

Chairman - Councillor R M Sutherland

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

Councillors:

B M Cross	A S Harp
C A Baron	E G R Jones
G R Collier	D B Price
I E Davies	J K Price
M G Dodson	G O Rowlands
R J Draper	C V Trowbridge

Also present - Councillors A J Perkins and J M Pert

Officers in attendance:-

Mr R Wood	-	Development Lead
Mr M Alford	-	Principal Development Officer
Mr J Long	-	Staffordshire County Council Highways
Mr I Curran	-	Legal Services Manager
Mr A Bailey	-	Scrutiny Officer

PC1 Minutes

Minutes of the last meeting held on 9 May 2018 were submitted and signed.

PC2 Apologies

An Apology for absence was received from Councillor W J Kemp (Substitute R J Draper).

PC3 Declarations of Members Interests/Lobbying

Councillor C A Baron indicated that she would be speaking as a Ward Member in respect of Application No 18/28138/FUL.

Councillor E G R Jones declared a Personal and Non-Pecuniary Interest in Application No 18/28138/FUL as he was a Member of the Board of Stafford and Rural Homes.

Councillor G O Rowlands declared a Personal and Pecuniary Interest in Application No 18/28266/FUL and indicated that he would leave the room for the discussion and voting thereon.

All of the Committee confirmed that they had been lobbied in respect of Application Nos 18/28138/FUL and No 18/28266/FUL.

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

PC4 **Application No 18/28138/FUL - Proposed Erection of four storey building with 80 apartments; access; parking and landscaping - Land at corner of Lammascote Road and Riverway, Stafford**

(Recommendation approve, subject to a Section 106 Agreement).

Considered the report of the Head of Development regarding this matter. The Principal Development Officer reported upon the receipt of additional representation in support of the application and the need to amend Condition No 5 and for two additional Conditions.

Public speaking on the matter was as follows:-

Mr I Seddon raised the following points during his support for the proposal:-

- Spoke on behalf of the applicant
- Considered all previous points raised in the submission of this revised scheme
- This proposal was reduced by one storey (4m in height) from the previous application
- It also had a reduced footprint and was further away from the junction
- The existing entrance at Riverway would be utilised
- The proposal had been redesigned with improved stylised changes
- 72 car parking spaces would be provided
- The revised proposal had been developed in full consultation
- 130 supportive comments had been received with no notable objections
- The rent would be affordable and proposed to be managed by Stafford and Rural Homes, although no contract was yet in place
- If approved, work could immediately commence
- All concerns from the previous application had been allayed

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:-

- Had previously met with representatives from Stafford and Rural Homes about this proposal
- There were a number of concerns arising from the previous application that appeared to have now been addressed

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

- Pleased to see that the previous concerns over the design had been addressed
- The Committee had been right to refuse the previous application as this was now a better design
- Concerns that there was insufficient parking provision
- Confirmation that the nearby petroleum tanks did not cause a threat to this proposal
- The need to inform Members of where the subsequent Section 106 financial contributions would be spent

It was subsequently moved by Councillor J K Price and seconded by Councillor A S Harp that Application No 18/28138/FUL be approved, subject to a Section 106 Obligation and the conditions as set out in the report of the Head of Development including the amended and additional conditions.

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

RESOLVED:- that planning application No 18/28138/FUL be approved, subject to the applicant first entering into a Section 106 obligation within one month of the Committee resolution, or an alternative period to be otherwise first agreed in writing by the Local Planning Authority, to secure the affordability of the dwellings and financial contributions towards the Cannock Chase Special Area of Conservation, off site recreation and open space provision, and the travel plan monitoring fee and the conditions as set out in the report of the Head of Development, including the following amended Condition No 5 and additional Conditions No 20 and No 21:-

5. Notwithstanding any information in the application, no development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the local planning. The soft landscape details shall include planting locations, species, specification of nursery stock type, planting methodology and a schedule of landscape maintenance for a minimum period of 5 years. Any plants or trees that are removed or die or become seriously damaged or diseased within a period of 5 years from the date of planting shall be replaced with others of similar size and species in the next planting season, unless the local planning authority gives written consent to any variation.

