

108. Disclosure of Lobbying of Members

Councillor A.R. Pearson declared that he had been lobbied in respect of Application CH/19/426, Land off Brindley Heath Road, Hednesford – erection of 1 no. 2 bed bungalow (resubmission of CH/18/373).

109. Minutes

RESOLVED:

That the Minutes of the meeting held on 5 February, 2020 be approved as a correct record.

110. Members' Requests for Site Visits

Councillor A. Dudson requested a site visit be undertaken in respect of an application in relation to the erection of fencing on the land off Colliery Road, Brereton.

The Development Control Manager advised that no application had been submitted in respect of the erection of fencing at this site. However, an application had been submitted for the erection of a stable building and construction of a horse exercise arena (Application CH/20/029). This application was being dealt with under delegated powers and furthermore, Officers were seeking the removal of the fencing. He confirmed that should an application be submitted in relation to the fencing this would be brought to the Committee and a site visit undertaken. He would therefore keep the Committee involved in this matter.

111. Application CH/19/432, Variation of conditions 2 and 3 of planning permission CH/13/0302, to allow opening between 07:00 to 23:00 Monday to Saturday and 10:00 – 17:00 on Sunday; and to allow public access to car park between 06:30 to 23:30 Monday to Saturday and 9:30-17:30 on Sunday, Asda Stores Ltd., Lichfield Road, Cannock, WS11 8UF

Consideration was given to the report of the Development Control Manager (Item 6.165– 6.172 of the Official Minutes of the Council).

The Development Control Manager circulated an update which advised that following compilation of the report for the Committee agenda, the applicant's agent has requested that the application be deferred from Committee to change the proposed variation in hours to 10am to 6pm for the bank holidays (as per the Environmental Protection Officer's recommendation) and to allow re-consultations to be undertaken with neighbouring residents.

It is recommended that the application be deferred to allow the re-consultation to take place.

RESOLVED:

That the application be deferred to allow the re-consultation to be undertaken.

112. Application CH/20/002, Erection of 18 dwellings with associated access, parking, open space, landscaping and drainage: Pear Tree Youth Centre, Hislop Road, Rugeley, WS15 1LS

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.39 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with an update, which had been circulated at the meeting as is attached at Annex A to the minutes.

Prior to consideration of the application representations were made by Councillor Mrs. C. Martin, the Ward Councillor, speaking against the application and Matthew Williams, speaking in favour of the application on behalf of the applicant.

Two people from the public gallery then indicated that they had emailed Development Services and requested to speak against the application but they were not on the list of registered speakers. Following a discussion, the Principal Solicitor advised that Councillor R. Hughes was allowed to speak in relation to the application in his capacity as Ward Councillor. The Chairman agreed that the member of the public, Mr. Newton, would also be allowed to make his representations. The Principal Solicitor advised the applicant's representative that, as he should be the last to speak, he would be offered the opportunity to speak again once the additional two speakers had made their representations.

Representations were then made by Councillor R. Hughes, Ward Councillor, and Mr. Newton, a local resident, who were speaking against the application. The applicant's representative, Matthew Williams then made further representations.

RESOLVED:

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

- (i) A contribution of £221 x 18 to mitigate the impact of the proposed development on the Cannock Chase SAC
- (ii) The Provision of 100% on site affordable housing

(B) That, on completion of the Agreement, the application be approved subject to the conditions contained in the report as amended in the officer update sheet for the reasons stated therein.

113. Application CH/19/374, Construction of 79 Houses: Land between Wharf Road and Hardie Avenue, Rugeley, WS15 1NX

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.40 – 6.89 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with an update which had been circulated at the meeting as is attached at Annex A to the minutes.

Prior to consideration of the application representations were made by Councillor Mrs. C. Martin, the Ward Councillor who indicated she welcomed the application but raised concerns regarding the access/entrance arrangements. Further representations were made by Steve Faizey, speaking in favour of the application on behalf of the applicant.

RESOLVED:

The application be approved subject to

- (A) The applicant completing an agreement pursuant to Section 111 of the Local Government Act 1972 requiring the applicant to complete an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) upon completion of the purchase of the application site to secure:
 - (i) The provision of and transfer to a registered provider of 100% on site affordable housing;
 - (ii) A contribution of £221 x 79 to mitigate the impact of the proposed development on the Cannock Chase SAC;
 - (iii) An education contribution of £223,805 (index linked);
 - (iv) A contribution of £157,500 towards the provision of a 3G pitch at Rugeley Leisure Centre
- (B) The conditions contained in the report as amended in the officer update sheet for the reasons stated therein.

