

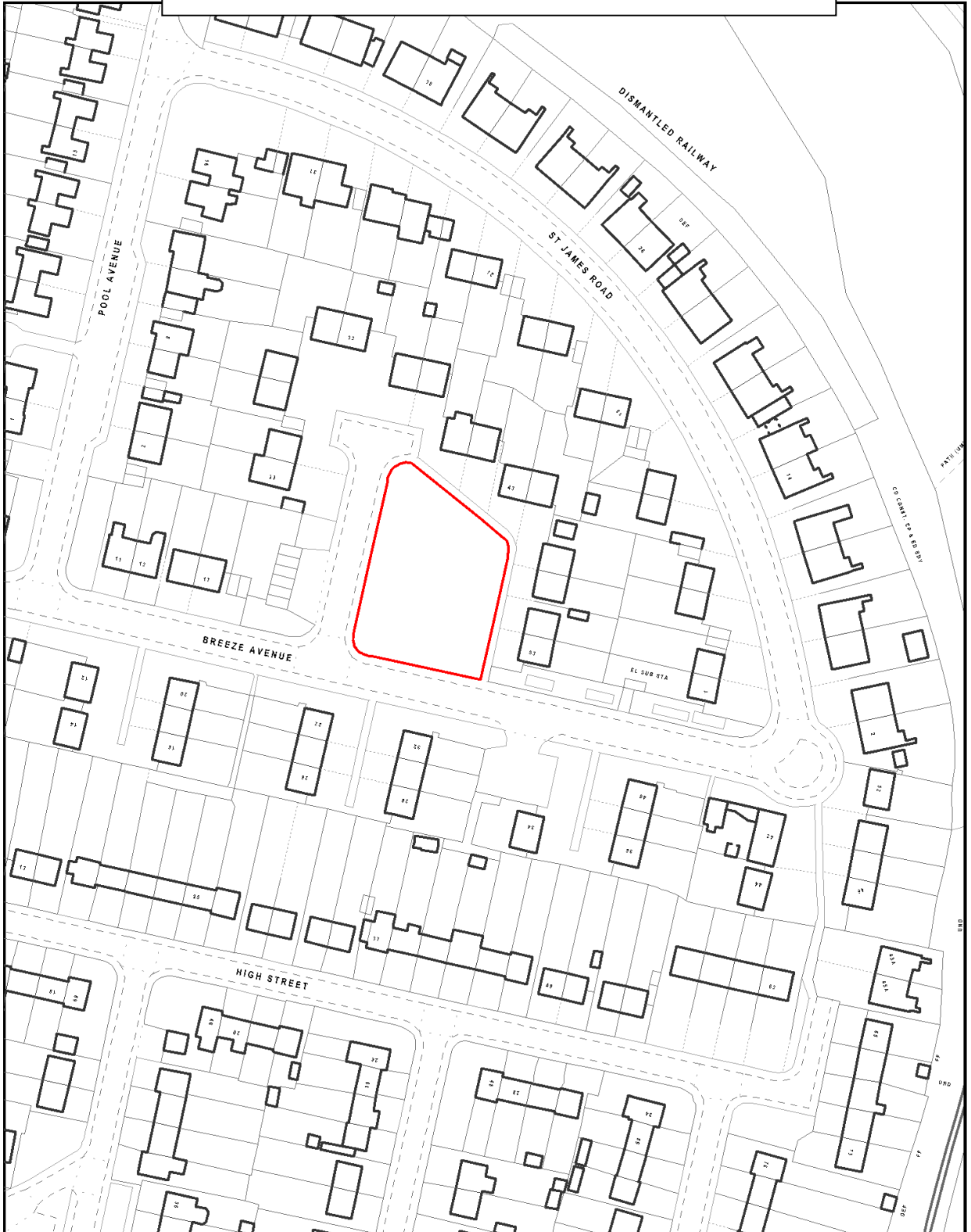


CH/17/271

Land to Breeze Avenue, Norton Canes, Cannock, WS119QB

New parking bays to existing grass area with associated dropped kerb

ITEM NO. 6.1

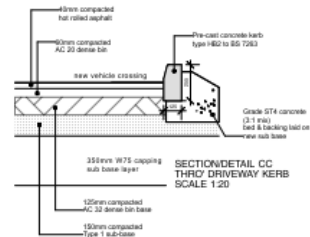


# Location and Block Plan

**CONSTRUCTION NOTES**

Access Drive construction:  
**Surface course:** 40mm thick compacted of HRA 55/10F surf 100/150 PSV 60 to BS EN 13108-4  
**Binder course:** 50mm thick compacted of AC 20 dense bin 100/150 recipe mixture to BS EN 13108-1 (PD 6691)  
**Base:** 125mm thick compacted of AC 32 dense base 100/150 recipe mixture to BS EN 13108-1 (PD 6691)  
**Sub-base:** 150mm compacted hardcore of type 1 sub base  
**Capping:** 350mm thick compacted of W75 capping complying with highways specification