20. All hard and soft landscape works including maintenance schedules shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority, unless the local planning authority gives written consent to any variation.
21. All trees, shrubs, hedges and bushes which are to be retained in accordance with the approved plans and particulars shall be protected in accordance with BS 5837: 2012. This shall include establishing a Root Protection Area (RPA) around each tree, shrub, hedgerow or bush. All RPAs shall be enclosed by suitable fencing, as specified by BS 5837: 2012 or as agreed in writing with the local authority or, where specifically approved, protected using ground protection measures to the satisfaction of the local planning authority. No works or alterations to existing ground levels or surfaces shall be undertaken within the RPAs without the prior written approval of the local planning authority. No materials, equipment or vehicles are to enter or be stored within the RPAs. No materials that are likely to have an adverse effect on tree health such as oil, bitumen or cement shall be stored or discharged within the RPAs. No fires shall be lit within 20 metres of the trunk of any tree that is to be retained. All tree protection measures shall be agreed in writing with the local planning authority and their installation undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

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

Councillor G O Rowlands having declared a Personal and Pecuniary Interest in the following application left the room at this point and took no part in the discussion and voting thereon.

PC5 **Application No 18/28266/FUL - Proposed variation to conditions 13, 14, 15 and 16 on Application No 14/20886/OUT - Land Off Little Tixall Lane, Lichfield Road, Great Haywood**

(Recommendation approve).

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

Public speaking on the matter was as follows:-

Mr W Crookshank raised the following points during his objection to the proposal:-

- The decision on this proposal was about due process and policy in the planning system, which should always be controlled
- Planning Conditions should be in place before any work commenced
- There were traffic and access management concerns that if allowing this proposal would cause additional traffic and safety fears
- Quoted Paragraph 32 of the National Planning Policy Framework which explained why this proposal should not happen
- If approved, development would start and control of the site would be lost before the planning process was complete
- Why would the Local Planning Authority want to relinquish control?
- Urged the Committee to keep the existing Conditions in place

Mr T Powell raised the following points during his support for the proposal:-

- Worked for the applicant
- Had not approached Members about this proposed variation
- It was not the case that the applicant could commence the scheme
- There was a need to put in one foundation to prevent the lapsing of the permission
- Had provided all the necessary information except for those detailed in existing Conditions Nos 13 to 16
- A Health and Safety and Wellbeing Management Plan had already been submitted
- There were no amenity issues
- The applicant was listening to the Parish Council and local residents
- Confirmation that a new access off the A51 would be used
- The applicant could not afford to lose the capital and would want to sell the homes as soon as possible
- Once approved, work on the A51 access would commence

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:-

- The applicant had submitted the proposed variation of conditions
- The original application stipulated that permission could not be given until the requirements contained within Condition Nos 13 to 16 had been met
- If agreed this would undermine the decision making process
- All the plans would need to be in place before work commenced and therefore the conditions should be kept as they were
- Little Tixall Lane was already dangerous

- The A51 was a very busy and fast road and a fatality had recently occurred less than 300m from the proposed access
- The developers could use Little Tixall Lane for the access if the variation was approved
- The developer had not yet submitted a Section 278 or a TOR
- Paragraph 32 of the National Planning Policy Framework explained this variation should not be granted
- Requested that this application be refused and a new application be sought

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

- Clarification that the original permission could not be extended beyond 3 July 2018
- Queried the significance of Paragraph 32 of the National Planning Policy Framework
- The potential increased use of Little Tixall Lane was a concern
- The scheme was potentially dangerous
- The previous application had already been approved and therefore could not be refused now
- Clarification as to what information had been submitted so far by the applicant
- Clarification of the timescales if the variation was approved

It was then moved by Councillor A S Harp and seconded by Councillor I E Davies that Application No 18/28266/FUL be referred back to the applicant in order to ensure that all of the pre-commencement Conditions, particularly those related to highway matters, had been discharged

The Development Lead clarified that this proposal meant that the applicant could only install just one single foundation prior to the submission of the outstanding requirements. He confirmed that the majority of the existing conditions related to pre-commencement of the scheme.

The Legal Services Manager explained that the Local Planning Authority had already agreed the scheme in principle and the Highways Authority had been consulted and were satisfied with the proposals. He confirmed that any further development beyond the installation of just one single foundation could be enforced until all of the requisite conditions were complied with.

The representative from Staffordshire County Council Highways confirmed that a Traffic Management Plan for the scheme had been received by the Local Highway Authority, but not yet approved.

