

Chairman - Councillor A S Harp

Present (for all or part of the meeting):-

Councillors:

F Beatty	E G R Jones
C A Baron	P W Jones
G R Collier	A J Perkins
I E Davies	G O Rowlands
R J Draper	R M Sutherland
A P Edgeller	C V Trowbridge

Officers in attendance:-

Mr J Holmes	-	Development Manager
Mrs S Wright	-	Senior Planning Officer
Mr R Simpson	-	Customer Services Group Manager
Mr I Curran	-	Legal Services Manager
Mr A Bailey	-	Scrutiny Officer

PC137 Minutes

Minutes of the previous meeting held on 18 December 2017 were submitted and signed.

PC138 Apologies

Apologies for absence were received from Councillors M G Dodson (Substitute F Beatty) and J K Price (Substitute A P Edgeller).

PC139 Declarations of Members Interests/Lobbying

Councillor C A Baron indicated that she would be speaking as a Ward Member in respect of Application Number 17/27360/COU.

Councillor F Beatty indicated that she would be speaking as a Ward Member in respect of Application Number 17/27552/COU.

Councillor A J Perkins indicated that he would be speaking as a Ward Member in respect of Application Number 17/27382/FUL.

Councillor G O Rowlands declared a personal and pecuniary interest in respect of Application No 17/27528/LBC, taking no part in the discussion and voting thereon .

Councillor C V Trowbridge declared a personal interest in respect of Application No 17/25750/FUL.

PC140 **Application No 17/25750/FUL - Proposed variation of Conditions 1 and 12 on Appeal A: APP/Y3425/C/08/2089858 - Driver Experience Centre, Clanford Road, Seighford, Stafford**

(Recommendation approve subject to a unilateral obligation).

Considered the report of the Head of Development regarding this matter. The Development Manager report upon the need to amend Condition No 10.

Public speaking on the matter was as follows:-

Mr J Forrester raised the following points during his objection to the proposal:-

- Spoke on behalf both Ranton and Seighford Parish Councils
- The Planning Inspector had set a noise limit of 65dB, which all had accepted as appropriate
- The data from the monitoring equipment showed that this level had been exceeded even when the driver experience centre was not in operation
- Suggested the undertaking of an Environmental Noise Assessment whose results should be made available to all parties
- Urged the Committee to suspend consideration of this application until the results of the noise assessment were known

Mr A Dean raised the following points during his support for the proposal:-

- Spoke on behalf of the applicant
- The application was to vary the conditions that had been granted on appeal
- There were concerns over the enforceability of the 65dB noise limit
- The noise monitoring equipment showed that this level had been exceeded even when there were no cars in operation on the track
- Therefore this condition could not be enforced
- A noise management plan was used to control noise from the vehicles around the boundary
- The applicant did not want to create any additional noise
- The applicant sought an enhanced and proactive approach to the control of noise on the site

The Customer Services Group Manager explained that this condition had been placed in order to protect residential amenity and receptors were there to determine if there was likely to be a noise nuisance. However the condition did not help the situation as the indices were not appropriate and often breached by noise not associated with the facility. The applicant's suggestion was therefore more relevant with both stringent and enforceable conditions that he recommended the Committee to accept.

The Committee discussed the application and raised a number of issues, including:-

- Complaints about noise had been received from Ranton Parish Council
- Pleased to see the condition, which was a better solution for all
- The condition should help to protect residential amenity

It was subsequently moved by Councillor C V Trowbridge and seconded by Councillor A P Edgeller that the application be approved, subject to the conditions as set out in the report of the Head of Development, including an amendment to condition 10.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that planning application No 17/25750/FUL be approved, subject to the applicant first entering into a legal obligation to secure measures relating the use of the site, noise levels and parking and traffic including sustainable transport methods and subject to the conditions as set out in the report of the Head of Development and the following amended Condition No 10:-

Notwithstanding any requirement of the Noise Management Plan pursuant to condition 1 which shall be implemented with immediate effect:

- Within 15 months of the date of this permission a maximum Leq level, to be supported by at least 12 months of supporting data, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter noise levels shall not exceed the maximum Leq level;
- Noise monitoring shall continue at the fixed monitoring point as approved under 10/13223/DCON in respect of condition 10 of planning permission 12/17567/FUL;
- Within 3 months of the date of this permission, a noise monitoring strategy at the boundary of the site, and in particular to the west of the airfield, shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall include methodology, locations, frequency of monitoring and parameters. The approved monitoring arrangements shall be implemented, maintained and recorded, and all data gathered shall be available for inspection by the Local Planning Authority.