White thermoplastic line markings to capping surface



EXISTING BLOCK PLAN  
 Scale 1:500



OS MAP  
 Scale 1:1250



E: Lee@spectordesign.co.uk  
 M: 07881923447 T: 01902 404910

Rev	Date	Comments	Rev	By

Project Address:  
 LAND TO BREEZE AVENUE, NORTON CANES, WS11 9QB

Drawing Title:  
 EXISTING & PROPOSED LAYOUT

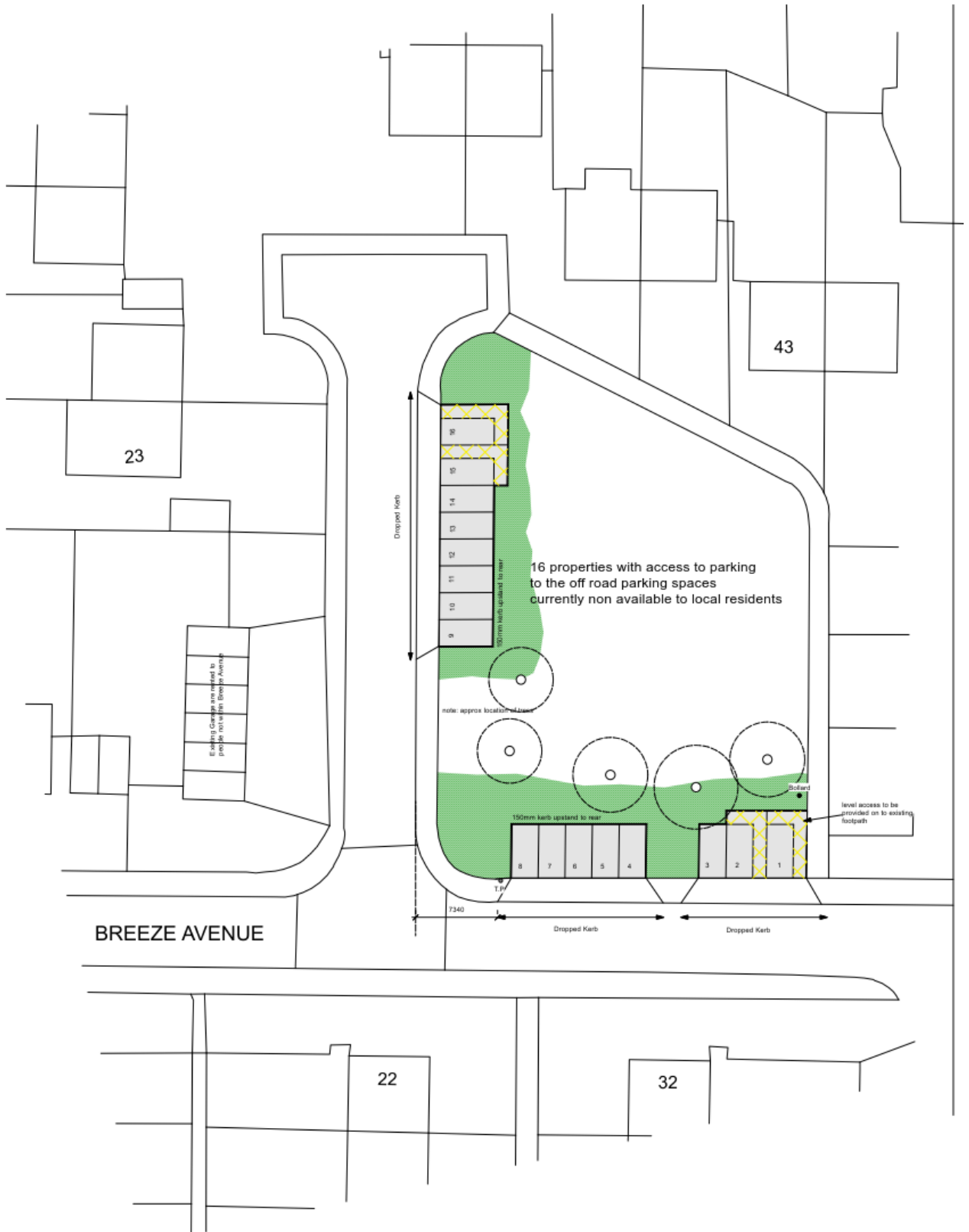
Client Name/Organisation:  
 MORGAN AND BOND

