



Please ask for: Mrs. W. Rowe
Extension No: 4584
E-Mail: wendyrowe@cannockchasedc.gov.uk

8 June 2021

Dear Councillor,

Planning Control Committee
3:00pm, Wednesday 16 June 2021
Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda. The meeting will commence at 3.00pm.

Yours sincerely,

Bob Kean
Interim Managing Director

To: Councillors

Startin, P. (Chairman)
Muckley, A. (Vice-Chairman)
Allen, F.W.C. Layton, A.
Cartwright, Mrs. S.M. Smith, C.D.
Fisher, P.A. Sutton, Mrs. H.M.
Fitzgerald, Mrs. A.A. Thompson, Mrs. S.L.
Hoare, M.W.A. Wilson, Mrs. L.J.
Jones, Mrs. V. Witton, P.T.
Kruskonjic, P.

Agenda

Part 1

1. Apologies

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

To declare any personal, pecuniary or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Disclosure of details of lobbying of Members

4. Minutes

To approve the Minutes of the meeting held on 26 May, 2021 (enclosed).

5. Members' Requests for Site Visits

6. Report of the Development Control Manager

Members wishing to obtain information on applications for planning approval prior to the commencement of the meeting are asked to contact the Development Control Manager.

Finding information about an application from the website

- On the home page click on planning applications, listed under the 'Planning & Building' tab.
- This takes you to a page headed "view planning applications and make comments". Towards the bottom of this page click on the text [View planning applications. By clicking on the link I agree to the terms, disclaimer and important notice above.](#)
- The next page is headed "Web APAS Land & Property". Click on 'search for a planning application'.
- On the following page insert the reference number of the application you're interested in e.g. CH/11/0001 and then click search in the bottom left hand corner.
- This takes you to a screen with a basic description - click on the reference number.
- Halfway down the next page there are six text boxes - click on the third one - view documents.
- This takes you to a list of all documents associated with the application - click on the ones you wish to read and they will be displayed.



PLANNING APPLICATION

Application Number	Application Location and Description	Item Number
1. CH/21/0173	<i>Blue Cedars, 29 Beechmere Rise, Etching Hill, Rugeley, WS15 2XR</i> – Retention of brick and panel fence, decking, and reed fence, and widening of driveway including associated construction of retaining walls (part retrospective) resubmission of CH/20/075	6.1 – 6.15

Cannock Chase Council
Minutes of the Meeting of the
Planning Control Committee

Held on Wednesday 26 May 2021 at 3:00pm
in the Ballroom, Civic Centre, Cannock

Part 1

PRESENT:
Councillors

Startin, P. (Chairman)
Muckley, A. (Vice-Chairman)

Cartwright, Mrs. S.M.	Layton, A.
Fisher, P.A.	Smith, C.D.
Fitzgerald, Mrs. A.A.	Sutton, Mrs. H.M.
Hoare, M.W.A.	Thompson, Mrs. S.L.
Jones, Mrs. V.	Wilson, Mrs. L.
Kruskonjic, P.	Witton, P.T.

1. Apologies

An apology for absence was received from Councillor F.W.C. Allen.

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

None declared.

3. Disclosure of Lobbying of Members

Councillors Mrs. V. Jones and Mrs. S. Thompson declared that they had been lobbied in respect of Application CH/21/0095 – Stumble Inn, 264 Walsall Road, Cannock, WS11 0JL, change of use on ground floor to a nursery. Re-configuration and change of use of first floor from residential to 2 residential apartment and offices/historical centre

4. Minutes

RESOLVED:

That the Minutes of the meeting held on 5 May 2021 be approved as a correct record.

5. Members requests for Site Visits

Councillor C.D. Smith suggested that a site visit be undertaken in respect of an application on today's agenda - Application CH/21/0095 - Stumble Inn, 264 Walsall Road, Cannock, WS11 0JL – change of use on ground floor to a nursery. Re-configuration and change of use of first floor from residential to residential apartments

and offices/ historical centre in order that the Committee could access the layout of the site.

The Principal Solicitor informed Members that the Monitoring Officer had advised that site visits should only be held where reasonably necessary if additional information and photographs of the site would not suffice. Any plans to bring several members and officers together for work purposes would need to be supported by a risk assessment.