Councillor A J Perkins left the meeting at this point and attended as a Ward Member.

PC141 **Application No 17/27382/FUL - Proposed variation of conditions 2 and 4 on planning permission 14/20548/FUL (amended house types and landscaping - Land adjacent to 24 The Croft Off (Site 2) Church Lane, Hixon, Stafford**

(Recommendation approve subject to a Deed of Variation to the original Section 106 to provide 30% affordable housing, financial contributions to mitigate the impact on the Cannock Chase Special Area of Conservation, off site open space, sport and recreation provision and education provision).

Considered the report of the Head of Development regarding this matter. The Development Manager report upon the receipt of further representation from the applicant.

Public speaking on the matter was as follows:-

Mr M Kelly raised the following points during his objection to the proposal:-

- Disappointed over the lack of new housing designs
- At the last meeting, Members had widely expressed concerns over the proposed design
- Hixon Parish Council had registered concerns over the design
- Some of the proposed properties could easily be replaced
- The response from the developer was ambiguous and rode roughshod over the Parish Council
- The proposed scheme was dull and uninspiring
- An ageing population needed more single storey accommodation
- The Committee did not accept this application before and nothing had changed since
- This was the first development since the approval of the Hixon Neighbourhood Plan
- Urged the Committee to refer the application back to the developer for re-design

Mr A James raised the following points during his support for the proposal:-

- The applicant had submitted proposals to vary Conditions 2 and 4 which constituted house types for marketable products
- Quoted Government guidelines and clarified that the original planning permission would remain in place if this was refused
- It would be unreasonable to refuse on the grounds of the Hixon Neighbourhood Plan that was adopted after the approval of the previous application
- Bungalows would affect site layout and viability of the scheme
- Permission for the layout had already been given
- The present scheme provided a number of benefits including amenity, privacy and outlook
- It would be unreasonable for the Committee to refuse the application

Councillor A J Perkins, Haywood and Hixon Ward Member attended the Committee and at the invitation of the Chairman, addressed the Committee and raised the following issues:-

- Members had heard all the previous comments about this proposal
- The legal advice was that the Hixon Neighbourhood Plan was a material consideration
- The Committee should consider refusal of the application
- Hixon Parish Council was in favour of development on the site, but not in its current form

The Legal Services Manager confirmed that the Hixon Neighbourhood Plan had been adopted and was now part of the development plan. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Of particular relevance in this instance was the fact that there was an extant permission on this site for certain house types.

The Committee discussed the application and raised a number of issues, including:-

- Clarification that approval of this application would not affect future developments in Hixon
- The Council could not insist on the provision of bungalows on this site
- Neighbourhood Plans should be adhered to
- The Developer entered into this scheme in good faith prior to the adoption of the Neighbourhood Plan
- A clear message concerning the design of the scheme had been sent by Hixon Parish Council
- The neighbourhood Plan had been approved at a Public Inquiry and the need for bungalows in the area had been accepted
- Concern that if the variation was not approved, the original application could then be implemented, which was worse than proposed
- Confirmation that there were no comments from the Council's Design Officer

It was subsequently moved by Councillor R J Draper and seconded by Councillor C V Trowbridge that the application be approved, subject to the conditions as set out in the report of the Head of Development.

On being put to the vote the proposal was declared to be lost.

It was then moved by Councillor F Beatty and seconded by Councillor E G R Jones that the application be refused on the grounds that the scheme would comprise a development of thirty dwellings, all having two-storeys and would fail to contribute to the variety of housing mix within Hixon parish. It is therefore considered that the proposal is contrary to

Policy 2 (Housing Mix) of the Hixon Neighbourhood Plan, adopted in November 2016.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that planning application No 17/27382/FUL be refused on the grounds that the scheme would comprise a development of thirty dwellings, all having two-storeys and would fail to contribute to the variety of housing mix within Hixon parish. It is therefore considered that the proposal is contrary to Policy 2 (Housing Mix) of the Hixon Neighbourhood Plan, adopted in November 2016.

Councillor A J Perkins re-joined his seat at the table.

Councillor F Beatty left the meeting at this point and attended as a Ward Member.