Scale:  
 1:200 @ A1

Drawing Number:  
 100/595-01 . C

Original Paper Size:  
 A1 Landscape

# Site Plan



**Application No: CH/17/271**

**Received: 3 July 2017**

**Location: Land at Breeze Avenue, Norton Canes**

**Parish: Norton Canes**

**Ward: Norton Canes**

**Description: New Parking Bays to Existing Grass Area with Associated Dropped Kerbs**

**Recommendation:** Approve subject to the attached conditions

**Reason for Granting Permission**

In accordance with paragraphs (186-187) 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.

**Reason for Committee Decision:** The land is owned by the Council.

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 trees or hedges shown as retained on Dwg No 100/595-01. C shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed.

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

Reason

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

3. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until details for tree and hedge protection have been submitted to and approved by the Local Planning Authority. Details shall include the position and construction of all fencing and the care & maintenance of the trees & hedges within.

Reason

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

4. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing pursuant to Condition 3 above shall be erected to the approved layout.

Reason

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

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

Reason

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

6. The development hereby permitted shall not be brought into use until the access to the site has been completed within the limits of the public highway as a vehicular dropped crossing.

Reason

In the interest of highway safety and to comply with Staffordshire County Council requirements for access.

7. Prior to the first use of the proposed development the parking areas broadly indicated on the submitted proposed layout Plan number "100/595=01.C" shall be completed and surfaced in about material with the individual parking bays clearly delineated. The bays shall thereafter be retained for residents and visitors parking only for the lifetime of the development.

Reason

In the interest of highway safety and to comply with Staffordshire County Council requirements for access.

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

100/595-01. C

Reason

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

Notes to the Developer

- i. The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.  
<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>

#### EXTERNAL CONSULTATIONS

##### Norton Canes Parish Council

No objections to the proposal.

##### Staffordshire County Council Highways

No objections subject to conditions.

#### INTERNAL CONSULTATIONS

##### Trees, Landscape and Countryside

No objections subject to conditions.

#### RESPONSE TO PUBLICITY

The application was advertised by neighbour letter, site notice and by newspaper advert. No letters of representation have been received.

#### RELEVANT PLANNING HISTORY

There is no recorded planning history to this site.

#### 1. SITE AND SURROUNDINGS

- 1.1 The application site comprises a rectangular area of amenity grassland with trees forming a central open area overlooked on three sides by residential properties laid out in a horseshoe and with Breeze Avenue to the south.
- 1.2 The horseshoe shaped residential development is served by a cul-de-sac and hammer head along the western side, with footpaths serving the properties to the north and east.
- 1.3 There is a small garage court, with 6 garages to the west. The Housing Property Services manager has advised that these are all occupied but not necessarily by people within the horseshoe or the surrounding bungalows.

1.4 The site is unallocated in the Cannock Chase Local Plan (Part 1) but lies within the main urban area of Cannock.

1.5 The site is located within Flood Zone 1 on the Environment Agency's flood risk maps and is located within a Minerals Safeguarding Area.

## 2. PROPOSAL

2.1 The applicant is seeking planning permission for residential development for new parking bays to existing grass area with associated dropped kerbs. 8 parking bays would be situated off the cul-de-sac and 8 would be situated directly off Breeze Avenue. 4 of the parking bays would be for access for people with disabilities.

2.2 The rationale behind the scheme is to alleviate problems with the number of cars during the hours 9am to 5pm in the working week, usually carers visiting the properties for a short time. Most of these vehicles are parking on the main Breeze Avenue. The parking is therefore in particular for carers to the bungalows on either side of the road.

2.3 It has also been put forward that at weekends the residents received family members creating a higher number of vehicles. These are generally parked in both the cul-de-sac area and on Breeze Avenue. The parking is therefore intended to help relieve the turning circle in the cul-de-sac, where cars are parking. A regular mini-bus to the area has to reverse the length of the cul-de-sac to get out when cars are parked there.

2.4 The residents in the area have also raised concerns about the ability of emergency services being able to get close to their properties.

