



# Cannock Chase Council Local Plan Preferred Options Consultation

Representations on behalf of the Wyrley Estate

## CONTACT DETAILS

### AGENT

**Name:** Nia Borsey

**Company:** Fisher German LLP

**Address:** Fisher German LLP,  
4 Vicar's Lane,  
Chester,  
Cheshire,  
CH1 1QU

**Telephone:** 01244 409660

**Email:** [nia.borsey@fishergerman.co.uk](mailto:nia.borsey@fishergerman.co.uk)

## 1.0 Introduction

- 1.1 These representations are made by Fisher German on behalf of the landowner, Wyrley Estate, in respect of the Cannock Chase Local Plan Preferred Options consultation.
- 1.2 In general terms, it is pleasing to see progress being made in the adoption of a new Local Plan. It is recognised that having an up-to-date Development Plan is the best way to provide certainty and to create a prosperous and sustainable community.
- 1.3 The Estate would like to make a number of comments with regard to specific sections of the published document, which are set out in detail below.

## 2.0 Spatial Strategy

- 2.1 The overall aim to promote sustainable development is welcomed, as is the ambition to protect and enhance Green Belt land and the AONB.
- 2.2 Similarly, the ambition to protect cultural and heritage assets is welcomed. However, this ambition could go much further, particularly in terms of the sustainable enhancement and development of new cultural and heritage assets. Indeed, the suggested approach in this regard is somewhat less ambitious than the 2014 Local Plan, which looked to positively promote historic assets in the rural areas. The District has a rich industrial heritage and existing assets should not only be looked to be maintained, but new opportunities for enhancement should be actively pursued and a policy framework created so that proposals can be confidently brought forward.
- 2.3 The enhancement and development of new cultural and heritage assets does not have to conflict with the protection of the Green Belt. It is recognised that Green Belt release has to pass stiff national policy tests. However, the insertion of positively worded policies to provide a positive basis for suitable schemes to come forward within the Green Belt is eminently possible and is an approach which has been successfully employed in other Local Authorities.

## Strategic Objective 1

2.4 This objective states that the historic environment will be protected, conserved, and enhanced, and that local character and distinctiveness will be sustained through managing designated and non-designated heritage assets and their townscape and landscape settings. This is completely supported.

2.5 However, as stated above, the ambition does not go far enough. The good intentions will not succeed unless there is a clear policy basis for schemes to come forward in a planned and sustainable manner.

2.6 Paragraph 184 of the NPPF provides guidance for LPAs in drawing up heritage policies:

*Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*

- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
- b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and*
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.*

2.7 The key points to highlight are the need to take a positive approach, the broader benefits of heritage-led development to the wellbeing and sustainability of the wider area, and recognition of the role of new development.

2.8 Whilst the Cannock Extension Canal SAC and Grove Colliery site are mentioned in the objective, together with the long-standing ambition to see the area developed as a leisure and recreation (and heritage) centre recognised, there is disappointingly no suggestion of a suitable policy to enable a scheme to be progressed, or for the future Norton Canes Neighbourhood Plan to take the matter a step further. This could comprise a more specific Neighbourhood Plan policy, which may in turn create a clearer and more certain policy framework for proposals to come forward through a masterplan, and potentially even through a Neighbourhood Development Order subject to local support and due process.

- 2.9 It is crucially important to get the Local Plan policy right to ensure that aspirations at the Cannock Extension SAC / Grove site can be brought to fruition. It is recognised that previous policy has not led to any tangible progress, but the Estate has been looking to establish partnership working with the District Council (who own a large part of the site), the Norton Canes Parish Council (who are developing a Neighbourhood Plan, and who recognise the value of the site and its potential) and suitable developers. There is clear potential and interest in the site, but it requires the certainty of District Council support and a Local Plan policy hook to provide the certainty and confidence to take matters forward to the next level.
- 2.10 Most recently, the Estate have undertaken the following actions to try and move a scheme forward towards reality:
- i. It is in the final stages of purchasing the former Colliery Offices site from the Borough Council;
  - ii. It has commissioned a high-level masterplan through Richborough Estates, which is the first stage to putting together a more detail set of proposals and timeframe for delivery.
- 2.11 These achievements signal the clear intention from the Estate to take the matter forwards and to see the long-standing ambitions finally realised. It will require the collaboration and cooperation of all stakeholders, not least the District Council, who own a large part of the land. Recent discussions have been encouraging and the site is indeed at a crossroads. The ambitions can only be delivered as a partnership, and this requires all parties to hold the shared ambition and to use any tools at their disposal to try to provide the most favourable background. The District Council has a unique position, as it owns a large part of the land, but also has a golden opportunity to create a local planning policy basis for the realisation of future development proposals.
- 2.12 Clearly, the site will remain within the boundaries of the Green Belt. Although its removal would be the best outcome, it is understood that this is unlikely to pass the strict NPPF tests. However, there is no reason why a positively worded policy could not be included which recognised the high bar for development set by Green Belt policy, but which provided a route for a suitable leisure, recreation, and heritage scheme to come forward as part of a comprehensive masterplan, which was linked to a suitable Neighbourhood Plan policy and would deliver specified and significant benefits.

