

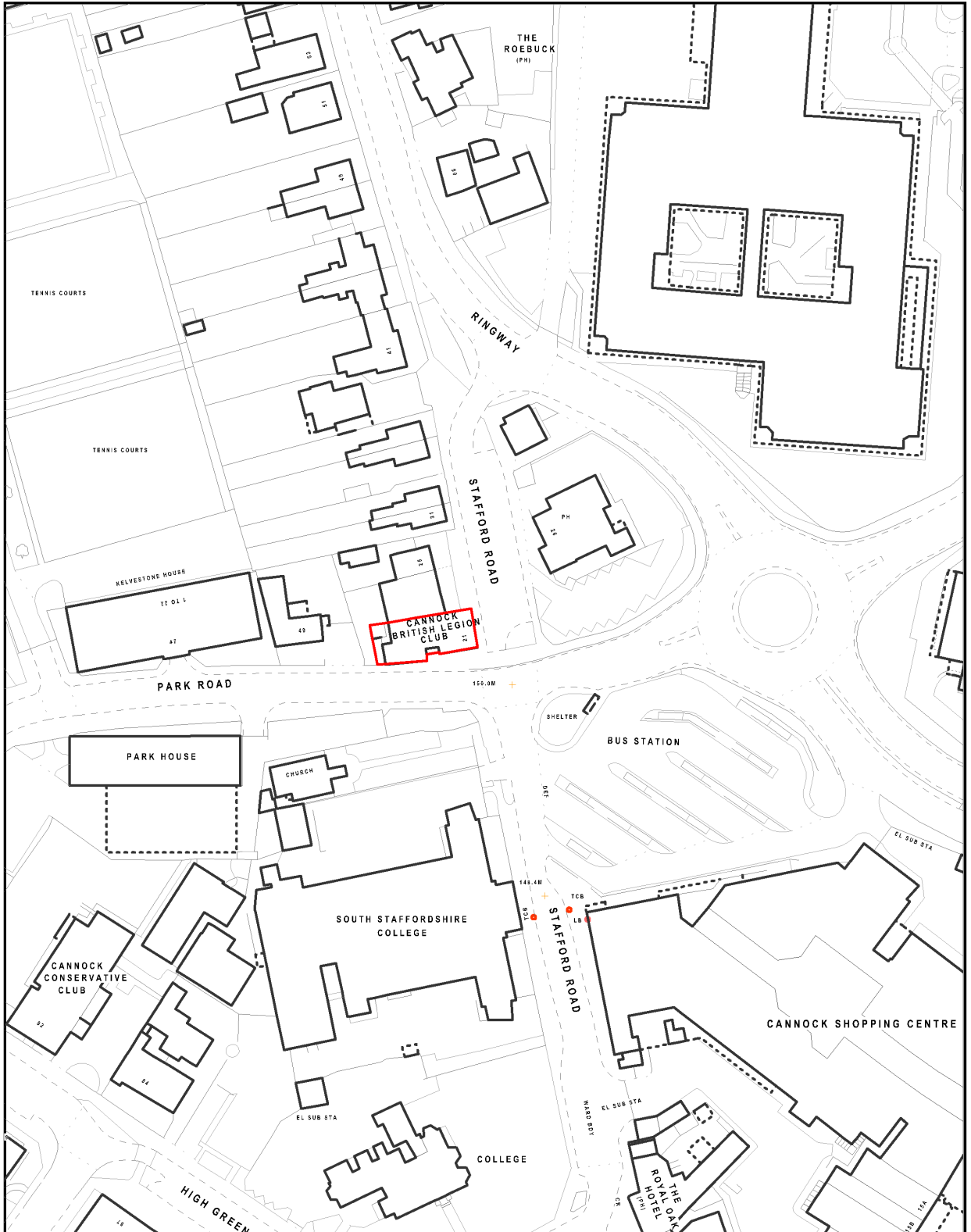


**Application No:** CH/20/026

**Location:** 21 Stafford Road, Cannock, WS11 4AF

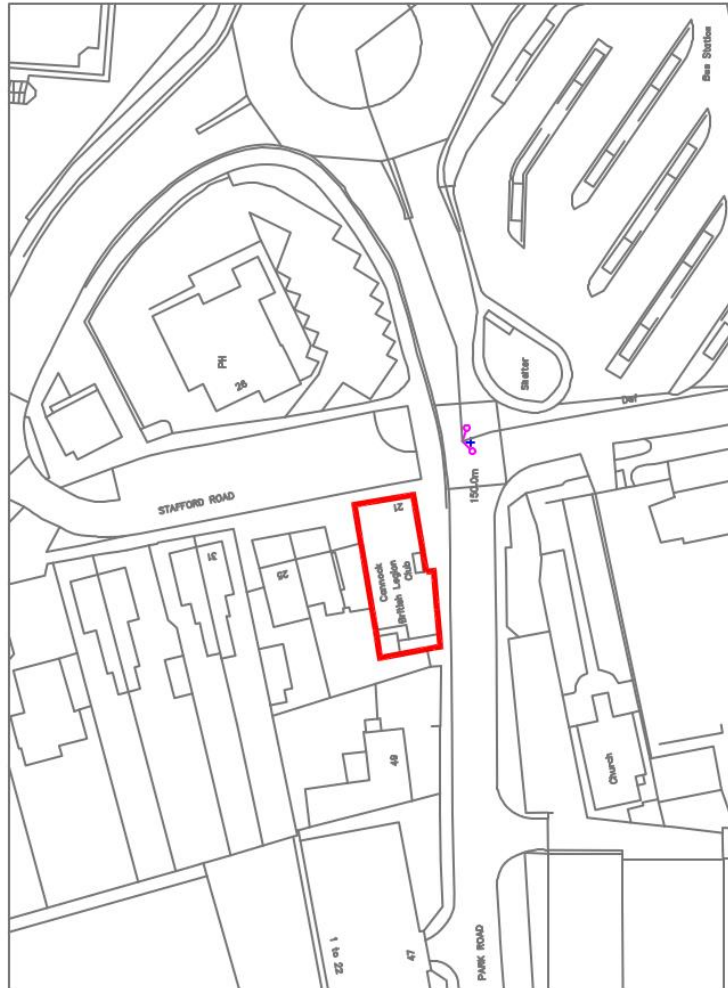
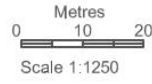
**Proposal:** Site redevelopment to provide 18 room House of Multiple Occupancy

ITEM NO. 6.1

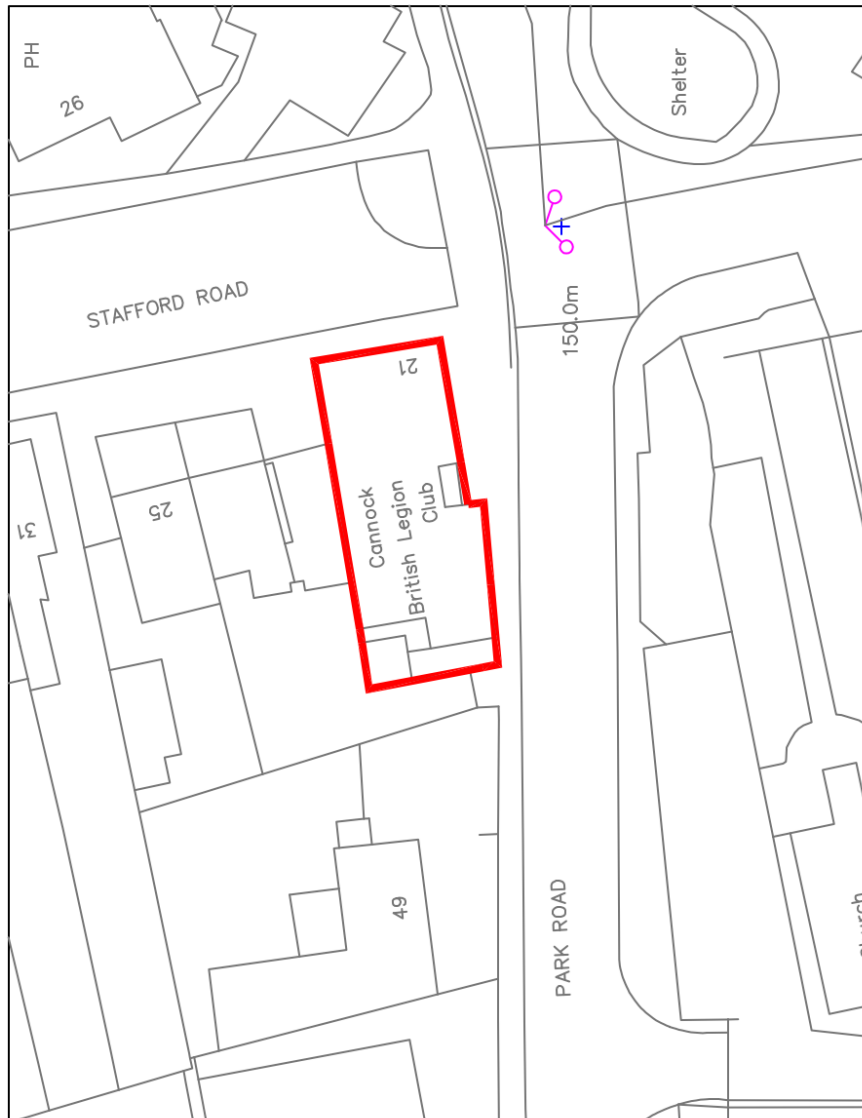


# Location Plan

Cannock British Legion  
21 Stafford Street, Cannock, WS11 4AF  
Site Location Plan  
Scale 1:1250 printed at A4

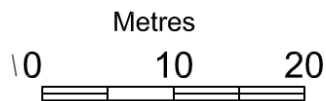


# Block Plan



Cannock British Legion  
21 Stafford Street, Cannock, WS11 4AF

Site Block Plan As existing  
Scale 1:500 printed at A4

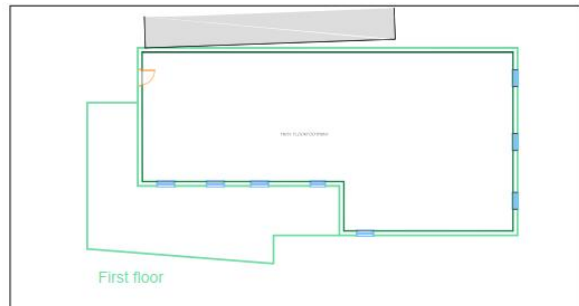
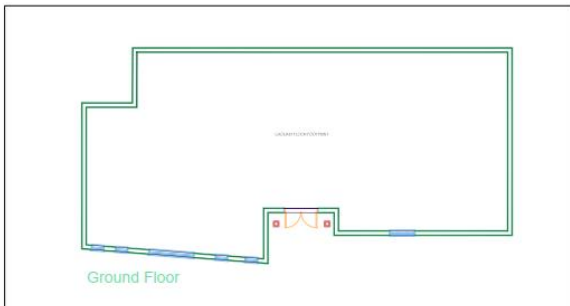


Scale 1: 500



# Existing Plans and Elevations

- General Notes**
1. All figured dimensions to be checked on site.
  2. All details and dimensions relating to sub-contractors or suppliers must be offered with the Main Contractor.
  3. This drawing must be read in conjunction with associated information and the appropriate specification clause.
  4. Unauthorised reproduction and/or use of information noted is subject to copyright.



PLANNING APPLICATION		Init.	Date
Rev.	Amendment		
Client			
Mr. D Andrews			
Project			
21 Stafford Road Cannock			
Title			
Plans and elevations as existing			
R D L The Old Barn Hollowfields Road Hambury Redditch B96 6RD			
Date	June 2017	Scale	1:100 @ A1
Drawn	jr	Checked	
Drawing No	10683-01	Revision	--



# Proposed Plans and Elevations

- General Notes
1. All figured dimensions to be checked on site.
  2. All details and dimensions relating to sub-contractors or suppliers must be offered with the Main Contractor.
  3. This drawing must be read in conjunction with associated information and the appropriate specification clauses.
  4. Unauthorised reproduction and/or use of information noted is subject to copyright.