2.5 In order to inform the assessment the applicant has submitted a BS5837 Tree Survey assessment.

## 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).

3.3 Other material considerations relevant to assessing current planning applications include the National Planning Policy Framework (NPPF) and Supplementary Planning Guidance/Documents.

### Cannock Chase Local Plan Part 1 (2014)

3.4 Relevant policies within the Cannock Chase Local Plan include: -

CP1: - Strategy

CP3: - Chase Shaping – Design

### 3.5 National Planning Policy Framework

3.6 The NPPF 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 outlines the "presumption in favour of sustainable development".

3.7 The NPPF confirms that a plan-led approach to the planning system and decisions must be made in accordance with the Development Plan. In particular the following NPPF references are considered to be appropriate.

3.8 Relevant sections and paragraphs of the NPPF include: -

Paragraphs 7, 8	Three dimensions of sustainable development.
Paragraph 14	The presumption in favour of sustainable development.
Paragraph 17	Core planning principles.
Paragraphs 56, 60, 61, 64	Design.

### 3.9 Other Relevant Documents

Other relevant documents include: -

Design Supplementary Planning Document, April 2016.  
 Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport Supplementary Planning Document (2005).

Manual for Streets

## 4. DETERMINING ISSUES

4.1 The determining issues for the proposal are

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

### 4.2 Principle of the Development

4.2.1 Policy CP1 of the Local Plan provides the overall strategy in respect of the District and states that in Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. Other than this point the Local plan is largely silent on the issue of housing on unallocated sites.



- 4.2.2 The site is unallocated and undesignated (with the exception of falling within a minerals conservation area-see section 4.6 below) within the Cannock Chase Local Plan and therefore there are no policy objections in principle to the development of the site for the intended purpose.
- 4.2.3 As such the proposal would meet the thrust of Policy CP1 to focus investment and regeneration on existing settlements and it is therefore concluded that the proposal is acceptable in principle.
- 4.2.4 However, proposal that are acceptable in principle are still subject to all other policy tests. The next sections of this report will consider the proposal in the light of those policy tests and determine what harms or benefits arise from the proposal.

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

- 4.3.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
  - (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.
- 4.3.2 In addition to the above Paragraph 56 of the NPPF states that the government attaches great importance to the design of the built environment and states good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 4.3.3 Paragraph 61 of the NPPF goes on to state: -
- "Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."
- 4.3.4 In addition Paragraph 64 of the NPPF makes it clear that
- "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."
- 4.3.5 In this respect it is noted that the intention of the proposal is to alleviate existing issues of access and parking in and around the cul-de-sac enabling carers and relatives to visit vulnerable residents in the surrounding bungalows. The parking spaces, are therefore to address the existing poor connections between people and places arising from inadequate parking provision on this older estate's original layout.

4.3.6 Subject to the attached conditions the proposal would not reappear would arise from loss of the central green space. However, much of the central green space would remain and any harm to the character of the area would be slight.

#### 4.4 Impact on Residential Amenity

4.4.1 A core planning principle is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and this has been accommodated within Policy CP3 of the Local Plan and supported by the guidance as outlined in the Design SPD.

4.4.2 In this respect it is noted that vehicles already park in the cul-de-sac and that the purpose of the parking provision is to accommodate existing vehicles within the area. As such the impact on residential amenity by virtue of noise, general disturbance (car doors banging, reversing etc) would be no greater than with the existing situation.

4.4.3 Having had regard to the above it is considered that a good standard of residential amenity would be maintained for both future occupiers and existing residents of the surrounding dwellings in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF.

#### 4.5 Impact on Highway Safety and Capacity

4.5.1 Paragraph 32 of the NPPF states that Plans and decisions should take account of whether; -

the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for transport infrastructure.

safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds, where the residual cumulative impacts of development are severe.

4.5.2 With regard to highway safety and capacity the Highway Officer has no objections to the proposal subject to conditions. As such it is considered that the proposal would benefit the parking and access arrangements for the residents of the surrounding bungalows.

4.5.3 It is therefore concluded that the proposal, subject to the attached conditions would be in accordance with Policy CP16 (a) and (c) of the Local Plan and paragraphs 32 of the NPPF.

#### 4.6 Minerals Conservation

4.6.1 The site is designated as a minerals conservation area. However, given that it is located within an existing urban area there would be no significant impact on minerals planning objectives.