- 2.13 There are examples of other important Green Belt sites elsewhere that have specific policies which provide a broad framework for the forms of development that may be acceptable, subject to passing certain minimum tests. One such example is Chester Zoo near Chester. The Local Plan Part 2 contains a broad policy identifying key commercial sites in the Green Belt (Policy GBC1) and then a range of specific policies relating to each site (in the case of Chester Zoo, Policy GBC1.A). These policies do not seek to override Green Belt policy, which remains the fundamental policy basis, but sets out the broad classes of development which may be acceptable in principle, subject to Green Belt considerations and range of criteria<sup>1</sup>.
- 2.14 Similarly, there are examples where there has been the successful regeneration of former colliery sites. Such examples include:
- Bates Colliery in Blyth- 30-acre site has been regenerated to provide a Primary School, development of specialist accommodation and residential development of 142 homes.
  - Kellingley Colliery in Yorkshire (closed 2015)- small section of land at the site to be redeveloped to provide industrial units for small-medium sized businesses, forms part of a wider 151ac future scheme.
  - Cefn Coed Colliery Museum in Neath- Providing a museum of the former site for visitors.
- 2.15 It is noted at paragraphs 6.51 and 6.52 that a Local List is currently being taken forward through the Design Guide PSG, and it is suggested that the remaining buildings on site centered on the former colliery office buildings are a prime candidate. This would give some policy recognition of their local importance and assist in bringing forward suitable proposals.

## Question 1

- 2.16 The only relevant preferred policy is SO1.1. In principle, the preferred policy direction is supported, but it does not go far enough to encourage the creation of new facilities in a sustainable manner, with particular reference to the Cannock Extension Canal SAC and Grove Colliery site. A high-level Masterplan has been created, and this is attached to this representation, at appendix A.
- 2.17 Being the last remaining evidence of the District's former mining past, it is considered that the site and its regeneration should be a key priority in the next Local Plan. The Council is asked to

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<sup>1</sup>  
[https://cheshirewestandchester.objective.co.uk/portal/cwc\\_ldf/adopted\\_cwac\\_lp/parttwo\\_adopted?pointId=5428432#document-5428432](https://cheshirewestandchester.objective.co.uk/portal/cwc_ldf/adopted_cwac_lp/parttwo_adopted?pointId=5428432#document-5428432)

reconsider the matter and to include an additional specific policy which provides broad support to a leisure, recreation, and heritage-led regeneration of the former Grove Colliery site, which shall come forward as part of a masterplan framework and subject to Green Belt policy and the criteria set out in any future specific policies or guidance notes, including any subsequent Neighbourhood Plan policy. Such a policy would be NPPF compliant and provide the necessary hook for a Neighbourhood Plan policy and future collaboration to see the scheme become a reality.

- 2.18 As mentioned above, and as set out in the NPPF, a sensitive and well-planned development scheme would have wider benefits. This would link to several other Local Plan preferred policies and objectives.

### Strategic Objective 3

- 2.19 The objective strives to deliver a sufficient supply of homes, and the provide and range of housing types accessible to all people.
- 2.20 The Grove Colliery site has the potential to deliver specialist housing to meet with the Objective 3 in striving to achieve diverse types of housing. For example, live/work housing, this type of housing can enable development to meet with targets whilst also delivering other council priorities.

### Question 10

- 2.21 The estate agrees and supports the housing numbers, however, does recognise the LP needs to make provision for specialist housing types, such as self-builds, live/work units, first homes, among others. However, the 'rural areas' section of Policy SO3.1 needs to include the provision of specialist housing types and enabling development for identified regeneration schemes in rural areas, such as Grove Colliery.
- 2.22 The estate does have other land which remains potentially available for new housing development, of which may provide such specific specialist housing types.