She therefore suggested that the Committee should view the Development Control Manager's presentation and then determine whether there was a need to undertake a site visit.

6. Application CH/21/0083 - Land off Colliery Road, Rugeley – Change of use to mixed use for stabling of horses and as a residential caravan site for 1 gypsy family with 2 caravans including no more than 1 static/mobile home

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.41 of the Official Minutes of the Council).

The Principal Solicitor advised that this application had been considered by the Planning Control Committee on 14 April, 2021 when it had been deferred. Therefore, only those Members that had been present at that meeting could take part in the debate and vote. She confirmed the Members who were eligible to vote were Councillors Mrs. S. Cartwright, P. Startin, F.W.C. Allen (not present at today's meeting), P. Fisher, Mrs. A. Fitzgerald, Mrs. V. Jones, A. Layton, C.D. Smith, Mrs. S. Thompson and P. Witton.

The Senior Planner and the Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals. Photographs of the site taken from Colliery Road were showed to the Committee along with a plan indicating where they had been taken from.

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

Councillor M.W.A. Hoare was not present whilst these representations were made.

Resolved:

That the application be refused for the reasons outlined in the report.

(Councillors M.W.A. Hoare, P. Kruskonjic, Mrs. H. Sutton and Mrs. L.J. Wilson did not take part or vote on this application).

7. Application CH/21/0161 - 246 Cannock Road, Heath Hayes, Cannock, WS12 3HA – Relocation of garage

Consideration was given to the report of the Development Control Manager (Item 6.42 – 6.54 of the Official Minutes of the Council).

The Senior Planner and the Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

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

Resolved:

That the application be deferred to enable the applicant and Officers to discuss amending the application so that the materials of the garage were more in keeping with the area.

8. Application CH/21/0095 - Stumble Inn, 264 Walsall Road, Cannock, WS11 0JL – change of use on ground floor to a nursery. Re-configuration and change of use of first floor from residential to 2 residential apartments and offices/ historical centre

Consideration was given to the report of the Development Control Manager (Item 6.55 – 6.77 of the Official Minutes of the Council).

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

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

Resolved:

(A) That the application be deferred to enable a site visit to be undertaken to assess the layout of the site and address concerns regarding parking provision.

(B) That the applicant be asked to submit a definitive parking plan for the Committee to consider.

(The Principal Solicitor confirmed that a risk assessment would need to be undertaken prior to the site visit).

9. Application CH/21/0197 – Unit FB03, McArthur Glen Designer Outlet, Mill Green, Eastern Way, Cannock, WS11 7JZ – application under Section 73 of the 1990 Town and Country Planning Act for a Minor Material Amendment to Planning Permission CH/20/435 (Conditions 33 & 41) in relation to Unit FB03 (Slim Chickens). Enabling works to increase Unit FB03 by 83.14sq m, reducing the amount of retail floorspace by 83.14 sq m

Consideration was given to the report of the Development Control Manager (Item 6.78 – 6.117 of the Official Minutes of the Council).

The Development Control Manager provided the following update to the Committee that had been circulated in advance of the meeting:

“Point of clarification:

In the relevant planning history on page 6.104 of the report the paragraph beginning “was subsequently approved...” is amended to read:

“ was subsequently approved by Planning Control Committee and issued on 11 October 2017 following completion of a Supplemental Agreement under Section 111 of the Local Government Act 1972 which required the completion of an Agreement under Section 106 of the Town and County Planning Act 1990 (as amended) when the applicant acquired the freehold in the application site from the Council. That Section 106 Agreement was completed on 29 June 2018.”

Paragraph 4.11 on item 6.111 of the report should be amended so that the final word in the paragraph “permissions” is amended to “this subsequent permission”.

He then provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Resolved:

That delegated authority be given to the Development Control Manager to approve the application following the expiration of the consultation period subject to no objections being received and subject to the conditions contained in the report for the reasons therein.