Proposed finishes:

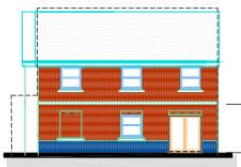
- Roof tiles - Cambria slate effect
- Brickwork - orange / Red mix, Staffordshire blue plinth
- Reconstructed stone cills and band
- Blindeds - white spic
- Soffit, fascia and gutters - white upvc



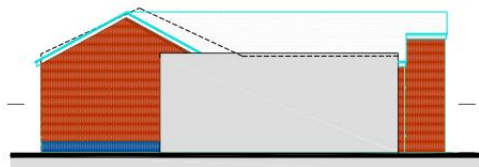
South elevation



West elevation



East elevation



North elevation

Rev.	1	Prop. floor layout amended	JR	18.06.20
Rev.	2	Finalisation		
Rev.	3	Amendment		
Client				
Mr. D Andrews				
Project				
21 Stafford Road Cannock				
Title				
Plans and elevations as proposed				
R D L The Old Barn Hollowfields Road Hainbury Redditch B96 6RD				
				
Date	November 2019	Scale	1:100	A1
Drawn	Jr	Checked		
Drawing No	10683-010	Revision	A	

<b>Contact Officer:</b>	<b>Audrey Lewis</b>
<b>Telephone No:</b>	<b>01543 464 528</b>

**PLANNING CONTROL COMMITTEE**

**10 June 2020**

<b>Application No:</b>	CH/20/026
<b>Received:</b>	21-Jan-2020
<b>Location:</b>	21 Stafford Road, Cannock, WS11 4AF
<b>Parish:</b>	Non Parish Area
<b>Description:</b>	Site redevelopment to provide 18 Room House of Multiple Occupancy
<b>Application Type:</b>	Full Planning Application

**RECOMMENDATION:**

S106, Then Approval with Conditions

**Reason(s) for Recommendation:**

Reason for Grant of Permission

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.

This application was considered by Planning Control Committee on 27<sup>th</sup> May 2020 when it was resolved

- (A) That the application be deferred to enable more detailed information in respect to the proposed room layouts on the first floor to be provided by the Development Control Manager at a future meeting.
- (B) The applicant be asked to provide a plan showing the size and scale of the building in comparison to the previous application (CH/18/247) that was refused by the Planning Control Committee and dismissed on appeal.

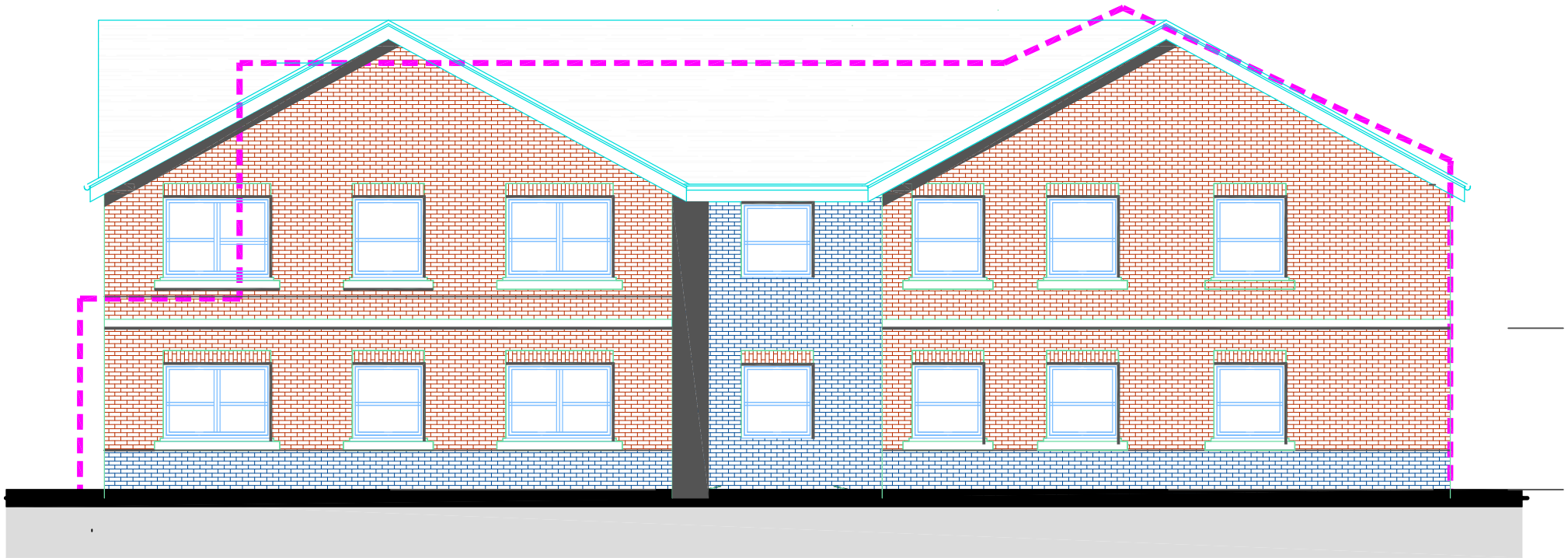
In response the applicant has forwarded the following documents: -

- (i) A Plan showing the east elevation of the Proposed Building with the out-line of the Existing Building superimposed upon it.
- (ii) A Plan showing the south elevation of the Proposed Building with the out-line of the Existing Building superimposed upon it.
- (iii) A Plan showing the typical layout of the bedrooms on the first floor showing each one with its own toilet/shower room and kitchenette.

The first two of above plans allow for a direct comparison of the proposed building and the existing building, which shows that any changes in the overall height, scale and massing would be marginal.

The above plans are included in Appendix A attached to this current officer report. In Appendix B is attached the original officer report along with its own set of appendices. The officer update sheet presented to Planning Control Committee on 27<sup>th</sup> May 2020 is attached at Appendix C

It is therefore recommended that the application is approved subject to the conditions attached in the original officer report and the additional condition attached the officer update sheet.



# South elevation

Key:

----- indicates outline of existing building

Not To scale

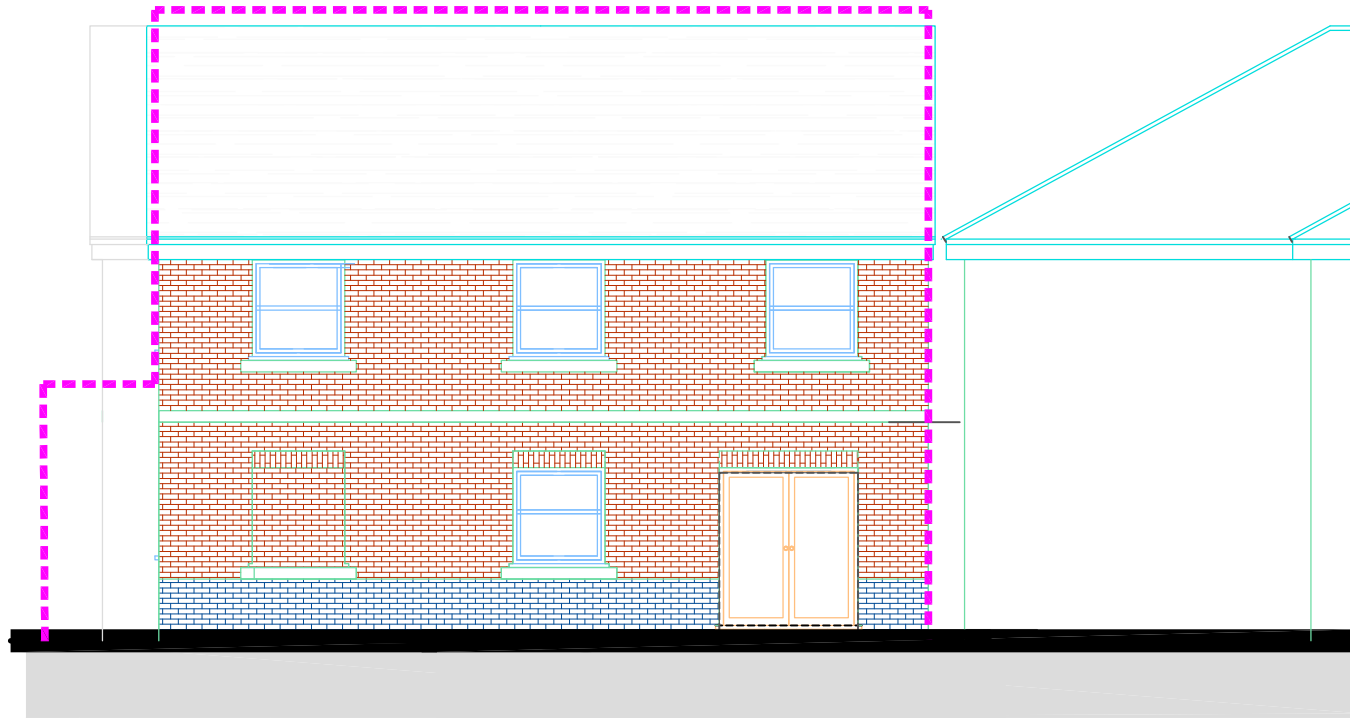
Former British Legion Building  
21 Stafford Road, Cannock

South Elevation as proposed

R D L  
The Old Barn  
Hollowfields Road  
Hanbury  
Redditch  
B96 6RD







## East elevation

Key:

----- indicates outline of existing building

Not To scale

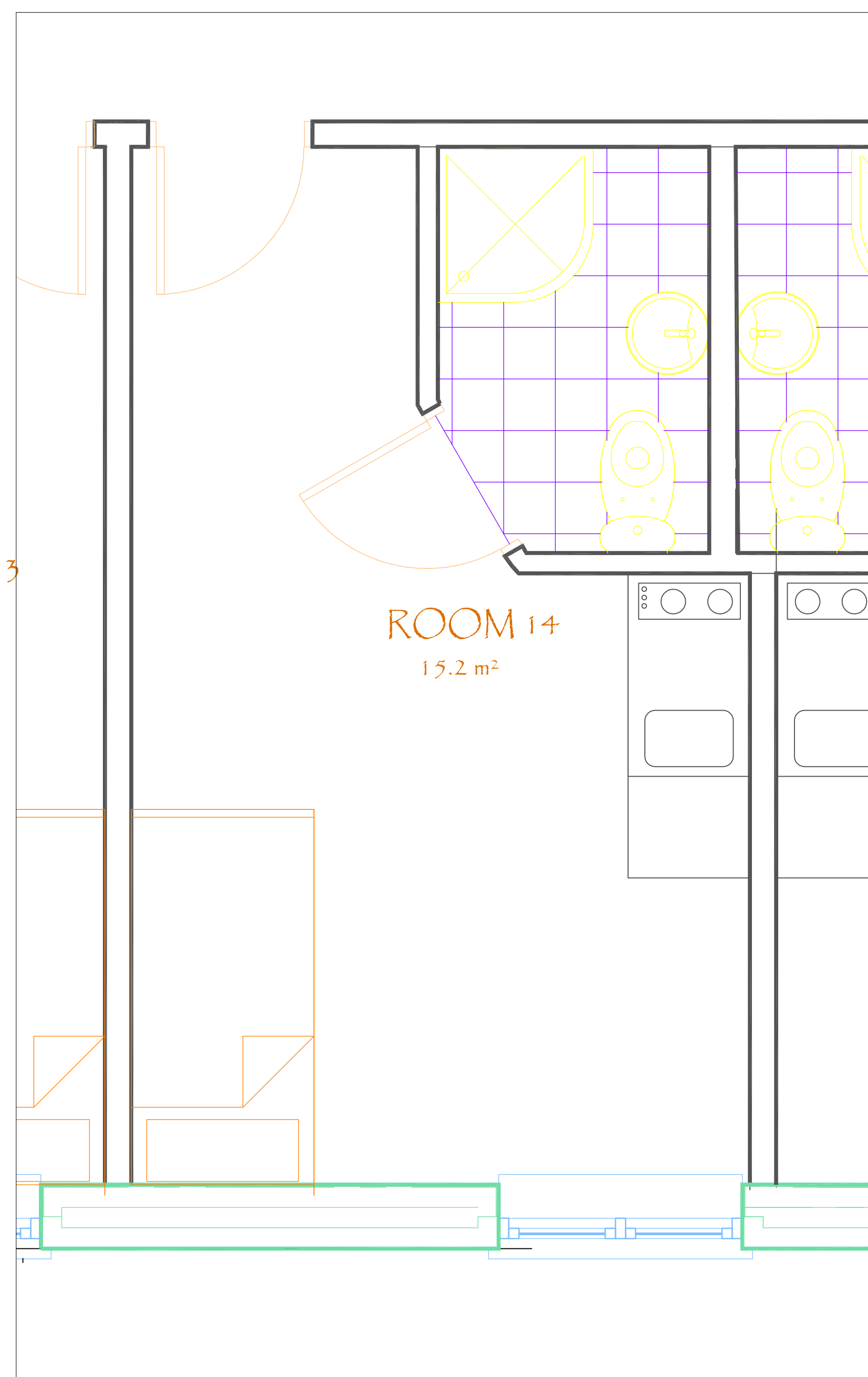
Former British Legion Building  
21 Stafford Road, Cannock

East Elevation as proposed

R D L  
The Old Barn  
Hollowfields Road  
Hanbury  
Redditch  
B96 6RD







Typical First floor bedroom layout

Not To scale



Typical kitchen arrays to meet environmental Health requirements include, sink, work surface, fridge w freezer, storage and combined oven



Former British Legion Building  
21 Stafford Road, Cannock

Typical First floor bedroom

R D L  
The Old Barn  
Hollowfields Road  
Hanbury  
Redditch  
B96 6RD





## APPENDIX B

<b>Contact Officer:</b>	<b>Audrey Lewis</b>
<b>Telephone No:</b>	<b>01543 464 528</b>

**PLANNING CONTROL COMMITTEE**

**27 MAY 2020**

<b>Application No:</b>	CH/20/026
<b>Received:</b>	21-Jan-2020
<b>Location:</b>	21 Stafford Road, Cannock, WS11 4AF
<b>Parish:</b>	Non Parish Area
<b>Description:</b>	Site redevelopment to provide 18 Room House of Multiple Occupancy
<b>Application Type:</b>	Full Planning Application

**RECOMMENDATION:**

S106, Then Approval with Conditions

**Reason(s) for Recommendation:**

Reason for Grant of Permission

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

## APPENDIX B

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 development shall not begin until a scheme for protecting the occupiers of the house in multiple occupation (HMO) from noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before any of the rooms in the proposed HMO are occupied. The maximum internal noise levels within habitable rooms (with windows shut and alternative ventilation provided) shall be protected to ensure that:

Day time - Habitable rooms; 30dB LAeq 16 hours 07.00 - 23.00 hrs

Night time — Bedroom; 30dB LAeq; 8 hours 23.00 - 07.00 hrs and 45LA max 23.00 - 07.00 hrs.

