

Chairman - Councillor R M Sutherland

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

Councillors:

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

Also in Attendance - Councillors J A Barron, F Beatty, J M Pert and A J Perkins

Officers in attendance:-

Mr R Wood	-	Development Lead
Mr E Handley	-	Senior Planning Officer
Mr G Pearce	-	Tree Officer
Mr I Curran	-	Legal Services Manager
Mr A Bailey	-	Scrutiny Officer

PC139 Minutes

Minutes of the previous meeting held on 2 April 2019 were submitted and signed.

PC140 Declarations of Members Interests/Lobbying

In respect of lobbying, Councillor C V Trowbridge declared that the Ward member had briefly spoken to her, in respect of Application No 18/29824/FUL, but she had not pre-determined the proposal.

PC141 Application No 18/29824/FUL - Proposed variation of conditions 2 (plans), 7 (landscaping), and 27 (arboricultural assessment and method statement) on 18/27849/FUL and 18/28901/FUL - Former Police HQ, Cannock Road, Stafford

(Recommendation approve, subject to conditions and a Deed of Variation).

Considered the report of the Head of Development regarding this matter. The Senior Planning Officer reported upon the receipt of a further representation in objection to the proposal.

Public speaking on the matter was as follows:-

Ms H Kirk raised the following points during her support for the proposal:-

- Reassured the Committee that the Local Planning Authority had been kept fully informed of the situation
- Confirmed that the removal of tree was not for the benefit of the development
- The tree had been removed following a thorough risk management and safety inspection
- There was a legal duty of care to local residents
- Confirmed that fungus had been observed on the tree causing significant decay in the trunk
- The Council's Tree Officer had been in attendance for what was initially due to be remedial work
- However the tree had become unbalanced following the work with an imminent risk of collapse
- 16 local residents were consulted about the tree work
- This was an isolated case where there was significant risk of danger

Councillor J A Baron, Weeping Cross and Wildwood Ward Member attended the Committee and at the invitation of the Chairman, addressed the Committee and raised the following issues:-

- The developer was aware that correct procedures had not been followed
- Ward Members and local residents were not given the opportunity to express an opinion
- There was no mention of imminent danger
- The damage to the tree did not appear to pose an immediate threat
- The replacement tree was inadequate and showed little chance of survival
- The Committee should have been consulted on the tree's removal
- Concerned that this set a precedent

In response the Council's Tree Officer explained that the replacement tree showed the greatest chance of survival than that of a larger tree that required significant aftercare. The replacement tree was of a similar species and would make a valuable contribution to the area. A number of arboriculturalists had been involved in the removal of the tree and a number of tests had been carried out. He confirmed that a number of primary limbs had failed on the tree, which caused it to become irretrievably unbalanced.

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

- Confirmation that the tree would not have survived if it had been pollarded
- Confirmation that the developer had been instructed by the Tree Officer to remove the tree
- Concern that the tree was the subject of a Tree Preservation Order, which required Committee authorisation for its removal
- Confirmation that consent was not required to remove a tree that was found to be dead, dying or dangerous

It was subsequently moved by Councillor J K Price and seconded by Councillor M G Dodson that Application No 18/29824/FUL be approved, subject to the conditions and a Deed of Variation 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 18/29824/FUL be approved, subject to the conditions and a Deed of Variation as set out in the report of the Head of Development.

Councillors M G Dodson and E G R Jones left the table and sat in the public gallery during consideration of the following application as they had not sat on the Planning Committee during the previous consideration of the application.

PC142 **Application No 18/28412/FUL - Proposed one equine manager's dwelling with access. All other matters reserved - Land near junction of Drointon Lane, Drointon Road, Drointon**

(Recommendation refuse).

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

Public speaking on the matter was as follows:-

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

- This was a large area of land and there was potential to replace the temporary dwelling
- The Parish Council were not convinced that the financial case had not been made for the proposal
- Temporary electric fencing around the site had locked in the surrounding public footpaths
- Referred to the availability of an alternative site within 400m that would be supported by the Parish Council
- Requested the Committee to refuse the application

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

- Acted as the Agent for the application
- Explained the essential need for the proposed dwelling
- The applicant produced top quality sports horses and has worked with Team GB
- The applicant currently travelled between two sites, which was not sustainable and therefore now wished to consolidate
- The applicant already employed a number of workers and apprentices
- The proposed dwelling would be suitably located to oversee the security of the site
- The applicant needed to live close to the enterprise and had invested significant financial resources
- The business was a key local employer and wished to continue
- Urged the Committee to approve the application