114. Application CH/19/426, Erection of 1 no. 2 bed bungalow (re-submission of CH/18/373), Land off Brindley Heath Road, Hednesford

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.90 – 6.111 of the Official Minutes of the Council).

Prior to consideration of the application representations were made Mrs. L. Hawkins the applicant, speaking in favour of the application.

RESOLVED:

- (A) That the application, which was recommended for refusal, be approved, as the Committee considered that the applicant had demonstrated that very special circumstances existed comprising the functional need of crime prevention/animal welfare which outweighed the potential harm to the Green Belt subject to the following conditions and reasons:-
 - (i) Removal of all permitted development rights; and
 - (ii) That the metal containers be removed once the development was completed; and
 - (iii) Delegated authority be granted to the Development Control Manager to attach other appropriate conditions in consultation with the

Chairman of the Committee

- (B) That the wording of the conditions be delegated to the Development Control Manager in consultation with the Chairman of the Committee.

(At this point in the proceedings, Councillor Mrs. S. Thompson left the meeting and did not take part in the determination of the remaining applications. The Committee also adjourned for a 5 minute comfort break).

115. Application CH/19/422, Outline application for residential development – up to 51 dwellings, open space landscaping, access (all other matters reserved), Land West of Pye Green Road, Cannock (Area E)

Consideration was given to the report of the Development Control Manager (Item 6.112– 6.164 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with an update which had been circulated at the meeting as is attached at Annex A to the minutes.

Prior to consideration of the application representations were made by Donna Bradley, who was speaking against the application. Further representations were made by Paul Hill, speaking in favour of the application on behalf of the applicant.

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) The provision of 20% affordable housing
 - (ii) The provision of an Education Contribution
 - (iii) The provision of funding for the implementation of the Travel Plan
 - (iv) Provision of a Bus Shelter
 - (v) Provision of cycle parking at Hednesford Train Station
- (B) That, on completion of the Agreement, the application be approved subject to the conditions contained in the report as amended in the officer update sheet for the reasons stated therein.

(The Development Control Manager noted the suggestion made by a Councillor requesting that hedges be provided rather than fencing at the rear gardens of the properties).

116. Application CH/19/235, Extension to cemetery to create additional burial space, reinstatement and widening of old footpath, demolition of section of wall, new boundary fence – St James C of E Church, Church Road, Norton Canes, Cannock WS11 9PQ

Consideration was given to the report of the Development Control Manager (Item 6.173 – 6.197 of the Official Minutes of the Council).

Prior to consideration of the application representations were made by Councillor J. Preece, Chairman of Norton Canes Parish Council, speaking in favour of the application on behalf of the applicant's agent who was unable to attend.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

117. Application CH/20/005, Change of use of upper floors to residential (4 studio apartments); Arquebus House, 262 Walsall Road, Cannock WS11 0JL

Consideration was given to the report of the Development Control Manager (Item 6.198 – 6.223 of the Official Minutes of the Council).

The Development Control Manager provided the Committee with an update which had been circulated at the meeting as is attached at Annex A to the minutes.

Prior to consideration of the application representations were made by David Anderton, the applicant's agent speaking in favour of the application.

RESOLVED:

That the application be approved subject to the completion of a Section 106 Unilateral Undertaking and the conditions contained in the report as amended in the officer update sheet for the reasons stated therein and to the additional condition and reason as outlined in the officer update sheet.

The meeting closed at 6.00pm.

CHAIRMAN

Application CH/20/002, Erection of 18 dwellings with associated access, parking, open space, landscaping and drainage: Pear Tree Youth Centre, Hislop Road, Rugeley, WS15 1LS

Following compilation of the report for the Committee agenda, the following additional information was received from the applicant's agent:

- SUDS Management Plan
- Flood Exceedance Path Drg No 001A
- Flood Exceedance Drg No 002A

Re-consultations were undertaken with the Lead Local Flood Authority (LLFA), Severn Trent and South Staffs Water. Their responses were as follows:

Lead Local Flood Authority (LLFA)

No objections, subject to conditions.