Guidance can be taken from BS8233:1999 and the WHO Guidelines for Community Noise.

Reason

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

4. No development shall commence until a report detailing (i) a survey of vibration levels and (ii) any mitigation in respect to vibration to reduce regular exposure to vibration levels, which exceed the limits set down in British Standard BS 6472, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be brought into use until the works comprising the vibration mitigation measures have been implemented.

Reason

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

5. Details of the refuse storage facilities, including the number of bins provided and the provision for removal of waste, shall be approved in writing by the Local Planning Authority before the use commences. The development shall not be brought into use until the works comprising the approved scheme have been implemented.

Reason

To provide a necessary facility, in accordance with Local Plan Policies CP3 & CP16 and the NPPF.

6. Before the use commences a scheme for a suitable extract ventilation system to remove odour and moisture from the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include full technical specification by a suitably qualified technical person, specifying the position of ventilation inlets and outlets and any noise attenuation measures. The works comprising the approved scheme shall be implemented before the development is brought into use and shall thereafter be operated throughout the life of the development.

## APPENDIX B

## Reason

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

7. The house in multiple occupancy hereby approved shall not be occupied until a scheme for the provision of a bat roost, bird boxes and sparrow terrace has been submitted to and approved in writing by the Local Planning Authority and implemented in full. The roost, bird boxes and sparrow terrace shall thereafter be retained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

## Reason:

To compensate against the loss of bat roosting habitat as a result of the development in accordance with Policy CP12 of the Cannock Chase Local Plan.

8. No phase of the development shall take place, including any demolition works, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- A site compound with associated temporary buildings
- The parking of vehicles of site operatives and visitors
- Times of deliveries including details of loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Duration of works
- Wheel wash facilities

## Reason:

To comply with paragraph 108-110 of the NPPF and in the interest of Highway Safety.

9. Notwithstanding any details shown on the approved plans no development shall be commenced until revised access details indicating the following have been submitted to and approved in writing by the Local Planning Authority:

- revised plan showing the current vehicle access crossing made redundant as a consequence of the Pedestrian /cycle access being put back to line and level.

## Reason:

To comply with paragraphs 108-110 of the NPPF and in the interest of Highway Safety.

10. Before the development is brought into use, the existing site access made redundant as a consequence of the development shall be permanently closed and the access crossing reinstated as footway with full height kerbs.

## Reason:

To comply with paragraphs 108-110 of the NPPF and in the interest of Highway Safety.

## APPENDIX B

11. Prior to first occupation of the development, secure and weatherproof cycle parking shall be provided and shall thereafter be retained and maintained for the life of the development.

Reason:

To comply with paragraphs 108-110 of the NPPF and in the interest of Highway Safety.

12. The smoking area/cycle store building shall be protected with a 2m high wall and gates opening inwards only for pedestrians/cyclists. The gates shall not be wide enough to allow vehicular Access, i.e. less than 1.5m wide and maintained as such for the lifetime of the development.

Reason:

In order to comply with Local Plan Policy CP16 and paragraphs 108-110 of the NPPF and in the interest of Highway Safety.

13. The development hereby permitted shall not be commenced until details of the foundation construction and reinstatement of the footway around the building have first been submitted to and approved in writing by the Local Planning Authority, which shall thereafter be constructed in accordance with the approved plans.

Reason: To comply with Paragraphs 108-110 of the NPPF and in the interest of Highway Safety.

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

Design & Access Statement  
 Heritage Statement (March 2020)  
 Heritage Assessment (April 2020)  
 Acoustic Design Statement  
 Management Plan (March 2020)  
 Location Plan  
 Site Block Plan  
 Drg. No.s 10683-01 & 10683-010 Rev A.

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

### Notes to the Developer:

#### Informative

The works required within condition 10 will require the relevant permit from our Network Management Section. The existing crossing to the site shall be reinstated to footway. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to [nru@staffordshire.gov.uk](mailto:nru@staffordshire.gov.uk))

#### INFORMATIVE

All housing developments must comply with national housing standards, such as the

## APPENDIX B

Decent Homes Standard, and must be free from Category 1 hazards when assessed in accordance with the Housing Health and Safety Rating System (HHSRS) (sections 1 and 2 of the Housing Act 2004). The Councils Environmental Health Housing section also apply specific space and amenity standards to premises defined as Houses in Multiple Occupation (HMO's). Premises may include:

- i. Houses divided into flats or bedsits where some amenities are shared.
- ii. Houses occupied on a shared basis where occupiers have rooms of their own.
- iii. Lodging accommodation where resident landlords let rooms.
- iv. Hostels, lodging houses and bed and breakfast hotels.
- v. Registered residential hotels.

**INFORMATIVE**

A full survey of the building to determine any presence of asbestos containing materials will be necessary prior to the commencement of any demolition works. Demolition should be undertaken in accordance with Building Act provisions and BS 6187:2011 Code of Practice for full & partial demolition.

Attach SBD Information

**INFORMATIVE**

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](http://www.gov.uk/government/organisations/the-coal-authority)

## Consultations and Publicity

***External Consultations***Fire Safety Office

No comments received

Crime Prevention Officer

Recommendations made for the scheme to acquire Secure By Design Accreditation.

***Internal Consultations***CIL Officer

The above application would not be liable to pay CIL.

However, given that a net increase in dwellings is proposed the development needs to mitigate its impacts upon the Cannock Chase SAC (Local Plan Part 1 Policy CP13). As the development is exempt from paying CIL, a Unilateral Undertaking would be required to address impacts upon the Cannock Chase SAC in accordance with the Councils policy/ guidance. This should be based on 6 HMO bedrooms equating to 1no. dwelling, therefore 18 rooms would contribute a SAC payment which would equate to 3no. dwellings.

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Environmental Health

No objection, subject to conditions and informatives.

Private Sector Housing

Supportive of the proposed development and advise that the room sizes, as described within the amended layout plan of the premises, would be considered acceptable.

Conservation Planning Officer

Further to your consultation and receipt of the Heritage Assessment dated 9th April 2020 and produced by Mel Morris Conservation I can confirm that the information contained within the heritage assessment provides a reasonable basis for understanding the historic development of this part of Cannock and of the building on the site.

I agree with the assessment in the report that the evidence points to the building being originally of late C19th in origin and that it has subsequently been much modified. In addition the immediate surrounding area has also been much modified with the redevelopment of the road system and the bus station.

I therefore agree with the assessment that the building has negligible historic and architectural interest either in itself or in the contribution it makes to the significance of the nearby Cannock Town Conservation Area and its listed buildings.

I therefore have no objections to the demolition of the existing building.

Strategic Housing

No comments received

Planning Policy Manager

The scheme proposes a House in Multiple Occupation (HMO) on the site of a former social club which has been vacant for an extended period of time. The site is located within Cannock Town Centre boundary and opposite Cannock Town Centre Conservation Area on the Local Plan Policies Map.

The Cannock Chase Local Plan (Part 1) 2014 does not include any specific policy provisions for HMO developments. However, Local Plan (Part 1) Policy CP3 and the Design SPD provide guidance on overall expectations for standards of good quality and amenity for all developments which should be considered. There are no set standards for bedroom sizes within local policy/ guidance. Guidance could be sought from the Council's Environmental Health/ Private Sector Housing Team with regards to the detailed proposals in this regard (as the licensing authority for HMOs).

Policy CP11 sets out the strategy for the town centres including that other uses will be acceptable where they do not detract from the primary retail function of the town centre. Policy CP15 outlines the protection of the historic environment including the requirement to be sensitive to the setting and using development around existing historic urban areas as an opportunity.

The National Planning Policy Framework sets out the national planning policy context including Chapter 7 which aims to ensure the viability of town centres by permitting a mix of uses including housing.

As the proposal is a sui generis use, there is no CIL liability arising.



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The case officer will need to consider whether the scale of the project would require mitigation measures for residential development on the Cannock Chase SAC, and the process for dealing with this accordingly. The advice of Natural England should be sought, as set out in the Frequently Asked Questions sheet which has been jointly produced by Natural England and the Cannock Chase SAC Partnership [https://www.cannockchasedc.gov.uk/sites/default/files/cc\\_sac\\_-\\_faq\\_may\\_2018\\_0.pdf](https://www.cannockchasedc.gov.uk/sites/default/files/cc_sac_-_faq_may_2018_0.pdf)

### County Highways

The proposal is for the redevelopment of the former Cannock Royal British Legion into an 18 room house of multiple occupancy. The site is located on the corner of Stafford Road and Park Road which is within Cannock Town Centre (as defined by Cannock Chase District Council) and provides excellent access to public transport due to the town's main bus station being opposite. The site is also within walking/ cycling distance of the town's main railway station. Stafford Road is an unclassified road which joins the main A classified Stafford Road. Park Road is a busy B classified road with a 30mph speed limit. There is no parking allocation with the site.

Current records show there have been no personal injury collisions 50m either side of the site access within the last 5 years.

The 18 rooms will be accessed via a pedestrian/ cycle gate off Park Road. There is to be no vehicular access to the site, so the existing access on Park Road is to be reinstated as footway with full height kerbs.

No objections, subject to attached conditions.

### Waste and Engineering Services

No comments received.

### County Archaeologist

No comments received. Members will be updated at Committee should a response be received.

### ***Response to Publicity***

The application has been advertised by advert, site notice and neighbour letter. Four letters of representation (including from a local member of the community) have been received, raising the following issues:

- The previous application was rejected by Cannock Council and the Planning Inspectorate.
- The Planning Committee rejected the application on the grounds of overdevelopment and no parking.
- Objection to the type of resident that this building is designed to attract; the unemployed and undesirables.
- Designed to minimum space standards to maximise rooms.
- Not convinced that the measures based upon Secure By Design would be followed other than provision of CCTV, which has proven not to stop crime, but merely capture images of problems.
- Residents are currently faced outside of the property with major antisocial behaviour.
- Neighbours have had to install CCTV to front and rear of properties to discourage antisocial behaviour.

## APPENDIX B

- Drug abusers sit on the walls drinking alcohol outside and await their drug drop every day at all times of the day. As a result litter is left every day comprising broken bottles, cans, etc.
- There is a misuse centre and chemist nearby where drug abusers obtain daily methadone treatment.
- The Podge & Tin are also nearby and constantly have to move the drug abusers on.
- There is also a problem with the drug abusers congregating on the lawn opposite the chapel and outside the HMBC bank.
- The Council's own report of the housing committee states that HMO's tend to attract the more vulnerable members of society and consequently the prevalence of alcohol, smoking, crime and drug use is higher in such tenancies than those in single occupancy.
- The applicant states that they only take specific tenants, but this would not be the case as empty places are a loss of income.
- Lack of parking is a concern and the building is not intended to accommodate professional personnel, who generally do have vehicles.
- The building would be almost touching the neighbouring building and may possibly increase noise levels, to the adjacent residents.
- The Applicant has been running HMO's for a short period of time and does not appreciate the lengthy, legal procedures associated with evicting problem tenants.
- The proposal would not address the refusal reasons stated by the Planning Inspectorate, as it would still appear overbearing particularly at the back of the footpath.
- The scale and design of the proposed building would not be compatible with the other buildings in Park Road, as they are set back from the road with frontages, landscaping and railings. The proposed building would fill the plot with no frontage or landscaping, which does not relate to the character of the area. The proposed building should be reduced in size to accommodate this.
- No outdoor space for residents.
- The site has high historic value and heritage (see Appendix 1).
- The building would be out of character with the town and its history, as it would form a very large building opposite a Grade II Listed building and on the edge of a conservation area.
- The conservation officer report is not available to view.
- Devaluation of property.