The meeting finished at 4.30pm

CHAIRMAN



Application No: CH/21/0173

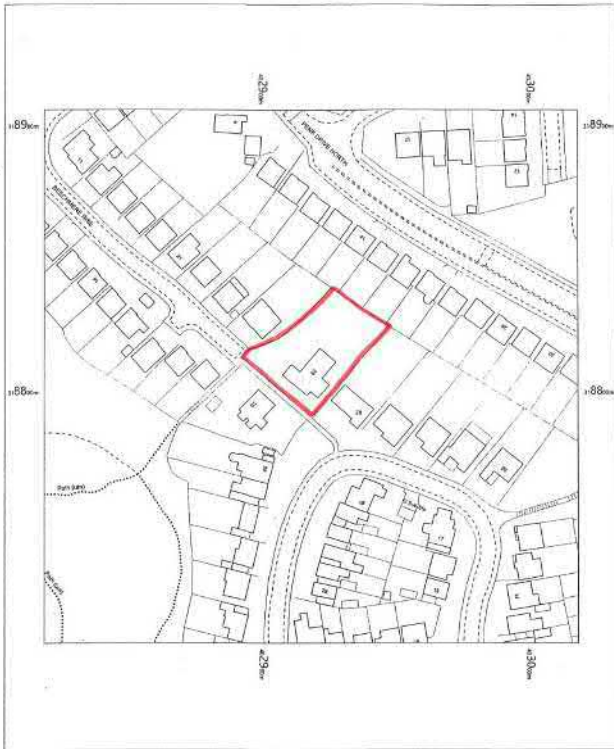
Location: Blue Cedars, 29, Beechmere Rise, Etchinghill, Rugeley, WS15 2XR

Proposal: Retention of brick and panel fence, decking, and reed fence, and widening of driveway including associated construction of retaining walls (part retrospective). Resubmission of CH/20/075.

Item no. 6.1



Location Plan and Block Plan



LOCATION PLAN 1/1250

29 Beechmere Rise,
Etchinghill,
Rugeley,
Staffordshire,
WS15 2XR

OS MasterMap 1/250/2500/12000 scale
Wednesday, February 12, 2020, 09:49:11
www.blackwellmapping.co.uk

1:1250 scale print at A4, Centric 402919 E, 318807 N

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BLACKWELL'S
www.blackwellmapping.co.uk
TEL: 0114 256 7655
maps.support@blackwell.co.uk



BLOCK PLAN 1/500

Property Detail and Level Survey



Proposed Garden Layout



Proposed Elevations

Any dimensions shown from existing and/or new buildings to boundaries can be scaled but are for planning application purposes only

PLANNING APPLICATION DRAWING ONLY

THE CONTRACTOR MUST CHECK ALL DIMENSIONS AND GENERAL LAYOUT BEFORE COMMENCING WORK ON-SITE. IF IN DOUBT, ASK!

THIS DRAWING MAY BE SCALED FOR PLANNING APPLICATION PURPOSES BUT NOT FOR CONSTRUCTION USE.

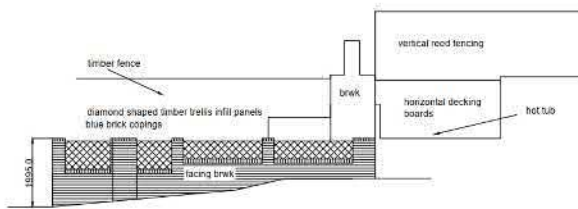
THE CONTRACTOR WILL ENSURE THAT ALL ELEMENTS OF THE STRUCTURE ARE SUITABLE FOR THE INTENDED PURPOSE AND FITTED/INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.

WHERE POSSIBLE ALL ELEMENTS OF THE STRUCTURE SHOULD BE MANUFACTURED TO CURRENT BRITISH AND/OR EUROPEAN STANDARDS, INCLUDING SEA.

THE CONTRACTOR WILL BE AWARE OF CURRENT HEALTH & SAFETY AT WORK/CON LEGISLATION, AND ENSURE THAT THE SITE/PROJECT OPERATES WITHIN AND CONFORMS TO THAT LEGISLATION.

IF THE PROJECT ON THIS DRAWING WAS SUBJECT TO PLANNING APPROVAL, IT IS THE CLIENT'S RESPONSIBILITY TO ENSURE THAT ALL SAMPLES OF FINISH MATERIALS SUCH AS BRICKWORK AND ROOF TILING ETC. ARE OBTAINED AND APPROVED BY THE LOCAL AUTHORITY PLANNING DEPARTMENT BEFORE WORK COMMENCES ON-SITE.