Severn Trent Water

No further comments.

South Staffs Water

No further comments

Waste & Recycling Officer

No objections.

Parks & Open Spaces Officer

No objections, subject to conditions.

Officer Response

Please note the attached conditions, which have been amended as a result of the above consultee responses.

Amended Schedule of Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

2. No part of the development hereby approved shall be undertaken above ground level until details of the materials to be used for the external surfaces have been submitted to and approved by the Local Planning Authority.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3, CP15, CP16, RTC3 (where applicable) and the NPPF.

3. No trees or hedges shown as retained on Dwg No.c-1732-03, shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the

Local Planning Authority nor shall they be wilfully damaged or destroyed.

Any trees or hedges which, within a period of 5 years from completion of the development are cut down, topped, lopped or uprooted without permission of the Local Planning Authority or become seriously damaged or diseased or die shall be replaced in the next planting season with similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason

The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP14, CP12 and the NPPF.

4. The approved landscape works shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

5. Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

6. Prior to the occupation/ use of any dwelling or building, a Landscape Management Plan shall be submitted to and approved by the Local Planning Authority. The plan shall stipulate the future management and maintenance of the proposed and existing landscape features including all trees and hedges within and overhanging the site.

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

7. The site landscape, following completion of establishment, shall be managed in accordance with the approved Management Plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

8. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing c-1732-03

Within the enclosed area known as the Tree Protection Zone, no work will be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written consent of the Local Planning Authority is obtained. The Tree Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

Reason

To ensure the retention and protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

9. No dwelling hereby approved shall be occupied until a scheme for the fitting of that dwelling with electric charging points for electric vehicles has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been completed. The works shall thereafter be retained for the lifetime of the development unless otherwise approved in writing by the Local Planning authority.

Reason

In the interests of improving air quality and combatting climate change in accordance with policy CP16 and the National Planning Policy Framework.

10. The development hereby permitted shall be implemented in accordance with the approved details for the disposal of foul and surface water, before the development is first brought into use.

Reason:

This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

11. No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of bird boxes has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall be completed in accordance with the approved scheme.

Reason

In the interests of enhancing bird breeding habitat in accordance with Policy CP12 of the Local Plan and paragraphs 170 and 175, of the NPPF.

12. Notwithstanding the details shown on the Construction Environmental Management Plan (D12A) which is otherwise approved, construction hours and deliveries to the site shall not take place outside of the hours 08:00-18:00 (Mon-Fri) and 08:00-14:00 (Sat) and at no time on Sundays or Bank Holidays. The development shall be carried out in accordance with the provisions of the CEMP (drawing 12A).

Reason

To avoid indiscriminate parking and obstruction of the highway in the interests of

highway safety, in accordance with the objectives of Paragraph 108 of the NPPF 2019.

13. No dwelling hereby permitted shall be occupied until the parking area for that dwelling has been provided. The parking area shall thereafter be retained at all times for its designated purpose.

Reason

In the interests of highway safety, in accordance with the objectives of Paragraph 108 of the NPPF 2019.

14. Where a parking space or private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall, shall be provided across the parking space or private access immediately to the rear of the highway boundary.

Reason

In the interests of highway safety, in accordance with the objectives of Paragraph 108 of the NPPF 2019.

15. Prior to first use of development a screening scheme for the bin collection areas identified on drawing 70855-D02N shall be submitted to and approved by the Local Planning Authority. Thereafter, it shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.

Reason

To provide a necessary facility, in accordance with Local Plan Policy CP3.

16. The development hereby permitted shall be carried out in accordance with the following approved plans:

Design & Access Statement

Planning Statement

Location Plan Drg No. D04 Rev B

Site Layout Drg No. D02 RevL

Enclosure Plan Drg No. D03 Rev F

Construction Environmental Management Plan Drg No. 12A

House Type: The Bracken+ Drg No. D10 Rev A

House Type: The Dawson Drg No. D11 Rev B

House Type: The Guscott Drg No. D12 Rev B

Tree Survey Report (Updated 12 February 2020)

Detailed Landscape Proposals Drg No. c-1756-01 Rev B

Survey of existing trees Drg No. c-1732-02 Rev A

Tree Protection & removal plan Drg No. c-1732-03

Ground Investigation Report (February 2020)