<b>Relevant Planning History</b>
----------------------------------

Relevant planning history to the site is as follows: -

CH/18/247: - Demolition of existing building and erection of 24 bedroom House of Multiple Occupancy (HMO) and associated works refused on 5 December 2018 on the following grounds:

- (i) The site is located at the northern edge of Cannock town centre at a transition between the main town centre to the south of the B5012 Park Road and the predominantly residential areas to the north which are more domestic in scale and character and which front onto Park Road and Stafford Road. The proposed building,

## APPENDIX B

by virtue of its size, scale and three-storey design would not be well-related to existing buildings along the northern side of Park Road and Stafford Road to the detriment of the character of the area contrary to Policy CP3 of the Cannock Chase Local Plan and paragraph 127(c) of the National Planning Policy Framework.

- (ii) The proposal would introduce a 24 bedroom house in multiple occupation, with no parking provision for the occupants into an area with little or no public parking or on-street parking provision within the immediate vicinity that would be suitable for parking by residents. This would lead to increased conflicts between existing and future residents over the limited parking within the vicinity of the HMO to the detriment of social cohesion and therefore increase the potential for crime and the fear of crime contrary to paragraph 127(f) of the National Planning Policy Framework.

Following refusal of the above proposal there was an appeal submission, which was dismissed by The Planning Inspector and summarised on the following grounds:

The front elevation where the narrow two storey element adjacent to 23 Stafford Road would fail to respond to the roof form of No. 23, and at the rear where the awkward and competing lines of the recessed three storey element and the substantial rear gable would create an awkward and visually intrusive feature into the Park Road streetscene. The position of such a dominant flank immediately at the back edge of the footpath would be an imposing and visually overpowering feature at a point where the pedestrian environment is constrained by the restricted width of the pavement and pedestrian crossing.

As such it would fail to secure the high quality design sought by CCLP policy CP3. (For the full appeal decision – See Appendix 3).

CH/13/0086: -Residential development: Demolition of rear ground floor and first floor elements and proposed 2 storey extension to create 4No. 2 bed flats - approved subject to conditions on 3 May 2013.

CH/12/0336:- Change of use of first floor into 2 flats; ground floor change of use from British Legion Club (sui generis) to drinking establishment (A4); and new porch, rear extension and external alterations withdrawn 30 November 2012.

## **1 Site and Surroundings**

- 1.1 The application site comprises a large detached building formally occupied by the British Legion. The building comprises part two storey and part single storey elements and has a mixture of flat and pitched roofs with a rendered finish. The building has remained vacant for several years and has fallen into a state of disrepair and is in need of renovation. The building is of no significant architectural merit.

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- 1.2 The application site is located within a prominent corner position adjacent to the cul-de-sac end of Stafford Road and Park Road, within the Cannock Town centre boundary as defined in the Local Plan. The site lies opposite the Cannock Town Centre Conservation Area and is within close proximity to Grade II Listed Buildings. It is also within a Mineral Safeguarding Area.
- 1.3 The building makes a neutral contribution to the setting of the Conservation Area, as Park Road provides separation between them.
- 1.4 On the Park Road frontage, there is an existing dropped kerb, which is located adjacent to the edge of the application site building. The existing vehicular access serves side access to the application site and is set behind black iron railing 2m high double gates.
- 1.5 The side boundary of a semi-detached house at No.23 Stafford Road adjoins the rear boundary of the application property. No. 23 has a two storey side and rear extension, which is located approximately 0.5m from the rear wall of the application property. The rear of the extensions are approximately level with the west side elevation of the application property.

<b>2 Proposal</b>
-------------------

- 2.1 The application seeks site redevelopment to provide 18 No. single bedroom House of Multiple Occupancy and associated works.
- 2.2 The ground floor of the new building would occupy most of the same footprint as the existing ground floor building. However it would be reduced in footprint from the existing footprint, as it would be squared off on the front elevation (a reduction of 0.6m).
- 2.3 The height of the new building would comprise a two storey design, instead of the previous 3 storey design. The roof has been designed with a double front facing gable end design, which reflects that of traditional two storey dwelling houses.
- 2.4 The design and materials of the proposed building would comprise a traditional design that has changed from the previous contemporary finished scheme.
- 2.5 The room sizes are in accordance with the Environmental Protection Officer requirements and were previously agreed as being acceptable and suitable for licencing. The scheme has been amended to provide additional kitchen facilities.
- 2.6 The applicant has stated that bin store is sized to accommodate the requirements of the Waste Services Engineering Services of Cannock Council and based on 18 residential units. Access to the bin store would be off the service road access from Stafford Road.
- 2.7 The proposal is accompanied with:
  - Design & Access Statement
  - Heritage Statement (March 2020)
  - Heritage Assessment (April 2020)

## APPENDIX B

- Acoustic Design Statement
- Management Plan (March 2020)
- The Agent's Conservation Expert Comments in respect to historic information provided by the local member of the community (Appendix 2)

### 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).

3.3 Relevant Policies within the Local Plan Include:

- CP1 - Strategy – the Strategic Approach
- CP3 - Chase Shaping – Design
- CP6 - Housing Land
- CP7 - Housing Choice
- CP13- Cannock Chase Special Area of Conservation (SAC)
- CP15 - Historic Environment

3.5 National Planning Policy Framework

3.6 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.

3.7 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.

3.8 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
- 108-110 Sustainable Transport
- 124, 127, 128, 130: Achieving Well-Designed Places
- 184-202 Conserving and Enhancing the Historic Environment
- 212, 213 Implementation

3.9 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

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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) Heritage assets and conservation
- iii) Design and impact on the character and form of the area
- iv) Impact on residential amenity.
- v) Impact on highway safety.
- vi) Impact on nature conservation
- vii) Affordable housing
- viii) Drainage and flood risk
- ix) Waste and recycling facilities
- x) Crime and fear of crime

4.2 Principle of the Development

4.2.1 Both the NPPF and Cannock Chase Local Plan 2014 Policy CP1 advocate a presumption in favour of sustainable development unless material considerations indicate otherwise. The site comprises a previously developed site located within the urban area of Cannock. It is a 'windfall site' having not been previously identified within the Strategic Housing Land Availability Assessment (SHLAA) or in the Local Plan as a potential housing site.

4.2.2 Although the Local Plan has a housing policy, it is silent in respect of its approach to windfall sites on both greenfield and previously developed land. As such in accordance with Policy CP1 of the Local Plan the proposal falls to be considered within the presumption in favour of sustainable development, outlined in paragraph 11 of the NPPF. However, paragraph 177 of the NPPF makes it clear "the presumption in favour of sustainable development does not apply where development requiring appropriate assessment (under habitat Regulations) because of its potential impact on a habitats site is being planned or determined."

4.2.3 Policy CP13 of the Local Plan recognises that any project involving net new dwelling will have an impact on the SAC and as such should be subject to an appropriate assessment under the Habitat Regulations. This appropriate assessment has been carried out at the plan making stage which underpinned the formulation of policy CP13. This being the case it can only be concluded that the presumption in favour of sustainable development does not apply to the current application and that the proposal should be considered having regard to the development plan and other material considerations.

4.2.4 Local Plan (Part 1) Policy CP1 identifies that the urban areas of the District, will be the focus for the majority of new residential development. It also identifies that a 'positive approach that reflects the presumption in favour of

## APPENDIX B

sustainable development' will be taken when considering development proposals. The site is not located within either Flood Zone 2 or 3. The site and is not designated as a statutory or non-statutory site for nature conservation, nor is it located within a Conservation Area, or listed as a designated or non designated heritage asset.

4.2.5 The proposed use would be in the main urban area, in a sustainable location and would be compatible with surrounding land uses. As such it would be acceptable in principle at this location. Although a proposal may be considered to be acceptable in principle it is still required to meet the provisions within the development plan in respect to matters of detail. The next part of this report will go to consider the proposal in this respect.

#### 4.3 Heritage Assets and Building Conservation

4.3.1 There have been representations made relating to the historic value of the building and the site and these are provided in detail in Appendix 1 and hence are not reiterated here.

4.3.2 Policy in respect to heritage assets and building conservation is provided by Policy CP15 "Historic Environment" of the Local Plan and Section 16 of the NPPF.

4.3.3 Policy CP15 sets out that the Districts historic environment will be protected and enhanced via (amongst other things); (1) the safeguarding of all historic sites, buildings, areas archaeological remains, their settings and their historic landscape and townscape context according to their national or local status from development harmful to their significance in order to sustain character, local distinctiveness and sense of place and (2) maintaining an appropriate balance between conservation, re-use, sympathetic adaptation and new development via recourse to national policy.

4.3.4 Paragraph 184 of the NPPF states heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value<sup>61</sup>. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

4.3.5 Paragraph 189 of the NPPF goes on to state

"In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require

## APPENDIX B

developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation."

4.3.6 Given the above and for the sake of clarity it should be noted that the existing building is not listed, and is not located within a conservation area or is subject to any formal or informal heritage designation. However, the issue remains as to whether the building constitutes an undesignated heritage asset of significant conservation value.

4.3.7 Paragraph: 039 Reference ID: 18a-039-20190723 of the Planning Practice Guidance states

"Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets."

4.3.8 However the Planning Practice Guidance goes on to state

"There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence."

4.3.9 Representations have been received stating that the building on the application site has some heritage value and have also included a bundle of evidence in support of this assertion. These comments and the accompanying documents have been assessed by the applicant's conservation expert who has used standard techniques of map regression to analyse the development of the site. The applicant's heritage statement and additional note is provided in Appendix 2 of this report.

4.3.10 In respect to the issue as to whether an archaeological dig should be conditioned the applicant's agent's view is that there is no evidence to justify the imposition of such a condition. This stance is supported by the Council's Conservation Officer. The County Archaeologist has been consulted and has not responded at the time of writing the report. However, an officer update will be provided if a response is received by the time of the Committee meeting.

4.3.11 The Council's Conservation Officer has been consulted on the proposed demolition of the building and redevelopment of the site and confirms the information contained within the heritage assessment provides a reasonable basis for understanding the historic development of this part of Cannock and of the building on the site.



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- 4.3.12 The Conservation Officer agrees with the assessment in the report that the evidence points to the building being originally of late C19th in origin and that it has subsequently been much modified. In addition the immediate surrounding area has also been much modified with the redevelopment of the road system and the bus station.
- 4.3.13 He is therefore in agreement with the assessment that the building has negligible historic and architectural interest either in itself, or in the contribution it makes to the significance of the nearby Cannock Town Conservation Area and its listed buildings.
- 4.3.14 As such, there is no objection to the demolition of the existing building on conservation grounds and there is no requirement for a condition to be imposed for archaeological recording on site during redevelopment of the site.
- 4.3.15 The conservation merits of the proposed replacement building will be considered in the next section.

#### 4.4 Design and the Impact on the Character and Form of the Area

- 4.4.1 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.
- 4.4.2 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.
- 4.4.3 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);

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- 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;

4.4.4 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.

4.4.5 In this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to the design of residential development as well as specific guidance for Cannock Town Centre and historic suburbs. Relevant points are; preserve and enhance the character and appearance of historic areas and their settings, including views in and out, and support the local preference for non-intrusive traditional architecture with good quality contemporary schemes where appropriate.

4.4.6 In addition to the above it should also be taken into account that the application site is located such that the proposed building would affect the setting of the nearby conservation area and its listed buildings. In this respect regard should be had to Section 66 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 which places a general duty as respects listed buildings and which states: -

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

4.4.7 In addition paragraphs 193 and 194 of the NPPF state: -

193. "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

4.4.8 Having had regard to the above it is noted that the proposed building would be slightly smaller than that of the ground floor footprint of the existing building and would be 8m in height (a reduction of 2m from the building considered by the past refusal and the same height as the existing building). Within the locality there are a mixture of building uses, age, design, height, and footprint. The

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proposal would have a similar building to plot ratio to that of the existing building and would provide two front facing gable end features on the Park Road elevation. The general form of the building would therefore be in direct correlation to the original building. Furthermore, it would be comparable in scale and massing, to that of the surrounding buildings within close proximity to the application site. The building would include a traditional design, comprising good quality materials and detailing to include a plinth in Staffordshire Blue brick and the main facades in an orange/red mix brick with pre-cast stone cills to the windows and stone course banding to the first floor. Windows in size and proportions to reflect the proportions of the windows within the Town Centre Heritage area and are sash style in appearance rather than vertical casement. The roof is to be a slate effect tile over a pitched roof, with windows facing both streets, providing interest to the street scene. As such, it is considered that the design would appear sympathetic to the streetscene and would not harm the character and significance of the setting of the nearby Conservation Area, or the setting of the Listed Building.

- 4.4.9 Therefore, having had regard to Policies CP3 & CP15 of the Local Plan and the above mentioned paragraphs of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings, successfully integrate with existing features of amenity value, maintain a strong sense of place and visually attractive such that it would be acceptable in respect to its impact on the character and form of the area, and would have a neutral impact on the setting of the nearby Conservation Area and Grade II Listed Building.