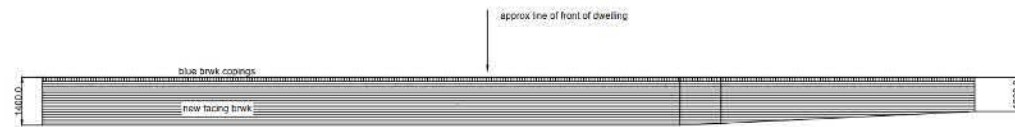
COPYRIGHT: ARCHITECTURAL SERVICES



ELEVATION D



PLAN OF RAISED PATIO ON SOUTH-EAST WALL



ELEVATION E (IE DRIVE RETAINING WALL)

PROJECT:- VARIOUS LANDSCAPING ALTERATIONS

ADDRESS:- 29 BEECHMERE RISE, RUGELEY, STAFFS

CLIENT:- MR. A. GITTINS

Drwg No:- 1489 2A (proposed)

Date:- November 2020

Scales:- 1/100

Amendments:-
A various planning amendments

Architectural Services

Heather Bank, Huntsman's Hill,
Upper L Ongdon, Staffs WS15 1QJ

Telephone 01543 491205
Mobile 07854 143076

e-mail: davidarch@arsvs@gmail.com



**Chartered Institute of
Architectural Technologists**

Sole practitioners: David Yarnal, MCAAT
Chartered Architectural Technologist
Member of The Chartered Institute of Architectural Technologists

Contact Officer:	Audrey Lewis
Telephone No:	01543 464528

<p>Planning Control Committee</p> <p>16 June 2021</p>

Application No:	CH/21/0173
Received:	09-Apr-2021
Location:	Blue Cedars, 29, Beechmere Rise, Etchinghill, Rugeley, WS15 2XR
Parish:	Rugeley
Ward:	Etching Hill and the Heath
Description:	Retention of brick and panel fence, decking, and reed fence, and widening of driveway including associated construction of retaining walls (part retrospective). Resubmission of CH/20/075.
Application Type:	Full Planning Application

Recommendations:

Approve Subject to Conditions

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and/ or the National Planning Policy Framework.

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 on the application.

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. The approved landscape works shall be carried out in the first planting and seeding season following the completion of the development.

Reason

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

4. The development hereby permitted shall be carried out in accordance with the following approved plans and pertains only to that as described by the 'proposal':

Drg No.s

Location & block plan

1489.2A (Proposed Elevations)

18-080-20-03 (Property Detail & level survey)

18-080-21-01 (Proposed garden layout design)

Structural Design & Calculations dated Aug 2020 received 9b April 2021.

Design & Access Statement 9 April 2021.

Reason

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

Notes to the Developer:

Coal Standing Advice

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Consultations and Publicity

External Consultations

Rugeley Town Council

Councillors have concerns about the application submitted and seek clarification. If the application is retrospective for the items identified in the pictures i.e. brick walls and decking areas, then the Town Council has no objections.

However, if any part of this application pertains to land levels & retaining wall to boundary with properties on Penk Drive North, then the Town Council strongly objects.

Internal Consultations

None undertaken

Response to Publicity

The application has been advertised by site notice and neighbour letter. No letters of representation have been received.

Relevant Planning History

CH/20/074: Alterations to land levels including formation of enlarged driveway/turning area, formation of seating area, provision of steps to lower level and landscaping and removal of partially constructed raised terrace. Full - Approval with conditions on 27/01/2021

CH/20/075: Retention of brick and panel fence, decking, and reed fence, widening of driveway including associated construction of retaining walls, and erection of boundary wall and fence to NE boundary (Part Retrospective)

Full - Refusal 24/03/2021 for the following reasons:

- The proposed rear wall, by virtue of its close proximity to the common boundary with Penk Drive North would give rise to such degrees of overlooking as to result in an oppressive relationship to the detriment to privacy and neighbour amenity. As such the proposal would fail to maintain the high standard of residential amenity of the occupiers of Penk Drive North, contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127(f) of the National Planning Policy Framework.
- The proposed rear wall and fence, by virtue of its breeze block materials, height and scale relative to the common boundary with Penk Drive North would not be visually attractive or add to the quality of the area and would detract from the character of the area contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127 of the National Planning Policy Framework.