## 5.0 HUMAN RIGHTS ACT

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

## 6.0 CONCLUSION

6.1 The proposal is considered to be acceptable in principle.

6.2 In respect to all matters of acknowledged interest the proposal would cause slight harm to the character of the area but this would be insufficient to warrant refusal of the application. In addition the proposal would alleviate existing problems of access within the cul-de-sac and enable care to be provided to vulnerable residents in their own home. It is considered that this benefit would more than outweigh the slight harm to the character of the area.

6.3 It is therefore recommended that the application be approved subject to the attached conditions.

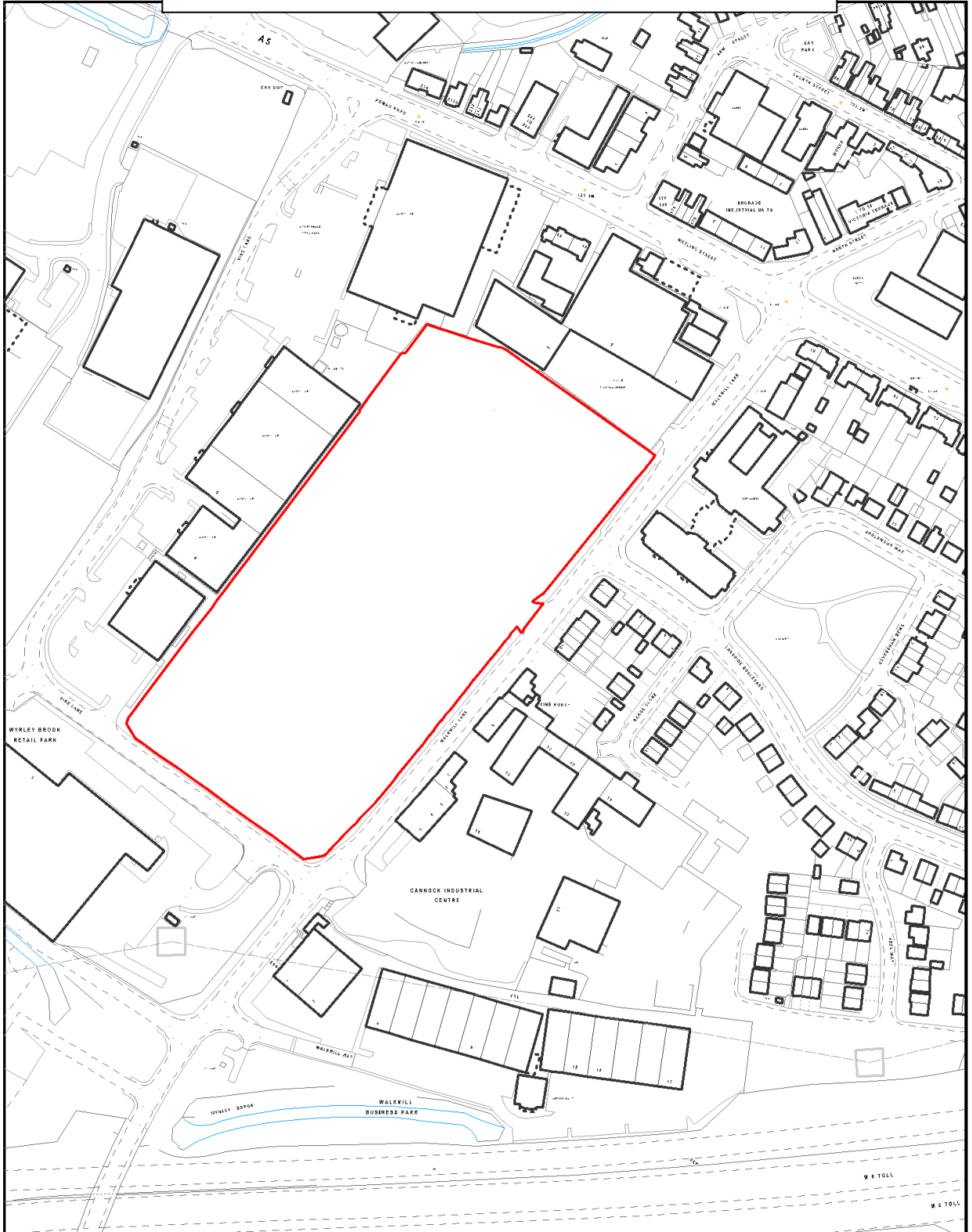


CH/17/452

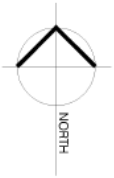
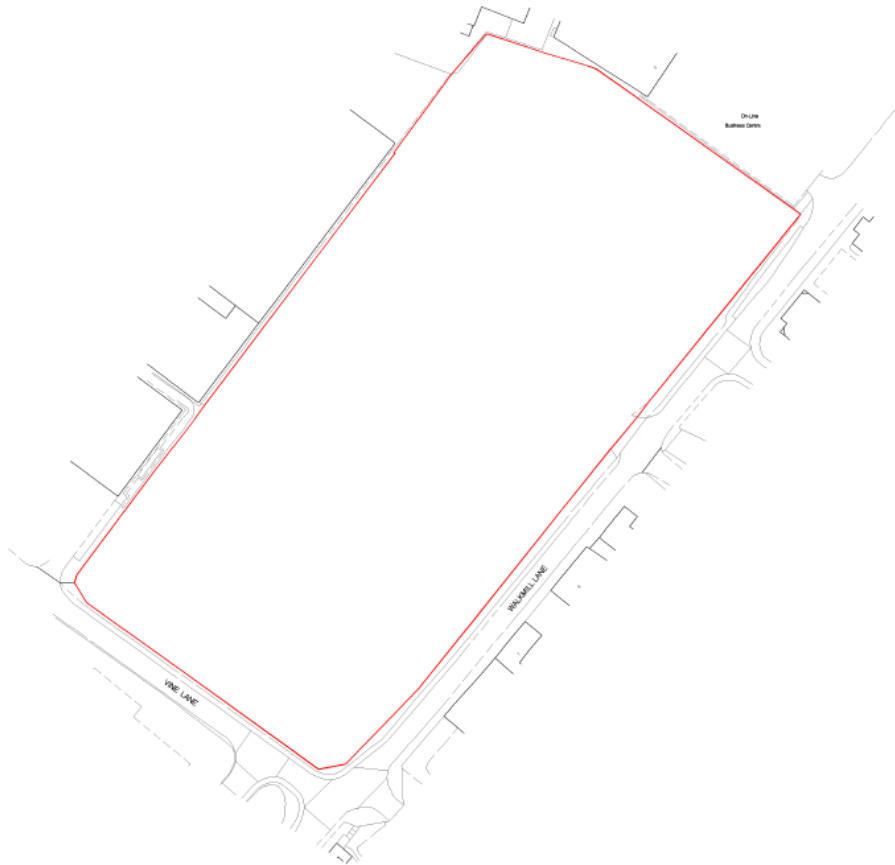
Parker Hannifin Plc, Walkmill Lane, CANNOCK, WS11 0LR

Outline application including access for up to 116 dwellings

ITEM NO. 6.12



# Location Plan



Position  
 Client **Homes & Communities Agency**  
 Project Name **Walkmill Lane - Cannock**

## Site Location Plan

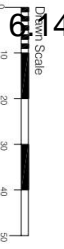
**PLANNING STAGE**



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 design@pcptarchitects.co.uk  