#### 4.5 Impact on Residential Amenity

- 4.5.1 Policy CP3 of the Local Plan states that the following key requirements of 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'. This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.5.2 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.
- 4.5.3 The side access located on Park Road adjacent to the western elevation separates the proposed building from the business premises at the Co-op Retail unit.
- 4.5.4 The building has been reduced in height and footprint from the frontage building line in Park Road. The overall height relative to No.23 Stafford Road has been reduced by 2m, to ensure there would be no greater impact than the current building. The extension to No. 23 Stafford Road extends the same distance as the current and proposed building on plan, so it is considered that there would be no significant loss of light to the habitable room windows of the neighbouring property.
- 4.5.5 The proposed building would not face any residential properties on the front elevation. No rear windows are proposed and the side windows would not

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directly face any residential properties. It is therefore considered that the proposal would not cause a detriment impact on privacy to any residential neighbouring properties.

4.5.6 Furthermore the Environmental Protection Officer has no objection to the proposal, subject to the imposition of suitable conditions.

4.5.7 It is therefore considered that the proposal would adequately protect the amenity of existing residents and would result in a good standard of amenity for both future occupiers and the nearby neighbouring residents. As such the proposal would comply with policy requirements of CP3 and the NPPF.

#### 4.6 Impact on Highway Safety

4.6.1 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.

4.6.2 The comments of the applicant in respect to the proposed occupiers are likely to have a low level of car ownership and they would have good access to public transport are accepted.

4.6.3 The County Highways have no objections to the proposals with no parking provision for the residents of the proposed HMO, subject to the imposition of suitable conditions for the following:

- a Construction Management Plan,
- foundation construction and reinstatement of the footway,
- cycle parking provision

4.6.4 It is therefore considered that the proposal would not have an adverse impact upon highway safety, and that the level of parking is acceptable at this town centre location.

#### 4.7 Impact on Nature Conservation Interests

4.7.1 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.

4.7.2 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. The proposal would lead to a net increase in dwellings and therefore is required to mitigate its adverse impact on the SAC. Such mitigation would be in the form of a contribution towards the cost of works on the SAC and this is provided by a S106 agreement, which should collect SAC contributions based upon 6 HMO bedrooms equating

## APPENDIX B

to 1 No. dwelling. Therefore 18 rooms would contribute a SAC payment which would be equivalent to 3 No. dwellings. An appropriate Habitats Regulation Assessment has been undertaken as part of the due process.

4.7.3 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

#### 4.8 Affordable Housing and other Developer Contributions

4.8.1 Under Policy CP2 the proposal would be required to provide a contribution towards affordable housing. However, given the order of the Court of Appeal, dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014, and the subsequent revision of the PPG it is considered on balance that the proposal is acceptable without a contribution towards affordable housing.

#### 4.9 Drainage and Flood Risk.

4.9.1 The site is located in a Flood Zone 1 which is at least threat from flooding. Although the applicant has not indicated the means of drainage it is noted that the site immediately abuts a main road and is within a predominantly built up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area and is considered acceptable.

#### 4.10 Waste and Recycling Facilities

4.10.1 The Council's Waste and Recycling Officer has been consulted on the proposal, but has not responded at the time of compiling the report. However, if comments are provided by the time of the Committee Meeting, an Officer Update Sheet will be provided for Members.

4.10.2 The proposal indicates internal accommodation for bin storage facilities within the building. The scheme has been designed along similar lines to the past proposal to accord with the Council's waste and recycling requirements, which was previously agreed under application CH/18/247. In addition, a suitable condition can be imposed to ensure adequate provision.

4.10.3 As such, it is considered that the proposal would conform with Local Plan Policy CP16 and the NPPF.

#### 4.11 Crime and the Fear of Crime

4.11.1 There have been a number of concerns raised relating to the proposal being perceived as leading to an increase in anti-social behaviour and crime.

4.11.2 The Design & Access Statement states that the building would be specified to incorporate many measures to design out crime and anti-social behaviour based upon Secure By Design (SBD) standards to include the access control restrictions, CCTV within the property and secure doors and windows in accordance with the SBD requirements.

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4.11.3 In addition, the Crime Prevention Officer has no objection to the proposal and makes recommendations for the scheme to achieve SBD Accreditation. These will be attached as an informative to any permission granted bringing to the applicant's attention the advice of the crime prevention officer.

#### 4.12.1 Other Issues Raised by Objectors

4.12.2 The issue relating to the status of the potential occupants of the proposed HMO is not a material planning consideration. However, the agent has provided evidence to indicate that the landlord/ applicant would maintain tight control and restriction on the operation of the proposed HMO, with evidence supported within the management plan provided and also extends an invitation to Members to visit the applicant's other establishments, in order to allay any reservations towards the operation of the proposed HMO.

4.12.3 The devaluation of property is not a material consideration. The merits of the application must be considered against the relevant local plan policies and paragraphs of the NPPF, whereby there is a presumption in favour of development, unless the proposal conflicts with the relevant policies.

## **5 Human Rights Act 1998 and Equalities Act 2010**

### ***Human Rights Act 1998***

5.1 The proposals set out in the 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.

5.3 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

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

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- 5.5 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 make a neutral contribution towards the aim of the Equalities Act.

<b>6 Conclusion</b>
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- 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 a S106 for SAC contributions and the attached conditions.

**Appendix 1****Representations Made By A Member of the Local Community**

21 Stafford Road- Application number CH/2020/026

**Simm Barn- Documentary evidence-Existence of Simm Barn**

1. Cannock Park and Cannock Park golf course and the application site were all part of an open field system within Cannock Manor which had been enclosed piecemeal from the late 16<sup>th</sup> Century onwards (reference Cannock Park and golf course HUCA 9 ).
2. Park Road was previously known as Simm Lane (the name was changed following the opening of Cannock Park in 1932).
3. Records dated 1736 which refer to Simm Barn and adjoining fields are at the Stafford Record Office and are described in the index, I have one of these records in the form of an Indenture dated 1756 between Edward Wilson and Alice Locker/Cocker ( SRO D260/M/T/4/106) which includes Simm Barn with a description 'All that barn commonly called Simm Barn with the Beast House thereto adjoining together with the tons of sand where the said barn stands and commonly called Simm Barn the document also goes on to describe various fields (amongst others) which are located in Cannock Park and golf course, Little Meadow, Brickiln Meadow, Long Meadow (HUCA 9 confirms the existence of post medieval field boundaries in Cannock Park) It is a large document and it was necessary to be copied in four parts, I will provide you with a complete copy if required. I have also included the index from the National Archives which gives information on other documents, in detail ( 1), and scanned extracts of the date and references to Simm Barn from the document (2- the two pieces need to be viewed side by side).
4. The Historic Assessment refers to the fact that there are no buildings identified on an 1816 Ordinance Survey map and concluded that the land had not been previously developed. (having researched local history for years this not uncommon maps differ). The Indenture dated 1756 contradicts this assumption, in addition the Marques of Anglesey Estate map dated 1819-24 (SRO D1821/5) does show additional detail with identifiable structures in Simm Lane (3).
5. Named field plan (2a) for reference only to identify field names on the Indenture and Abstract of the Title (see the Barn Piece).

I believe there is conclusive evidence that Simm Barn was located in Simm Lane in the 18<sup>th</sup> Century, and as such should the building be demolished an archaeological survey should be carried out.



### Information on age of buildings

1. In 1859, the land was enfranchised to George John Stubbs (Old Fallow Farm) by the Marques of Anglesey and you will see from the Abstract of the Title that it included all land which comprises the whole of Cannock Park, the golf course (and other frontage land now built upon). 454B (the application site) was conveyed to Mathew Anderson in 1862. (4 -Abstract of the Title pages 3/4).
2. In 1871 William Cotton purchased around seventeen and half acres of land which is now the formal area of Cannock park from George Stubbs, and in 1874 he acquired 454B from Mathew Anderson including its dwelling house which was his residence at the time of his death ( page 4 Abstract Title ). William Cotton was a Farmer and a champion pig breeder. He was a dedicated member of the United Reform Church (opposite his house) and he and his wife are buried in the Churchyard.
3. Following the death of Mr Cotton and his wife in 1876 the property was put up for auction which was advertised extensively (6). The advertisement describes a recently built Freehold Dwelling House with stabling range of workshops and other buildings, large and productive gardens and it also refers to an adjoining cottage. Page 6 of the Abstract of the Title refers to Dwelling houses, could the cottage be the rear wing of the application property, as the advertisement says half of the adjoining cottage is 'in hand'?. Perhaps not an agricultural building, but the property details make no reference to 'Commercial Premises'. The age of the rear wing of the building remains unclear, what was that building and how old is it?
4. The land and buildings (around 18 acres) were purchased by William Bishton in 1876, he already had purchased all the land belonging to Old Fallow Farm (including most of the land frontages) to Old Penkridge Road/Simm Lane /Stafford Road) forming what is known as The Bishton Estate.
5. 21 Stafford Road was sold by the Bishton Estate in 1881 to John Welsh it was subject to a number of restrictive covenants designed to protect neighbouring properties which were part of the Bishton Estate. Typical of Bishton, the covenants included not to build within 6 feet of Simm Lane or Stafford Road, or to cause a nuisance to neighbours, and not to use the building for the sale of alcohol.
6. I do not know what happened to the buildings from this time it may have been converted into shop premises. By 1891 the property was being used as a lodging house run by William and Mary Burke, but is believed it was relocated following complaints of unruly behaviour.
7. In 1896 the property was purchased by Mr Alfred Haycock, and was run as a Lodging house for over 40 years. The Haycocks were a well-known Cannock family, June Haycock his granddaughter (sadly no longer with us) lived in the adjoining property to the application site (7). Aerial view 1926 (8)
8. The property was sold for the Royal British Legion around 1946.



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**Subject:** FW:  
**Attachments:** National Archives index SimmBarn354.pdf; Simm Barn Indenture 2 part 1.png; Simm Barn Indenture 2 part 2.png; 3 Marques Anglesey 1819-24.png; Abstract of the title (pages 1-6).pdf

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**From:**  
**Sent:** 07 May 2020 08:09  
**To:** Audrey Lewis  
**Subject:** History of 21 Stafford Road Application CH/2020/026.

Hello Audrey,

For around 12 years I with others have been researching the history of Cannock Park and land associated with it including the Barn Piece. I have spent many hours at various record offices and have gathered many documents. Some of these documents were obtained from the Stafford Record Office, The William Salt Library and the National Archives and as such are copyrighted accordingly.

The Historic Assessment stated that it was incorrect to say Simm Barn once existed on the site it appears this was based on the evidence of just one map. Because of this I am providing documented historic evidence to support the existence of Simm Barn at the location in question. This a matter of principle and I hope this evidence will be assessed by a 'Conservation Officer'. I am sending these documents to you in good faith on the understanding that they will not be reproduced as to contravene the copyright (please do not publish them on the website). Should you wish to see a complete hard copy of the Abstract of the Title or the Indenture dated 1756 or have any other questions, I will provide them to you on the understanding they are returned. I do have many other documents but I have tried to condense them. Further attachments and written history on next email.

# A bed, warmth and cooking facilities cost only 10d Cannock's last lodging house shuts down

## Some made it home for 25 years

**C**ANNOCK'S LAST LODGING HOUSE HAS CLOSED AND IS BEING PUT UP FOR SALE. IT WAS THE LAST OF THOSE HOUSES WHERE TRAVELLING STREET SALESMEN AND CASUAL WORKERS COULD FIND A BED AND A NIGHT'S SHELTER FOR A FEW PENCE. WHEN THE LAST OF THE REGULAR LODGERS LEFT THEY WERE STILL PAYING 10d. ONLY FOR A BED, A SEAT BY THE FIRE, AND A COAL RANGE ON WHICH THEY COULD COOK THEIR RATIONS.

The lodging house, on the corner of Stafford-road and Park-road, was in use for about forty years, and was the only place of its kind in Cannock for several years. The last man to leave were loath to go, some of them having made the house their home for the last twenty-five years. They have now gone to adjoining towns to find refuge in Walsall, Stafford and Wolverhampton.

The property has been in the hands of the Haycock family for some considerable time, the remaining brothers, Mr. James, who is seventy-two, and Mr. Charles, who is sixty-five, having run it since 1932. They decided that as they were getting old, and as there was so much difficulty in getting coal for the cooking ranges, they would sell the property and, as Mr. James put it, "Get about a bit."

The brothers will now live with their nephew, Mr. Frederick Haycock, in the new house which has just been completed on land adjoining the lodging house in Park-road.

### In New Zealand

Mr. James had an interesting life, having spent two long periods in New Zealand as a miner.

He told an "Advertiser" reporter on Saturday, "I went to New Zealand in 1917, and came back in 1921. The next year I went out again, but in 1931 I decided that as I was single I would come here to my brother. We always got on pretty well together."

He worked underground in the South Island of New Zealand for the Westport Stockton Coal Company, and found conditions prevailing there were very much better than in the Chase coalfield. To-day, however, he thought conditions would probably be almost equal.