An amendment to the motion was then subsequently moved by Councillor R J Draper and seconded by Councillor D B Price that Application No 18/28266/FUL be approved, subject to the conditions as set out in the report of the Head of Development.

On being put to the vote the amended motion was declared as the substantive motion.

Following a further vote the amended motion was then declared to be carried.

In accordance with Paragraph 17.5 of the Council Procedure Rules, Councillor C V Trowbridge requested her abstention from the vote be recorded.

RESOLVED:- that planning application 18/28266/FUL be approved, subject to the conditions as set out in the report of the Head of Development.

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

PC6 **Application No 18/28333/LBC - Proposed retention of UPVC window frames and glazing - The Cottage, Park Lane, Chebsey, Staffordshire, ST21 6JU**

(Recommendation refuse).

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

Public speaking on the matter was as follows:-

Mrs J Whyte raised the following points during her support for the proposal:-

- Spoke as applicant for the proposal
- The building was included in the Chebsey Conservation Area Appraisal
- The existing timber framed building was in a poor state of repair in the 1980's and was significantly extended with new windows added
- In 2001 the windows required replacing and was appropriately advised by a windows installer
- This was now 17 years later and the Chebsey Conservation Area Appraisal had been approved for 3 years
- There had been no attempt in that time to control the design of the windows
- A letter had been received in November 2017 stating that legal action would be taken if the windows were not replaced
- This only applied to the extension erected in the 1980's
- The windows created no impact or harm to the building
- A quote of £12,500 had been received for the replacement of the windows which could not be afforded
- 12 letters had been received in support of the application

Councillor J M Pert, Eccleshall Ward Member attended the Committee and at the invitation of the Chairman, addressed the Committee and raised the following issues:-

- This was a Grade II listed building
- Listed as group value as part of the Chebsey Conservation Area approved in 2015
- The UPVC windows were installed 17 years ago
- The windows in question were to the side and rear elevations and there appeared to be no harm
- Neighbours were in support of the application
- The benefit of enforcement did not overweigh retention in this case
- This would be retrospective, with most planning permissions ranging between 4 and 10 years, yet this was 17
- This would not create a precedent

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

- This was a long period of time to require the replacement of the windows
- This had been discovered following an application in the same road
- The windows appeared to cause no demonstrable harm and their retention would not set a precedent
- There were approximately 40 houses within the Chebsey Conservation Area
- The problem was first created by the new extension in the 1980's and should have been enforced then

It was subsequently moved by Councillor R J Draper and seconded by Councillor D B Price that Application No 18/28333/LBC be approved on the grounds of the passage of time and there being no demonstrable harm.

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

RESOLVED:- that Listed Building Consent application No 18/28333/LBC be approved on the grounds of the passage of time and there being no demonstrable harm.

PC7 **Planning Appeals**

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

Notification of the following appeals had been received:-

(a) New Appeals

App No	Location	Proposal
17/27512/FUL Committee refusal	Land Rear Of Trubshaw House	Residential development of 4No. two bedroom apartments, with associated parking for new build and existing flats at Trubshaw House
17/27678/FUL Committee Refusal	Trubshaw House	Proposed fire escape and retention of existing balcony.

(b) Appeal Decisions

App No	Location	Proposal
17/25852/COU Appeal Dismissed	The Lock House Trent Lane Great Haywood	Change of use of outbuilding and part of ground floor from restaurant to living accommodation as part of a single house
17/27433/FUL Appeal dismissed	Long Lane Head Farm Long Lane Stoke On Trent	Conversion of derelict barn to single residential dwelling

PC8

WKS2/00048/EN17 - 92 St Georges Parkway, Stafford

Considered the report of the Head of Development and the Head of Law and Administration (V1 18/5/18) in relation to the introduction of a storage container, shed and fence to the front elevation at 92 St Georges Parkway, Stafford, without the benefit of planning permission.

It was subsequently moved by Councillor J K Price, seconded by Councillor A S Harp that the report be approved.

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 removal of the unauthorised storage container, shed and fence.

PC9 Enforcement Progress Report

Considered the report of the Head of Development (V1 18/5/18) in relation to enforcement action during the first quarter of 2018.

It was agreed that further information would be provided to the Committee in relation to the following sites:-

- The Grannary, Lower Hermies Farm, Chebsey
- Cold Norton, Norton bridge, Stone

RESOLVED:- that the report be approved.

CHAIRMAN