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

- This was an internationally renowned business with a high reputation
- It was important for the Committee to consider whether the business could continue to be run, grow and be profitable from four miles away in Gayton
- There was no opportunity to expand the business at Gayton, which was not addressed in the report
- There were already family members located at Drointon
- If the proposal was not permitted, the business may fail
- Accounts demonstrated that the enterprise was profitable
- Precedents had been set elsewhere in the Borough
- Explained how the proposal met various policies contained in the National Planning Policy Framework and the Plan for Stafford Borough
- Requested the Committee to approve the application

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

- Clarification of the measures required to ensure that the temporary accommodation could not be made larger or permanent in the future
- Concern over the issues raised by Harrowby Estates in November 2018
- The level of harm caused by the proposal was subjective and could be conditioned if approved
- Clarification that the enterprise was an equestrian breeding centre and did not involve school children
- The need to ensure that occupancy of the mobile home was restricted to key workers to the business only, and that the permission was temporary and for a maximum of three years

- Need to ensure that the type and siting of the mobile home is in accordance with the submitted plans

It was subsequently moved by Councillor J K Price and seconded by Councillor D B Price that Application No 18/28412/FUL be approved on the basis that it had been sufficiently demonstrated that there was an essential need for residential accommodation at the site, subject to conditions restricting occupancy to key workers to the business only, the siting of a mobile home for a temporary period of three years and the type and siting of the mobile home to be in accordance with the submitted drawings.

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

RESOLVED:- that planning application no 18/28412/FUL be approved on the basis that it had been sufficiently demonstrated that there was an essential need for residential accommodation at the site, subject to conditions restricting occupancy to key workers to the business only, the siting of a mobile home for a temporary period of three years and the type and siting of the mobile home to be in accordance with the submitted drawings, to be first agreed by the Chairman.

Councillors M G Dodson and E G R Jones re-took their seat at the table.

Councillors G R Collier and C V Trowbridge left the table and sat in the public gallery during consideration of the following application as they had not sat on the Planning Committee during the previous consideration of the application.

PC143 Application No 18/29754/FUL - Proposed revised layout to include ten additional plots - Land At Stafford Road, Eccleshall, Stafford

(Recommendation approve, subject to a Deed of Variation to the existing Section 106 Agreement to secure open space, affordable housing and education contributions).

Considered the report of the Head of Development regarding this matter. The Development Lead reported upon the receipt of two further neighbour representations in objection to the proposal, and clarification to the Design Advisor's consultation comments.

Public speaking on the matter was as follows:-

Mr B Herrod raised the following points during his support for the proposal:-

- The proposal was deferred from the last meeting and a full response to the issues raised had been provided in the report
- Had carefully considered the Committee's request, but found that this was the most acceptable solution
- The revised layout resulted in an increase from 14.6 dwellings per ha to 15 dwellings per ha

- Referred to the comments of the Council's Design Advisor
- The proposal was to provide 15 three-bedroomed houses
- Explained water discharge rates from the site
- Was willing to work with the Parish Council and Action Group in order to alleviate flooding concerns
- Confirmed would provide access to the play area by the 31 May 2019

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:-

- It was noted that no changes had been made to the development following the Committee's concerns
- The re-design was not perfect and the applicant should strive to improve quality
- The density of the proposal had increased across the whole of the site
- It was never the intention of the Eccleshall Neighbourhood Plan to permit 148 dwellings on this site
- Welcomed the commitment to provide access to the play area, but this had taken 12 months to achieve
- Welcomed agreement to address flooding concerns
- Affordable homes for Eccleshall was welcomed, although the provision of bungalows was preferable
- Would be better if the buildings were of a higher standard

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

- Concern that the area was over intensified and the comments of the Design Advisor were not being adhered to
- Clarification of the original layout
- Although the Committee should accept better than a neutral balance, the proposal was difficult to refuse
- The site already had permission

It was subsequently moved by Councillor A S Harp and seconded by Councillor I E Davies that Application No 18/29754/FUL be approved, subject to subject to a Deed of Variation to the existing Section 106 Agreement to secure open space, affordable housing and education contributions and 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 18/29754/ FUL be approved, Subject to the applicant first entering into a Deed of Variation to the Section 106 Agreement to outline planning permission 14/20665/OUT 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 further financial contributions towards open space and education provision, together with affordable housing, and the conditions as set out in the report of the Head of Development.