Mr. Haycock was one of six sons, who were born in Arthur-street, Chadsmoor. They were all miners, like their father and grandfather before them. There were two sisters and one of them, Emily, mar-

ried a Mr. Cooper who lived locally. Mr. and Mrs. Cooper emigrated to Australia and settled near Melbourne. Their daughter visited Mr. James Haycock several times during the period he was working in New Zealand.

### Miner for 46 years

When he returned to England he got work at East Cannock Colliery and stayed there until his retirement at the age of seventy. With short periods spent in travelling to New Zealand, he had been fifty-six years in the pits.

It is very unlikely the lodging house will be re-opened as such. It will probably be used as a warehouse or a store of some kind. There is more room than is apparent from outside, and forty-five men were able to sleep there at a time.

### WIMBLEBURY MAN'S THEFT OF COAL

For stealing coal from Old Hednesford Colliery, Wimblebury, on March 3, James Jones, of 27 Piggott-street, Wimblebury, was fined 15s. at Cannock, on Monday.

P.C. Hinckley said he saw Jones carrying a heavily filled sack bag. He stopped him and found it contained coal. Jones said: "You have caught me, and that is all."

Jones said he had been three months without coal, as the dealer had been unable to make deliveries. In all, four visits had been made to the fuel office.

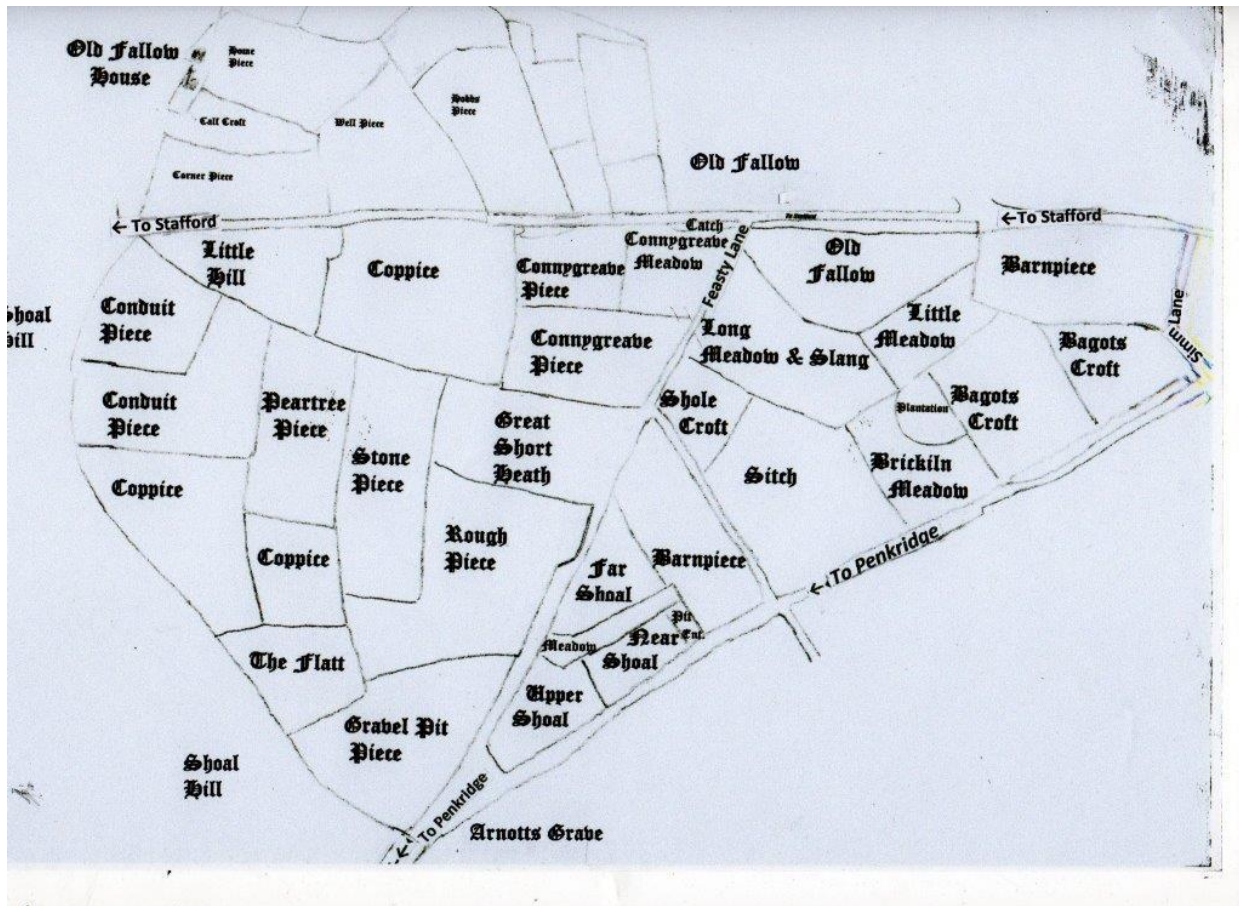
Supt. Brooks said that had Jones approached the fuel office he would have been able to get his coal from somewhere else.

## LEAGUE TABLES CLUBS GAMES LEAGUE

TABLES TO DATE

CLUB	P.	W.	L.	Ps.
Don	22	17	5	14
Cannock Progressive	21	15	6	10
Wimblebury	21	14	7	28
Blackheath	20	12	8	24
Central	19	12	7	24
Great Wyrley	18	11	7	24
Ex-Servicemen	17	11	6	24
Heath Hayes	16	11	5	22
Cannock Social	15	11	4	22





Darlington-street, Wolverhampton.

**CANNOCK.**—Important SALE of FREEHOLD DWELLING-HOUSES, BUILDING and ACCOMMODATION LANDS at CANNOCK, and FREEHOLD and COPYHOLD LAND at HATHERTON, in the county of Stafford; also SHARES in the CANNOCK GAS COMPANY and CANNOCK PUBLIC ROOM COMPANY.

**MESSRS. SOLLUM and BARNETT** are instructed by the Trustees of the Will of Mr. William Cotton, deceased, to SELL by AUCTION, on TUESDAY, the 19th day of September, 1876, at four for five o'clock in the afternoon punctually, at the ROYAL OAK INN, CANNOCK, subject to conditions to be read at the time of sale, the undermentioned valuable PROPERTY:—

**Lot 1.**  
The recently-built and compact FREEHOLD DWELLING-HOUSE, with the Stabling, range of Workshops, and other Buildings, Yard, and large and productive Garden, late in the occupation of the said William Cotton, deceased.

Also, the four adjoining closes of capital TURF LAND, being valuable building and accommodation land, now in the occupation of Mr. Thomas Blakeman, and the adjoining Cottage and Gardens, partly occupied by Mrs. Bradbury, and partly in hand.

This Property is situate close to the centre of the town of Cannock, has considerable frontages to the turnpike road leading from Cannock to Stafford, and to a road leading therefrom to the old turnpike road to Penkridge, and the total acreage, inclusive of the site of the Buildings, is 15a. 2a. 11r. or thereabouts. It adjoins property of the Marquis of Anglesey, Mr. William Bishton, Mr. G. Biddle, and others. To a speculator or occupier this lot is especially valuable.

**N.B.**—If the above Lot be not sold in its entirety, it will immediately be offered in the eleven subdivided Lots, as shown and described in the published plans and particulars of sale.

**Lot 2.**  
The FREEHOLD COTTAGE, with Stable, Pigsties, and Garden, nearly opposite to Lot 1, containing 665 square yards or thereabouts, in the occupation of William Aldridge, and adjoining property of Mr. J. W. Bakewell and Mr. Watwood.

**Lot 3.**  
A piece of FREEHOLD BUILDING LAND, being an allotment under the Cannock Inclosure, opposite to the Cemetery, having a frontage of 35 yards to the road from Cannock to Deakin's Grave, adjoining property of Miss Moore, Mr. Greenhill, and Mr. H. Wilkinson, and containing 1,692 square yards or thereabouts.

**Lot 4.**

Planning Control

Cannock Chase District Council

Civic Centre

Beecroft Road

Cannock

Staffs

7 May 2020

**Planning Objection CH/20/026 – 21 Stafford Road-former British Legion to Large HMO**

Dear Ms Lewis,

I wish to add to my previous comments regarding the above application.

I have now provided you with documents and details of the history of the application site confirming its connections to the farm land which is now Cannock Park including documents which refer to the existence of Simm Barn which also illustrates the towns transition from agriculture to its eventual use as a Victorian Lodging House which continued until the 1940's.

Having read the Historic Assessment I stand by all my earlier objections dated 12<sup>th</sup> and 17<sup>th</sup> February 2020 and I continue to object to the demolition of this building or buildings(as the case may be) and the design of the proposed replacement building which is not in keeping with the character of the area. Yes the building (s) has been altered over time, however The Historic Assessment did not say the building or buildings were derelict merely that they didn't qualify to be non-designated heritage assets. It (they) could easily be renovated and restored, as have other buildings in the town for example The New Hall, The White House and the former United Reform Church (opposite the site and now a restaurant). I refer you to the previously approved plans CH/13/0086 to convert the building into 4 flats, an extremely sympathetic plan which enhanced its surroundings.

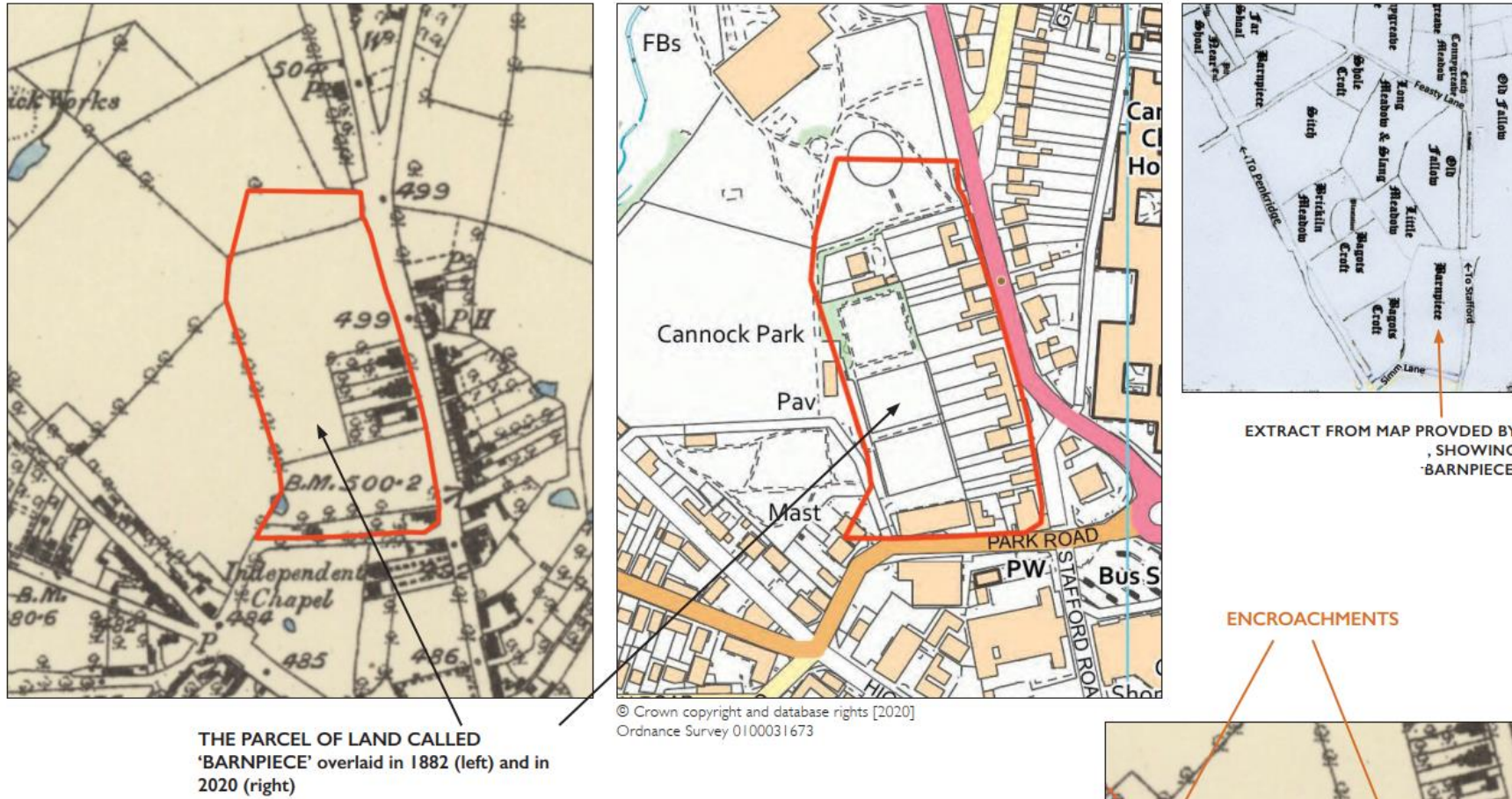
The Historic Assessment identified the structure as two buildings but was vague and uncommitted in respect of the date of the rear wing, which was unable to be dated without further information. Why hasn't a more detailed survey been carried out to establish the date of this building and why was there no 'Historic Assessment' provided for the original application?