### Question 16

- 2.23 The estate does support the approach to encourage home working, however the policy SO4.4 needs to expand further, in particular the support for live/work housing types to be in identified suitable locations. Currently the policy is very broad.

## Strategic Objective 4

- 2.24 The objective seeks to encourage a vibrant local economy and workforce, including supporting sustainable tourism and the rural economy and encouraging development of live/work housing types. In achieving this objective there requires a specific suitable policy which is clear and robust.

## Question 20

- 2.25 Policy SO4.2 is supported to provide land for new employment uses. The policy is very heavy towards identifying new parcels of employment development land and focussing on town centre retail. In addition, the policy should include the provision for live/work development in suitable locations, the use of specialist housing units has been mentioned in earlier policies, and therefore seems right to include it within an employment policy.
- 2.26 Recognition should be given to employment development in the rural area also, of which policy SO4.2 fails to mention. This will further help achieve the overarching aims of sustainable development.
- 2.27 The Estate has other land which remains potentially available for new employment development, of which may help to achieve sustainable development, especially in those rural areas.

## Question 21

- 2.28 The Estate supports the preferred policy direction to develop sustainable tourism and the rural economy, however, should go further to enable creation of new facilities in a sustainable manner. With particular reference to Cannock Extension Canal / Grove Colliery site.
- 2.29 Grove Colliery is the last remaining evidence of a former mining past for the District. The site offers a perfect opportunity for heritage-led regeneration to support a leisure and recreation use. Earlier in SO1.1 it was mentioned the Council is asked to reconsider and include an additional specific policy for the Grove Colliery Site. This policy would also link in here in aiding sustainable tourism and a rural economy.



## Question 22

- 2.30 The Estate definitely supports the policy direction in development of live/work units of SO4.4. However, the policy does not really provide specific detail or expand on suitable locations for this type of development.
- 2.31 It is recognised live/work units could potentially play an important part in enabling important regeneration schemes across the district, including sites such as Grove Colliery site which regeneration could be facilitated through such a scheme.
- 2.32 Live/work housing types are development which can take place in a sustainable manner and developed outside of settlement boundaries, and regeneration areas are not always found within settlements, so rural areas need to be considered in policy too.

## Strategic Objective 7

- 2.33 Protecting and enhancing the natural environment is a very important Objective. The objective strives to achieve this through appropriate preferred policies.
- 2.34 The objectives seek overall to provide support for biodiversity and natural environment protection and enhancement, Green Belt protection, and recognition of the importance of the Cannock Extension Canal SAC. The related policies need to be aligned to provide a basis for suitable proposals to deliver these aspirations.

## Question 40, 41 and 42

- 2.35 Recognition should be given to the role that sensitive development schemes, such as the Grove Colliery site have to play in supporting these aims to enhance the natural environment. The Estate supports Policies SO7.3, SO7.2 and SO7.1. The Estate is a significant landowner within the District, this would present an excellent opportunity to provide tangible benefits through development, which could also include upgrading and improving public access to areas such as Wyrley Common.

## Question 45

- 2.36 Broadly Policy SO7.6 states how the Green Belt will be protected, however the Green Belt is also there for enjoyment through appropriate uses which do not conflict Green Belt policy and principles.

- 2.37 As stated earlier in Question 1, provision should be made for the enjoyment of leisure and recreational activities. The Grove Colliery site offers a perfect opportunity for a regeneration site; however, the policy does not go far enough in encouraging new facilities in the Green Belt which can be developed and enjoyed in a sustainable manner. The risk is that non-sympathetic uses creep into the area and confine the site to a future of making very little positive contribution to the Green Belt and failing to maximise the potential of heritage assets, such as Grove Colliery heritage.
- 2.38 The policy is quite restrictive and needs to elaborate on wider principle which can provide appropriate opportunities within the Green Belt and avoid hampering the longer-term aspirations.

### Strategic Objective 8

- 2.39 What development takes place now and within the next 10 years will be critical to how we achieve Net Zero by 2050 (or earlier). It's important that the points made within Strategic Objective 8 are carried out through development, and importantly included within the Local Plan and its policies. Without clear-cut policies to follow through development it will be difficult for the council to achieve this Objective.