Drainage Statement (11 February 2020)

Foul Sewerage Design (received 13 February 2020)

Drainage & Levels Strategy (February 2020)

SUDS Management Plan

Flood Exceedance Path Drg No 001A

Flood Exceedance Drg No 002A

Road Safety Initiatives

Phase 1 Preliminary Site Assessment
Phase 2 Site Investigation
Biodiversity Enhancement Statement
Habitat Assessment Stage 1 Screening
Ecological Walkover (M18.153.R.001A)
Topographical Survey
Drainage & Levels Strategy Drg No.9999-C-100
Play Area Drg No. 21203 Rev 1

Reason

For the avoidance of doubt and in the interests of proper planning.

17. The development shall not commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement, shall amongst other things, clearly distinguish between 'Tree Protection Fencing' and 'Root Barriers', and show the boundary/ line of these two forms of protection. The development shall thereafter be carried out in strict accordance with the details of the approved Arboricultural Method Statement.

Reason

In the interest of protecting the character of the area in accordance with Policy CP3 of the Canock Chase Local Plan.

18. The boundary treatment to the site shall be implemented in accordance with Drg No.s D03 Rev F & c-1756-01 Rev B), which shall allow the passage of hedgehogs through the site. The boundary treatment, shall thereafter be retained for the lifetime of the development.

Reason

In the interests of ensuring that hedgehogs are able to use the garden spaces for foraging habitat in accordance with Policy CP12 of the Local Plan and paragraphs 175 of the National Planning Policy Framework.

19. Clearance of the site must be undertaken in accordance with the requirements of the Ecological Walkover Survey (M18.153.R.001A).

Reason

In the interests of conserving habitats and biodiversity accordance with Policy CP12 of the Local Plan and paragraphs 170 and 175 of the NPPF.

20. No development shall begin until the following elements of the surface water drainage design have been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority:

- Confirmation of an agreed point of discharge, such as a Severn Trent developer enquiry response for connection to a public sewer, or a written agreement for any other arrangement.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development, in accordance with Policy CP16 of the Local Plan and paragraphs 155 & 165 of the NPPF.

21. The development hereby permitted shall not be brought into use until the approved drainage scheme shown in drawing 9999-0—100 'Drainage and Levels Strategy' has been implemented. Thereafter the drainage scheme shall be retained and maintained in accordance with document 'SuDS Management Plan for Proposed Development at Hislop Road, Rugeley, Staffordshire', dated 21/02/2020, for the lifetime of the development.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development, in accordance with Policy CP16 of the Local Plan and paragraphs 155 & 165 of the NPPF.

Application CH/19/374, Construction of 79 Houses: Land between Wharf Road and Hardie Avenue, Rugeley, WS15 1NX

Following compilation of the report for the Committee agenda, the following additional information was received from the applicant's agent: This is to allow a change in the wording of conditions from pre-commencement to enable the applicant to secure Homes England funding.

- Construction Management Plan Rev 02
- Final Gas Risk Assessment
- Noise Attenuation Statement
- Refuse Bin Collection Plan Drg No. 15041/46A

Re-consultations were undertaken with Environmental Protection, Waste & Recycling and County Highways.

Their responses were as follows:

Environmental Protection

No objections, subject to conditions.

Waste & Recycling

No objections, subject to conditions.

County Highways

No objections, subject to conditions.

Officer Response

Please note the attached conditions, which have been amended as a result of the above consultee responses.

Conditions (and Reasons for Conditions):

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

2. No materials shall be used for the external surfaces of the development other than those specified in the approved Schedule of Materials.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policy CP3 and the NPPF.

3. No trees or hedges shown as retained, shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed.

Any trees or hedges which, within a period of 5 years from completion of the development are cut down, topped, lopped or uprooted without permission of the Local Planning Authority or become seriously damaged or diseased or die shall be replaced in the next planting season with similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason

The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP14, CP12 and the NPPF.

4. The approved landscape works shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area. In accordance with Local Plan Policy CP3 and the NPPF.

5. Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

6. The site landscape, following completion of establishment, shall be managed in accordance with the approved Landscape Management Plan Wharf Road (reference LMP 16/1/20), received 17 January 2020, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

7. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing.