The Historic Assessment says late 19<sup>th</sup> Century buildings are plentiful, therefore there is no need to declare these buildings as a non-designated heritage asset. Well, they are certainly not plentiful in Cannock which has been decimated over the years. There cannot be another town in the country which has lost so many of its historic buildings which has had a devastating detrimental effect on the town's character. I am sure every time a building was demolished a 'good reason' was found to justify its destruction. Residents of Cannock have been denied the opportunity to participate in compiling a local list of buildings, of interest. Why is there no list?



**Appendix 2**

**Applicant's Heritage Assessment and Rebuttal**



**FIGURE I - MAP REGRESSION of BARNPIECE**

Melanie Morris Dip. Arch. Cons, IHBC, MRTPI  
**Mel Morris Conservation**  
 67 Brookfields Road  
 Ipstones  
 Staffordshire ST10 2LY  
 tel: 01538 266516 email: mel@melmorris.co.uk  
 www.melmorrisconservation.co.uk

**IHBC**  
**HESPR**  
 Quality assured hespr.ihbc.org.uk

**mel morris**  
 conservation

**RTPI**  
 Chartered Town Planner





Response to letter of objection and documentary research

The Extensive Urban Survey (EUS) of Cannock, undertaken by Staffordshire County Council, shows the progressive development of the town and the map regression undertaken for this study. The phasing identifies that the land to the north of Simm Lane was not developed until the 19<sup>th</sup> century. Map 3 of the EUS shows the open field systems around the town, with the application site being part of one of the open fields. It states that these fields were enclosed piecemeal some time after the late 16<sup>th</sup> century.

The first edition Ordnance Survey map, which was the first accurate record prepared by the Ordnance Survey, shows that the land to the north of Simm Lane (sic Park Road) was not developed in 1816. states that "it is not uncommon for maps to differ". When dealing with the Ordnance Survey, however, it should be considered one of the most reliable records and I nor anyone else have any reason to doubt that it is not correct. The has provided a map labelled "3 Marques Anglesey 1819-24" (SRO DI821/5). This map also shows the land to the north of Simm Lane (sic Park Road) as undeveloped and owned or occupied by Richard Hall. The land to the south has been sub-divided into plots. It remains quite clear from this map also that the existing buildings at 21 Stafford Road were not developed at this time. The is wrong to imply that there are buildings on the site. The structures in Simm Lane (sic Park Road) are not buildings on the north side of the road. The resolution of the map is not clear enough to determine what the map annotations are, but they are not buildings, which are coloured black on the map, and appear to be field boundaries, or markers. Richard Hall appears to own or occupy the whole of the parcel of land bounded by Simm Lane (sic Park Road), Old Penkridge Road, Stafford Road, and Feasty Lane.

Of course this does not preclude the possibility that some other buildings may have been erected on the north side of Simm Lane (sic Park Road) at some time in the past. Our statement is simply, to reiterate, that the present buildings were not erected until the second half of the 19<sup>th</sup> century and there is no evidence that any form of barn or cowhouse stood on the same site.

#### Indenture dated 13<sup>th</sup> January 1756

The Indenture dated 1756 submitted by refers to a 'barn' and adjoining 'beast house'. The names in this legal agreement appear to be largely consistent with the field names recorded on the map provided by (2a Field Names). However, it should be noted that the field parcel which is called 'Barnpiece' and which is located adjoining Stafford Road and Park Road is a very large parcel of land. Comparing this with the later Ordnance Survey maps (see Figure 1 attached), we can see that it includes all of the houses running along the west side of Stafford Road from approximately No. 21 to No. 69 inclusive and stretches along the northern frontage of Park Road; it includes 49 and 47 (Kelvestone House) Park Road, before the road bends in a south-west direction, 3 to 4 times the length of No. 21. It is simply not possible to categorically state that there was a barn located on the site of No. 21 Stafford Road, or even on the road junction, rather than any other part of the 'Barnpiece'.

The name Simm Barn suggests a direct association with Simm Lane but the land running along Simm Lane (sic Park Road) within "Barnpiece" extends much further than the current application site. There would be no compelling reason to build a detached barn and cowhouse in the 17<sup>th</sup> or early 18<sup>th</sup> century right on the road junction of Stafford Road and Simm Lane. Agricultural buildings that directly abut roads are generally a phenomenon of the late 18<sup>th</sup>



century redevelopment of enclosed farmsteads. This barn was early 18<sup>th</sup> century or possibly a 17<sup>th</sup> century threshing barn. There was also no water supply at this location, which would be necessary to accommodate cattle. Other entries from the National Archives from 1738 refer to 'liberty to use the threshing floor' of the barn. This was therefore a large barn with central threshing floor.

There is no accompanying map with the Indenture and the Indenture does not provide any detail about the locations of the barn and 'beast house' other than to mention them for the purposes of identification. This would be known to the various parties to the agreement. The purpose of the Indenture appears to be to let a barn and cowhouse and associated fields to Alice Cocker and to arrange a legal agreement over providing access to water to "bring the water out of Stafford Road along the same into a certain Meadow called the Little Meadow in order to water and float the said Simm Barn Piece". The agreement is between Alice Cocker, who is the occupier of Simm Barn, and Edward Wilson who owns the land including the named field "Little Meadow", across which she needs to guarantee a water supply. The agreement includes the annual payment for a 21-year term of "Eight pounds and ten shillings".

The fields that Alice Cocker and James Gillar are renting in this agreement are all named and most can be seen quite clearly by comparison with the map "2a Field names" provided by i.e. Brickkiln Meadow, Long Meadow, and Sitch (sic. Hatherton Sitches), Barn Piece. The rental agreement also names the Parkers Piece and Sprags Piece. These appear to be all conjoined and located lying between the Old Penkrige Road and Feasty Lane, with the exception of Barn Piece which is detached and separated from them by Little Meadow, and not part of their tenure. There is no mention of "Bagot's Croft", or "Little Meadow" in their tenure. "Little Meadow" is identified separately as the field through which the water supply is provided. [redacted] has also incorrectly transcribed the reference to "tons of sand". This actually states 'piece of land'. However, "Little Meadow" is identified separately as the field through which the water supply is provided.

This water supply would be for the purpose of guaranteeing a water supply to the livestock using the cowhouse ("beast house") and pasture. If we look at the 1882 Ordnance Survey map we can clearly see ponds within the south-eastern side of the plot occupied by the Brickworks, previously named "Brickkiln Meadow". The Indenture states: Brickkiln Meadow "lies on the side of the Gutter or Sough next Cannock". There is a further very small pond on the old OS maps straddling the field boundary between 'Barnpiece' and the adjoining field, 'Bagot's Croft', which may be the outflow of the water cited in the Indenture if it was piped from Stafford Road across "Little Meadow".

My assessment is the agreement is intended to secure a plentiful supply of water, whilst using the pasture for livestock, in particular cows, and housing them over-winter in the cowhouse. We know from the document that the barn and the "beast house" were adjoining, so we need to look more closely at a potential location where there was a water supply, fed through "Little Meadow".

#### 1882 Ordnance Survey Map at 6-inches to the mile

Looking at the 1882 OS map again, I consider that it is quite likely that the narrow linear plot which appears as part of the property boundary at that time stretching to the west and incorporating 47 and 49 Park Road, may in fact be a roadside encroachment and not even part of the 'Barnpiece'. It is certainly narrow enough and follows the alignment of the road, rather than running perpendicular to it and this is customary for encroachments. The location of No. 21 on the very edge of the road and extending partly into the public domain also makes sense



of this form of encroachment / roadside development. There are similar encroachments along Old Penkridge Road, which I have annotated on the plan (see Figure 1). As you can see, the Old Penkridge Road was originally slightly wider, and when there was pressure for development it was common for houses to be built along the edges of these roads, sandwiched between the highway and the field to their rear. For this reason they often have ancillary garden land to either side, rather than to their rear. This is the common pattern of encroachment in England. They become formalised over time, often by estates where the lord of the manor wants to raise revenue from rentals, and they can also become formalised during the various acts of Enclosure.

#### Abstract of Title (no reference given)

The Abstract refers to a parcel of land called the 'Barn Piece', a name which also appears twice, in different locations, on the plan submitted by [redacted] called "2a Field Names". It is common to find this arrangement with a former field system enclosed as illustrated on this plan with irregular shaped parcels. The earliest recorded date of this title deed is 1859 and this is a record of land and mineral rights conveyed to George John Stubbs and Edward Phillips Stubbs.

The land named as Barn Piece is identified in the Abstract as occupying 7 acres. Plot number 454B is described as 'two plots or parcels of ground' measuring "one thousand three hundred and thirty six square yards" and were "parts of the Barn Piece". Google 'calculate' tells us that this is 1117 square metres. [redacted] states that "454B (the application site) was conveyed to Mathew Anderson in 1862". This is very misleading and is incorrect because we know that plot 454B at 1117 square metres was far more extensive than the application site. The abstract refers to a plan which is not included in the transcript and it would have been helpful to have a photograph of the original title deed showing this plot. In 1874 the title deed tells us that Matthew Burlace Anderson sells this parcel of land to William Cotton. It refers to a dwelling house and outbuildings erected thereon but there is no record of when they were erected. The title then refers to further land conveyed to William Cotton, including plots numbered 454, Part 454a, 455 and 465. Plots numbered 468 and 469 were also sold to William Cotton by Martin Wilkes and John Neve. It goes on to refer to multiple buildings owned freehold by William Cotton – "messuages or dwellinghouses with the outhouses buildings gardens and appurtenances" on plot numbered 454B. This is clearly a much more extensive plot than simply the present site area of No. 21 Stafford Road. The title deed explains that William Cotton died in 1876, followed by his wife Sarah and that the title passes to John Aston and Joseph Brown (executors) and the land is then sold to William Bishton.

The deed, whilst interesting, does not tell us anything about the use of the land before 1859, or whether there were any buildings on any parts of the land, which extends to an area much larger than the site of 21 Stafford Road, before 1859. Importantly, it does not directly connect 21 Stafford Road with 'Simm Barn.'

[redacted] also has submitted an extract from a newspaper article from 1876 which is a sale by auction of a plot with a "recently-built and compact FREEHOLD DWELLING HOUSE, with the Stabling, range of Workshops and other Buildings and Yard late in the occupation of William Cotton, deceased." The implication from [redacted] including this newspaper article is that this is the site of the later British Legion but I cannot be sure of this. The use of the term 'recently-built' of 1876 tallies with my dating assessment for the building.

#### Rear Range Dating Evidence

There is very little physical evidence to determine the date of the rear range. We know that it was not built until after the mid 19<sup>th</sup> century, and it appears to have had a separate function



from the dwelling. It does not have the characteristics of a building which is ancillary to a domestic building, and it clearly has the proportions that would have accommodated sash windows set in rebated openings, with hidden sash boxes to both lower and upper floors; this is one reason why I suggested that it may have had a commercial use; this could include a lodging house. Without original windows or other dateable features, such as doors, joinery and fireplaces, a precise date for this rear range cannot be determined. No-one can reasonably attempt this. The use of Imperial bricks and segmental arched windows is found throughout the second half of the 19<sup>th</sup> century.

### Conclusions

The documentary evidence provides some information about previously developed land upon a plot called 'Barnpiece'. There are two plots called Barnpiece, one of which stretches for long sections parallel with Stafford Road and Park Road. It is not possible to say with any certainty that the site of No. 21 Stafford Road contained this barn and beasthouse. It is an unlikely location for a large threshing barn and the site of No. 21 Stafford Road appears to be a roadside encroachment. No buildings were identified in 1816 on the accurate Ordnance Survey map. The various hypotheses provided by \_\_\_\_\_ are interesting but not conclusive in any way.

The existing buildings have no relationship with any former buildings on the site.

Lastly, I would like to add that as the whole of the current site has been developed and there is no land which has not been disturbed, I cannot see any point in adding an archaeological condition. In my view this is onerous, unreasonable and not proportionate. A 'barn' or 'beast house' would have had nominal footings (no cellars) and, if it had existed in this position, is unlikely to have survived when the site was redeveloped. There is nothing to be gained or learnt from such a condition. The only reason for applying an archaeological condition would be to discover something useful about the development of Cannock, but this cannot be the case when the land is previously and comprehensively disturbed and outside the medieval settlement. If the planning authority is considering an archaeological condition it must only be applied if the County Archaeologist, the professional adviser to the authority, considers that it is reasonable and proportionate and that there is some conclusive evidence that the land was previously developed. I do not believe that this is the case.