 Scale **1:1250@ A3** Date **Oct 2017**  
 Drawn by **DJW** Checked by **djm**  
 Plot Date

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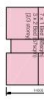


# Site Plan



**KEY**

- Public open space
- Future expansion of public open space
- Trees retained
- New planting
- Computed lot area or lot collection point



Site area: 3.3 hectares (approx.)  
 (including public open spaces)  
 Density: ~50 units per hectare

Plot: 221, 18, Ayrtonville Park, Ayrtonville  
 Plot: 222, 17, Ayrtonville Park, Ayrtonville  
 Plot: 223, 16, Ayrtonville Park, Ayrtonville  
 Plot: 224, 15, Ayrtonville Park, Ayrtonville  
 Plot: 225, 14, Ayrtonville Park, Ayrtonville  
 Plot: 226, 13, Ayrtonville Park, Ayrtonville  
 Plot: 227, 12, Ayrtonville Park, Ayrtonville  
 Plot: 228, 11, Ayrtonville Park, Ayrtonville  
 Plot: 229, 10, Ayrtonville Park, Ayrtonville  
 Plot: 230, 9, Ayrtonville Park, Ayrtonville  
 Plot: 231, 8, Ayrtonville Park, Ayrtonville  
 Plot: 232, 7, Ayrtonville Park, Ayrtonville  
 Plot: 233, 6, Ayrtonville Park, Ayrtonville  
 Plot: 234, 5, Ayrtonville Park, Ayrtonville  
 Plot: 235, 4, Ayrtonville Park, Ayrtonville  
 Plot: 236, 3, Ayrtonville Park, Ayrtonville  
 Plot: 237, 2, Ayrtonville Park, Ayrtonville  
 Plot: 238, 1, Ayrtonville Park, Ayrtonville