PC142 **Application No 17/27552/COU- Proposed change of use to D1 and D2 mixed use - Ingestre Hall Arts Centre (Orangery), Ingestre Road, Ingestre, Stafford**

(Recommendation approve).

Considered the report of the Head of Development regarding this matter.

Public speaking on the matter was as follows:-

Mr R Hall raised the following points during his objection to the proposal:-

- To permit D2 use could allow activities such as dance music and concert halls as part of a commercial venture, which would affect the quietness of the area
- The applicant had stated that D2 use was not necessary
- Could not see how in an Orangery the conditions concerning light and noise could be complied with
- Would create a disproportionate usage in a quiet cul de sac
- Up to 70 cars could be arriving or leaving the site each day
- The road did not have capacity to cope with the increased traffic
- The application should be rejected
- There would be no limit of the numbers or types of events at the venue
- Urged the Committee to refuse the application

Mrs A Chetwynd raised the following points during her support for the proposal:-

- Spoke in support of the application and as a resident of Ingestre
- Looking forward to the regeneration of the Orangery
- This was a wonderful community project

- Could only access the amenities by car
- Ingestre Hall has had car parking since the 1960's
- The scheme for the access road had been amended
- Understood concerns about noise, but would be in keeping with a village
- Additional trees would be planted
- Confirmed would adhere to conditions
- Amendments to the lighting would reduce the impact

Councillor F Beatty, Milwich Ward Member attended the Committee and at the invitation of the Chairman, addressed the Committee and raised the following issues:-

- There was no doubt that there was the need for a new use for the building
- Huge admiration for the project
- Tixall and Ingestre Parish Council had made representations about this scheme
- The adjacent neighbour had concerns
- The scheme must benefit the wider community
- There were concerns of development creep
- Class D2 use was an issue with this scheme
- There were noise, light, traffic and accessibility issues
- The conditions needed to be robust
- Any profit needed to be returned back to the community

In response, the Development Manager drew the Committee's attention to Condition No 4 and the Class D2 uses defined in the report.

The Committee discussed the application and raised a number of issues, including:-

- Welcomed the re-use of the area
- A good scheme and a good village
- Concerns for the viability of the scheme

It was subsequently moved by Councillor A J Perkins and seconded by Councillor E G R Jones that the application be approved, subject to the conditions as set out in the report of the Head of Development.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that planning application No17/27552/COU be approved, subject to the conditions as set out in the report of the Head of Development.

Councillor F Beatty re-joined her seat at the table.

Councillor C A Baron left the meeting at this point and attended as a Ward Member.

PC143 Application No 17/27360/COU - Proposed change of use from restaurant to mixed use vehicle showroom/café; alterations; outside vehicle display area and parking space; landscaping - Former Frankie and Benny's Restaurant, The Hough Retail Park, Stafford

(Recommendation approve).

Considered the report of the Head of Development regarding this matter.

Public speaking on the matter was as follows:-

Mr S Lymer raised the following points during his support for the proposal:-

- Represented the owner of the proposed business
- This was presently a small business selling luxury cars
- The proposed building would compliment the business
- The empty building had previously been broken into and vandalised
- The former user had completely gutted the internals of the building
- The proposed coffee shop would be an amenity for the area
- Had worked with the Council's Conservation Officer to ensure that the cars for sale were located outside
- The footpath would be re-opened for public use
- The Mature Horse Chestnut Tree had reached the end of its natural life and would be replaced
- The proposed opening hours would be less than the previous occupant and there would be less traffic
- The business was not a franchise and all vehicles were luxury one-off by appointment only

Councillor C A Baron, Forebridge Ward Member attended the Committee and at the invitation of the Chairman, addressed the Committee and raised the following issues:-

- Many of the residents consulted were elderly and would not have responded
- The Council's Conservation Officer appeared to be unconvinced by the scheme
- Queried where customers would park as the Hough Retail Park was usually full
- The Tree had been preserved under a Tree Preservation Order
- Concerned that this development was not in the right place

The Committee discussed the application and raised a number of issues, including:-

- Confirmation that the Mature Horse Chestnut Tree had developed significant decay

- Confirmation that the security fence would be conditioned
- Concerns over the additional traffic the proposal would generate

It was subsequently moved by Councillor R J Draper and seconded by Councillor E G R Jones that the application be approved, subject to the conditions as set out in the report of the Head of Development.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that planning application No 17/27360/COU be approved, subject to the conditions as set out in the report of the Head of Development.