Within the enclosed area known as the Tree Protection Zone, no work will be

permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written consent of the Local Planning Authority is obtained. The Tree Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

Reason

To ensure the retention and protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

8. Before the first occupation of any dwelling the scheme of electric charging points hereby approved, so far as it relates to that dwelling, shall be implemented in accordance with the details shown in drawing reference 15041/6B and 15041/7B. Thereafter the works comprising the implemented scheme shall be retained for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of improving air quality and combatting climate change in accordance with policy CP16 and the National Planning Policy Framework.

9. No building or use hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved details shown in the following documents and drawings: -

Flood Risk Assessment & Drainage Strategy February 2015 & Addendum Received 6 December 2019.

Storm Sewer Design Received 17 January 2020.

Soakaway 1, 2 & 3 Received 17 January 2020.

Infiltration Test Report Received 17 January 2020.

Severn Trent Development Enquiry Result 17 January 2020.

Drainage Plans 19086-102 Rev B and 103 B received 17 January 2020.

Future Exceedence Flows 19086-106 Rev A

The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan as contained in the Addendum to the Flood Risk Assessment and Drainage Strategy including Sustainable Urban Drainage Assessment Rev A.

Reason

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

10. The development hereby approved shall be completed in accordance with the scheme for the provision of bat & bird boxes as shown in drawing reference 15041/6B and received 17 January 2020. No dwelling hereby approved shall be occupied until the works comprising the approved scheme, in so far as they relate to that dwelling, have been implemented.

Reason

In the interests of enhancing bat breeding habitat in accordance with Policy CP12 of the Local Plan and paragraphs 170, 175, 177, 179 of the NPPF.

11. The development hereby approved shall be completed in accordance with the Noise Attenuation Statement. All works which form part of the scheme shall be completed before any of the dwellings are occupied.

Reason

To ensure a satisfactory standard of residential environment and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping, Design and the NPPF.

12. If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until either;

A site investigation has been designed and undertaken in accordance with details approved in writing by the Local Planning Authority, a risk assessment has been produced and a method statement detailing remediation requirements using the information obtained from the site investigation has been approved by the Local Planning Authority; or

If the above has been previously undertaken, the developer has submitted and obtained written approval from the Local Planning Authority for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

Reason

In order to enable the development to proceed in a safe environment and to protect the health and safety of its occupiers and to ensure compliance with Local Plan Policy CP3 and the NPPF.

13. The development shall be carried out in accordance with the provisions of the Construction Management Plan Rev 02. However, notwithstanding the details shown on the Construction Management Plan (Rev 02) which is otherwise approved, construction hours and deliveries to the site shall not take place outside of the hours 08:00-18:00 (Mon-Fri) and 08:00-14:00 (Sat) and at no time on Sundays or Bank Holidays.

Reason

To avoid indiscriminate parking and obstruction of the highway in the interests of highway safety, and the protection of amenity to comply with Cannock Chase Local Plan Policies CP3, T6 and T10 and the objectives of Paragraph 108, 109 and 127(f) of the NPPF.

14. No dwelling hereby permitted served by Hardie Avenue shall be occupied until the access to the dwelling, within the limits of the public highway, has been completed.

Reason

In the interests of highway safety and to comply with Staffordshire County Council requirements for access, to comply with Cannock Chase Local Plan Policies T6 &

T10 and the objectives of Paragraph 108-9 of the NPPF.

15. No dwelling hereby permitted shall be occupied until the external parking area for that dwelling have been provided. The external parking area shall thereafter be retained at all times for their designated purposes.

In the interests of highway safety, to comply with Cannock Chase Local Plan Policies T6 & T10 and the objectives of Paragraph 108-9 of the NPPF.

16. Where a private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall, shall be provided across the access immediately to the rear of the highway boundary.

In the interests of highway safety, to comply with Cannock Chase Local Plan Policies T6 & T10 and the objectives of Paragraph 108-9 of the NPPF.

17. The development shall be undertaken in strict accordance with the recommendations set out in Paragraphs 4.2 to 4.3 of the Phase 1 Preliminary Ecological Appraisal of Wharf Road referenced Wharf1218_PEA and dated December 2018.