**Homas & Chalmers**  
 Chartered Surveyors  
 Agency

Walkmill Lane - Carnock  
**Proposed Site Layout**  
 EXAMINATION STAGE

**PCAD**  
 Planning Consultants  
 1000 GLENVIEW ROAD, GLENVIEW, MIDlothian  
 TEL: 01836 883333 FAX: 01836 883337  
 WWW: WWW.PCAD.CO.UK  
 DATE: 02/08/17  
 DRAWN: 481  
 CHECKED: 481

**3836 AD(0) 01 E**  
 Planning Application Reference  
 Planning Department  
 City of Edinburgh Council  
 1000 GLENVIEW ROAD, GLENVIEW, MIDLOTHIAN  
 TEL: 01836 883333 FAX: 01836 883337  
 WWW: WWW.CITYOFEDINBURGH.COUNCIL

**Application No: CH/17/452**

**Received: 11December 2017**

**Location: Former Parker Hannifin site, Walkmill Lane, Cannock**

**Parish: Bridgetown**

**Ward: Cannock South Ward**

**Description: Outline application with all matters reserved except access for residential development for up to 116 dwellings**

**Recommendation:** Approve subject to the attached conditions attached to this report and the completion of a section 106 agreement to secure: -

- (i) The provision of 20% affordable housing.
- (ii) The provision of £38,610 for off-site provision/ enhancement of public open space.
- (iii) The provision of funding for the implementation of the Travel Plan.
- (iv) Management of on-site public open space.

### **Reason for Granting Permission**

In accordance with paragraphs (186-187) 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.

**Reason for Committee Decision:** The previous application for residential development on this site was refused by Planning Committee.

### Conditions

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

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

#### Reason

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

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

#### Reason

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

Highways

3. No development hereby approved shall take place, until a Construction Method and Construction Vehicle Management Plan 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:
- i. provide for the parking of vehicles of site operatives and visitors;
  - ii. provide for the loading and unloading of plant and materials;
  - iii. provide for the storage of plant and materials used in constructing the development;
  - iv. details of measures to avoid/remove mud or debris carried onto the highway
  - v. specify the intended hours of construction operations;
  - vi. measures to control the emission of dust and dirt during construction
  - vii. specify method of piling, should piling be undertaken
  - viii. recorded daily inspections of the highway adjacent to the site access
  - ix. construction hours; and
  - x. delivery routeing and hours.

## Reason

In order to comply with Paragraphs 17 and 32 of the National Planning Policy Framework.

4. Prior to the submission of any reserved matters application in relation to the proposed development hereby approved, a Master Plan shall be submitted to and approved in writing by the local Planning Authority. The submitted Master Plan shall include the following:
- i. Street layout and character including measures to restrain vehicle speeds to 20mph,
  - ii. Parking Strategy including the provision of secure cycle parking facilities for each dwelling unit.
  - iii. Location of sustainable drainage features.
  - iv. Development phasing.
  - v. Pedestrian connectivity, to include a pedestrian crossing facility for Walkmill Lane as per the Stage 1 Road Safety Audit.
  - vi. Clear delineation of roads and footways to be offered for adoption.

The Master Plan shall be approved by the Local Planning authority prior to the approval of any Reserved Matters submission.

## Reason

In order to comply with Para 32 of the National Planning Policy Framework.

5. Prior to commencement of development an agreed Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be provided in accordance with the approved details.

## Reason



- In order to comply with Para 32 of the National Planning Policy Framework.
6. Prior to the first use of the proposed development the site accesses to Walkmill Lane and Vine Lane shall be completed within the limits of the public highway.
  7. The development hereby permitted shall not be brought into use until the visibility splays have been provided as per submitted Access Design drawing WLC-BWB-HGN-XX-TR-101-S2-P2. The visibility splays shall thereafter be kept free of all obstructions to visibility with nothing placed or retained forward of the splay and the public highway exceeding 600mm in height above the level of the adjacent carriageway

**Reason**

To comply with para.32 of the NPPF and in the interest of highway safety.

