

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE
WEDNESDAY 24 OCTOBER, 2018 AT 3:00 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors Allen, F.W.C. (Vice-Chairman – in the Chair)

Cooper, Miss J.	Smith, C.D.
Fisher, P.A.	Snape, P.A.
Hoare, M.W.A.	Stretton, Mrs. P.Z.
Lea, C.I.	Sutherland, M.
Pearson, A.R.	Woodhead, P.E.

64. Apologies

Apologies for absence were received from Councillors Mrs. S.M. Cartwright (Chairman), Mrs. L. Tait and Mrs. D.M. Todd.

In the absence of the Chairman, Councillor Mrs. S.M. Cartwright, Councillor F.W.C. Allen, Vice-Chairman, took the Chair.

65. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

None

66. Disclosure of lobbying of Members

Councillor C.D. Smith declared he had been lobbied in respect of Application CH/18/315, 124 New Penkridge Road, Cannock WS11 1HN Residential development, erection of 6 no. two bedroom apartments (resubmission of CH/18/092).

67. Minutes

RESOLVED:

That the Minutes of the meeting held on 3 October, 2018 be approved as a correct record and signed.

68. Members' Requests for Site Visits

None

69. Application CH/18/013, 272 Hednesford Road, Norton Canes, Cannock WS11 9SA – Demolition of former Sycamore Bowling Club and ancillary timber structures, construction of new access road and erection of 12 houses and 1 bungalow and associated parking and amenity

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.38 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with the following update which was circulated to Members:-

“It has been noted that the full response from the Strategic Housing Officer has not been provided within the report and therefore is given here in full with the missed off section underlined: -

Vacant building credit applies to this application. The formula to be used for calculating contributions is extracted from the Council’s evidence base report ‘Economic Viability Assessment of Future Development of Affordable Housing in Cannock Chase’ (2014, Adams Integra). The financial contribution is calculated via the following steps:

- a. Open Market Value (OMV used as GDV) of property type
- b. Multiply by the RLV percentage (18%)
- c. Add 15% on-costs
- d. Apply affordable housing equivalent proportion 20%
- e. Multiply by no. of units (total for the scheme)
- f. Financial contribution payable
- g. Multiply Financial contribution payable (f) by vacant building credit discount of 0.79%.

An idea of the contribution payable at this point in time can be given by our Principal Property Services Officer but as the calculation is based on the open market value of a property a final figure is given at the point of signing the S106 agreement.

Given that the term Vacant Building Credit is used it is considered important to give members more information about the credit and what it means in practice. In this respect paragraph 021 of the Planning Practice Guidance states: -

“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing

contributions may be required for any increase in floor space.”

The Planning Practice guidance goes onto state: -

“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floor space.”

In this respect paragraph 4.10.1 of the officer report is amended to read:

‘Local Plan Policy CP7 requires financial contributions for affordable housing on sites of between 11 and 14 dwellings. As the proposed development is for 13 dwellings a commuted sum would be required based on a formula taking the open market value of the properties at the point of signing a S106 agreement. However, as the proposal involves the demolition of a vacant building the guidance in the Planning Practice Guidance applies in respect to the Vacant Building Credit. What this means in practice is that the calculation is based on the open market value of a property a final figure is given at the point of signing the S106 agreement. As such a definitive figure of the contribution cannot be given at this point. However, the calculation to be applied will be applied at the appropriate time and any contribution would be sought via a section 106 agreement.’

It is recommended that subject to the application of the vacant building credit the proposal would be acceptable in respect to the issue of affordable housing”.

The Officer also explained that Mrs. Worrall, an objector, was due to attend the meeting today to speak against the application. However, she was unable to attend and had requested that the Officer read out her statement. The Officer therefore read out her objection. Councillors Mrs. P.Z. Stretton and M.W.A. Hoare (the Ward Councillors) requested a copy of her statement be sent to them.

Prior to determination of the application representations were then made by Mr. Adam Robinson, speaking in support of the application.

RESOLVED:

(A) That the applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990 to secure:-

- (i) A commuted sum of £33,093 towards education provision
- (ii) A commuted sum towards off-site affordable housing subject to any vacant building credit.

(B) That on completion of the Agreement the application be approved subject to

the conditions contained in the report for the reasons stated therein.

70. Application CH/18/315, 124 New Penkrige Road, Cannock WS11 1HN – Residential development – erection of 6 no. two bed apartments (resubmission of CH/18/092)

Consideration was given to the report of the Development Control Manager (Item 6.39 – 6.58 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with the following update which was circulated to Members:-

“Following compilation of the report for the Committee agenda, officers have received consultation responses from Landscaping. Comments received not already covered in the Officers report are as follows:-

- Soft Landscape Proposals:-

- 1) Landscape Officers recommend that Berberis is not planted against a public footpath.

Your Officers note that the use of Berberis is proposed within the application site. The opinion of your Landscape Officers is that a different species of plant should be used however the application should be assessed on whether the scheme is acceptable based on its own merits and not what would be preferred. There is no reason to consider the Landscape scheme is not acceptable in this instance.

- 2) Landscape Officers suggest that the scheme has enough space to include some large street trees on the application frontage. Recommend the two birch trees are replaced with a much larger street tree such as a Beech or Oak.

Your Officers are not recommending a condition for the planting of a large Beech Tree or Oak tree in this instance. The application should be assessed on whether it is acceptable in terms of planning considerations in the public interest and not what landscape officers would prefer. Your Officers considered the scheme on its planning merits and have no reason to consider that what is proposed is not acceptable.

- Trees :-

- 3) Landscape Officers raised no objection to the construction of the access however, it has been noted that replacement of the existing drive would not be acceptable with a standard construction method. As such your Officers

recommend a condition for the applicant to submit a Construction Method Statement detailing the construction of the access within the root protection area of the adjacent tree. The following condition is therefore recommended:-

Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This should include details of the material and construction method for the access and driveway within the root protection area of the adjacent Horse Chestnut tree. The approved scheme shall thereafter be implemented in full prior to the occupation of the development.

Reason: To ensure the continued protection of the protected tree and in the interests of amenity in accordance with Local Plan Policy CP3 and the NPPF”.

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:-

1. Prior to the commencement of the development a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This should include details of the material and construction method for the access and driveway within the root protection area of the adjacent Horse Chestnut tree. The approved scheme shall thereafter be implemented in full prior to the occupation of the development.

Reason:

To ensure the continued protection of the protected tree and in the interests of amenity in accordance with Local Plan Policy CP3 and the NPPF.

2. The development hereby approved shall not be occupied until a scheme for the relocation and design of the bin storage area to the rear of the property and for the provision of a bin collection point to the front of the property
 - (i) has been submitted to and approved in writing by the Local Planning Authority; and
 - (ii) the works comprising the approved scheme have been implemented in full.

Reason:

In the interests of protecting the amenity of the locality whilst ensuring proper facilities for the storage and collection of waste are provided in accordance with Policies COP3 and CP16 of the Cannock Chase Local Plan.

The meeting closed at 3.35p.m.

CHAIRMAN