Councillor C A Baron re-joined her seat at the table.

Councillor G O Rowlands having declared a personal and pecuniary interest in respect of the following application left the meeting at this point, taking no part in the discussion and voting thereon.

PC144 **Application No 17/27528/LBC - Proposed fitting of a brass letter box to the front door- 15 Brunswick Terrace, Stafford, ST16 1BB**

(Recommendation approve).

Considered the report of the Head of Development regarding this matter. The Senior Planning Officer reported upon the receipt of additional information concerning the proposed letter box in accordance with the proposed Condition No 2, and therefore the need to reword condition 2 accordingly.

It was subsequently moved by Councillor C V Trowbridge and seconded by Councillor F Beatty that the application be approved, subject to the conditions as set out in the report of the Head of Development, including an amendment to condition2.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that planning application No 17/27528/LBC be approved, subject to the conditions as set out in the report of the Head of Development and the following amended condition 2:

2. The approved drawings are:-

- Location Plan (At a scale 1:1250)
 - Proposed Plans (At a scale 1:10) RECIEVED
- 14.02.2018

Councillor G O Rowlands re-joined his seat at the table.

PC145 **Application No 18/27844/AMN - Proposed non-material amendment to permission 14/20931/FUL - land at former Bridge Street and Riverside Centre, South Walls, Stafford**

(Recommendation approve).

Considered the report of the Head of Development regarding this matter.

The Committee discussed the need for additional work in the area to ensure pedestrian safety.

It was subsequently moved by Councillor G O Rowlands and seconded by Councillor R M Sutherland that the application be approved, subject to the conditions as set out in the report of the Head of Development.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that planning application No 18/27844/AMN be approved, subject to the conditions as set out in the report of the Head of Development.

PC146 **Planning Appeals**

Considered the report of the Head of Development (V1 5/1/18).

Notification of the following appeals had been received:-

(a) New Appeals

App No	Location	Proposal
17/26258/FUL Delegated Decision	School House Newport Road Haughton	Proposed two storey side extension and single storey garage extension to existing dwelling and retention of change of use of land at rear as residential garden

(b) Appeal Decisions

App No	Location	Proposal
17/25799/OUT Appeal Allowed	Land At 32 Adamthwaite Drive Blythe Bridge	Detached two storey dwelling in the garden area of 32 Adamthwaite Drive

App No	Location	Proposal
17/25861/FUL Appeal Dismissed	Downside Garshall Green Lane Garshall Green	Erection of detached single storey dwelling
17/26514/HOU Appeal Allowed	Blacklake Farm 85 Hilderstone Road Meir Heath	Retention of 2 sheds
17/26472/HOU Appeal Dismissed	1 Walton Lodge Walton On The Hill Stafford	Retention of replacement fence
17/26633/HOU Appeal Allowed Costs Refused	Broadmore Farmhouse Broadmore Lane Hixon	Demolition of existing single storey side building and the construction of a new two storey side extension to form ground floor Lounge, Hall, W.C and additional staircase up to Master Bedroom, Dressing Room and En-Suite
17/25585/HOU Appeal Dismissed	Garshall Green Methodist Church Garshall Green Stafford	Addition of a conservatory to the rear of the property

PC147 **WKS2/00226/EN16 - Land Adjacent to 3 Hunters Ride, Moss Pit, Stafford**

Considered the report of the Head of Development and the Head of Law and Administration (V1 5/2/18) in relation to the erection of a fence, wooden frame and concrete step without the benefit of planning permission.

The Committee discussed the report and raised a number of issues, including:-

- Local residents were still greatly concerned about this property
- Referred to the Appeal Decision of April 2015
- The Council should be seen to enforce its policy

The Development Manager advised the Committee to consider the expedience of enforcement action against the potential for an unsuccessful prosecution. The Legal Services Manager added that a

prosecution should only proceed if it was considered in the public interest to do so. This would include weighing the harm caused by the breach against the interest in securing a conviction.

It was subsequently moved by Councillor G O Rowlands, seconded by Councillor C A Baron that appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the permanent removal of the unauthorised concrete step.

On being put to the vote, the proposal was declared to be carried.

RESOLVED:- that appropriate action be authorised to include all steps including the instigation of court proceedings and any work required to secure the permanent removal of the unauthorised concrete step.

CHAIRMAN