CH/18/313: Driveway alterations and retaining walls.

Full - Refusal 23/07/2019 for the following reason:

- The driveway alterations, patio extension and retaining wall and associated increase in levels, by virtue of their close proximity to the common boundary with No 27 Beechmere Rise would give rise to such degrees of overlooking as to result in an oppressive relationship to the detriment to privacy and neighbour amenity. As such the proposal would fail to maintain the high standard of residential amenity of the occupiers of No 27 Beechmere Rise, contrary to Policy

CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127(f) of the National Planning Policy Framework.

CH/18/314: Rear boundary retaining wall - proposal to clad with close boarded fence panels.

Full- Refusal 23/07/2019 for the following reason:

- The proposed retaining wall and associated increase in levels, by virtue of their close proximity to the common boundary with No.27 Beechmere Rise and Penk Drive North would give rise to such degrees of overlooking as to result in an oppressive relationship to the detriment to privacy and neighbour amenity. As such the proposal would fail to maintain the high standard of residential amenity of the occupiers of No. 27 Beechmere Rise and Penk Drive North, contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127(f) of the National Planning Policy Framework.

CH/18/187: - Front extension to garage, raised ridge to achieve correct head height on first floor approved subject to conditions on 29 June 2018.

CH/08/0150: - Amendment to approved scheme CH/07/0389 to change front dormer design and one additional rear dormer and change doors and juliet balcony to window in side elevation (Retrospective application). Refused 18th April 2008 for the following reasons: "The use of white UPVC cladding and mineral felt roofing on all dormer windows provides a strident and obtrusive feature in the street scene to the detriment of the locality, contrary to paragraphs (i) (ii) and (iii) of Policy B8 of the Adopted Local Plan." The development was allowed at appeal on the 22nd September 2008.

CH/07/0389: - Loft conversion incorporating one dormer to front three to rear and door with juliet balcony to side. Approved with conditions August 2007.

1 Site and Surroundings

- 1.1 Number 29 is a detached dormer bungalow sited at the east end of Beechmere Rise and in an elevated position above the properties to the north - Penk Drive North. The application is within the defined settlement boundary for Rugeley and an established residential area.
- 1.2 The property is a 1970's brick chalet bungalow with a basement currently used as a garage. The application site is approximately rectangular in shape and slopes steeply from south to north. The existing dwelling has a north-south orientation as the plot and is sited on the southern - highest - part of the site. Due to the large change in ground levels the basement to the bungalow forms a garage with access sweeping around from the access at the top of the site. There are 1.8m high

fences to the side boundaries, but due to the change in ground levels the boundary fence has a staggered profile.

- 1.3 Adjacent to the southern boundary is a public footpath and on the opposite side of this a neighbouring property of similar age and design, the nearest point of the dwelling of which is at 10.5m.
- 1.4 Adjacent to the north western common boundary, is then No. 27 Beechmere Rise. The closest distance to the dwelling at No27 and the application dwelling is 15m to the southern wing of the application property which increases to 18m to the main parts of both dwellings.
- 1.5 The nearest distance to the northern boundary and dwellings accessed from Penk Drive North, to the north of the application site, is 37m. These dwellings are at significantly lower ground levels with rear habitable room windows and rear gardens facing the rear of the application property.
- 1.6 The application site is unallocated and undesignated within the Cannock Chase Local Plan (Part 1). The application site is located within a Mineral Safeguarding Area and is also within the Coal Authority Low Risk Boundary.

2 Proposal

- 2.1 The applicant is seeking consent for retention of brick and panel fence, decking, and reed fence, and widening of driveway including associated construction of retaining walls (part retrospective). Resubmission of CH/20/075.
- 2.2 In summary it comprises the following:
 - Retention of brick and panel fence, decked area and reed fence (retrospective) adjacent to the south western boundary of the site.
 - Widening of driveway including associated construction of retaining walls adjacent to the south western boundary of the site.
- 2.3 As such, the application is the same as the previous application, however, excludes the erection of boundary wall and fence to NE boundary (Part Retrospective), which was the element forming past refusal reasons of planning application CH/20/075.