Councillors G R Collier and C V Trowbridge re-took their seat at the table.

Councillor G O Rowlands left the meeting at this point.

PC144 **Application 18/29807/FUL - Proposed erection of reception building and creation of new nursery pool - Bishton Farm Pools, Bishton Farm Lane, Wolseley Bridge, Stafford**

(Recommendation approve).

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

Public speaking on the matter was as follows:-

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

- Lived close to the site
- Very familiar with activities at the pools
- Opposed the application on two grounds
- A café was not necessary as the business was successfully operating without it and stringent conditions were required to restrict opening hours
- Showers were not necessary and had the potential of turning the area into a camp site
- Both the café and the showers did not meet the requirements of Policy C7 of the Plan for Stafford Borough
- Requested the Committee to refuse the application or impose stringent conditions if approved

Councillor C A Baron left the meeting at this point.

Mr J Heminsley raised the following points during his support for the proposal:-

- Acted on behalf of the applicant
- The report confirmed that the application met all of the Council's policies
- There was no objection from the Highway Authority
- No additional parking was required
- The proposal was in line with the Neighbourhood Plan and the Plan for Stafford Borough Part 2
- The business had been operating for 30 years and needed to be sustainable
- The numbers of people fishing would not alter
- There needed to be suitable disabled facilities on site
- There were no planning restrictions on night time fishing
- Proposals for residential accommodation had now been removed

- There was no intention to provide match fishing

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:-

- Concerned that the proposal would lead to an increase in traffic in the area
- The size and the design of the building did not conform to Policy E1 of the Plan for Stafford Borough as it was not proportionate to the site
- The fishing pools had successfully operated for 30 years without the need for a café or showers
- The proposals would not enhance the environment
- Referred to nearby fishing stations that did not need to provide such facilities
- This application was located closer to nearby residential properties
- Expressed concern as to where excess cars would park
- The report contained 6 pages of objections to the proposal
- Requested additional conditions to restrict the hours of opening if approved
- Preferred that the proposal be referred back to the applicant to consider a smaller building

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

- Concerned that if approved, the building could be converted to a chalet
- Opening hours were restricted between 9 am and 6 pm in the Winter months
- Clarification of the use of a caravan on the site
- The proposal was in accordance with Policy C7 of the Plan for Stafford Borough
- Concerned over the disproportionality of the size of the proposed building in relation to the enterprise
- The proposal did not appear to create any harm

In response the Development Lead clarified that conversion to a chalet would be a fundamentally different occupation requiring a different policy test under E6 of the Plan for Stafford Borough. He also confirmed that the Local Planning Authority was satisfied that the size of the proposal was commensurate to the business and there was reason to restrict its use.

It was subsequently moved by Councillor J K Price and seconded by Councillor G R Collier that Application No 18/29807/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 proposal was declared to be carried.

RESOLVED:- that planning application no 18/29807/FUL be approved, subject to the conditions as set out in the report of the Head of Development.

PC145 Planning Appeals

Considered the report of the Head of Development (V1 11/04/2019).

Notification of the following appeal decisions had been received:-

Appeal Decisions

App No	Location	Proposal
18/29346/HOU Appeal allowed	Swift Barn Lower Heamies Farm Lower Heamies Lane Chebsey Stafford	Proposed first floor extension to existing barn conversion.
18/28619/HOU Appeal Dismissed	67 Winsford Crescent Stafford	Two-storey side extension to provide additional accommodation for extended family.

PC146 Ongoing Authorised Enforcement Cases

Considered the report of the Head of Development (V1 11/04/2019) setting out ongoing enforcement cases.

The Committee considered the cases as set out with the Development Lead providing updates in respect of:-

- COND2/00360/EN16 - Church View, Seighford
- USE/00065/EN08 - Spot Acre, Hilderstone Road
- ADV/00065/EN18 - Former Police HQ, Weeping Cross
- WKS3/00259/EN18 - Bird in Hand, Sharpley Heath
- WKS2/00086/EN18 - 64 Foregate Street, Stafford
- COND2/00098/EN15 - Stafford Castle Golf Club

RESOLVED:- that the report be noted.

CHAIRMAN