Reason

To ensure that in the event of any changes to the ecology of the site between the grant of planning permission and the commencement of development can be taken into consideration and appropriate mitigation/ compensation measures put in place in accordance with Policy CP13 of the Local Plan and Paragraph 175 of the National Planning Policy Framework.

18. Any fencing, or other form of boundary treatment, shall be erected in accordance with Drawings 15041/6B and 10541/7B so to allow the passage of hedgehogs through the site. The boundary treatments shall thereafter be retained for the lifetime of the development.

Reason

In the interests of ensuring that hedgehogs are able to use the garden spaces for foraging habitat in accordance with Policy CP12 of the Local Plan and paragraphs 175 of the National Planning Policy Framework.

19. The development hereby permitted shall be carried out in accordance with the following approved plans:

Design & Access Statement
Schedule of Materials dated 6 September 2019
Affordable Housing Statement
Landscape Management Plan
Arboricultural Report 23 July 2019
Noise Assessment August 2019
Noise Attenuation Statement
Final Gas Risk Assessment
Transport Assessment 7 August 2019
Phase II Site Appraisal April 2019
Construction Management Plan Rev 2

Air Quality Assessment October 2019
Dust Procedure June 2017
Phase 1 Preliminary Ecological Appraisal December 2018
Reptile Survey August 2019
Flood Risk Assessment & Drainage Strategy February 2015 & Addendum Received
6 December 2019
Storm Sewer Design Received 17 January 2020
Soakaway 1, 2 & 3 Received 17 January 2020
Infiltration Test Report Received 17 January 2020
Severn Trent Development Enquiry Result 17 January 2020
Drainage details received 17 January 2020.
Finished Floor Levels Drawing

Drg No.s:

15041/1B, 2H, 3, 4, 5, 7B, 6B,
15041/8A, 9A, 10B, 11A, 12A, 13A, 14B, 15B, 16B, 17C, 18C, 19B, 20B, 21B, 22B,
23B, 24B, 25C, 26B, 27C, 28B, 29B, 30B, 31B, 32B, 33B, 34B, 35B, 36C, 37B,
38B, 39B, 40B, 41B, 42B, 43B, 44BC & 46A.
19086/102 Rev B, 103 Rev B, 105 & 106 Rev A
ADL281, ADL281-1
19086/104, 107

Reason

For the avoidance of doubt and in the interests of proper planning.

Application CH/19/422, Outline application for residential development – up to 51 dwellings, open space landscaping, access (all other matters reserved), Land West of Pye Green Road, Cannock (Area E)

The applicant has confirmed that the number of dwellings they are seeking permission for is 51 and not 50 as stated in the officer report in the agenda pack. Officers confirm that on the basis of the indicative layout this quantum of development is acceptable in principle.

Following the publication of the agenda discussions have taken place with the applicant which has resulted in slight changes to the schedule of conditions. These are now as follows:-

1. In the case of any reserved matters, application for approval must be made not later than the expiration of three years beginning with the date on which this permission is granted; and

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason

To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

2. No part of the development hereby permitted shall be commenced until approval of the details of appearance, landscaping, layout and scale ('the reserved matters') has been obtained from the Local Planning Authority.

Reason

The permission is in principle only and does not authorise development to commence until all 'the reserved matters' have been approved. To ensure compliance with the requirements of Section 92 of the Town & Country Planning Act 1990.

Highways

3. Prior to first occupation of any dwelling the new roundabout on Pye Green Road as broadly indicated on submitted Drg. No.19534-09 Rev. A shall be completed.

Reason

To comply with the objectives of paragraph 108 of the National Planning Policy Framework.

4. Prior to first occupation of any dwelling the footway extension as broadly indicated on submitted Drg. No.19534-09 Rev. A shall be completed.

Reason

To comply with the objectives of paragraph 108 of the National Planning Policy Framework.

5. Prior to first occupation of any dwelling details indicating revisions to the turning heads affected by the proposed development as shown on the approved plans of the adjacent site (granted planning permission under CH/18/080) shall be submitted to and approved in writing by the Local Planning Authority and thereafter completed in accordance with the approved drawings prior to first occupation of any dwelling.

Reason

To comply with the objectives of paragraph 108 of the National Planning Policy Framework.