3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015 – 2030). Relevant policies within the Local Plan include: -

CP1 - Strategy – the Strategic Approach

CP3 - Chase Shaping – Design

3.2 – Minerals Plan

3.3 National Planning Policy Framework

3.4 The NPPF (2019) sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking.

3.5 The NPPF (2019) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.6 Relevant paragraphs within the NPPF include paragraphs: -

8: Three dimensions of Sustainable Development

11-14: The Presumption in favour of Sustainable Development

47-50: Determining Applications

124, 127, 128, 130: Achieving Well-Designed Places

212, 213 Implementation

3.7 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.

Manual for Streets

4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Impact on highway safety.

4.2 Principle of the Development

4.2.1 The site is located on unallocated land and contains an existing dwelling house. The proposal is for retention of brick and panel fence, decking and reed fence, widening of a driveway and construction of retaining walls. The proposal is therefore acceptable in principle subject to the considerations set out below:

4.3 Design and the Impact on the Character and Form of the Area

4.3.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should be: -

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 124, 127, 128 and 130. Paragraph 124 makes it clear that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.3 Paragraph 127 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.4 Finally Paragraph 130 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.

- 4.3.5 Although the site is located within an established, wholly residential area the most significant component of the site and its immediate area is that it is on a pronounced slope. The dwellings in Beechmere Rise have rear gardens, which slope downwards along their lengths and across their widths from east to west. The gardens are landscaped with mature tree screening and shrubs with small areas of stepped patios forming the majority of the surface treatments. Boundary treatments comprise standard height closed board fencing, stepped to follow differing ground levels combined with conifer and deciduous trees and hedges. The gardens situated below the application site in Penk Drive North are also predominantly covered in mature landscaping comprising trees and shrubs.
- 4.3.6 The proposal has removed the previous contentious element, namely the rear wall/ fence to the NE boundary and now comprises areas of decking, means of enclosure, driveway and retaining wall structures which result in loss of trees/shrubs and other lawned areas with a consequent increase in hard boundary/surface treatments. This undoubtedly has had some impact on the visual amenity of the site. However, the front gardens along Beechmere Rise are characterised by extensive areas of hardstanding and drives and in this respect, as seen from the public realm the proposal would not significantly detract from the character of the streetscene or the wider area. Furthermore, the proposal includes new landscaping, which would help compensate and mitigate these effects within the rear garden area, which can be secured by condition.
- 4.3.7 Subject to such a condition it is considered that the proposal would not be contrary to Policy CP3 of the Cannock Chase Local Plan.

4.4 Impact on Residential Amenity

- 4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties".
- 4.4.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 No objections have been received from residents on the grounds of impact upon residential amenity.
- 4.4.4 The Parish Council have confirmed they have no objections to the scheme as it does relate to the rear wall to NE boundary.
- 4.4.5 The proposals pertaining to the retention of brick and panel fence, decking, and reed fence, widening of driveway including associated construction of retaining walls have not raised specific neighbour concerns. It is considered they would not cause significant impact in terms of residential amenity.
- 4.4.6 In this respect, it is considered that the proposal would maintain a high standard of residential amenity, in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF.

4.5 Impact on Highway Safety

- 4.5.1 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.5.2 The proposal would have a neutral impact upon highway safety. As such, it would not have an adverse impact upon highway or pedestrian safety, in accordance with paragraph 109 of the NPPF and the Parking SPD.

4.6 Minerals Safeguarding

- 4.6.1 The site falls within a Mineral Safeguarding Area and Coal Authority Low Risk Area. The Coal Authority do not require consultation on the application, as it considers the general area to be a development low risk area. The proposal would fall within Item 2 of the exemptions list as it is works to an existing dwelling and is therefore permitted. As such the proposal is compliant with Policy 3 of the Minerals Local Plan.

5 Human Rights Act 1998 and Equalities Act 2010

Human Rights Act 1998

- 5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve the application accords with the adopted policies in the Development Plan which aims to secure the proper planning of the area in the public interest.

Equalities Act 2010

- 5.2 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.

By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case

officers consider that the proposal would not conflict with the aim of the Equalities Act.

6 Conclusion

- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the attached conditions, would not result in any significant harm to acknowledged interests and is therefore considered to be in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions.