Local Plan and the National Planning Policy Framework.

13. The approved landscape works shown on Dwgs. No. P18 1659 21C, P18 1659 22B, P18 1659 23B, P18 1659 24B shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

21. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

5084 Planning Statement.
Drainage Assessment Prepared by Patrick Parsons October 2018.
Preliminary Bat Roost Assessment Prepared by Middlemarch Environmental September 2018.
Letter by Middlemarch Environmental Proposed Reptile Mitigation.
Geoenvironmental Assessment Including Mining Risk Assessment Prepared by Georisk Management Prepared October 2018.
Great Crested Newt Habitat Suitability Index Assessment Prepared by Middlemarch Environmental September 2018.
Reptile Survey Prepared by Middlemarch Environmental September 2018.
Reptile Mitigation Strategy RT-MME-129635.
Badger Survey Prepared by Middlemarch Environmental October 2018.
P18-1659_025C Design Statement Prepared by Pegasus Group Parts 1-3.

RAB272 71 Burntwood Rd FRA v4.0.
RAB2135L_71_BurntwoodRd_Fluvial_Model_Addendum.
A111919 Norton Canes Burntwood AQ Technical Report 10Jan19.
Appendix A Tree Schedule.
Updated Transport Assessment Prepared by David Tucker Associates.
Road Safety Audit.
Drawing 20558-06A Site Access.
Drawing P18 1659 11 Site Location Plan.
Drawing P18 1659 08J Proposed Site Layout.
Drawing P18 1659 12 Existing Site Layout.
Drawing P18 1659 12 Existing Site Layout.
Drawing P18 1659 04J Facing Materials Layout.
Drawing P18 1659 13J Surface Materials Layout.
Drawing P18 1659 14J Boundary Treatments Layout.
Drawing P18 1659 16J Parking Plan.
Drawing P18 1659 18J Housing Tenure Plan.
Drawing P18 1659 19J Land Use Plan.
Drawing P18 1659 20 01B Street Scenes.
Drawing P18 1659 21 01C Site Sections.
Drawing P18 1659 005 2A Type A Greenway
Drawing P18 1659 005 3A Type C Greenway.
Drawing P18 1659 005 4A Type D Greenway.
Drawing P18 1659 005 5A Type E Greenway.
Drawing P18 1659 005 6A Type F Greenway.
Drawing P18 1659 005 7B Type H Greenway (plot no. amended).
Drawing P18 1659 005 8A Type J Greenway.
Drawing P18 1659 005 9A Type K Greenway.
Drawing P18 1659 005 10A Type L Greenway.
Drawing P18 1659 005 11A Type M Greenway.
Drawing P18 1659 005 13A Type N Elevations Greenway.
Drawing P18 1659 005 12A Type N Plans Greenway.
Drawing P18 1659 005 17A Type B Development Core.
Drawing P18 1659 005 18A Type C Development Core.
Drawing P18 1659 005 19A Type D Development Core.
Drawing P18 1659 005 20A Type E Development Core.
Drawing P18 1659 005 21A Type F Development Core.
Drawing P18 1659 005 22A Type G Development Core.
Drawing P18 1659 005 23A Type H Development Core.
Drawing P18 1659 005 24A Type L Development Core.
Drawing P18 1659 005 14A AH01 Development Core.
Drawing P18 1659 005 15A AH02 Development Core.
Drawing P18 1659 005 16A AH03 Development Core.
Drawing P18 1659 005-01A AH04 Greenway.
Drawing P18 1659 005 25A Garage Type Single and Double.
Drawing P18 1659 005 26A Garage Type Twin and Triple.
Drawing P18 1659 21C Soft Landscape Proposals 1 of 4.
Drawing P18 1659 22B Soft Landscape Proposals 2 of 4.
Drawing P18 1659 23B Soft Landscape Proposals 3 of 4.
Drawing P18 1659 24B Soft Landscape Proposals 4 of 4.

Drawing 8587 T 01 Tree Survey Plan.
Drawing B18323 SK02 Rev 2 Finish Floor Levels
Drawing 11 012 01a Property Detail and Level Survey.
Drawing 11 012 01b Property Detail and Level Survey.
Drawing B18323-117 P2 Pond Cross Sections.

22. Before construction works of any kind are commenced on site a Construction Vehicle Management Plan (CVMP) shall be submitted to and approved in writing by the local planning authority. The CVMP shall include the following details:

- The timing of HGV movements to avoid traffic congestion;
- Parking facilities for vehicles of site staff, operatives and visitors;
- Arrangements for the loading and unloading of plant and materials;
- Areas of storage for plant and materials used during the construction of the proposed development;
- Measures including designated wheel cleaning areas, to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

The CVMP shall be adhered to for the duration of the construction phase.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

23. The garages (integrated and detached) indicated on the approved plans shall be retained for the parking of motor vehicles and cycles. At no time shall these be converted to living accommodation without the prior express permission of the Local planning Authority.

Reason

To comply with parking standards set out in Cannock Chase District Council's July 2005 Parking Standards, Travel Plans & Developer Contributions for Sustainable Transport Supplementary Planning Document.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any amendments thereto, garage accommodation on the site shall be provided with minimum internal dimensions measuring 6 metres x 3 metres.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

25. Prior to first occupation of the proposed dwellings the existing footway on the north west side of Burntwood Road (where adjacent to the site frontage) shall be restored to its original 1.8 metre width with all debris and vegetation, including overhanging hedgerow removed.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

26. Prior to first use of the new site access road a 2.4 x 35 metre visibility splay shall be provided and maintained in accordance with details first to be submitted to and approved in writing by the Local Planning Authority with nothing placed or retained forward of the splay and the public highway exceeding 600mm in height above the level of the adjacent carriageway.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

27. Prior to first use of the new private drive serving plot numbers 59 and 60 a 2.4 x 35 metre visibility splay shall be provided and maintained in accordance with details first to be submitted to and approved in writing by the local planning authority with nothing placed or retained forward of the splay and the public highway exceeding 600mm in height above the level of the adjacent carriageway.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

28. Notwithstanding the forward visibility splays shown outside plot 64, prior to the commencement of development details shall be submitted to and approved in writing by the local planning authority indicating appropriate forward visibility splays adjacent to plots 33 and 34. The forward visibility splays shall thereafter be provided and retained clear of any obstruction exceeding 600mm in height above the adjacent carriageway prior to first occupation of the development.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

29. No development shall take place until details of a 1.8-metre wide footway on both sides of the development access road have been submitted to and approved in writing by the Local Planning Authority. The footways shall thereafter be implemented in accordance with the approved details.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

30. Prior to any above ground construction works commencing at the proposed development details of a 2-metre wide footpath from the north-western corner

of the site linking directly to the existing former mineral railway line have been submitted to and approved in writing by the Local Planning Authority. The footpath link shall thereafter be implemented in accordance with the approved details.

Reason

To comply with paragraphs 108 and 109 of the National Planning Policy Framework 2018.

INFORMATIVE NOTES TO BE INCLUDED IN THE DECISION NOTICE:

1. This consent will require approval under Section 7 of the Staffordshire Act 1983 and Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that all approvals and agreements are secured before commencement of works.
2. Any off-site works within the adopted highway will require a Highway Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact the Council in respect of securing the agreement. Follow the link: www.staffordshire.gov.uk/developers for highway agreements, a flowchart to identify the relevant agreement, information packs and application forms for the highway works.
3. Any soakaway should be located a minimum of 4.5 metres rear of the highway boundary.