### Question 50

- 2.40 All future developments will be required to meet the requirements in Policy of achieving Net Zero development. Policy SO8.3 contains a number of aspirations to enable achievement of sustainable design. One of these is to make use of previously developed land, existing buildings, and infrastructure. The Grove Colliery site can help deliver an aspiration such as this, not only the brownfield element, but a redevelopment scheme could help to deliver a number of other policy aspirations to create sustainable design and help towards achieving Net Zero by 2050.

### Question 53

- 2.41 The Grove Colliery site fits well within Policy SO8.6 and The Estate actively encourages suitable brownfield land and buildings should be redeveloped and re-used for homes and other uses. However, the policy does state to make effective use of under-utilised land and buildings, particularly within designated settlement boundaries. The policy should expand further to encourage suitable previously developed land and buildings in rural areas to be included in the Policy.

2.42 Especially when Green Belt allows re-use and redevelopment of brownfield sites, why should this policy not consider the wider rural area. There are many lost opportunities which the council could be disregarding by not including the rural area and therefore detracting away from sustainable development.

## 3.0 Conclusion

3.1 The Local Plan review process is welcomed, and the consultation document is, overall, thorough, and transparent about the challenges facing the district.

3.2 It is essential to ensure that the needs of the district in terms of housing and employment land are kept under review, and that the figures are both ambitious and achievable. The resultant plan needs to be sufficiently flexible to take account of any uncertainty ahead.

3.3 As mentioned above, our client has undertaken a masterplan exercise and is also liaising with Norton Canes Parish Council over their draft Neighbourhood Plan. Our client is also very keen to engage with the district council over the future of the Grove Colliery site, and the current process is a golden opportunity to finally address this under-used site to the benefit of the whole district.

3.4 We therefore look forward to monitoring progress with interest and look forward to further engagement in the near future.

# Appendix A

The contractor is responsible to ensure that no products are to be utilized that do not comply with relevant British and/or European Standards and/or Codes of Practice, CE Marking Regulations, Construction Regulations, or which are not on or suspended from the list of product selection and/or construction lists obligatory to health and safety or to the quality of the work or not in accordance with good building practice. The contractor is responsible for checking dimensions, tolerances, levels and materials. This drawing is to be read in conjunction with all relevant contracts or specialist drawings. Any discrepancy is to be notified to Bally Damer LLP and resolved before proceeding with the work and/or site change. Errors on this drawing are deemed to be the contractor's responsibility. The contractor is to be notified in all cases. This drawing is not to be used for any other purpose without the written consent of Bally Damer LLP. Bally Damer LLP, 18 Dryden Street, Birmingham, B2 9XK, 0121 254 2254, ballydamer@ballydamer.co.uk



### DEVELOPMENT OPPORTUNITIES

1. Utilise existing vehicular access and upgrade to adaptable standards.
2. A potential new heritage centre for Three Colours utilising existing military office building and warehouse residence (shaded). Supported by new safe and car parking facilities.



3. New starter/ small business units (see built).
4. Potential agricultural use facility.
5. Three military memorial located at the convergence of former utility roadway.
6. New outdoor sports facility (see built) (shaded) including new parking/ clubhouse (shaded) (see built) (former military building).
7. Lookouts units (see built) - remaining footprint of former military buildings.
8. Possible location for new retail units to enhance accessibility and convenience to the existing (see built) public transport network.
9. A new retail and utility centre utilising the existing building (shaded).



10. Residential development (see built) in compliance variable zoning.
11. New country park with circular recreational and riding routes.
12. Potential larger clearance made for cricket and support utilising former (see built) roads.
13. Storage enhancement areas (see built) (shaded) utilising.
14. Recreation centre (see built) utilising existing building (shaded) and



15. Existing structural/ Three Colours utility alignment of former military buildings.



KEY

Proposed New Roads	Existing Structure	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads
Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads	Proposed New Roads

**GA1** CLIENT: RICHMOND ESTATES LTD.  
 PROJECT: LAND AT WYRLEY GROVE, NORTON CANES  
 DRAWING TITLE: SITE AND CONTEXTUAL ANALYSIS  
 DATE: 16/11/2023  
 DRAWING NUMBER: 01  
 SCALE: 1:500  
 PROJECT NUMBER: 23/001  
 DATE: 1/1/2024