The issue of whether a planning authority permits the demolition of old buildings is one which has to be determined on a case-by-case basis. Clearly, there are different degrees of protection. Listed buildings are protected by law by presumption, buildings in conservation areas are also protected by law and demolition is a material consideration to be determined following a heritage assessment. Where a building is not listed or located within a conservation area, it needs to have some sort of special interest, either by being on a Local List (an objective, criteria-based assessment undertaken by an impartial process) or a 'non-designated heritage asset', which is identified at some point, but the government has provided very clear guidance on 'non-designated heritage assets' in recent years, presumably in order to dissuade planning authorities from refusing applications for development without just cause. It is not appropriate for local planning authorities to identify all old buildings as 'non-designated heritage assets'. The NPPG states:

"A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non-designated heritage assets."

Paragraph: 039 Reference ID: 18a-039-20190723

Revision date: 23 07 2019

If a building is a non-designated heritage asset which is identified in the process of determining a planning application, or which the local planning authority or Staffordshire County Council has identified during the scope of any previous surveys or assessments, it would be a material consideration, in accordance with paragraph 197 of the NPPF. However, in this case, the building is not a 'non-designated heritage asset', in that it has not been identified as such by an impartial assessment or survey or by the planning authority or County Council and not by my own Heritage Assessment of the buildings on the site. If the planning authority refuses the application for demolition, based on the fact that this building is old (i.e. mid-late 19<sup>th</sup> century), without just cause and reasonable grounds, then the applicant is entitled to claim costs at the appeal stage against the costs incurred in preparing this evidence.

**Appendix 3****Appeal Decision**

The Planning Inspectorate

**Appeal Decision**

Site visit made on 16 September 2019

**by Graeme Robbie BA(Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

**Decision date: 8 October 2019****Appeal Ref: APP/X3405/W/19/3228451****21 Stafford Road, Cannock WS11 4AF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr D Andrews against the decision of Cannock Chase District Council.
- The application Ref CH/18/247, dated 1 June 2018, was refused by notice dated 5 December 2018.
- The development proposed is site redevelopment to provide 25 room House of Multiple occupancy.

**Decision**

1. The appeal is dismissed.

**Procedural Matters**

2. The proposal was initially described in the terms set out in the heading, above. However, it is clear that during the course of the Council's consideration of the proposal it was clarified that the development sought to provide 24 rooms, not 25. It is also clear that that was the basis upon which the Council reached their decision and I shall therefore determine the appeal accordingly.
3. The appellant has submitted a signed, dated and completed unilateral undertaking made under the provisions of section 106 of the Town and Country Planning Act 1990 (as amended) (the Act). The UU would secure a financial contribution to mitigate the adverse impact of a net increase in dwellings on the Cannock Chase Special Area of Conservation (SAC). I shall return to this matter later.

**Main Issues**

4. The main issues are the effects of the proposed development on:
  - The character and appearance of the surrounding area; and
  - The fear of, and potential for, crime and anti-social behaviour arising from pressure for car parking in the surrounding area.

**Reasons***Character and appearance*

5. The appeal site lies at the corner of Stafford Road and Park Road. As a two storey building, despite the mixed nature of single storey and two storey elements at the side and rear of the building it is of a scale broadly comparable



to the domestic, and domestically scaled, buildings immediately adjoining the site.

6. I accept that there are more substantial, taller and bulkier buildings nearby, such as the two-and-a-half storey Kelvestone House on Park Road, the three and four storey South Staffordshire College buildings a short distance to the south on the opposite side of Park Road and the nearby Cannock Shopping Centre complex. The nearby 'Podge and Tin' building is also a substantial, if isolated, building that lies opposite the appeal site surrounded by the local road network on all sides. I also acknowledge that the appeal site, like those buildings identified above, lies within the defined town centre<sup>1</sup>. However, these buildings all stand apart from the appeal site, physically and visually detached from it and set in different contextual settings.
7. Notwithstanding the site's inclusion within the defined town centre, the appeal site and the existing building are, in terms of their position and character, more akin to the modest scale and domestic character of the buildings that lie alongside. However, although it would not be inaccurate to describe the proposed building as being largely two-and-a-half, rather than three, storeys, to do so would understate its relative scale, bulk and massing, particularly given the extent of the proposal's footprint area and significant elements of three storey gable elevations.
8. The proposed House in Multiple Occupancy (HMO) would occupy all but a very small section of the existing building's built footprint, and would do so with a greater overall scale, bulk and massing. Furthermore, the three storey gable element of the proposal's south facing flank extension would be a considerable and incongruously bulky element within its immediate context and surroundings.
9. It may be that there are other taller buildings nearby, such as those some way distant on the opposite sides of the roundabout and across Park Road, but it is not those buildings that provide immediate context to the proposal. Instead, the two storey buildings immediately to the west and north of the site provide context. And in that sense, the proposal would be incongruous, and incongruously large.
10. Furthermore, despite the appellant's conviction that the context demands and supports a building of the scale, bulk and massing of that proposed, attempts to reflect the modest proportions of adjacent buildings would result in a compromised appearance with conflicting rooflines and proportions. This would be particularly evident at the front where the narrow two storey element adjacent to 23 Stafford Road would fail to respond to the roof form of No. 23, and at the rear where the awkward and competing lines of the recessed three storey element and the substantial rear gable would create an awkward and visually intrusive feature into the Park Road streetscene.
11. I agree that corner sites provide opportunities for strong design statements. However, they also require care in that they are exposed to multiple elevational views; in this instance from the front from Stafford Road, the gable and flank from Park Road and the rear in longer views along Park Road. The proposal provides interest on the flank and gable elevations with an articulated façade and dormer upper floor windows providing some relief.

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<sup>1</sup> Map extract at paragraph 3.4, Appellant's Appeal Statement

12. However, extending almost the entire depth and width of the appeal site plot, the building's flank elevation would be an incongruous and dominant feature within the Park Road streetscene. Moreover, the position of such a dominant flank immediately at the back edge of the footpath would be an imposing and visually overpowering feature at a point where the pedestrian environment is constrained by the restricted width of the pavement and pedestrian crossing.
13. Thus, for the reasons I have set out, the proposal would fail to secure the high standard of design of buildings that policy CP3 of the Cannock Chase Local Plan (CCLP) seeks. CCLP policy CP3 identifies key requirements of high quality design, including the consideration of design imaginatively in its context to complement and enhance local character and appearance, and be well-related to existing buildings and their surroundings in terms of, amongst other factors, layout, scale and appearance. The proposal would fail to adequately demonstrate these key considerations and is thus in conflict with CCLP policy CP3.
14. The appeal site lies close to, but beyond, the defined Cannock Town Centre Conservation Area (CA). I am also advised that there is a grade II listed St Luke's church on Park Road. I have noted that officers concluded in their recommendation to the Council's Planning Control Committee that there would be no harm to the setting of the listed building the character or to the character or appearance of the nearby CA. There is no suggestion in the first refusal reason that the Council consider there to be harm, nor has the argument subsequently been made that the proposal would cause harm, be it less than significant or otherwise.
15. However, although I have concluded, for the reasons set out above, that the proposal would fail to secure the high quality design sought by CCLP policy CP3, I have not been presented with any further evidence to lead me to a different conclusion in respect of the applicable statutory test<sup>2</sup> regarding the listed building, or whether the proposal would affect the significance of the CA by development outside it. The absence of harm in these terms weighs moderately in support of the proposal, albeit that the harm to character and appearance that would result from the proposal's failure to demonstrate high quality design would not be outweighed by this moderately favourable support.

#### *Car parking*

16. Despite some apparent confusion on the Council's behalf, it is clear that the proposed scheme does not include provision for on-site car parking, whether for residents or cleaning staff. Other than a very small number of time-limited on-street spaces a short distance to the north of the site on the stub-end of Stafford Road, I saw that parking is heavily restricted on roads around the appeal site.
17. However, it is not the effect upon highway or pedestrian safety of the absence of on-site, and limited access to on-street, parking that concerns the Council. Rather, it is the potential for conflict to arise due to increased parking pressure arising from the proposal. The Council express this in terms of the potential effect of this on social cohesion and the potential for, and fear of, crime. But the Council have not provided any evidence to substantiate their position that the proposal's lack of on-site parking provision would lead to conflict, anti-

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<sup>2</sup> Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990



social behaviour or threaten social cohesion. I appreciate that the proposal may lead to increased parking pressures, but I have no reason to believe that that would manifest itself in the manner, or with the implications, that the Council suggest.

18. I have not been directed to any development plan policies that refer specifically to social cohesion, anti-social behaviour, potential for crime or the fear of crime, nor have the Council cited any in their second refusal reason. Paragraph 127(f) of the Framework does however recognise that in seeking to achieve well-designed places planning decisions should *'create safe, inclusive and accessible places.....and where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion and resilience'*. For the reasons I have set out above, however, I am not persuaded that the proposal would result in harm in the manner set out by the Council or would fail in the terms set out by Framework paragraph 127(f).

### **Other Matters**

19. CCLP policy CP13 states that development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. It goes on to state that all development that leads to a net increase in dwellings in Cannock Chase District will be required to mitigate adverse effects.
20. In this instance, the appellant has submitted a UU to provide for a financial contribution as mitigation for the net increase in dwellings that would result from the proposal, should the appeal be successful. The Council have not challenged the approach or amount set out in the UU. However, as I minded to dismiss the appeal, it has not been necessary to consider this matter, or the provisions of the UU, further.
21. The efficient use of land is not just a matter of how many housing units can be accommodated within a particular site. As I have set out above, the proposal would cause harm to the character and appearance of the surrounding area for the reasons stated. The efficiency of the use of land in providing 24 rooms units within the proposed HMO carries only limited weight and falls significantly short of outweighing the harm to character and appearance that I have identified.
22. I was also able to view the appeal site from nearby properties at 23 and 25 Stafford Road. Notwithstanding my conclusions regarding the effects of the proposal in terms of impact upon character and appearance, these viewpoints afforded me the opportunity to consider the proposal's relationship with those properties in terms of the impact upon living conditions thereof. Although not cited as a reason for refusal by the Council, I have carefully considered the respective arguments put forward by the appellant and occupiers of those properties in this respect.
23. Having done so, I am satisfied that the proposal would not cause harm to the living conditions of occupiers of either property in terms of outlook, privacy or daylight and sunlight. I accept that the rear portion and elements of the flank and rear elevations would be visible from within the rear gardens of both properties, but this would not be sufficient in my view to cause material harm to the amenities of occupiers of those properties. The absence of harm in this respect is only a neutral factor to which I afford only limited weight.



**Conclusion**

24. For the reasons I have set out above, and having considered all other matters raised, I conclude that the appeal should be dismissed.

*Graeme Robbie*

INSPECTOR

**PLANNING CONTROL COMMITTEE**

**27<sup>th</sup> MAY 2000**

**Officer Update Sheet**

<b>Application No:</b>	CH/20/026
<b>Received:</b>	21-Jan-2020
<b>Location:</b>	21 Stafford Road, Cannock, WS11 4AF
<b>Parish:</b>	Non Parish Area
<b>Description:</b>	Site redevelopment to provide 18 Room House of Multiple Occupancy
<b>Application Type:</b>	Full Planning Application

Since the publication of the agenda the applicant's Heritage Consultant has looked ta the additional information submitted by local people in representations and has made the following comments: -

"In response to the further response received from [a local person] dated 19th May 2020, I have already accepted that No. 21 Stafford Road was built around the 1870s and I considered the physical evidence for this in my original letter. The [local person] has now provided more documentary information from the Land Registry suggesting that no. 21 Stafford Road was occupied by William Cotton. If this is correct, then the 1876 auction advertisement indicates that it was built shortly before the 1876 sale. It could quite reasonably be as much as 10-15 years before the auction. I don't consider that whether it was occupied by William Cotton or anyone else makes any material difference to my assessment of the standing building, which is set out in my original Heritage Assessment dated 9th April 2020. That still stands. It is very altered and of "negligible historic and architectural value".

The further documentary evidence provided by [the local person] confirms that the very large parcel of land identified in the indenture and outlined in green on the map was part of one landholding, which at one time incorporated a barn and stable. We don't know any more the fact that the barn was probably (and logically) located on the "Barn Piece", which is, as my map comparison shows, an extensive plot - refer to my Figure 1.

For the record, once again I will repeat that there is nothing to suggest that the application site is the location of the barn or cowhouse. In fact this would be a very odd location for such structures. The "Barn Piece" is a vast area by

comparison with the current site of 21 Stafford Road. There is neither proof nor compelling evidence that it was the same site.”

Notwithstanding the above the applicant has agreed to the provision of an interpretive panel which would outline the historical development of this part of the town. This could be secured by condition.

Officers confirm that the above is accepted and that the recommendation of approval subject to a section 106 and conditions still stands with the exception that a further condition is attached to any permission granted such that an information panel is attached on or near the site that outlines the history of this part of Cannock Town.

The condition would read

The development hereby approved shall not be occupied until a scheme for the provision of an interpretive panel outlining the historical development of this part of Cannock, has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been completed.

Reason

In order to better reveal the historical significance of this part of Cannock Town centre in accordance with the NPPF.