6. Prior to first occupation of any dwelling the improvements at the Broadhurst Green/ Pye Green Road junction, as broadly indicated on submitted Drg. No.19534-04, shall be completed.

Reason

To comply with the objectives of paragraph 108 of the National Planning Policy Framework.

7. The development hereby permitted shall not be commenced until a Construction Environmental and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details in respect to: -

- (i) the management and routing of construction traffic;
- (ii) delivery times;
- (iii) internal compound arrangements for construction traffic and site operatives;
- (iv) method of preventing mud being brought onto the highway

- (v) methods for the control of dust and vibration, including any method of piling

Reason

To comply with the objectives of paragraph 108 of the National Planning Policy Framework and to ensure that the standard of amenity of the occupiers of neighbouring residential properties is protected.

Drainage

- 8. The development hereby permitted shall not commence until drainage plans for the disposal of foul water have been submitted to and approved by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Ecology

- 9. No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of bird boxes suitable for Swift, Starling and House Sparrow has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate the plots to be provided with bird boxes, which shall be integrated into the house in question, and their height and location. Any dwelling shown to be host to such a bird box shall be completed in accordance with the approved scheme. The bird boxes shall thereafter be retained for the lifetime of the development

Reason

In the interests of enhancing bird breeding habitat in accordance with Policy CP12 of the Local Plan and paragraphs 170 and 175, of the National Planning Policy Framework.

- 10. No fencing or other form of boundary treatment shall be erected until a scheme to allow the passage of hedgehogs through the site has been submitted to and approved in writing by the Local Planning Authority. Any fencing, or other form of boundary treatment, shall thereafter be erected in accordance with the approved scheme.

Reason

In the interests of ensuring that hedgehogs are able to use the garden spaces for foraging habitat in accordance with Policy CP12 of the Local Plan and paragraphs 175 of the National Planning Policy Framework.

Air Quality

- 11. No dwelling hereby approved shall be occupied until a scheme for the fitting of that dwelling with electric charging points for electric vehicles has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been completed. The works shall thereafter be retained for the lifetime of the development unless otherwise approved in writing by the Local Planning authority.

Reason

In the interests of improving air quality and combatting climate change in accordance with Policy CP16 and the National Planning Policy Framework.

Ground Conditions

12.No development shall commence until: -

- (i) a scheme of intrusive site investigations in respect to the fissures on the site has been submitted to and approved in writing by the Local Planning Authority; and
- (ii) the approved scheme of intrusive site investigations has been carried out and
- (iii) a report of the findings arising from the intrusive site investigations has been submitted which shall identify
 - (a) a layout plan which identifies the location/ extent of the fissures, and the definition of suitable 'no build' areas; and
 - (b) a scheme of remedial/ mitigation works for the fissures for approval (if appropriate).

The development shall thereafter be carried out in accordance with the approved works and no dwelling shall be occupied until verification that the scheme of remedial/ mitigation works for the fissures has been implemented in full.

Reason

In order to ensure the safety and stability of the development, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

13.No development shall commence until: -

- (i) a scheme of further ground investigations in respect of soil sampling, ground gas and groundwater monitoring in accordance with the recommendations of Preliminary Geo-environmental Assessment, dated October 2019, and prepared by Atkins, the has been submitted to and approved in writing by the Local Planning Authority; and
- (ii) the approved scheme of ground investigations has been carried out; and
- (iii) a report of the findings, including the identification of any remedial/ mitigation works arising from the ground investigations has been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved remedial/ mitigation works and no dwelling shall be occupied until verification that the scheme of remedial/ mitigation has been implemented in full.

Reason

In order to ensure the development is suitable for its intended residential use, in accordance with paragraphs 178 and 179 of the National Planning Policy Framework.

Archaeology

14.Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written

approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication.

The archaeological site work shall thereafter be implemented in full in accordance with the approved written scheme of archaeological investigation.

The development shall not be occupied until the site investigation and post-excavation assessment has been completed in accordance with the written scheme of archaeological investigation and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason

In order to ensure that archaeology under the site is recorded. In accordance with paragraph 199 of the National Planning Policy Framework.

15. No development shall begin until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must be in accordance with the overall strategy and principles set out in the submitted documents.

The design must demonstrate:

- Surface water drainage system(s) designed in accordance with national and local standards, including the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- SuDS design to provide adequate water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Site layout and levels should provide safe exceedance routes and adequate access for maintenance.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and the contact details for the organisation responsible for carrying out these duties.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

16. Notwithstanding the detail of any plan or document this permission is for up to 51 dwellings.

Reason

For the avoidance of doubt as to what is hereby approved.

17. The development hereby permitted shall be carried out in general accordance with the following approved reports and plans:

1403301-SGP-ZZ-XX-DR-A-1001 Site Plan Area E.

1403301-SGP-ZZ-XX-DR-A-1004 Location Plan Site E.

Planning Statement- Land West of Pye Green Road, Residential Development Area E, Ref JBB7325, dated 26 November 2019.

Design and Access Statement- Area E Oct 2019.

Ecological Appraisal, Dated October 2019.

Noise Assessment, Site E, Environmental Noise Assessment Rev 3.0, 18 October 2019.

Energy and Climate Change Statement, October 2019.

Landscape and Visual Appraisal Rev C, October 2019.

Preliminary Site Waste Management Plan Rev 1.2, October 2019.

Travel Plan , David Tucker Associates. DN/NS/19534-05b Travel Plan_Final-Area E Flood Risk Assessment and Drainage Strategy, Rev 3.0, 18 October 2019.

Technical Note: Land West of Pye Green Road, Areas E and I FRA Addendum dated 12/02/2020 Project No 5117052.

Technical Note: Land West of Pye Green Road Areas E and I, Dated 21/01/2020.

Preliminary Geo-Environmental Assessment, Rev 1.2, October 2019.

Drg. No.19534-09 Rev. A roundabout on Pye Green Road

Drg. No.19534-09 Footway extension

Since publication of the agenda a further 3 letters of objection has been received. This raises no further issues over and above those raised in the original officer report.

Parks and Open Spaces

A response has been received from the Parks and open Spaces section objecting on the grounds of: -

Loss of Approved SANGs

Loss of hedgerow and proposed new footpath.

The Design and Access Statement appears to be generic and does not mention the allotment. Masterplan layout needs to be revised regarding play areas

Objection to the layout.

Officers would respond as follows

There is no overall loss of SANGs as detailed in the main report.

The proposal does not impact on any hedgerow.

The Design and Access Statement is acceptable.

The layout is indicative as layout is a reserved matter and not for approval at this stage. The indicative layout submitted is merely there to demonstrate that the quantum of housing applied for can be accommodated on the site.

The interplay between the development and the SANGs would be considered at the reserved matters stage when the layout is up for consideration.

Human Rights Act 1998

The second line it refers to the “recommendation to refuse”. This should be amended to read “recommendation to approve”.

Application CH/20/005, Change of use of upper floors to residential (4 studio apartments); Arquebus House, 262 Walsall Road, Cannock WS11 0JL

Following discussion with the applicant and Environmental Health Officer it is recommended that condition 3 of the officer report be amended to read:-

The development shall not be occupied until

- (i) a noise assessment has been carried out an acoustic report has been submitted to and approved in writing by the Local Planning Authority. The acoustic report shall include the impact of nearby noise sources, including traffic; and
- (ii) any mitigation works identified in the noise assessment have been carried out in full; and
- (iii) a verification report has been submitted to the Local Planning Authority confirming that the mitigation works have been undertaken

The noise assessment shall consider: -

- (a) The cumulative impact of noise (originating from the non- residential unit) on the nearby residential receptors, and details of mitigation measures if they are considered to be required. It is expected that the assessment/ proposed noise control measures shall be suitably appropriate for the expected range of noise generated by that part of the development taking into account planning condition restricting its use to either office or storage; and
- (b) The extent to which the proposed residential uses will be impacted by the surrounding area, and the extent to which suitable internal noise levels can be achieved within the proposed use. This assessment shall inform the design criteria for any noise mitigation measures required to achieve appropriate internal noise levels.

It is recommended that a further condition be added to any approval stating: -

The use of the ground floor of the premises shall be restricted to A1 retail and use as an office or store ancillary to that A1 retail use.

Reason

In the interest of ensuring that future occupiers of the apartments on the first floor have a high standard of residential amenity in accordance with Policy CP3 of the Cannock Chase Local Plan and paragraph127(f) of the National Planning Policy Framework.