Ground/ Gas Contamination

8. No dwelling shall be occupied until: -
  - (i) a scheme for ground gas protection measures has been submitted to and approved in writing by the Local Planning Authority; and
  - (ii) the works comprising that scheme have been implemented; and
  - (iii) verification of implementation has been submitted to the Local Planning Authority.

**Reason**

To ensure that risks from ground gas to the future users of the land and neighbouring land are minimised in accordance with Paragraph 121 of the National Planning Policy Framework.

Note to Condition

Although the proposed dwellings will require gas and organic vapour protection to all properties it may be possible to limit the extent of this requirement subject to additional site investigations which verify that concentrations of chlorinated hydrocarbons in soils do not exceed derived criteria to protect human health including via inhalation. This element could be incorporated into the scheme for ground gas protection measures.

9. The development hereby approved shall be undertaken in accordance with the remediation strategy, dated September 2017, Job no. AO90070-207. Prior to occupation of any part of the permitted development a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**Reason**

To ensure that any remedial works where required are completed to a satisfactory standard and to prevent the pollution of Controlled Waters, notably the underlying Secondary A groundwater aquifer and the nearby Wyrley Brook.

10. No dwelling hereby approved shall be occupied until
- (a) a geotextile membrane barrier has been incorporated to reinforce the contaminant break; and
  - (b) the gardens, landscaped areas and other unsurfaced ground has been covered to a depth of 600mm with clean soil which shall be certified prior to its application as meeting the specified import criteria given as Appendix D of the approved Remediation Strategy; and
  - (c) verification that the requirements of (i) and (ii) above has been carried out has been submitted to the Local Planning Authority.

**Reason**

To ensure that the development complies with approved details in the interests of protection of Controlled Waters and in accordance with the National Planning Policy Framework.

11. If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until either: -
- (i) A site investigation has been designed and undertaken in accordance with details approved in writing by the Local Planning Authority, a risk assessment has been produced and a method statement detailing remediation requirements using the information obtained from the site investigation has been approved by the Local Planning Authority or;
  - (ii) If the above has been previously undertaken, the developer has submitted and obtained written approval from the Local Planning Authority for an addendum to the method statement detailing how this unsuspected contamination shall be dealt with.

**Reason**

To ensure that any remedial works where required are completed to a satisfactory standard and to prevent the pollution of Controlled Waters, notably the underlying Secondary A groundwater aquifer and the nearby Wyrley Brook.

Drainage

12. No phase of development shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme must be based on the design parameters and proposed strategy for the site set out in the Sustainable Drainage Statement (Reference: BMW-2675-SDS, Revision P1, 30/10/2017). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in accordance with the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual).
- Limiting the total discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to 16.2 l/s (12.7 l/s for the 1 year return period) to ensure that there will be no increase in flood risk downstream.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies and contact details for the organisation responsible for carrying out these duties.

#### Reason

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

13. No part of the development shall be occupied until the surface water drainage system has been completed in accordance with the approved design, and details of the appointed management and maintenance companies have been provided to the LPA.

#### Reason

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

#### Air Quality

14. The development shall not be brought into use until scheme for mitigating the financial cost of the air quality burden,) and the NO<sub>2</sub> and PM concentrations, equivalent to this amount, has been submitted to and approved in writing by the Local Planning Authority. Such mitigation may be in the form of, but not limited to:

-

- (i) Contributions to highways improvements in order to reduce local traffic congestion
- (ii) Support for and promotion of car clubs
- (iii) Contributions to low emission vehicle refuelling infrastructure
- (iv) Provision of incentives for the uptake of low emission vehicles
- (v) Financial support to low emission public transport options
- (vi) Improvements to cycling and walking infrastructure

The approved scheme shall contain details of the time scale/scheduling of the implementation of the mitigation measures and shall be delivered in accordance with the approved schedule.

#### Reason

In the interests of mitigating the harm to air quality in accordance with policies CP3 and CP10 of the Cannock Chase Local Plan and Paragraph 124 of the National Planning Policy Framework.

#### Noise Mitigation

15. No dwelling shall be occupied until a scheme for the protection of the external and internal noise environments of the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been implemented. The scheme shall include: -
- i. a plan showing the erection of acoustic fencing, 2.5m in height to the western site boundary and 1.8m to the remainder of the site, the specification of which shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall be of solid construction, 25mm in thickness with a mass of around 15kg/m<sup>2</sup>; and
  - ii. details of the proposed double glazed windows and acoustic trickle ventilators to be installed with confirmation of the acoustic performance of these systems.

#### Reason

In the interest of ensuring a good standard of residential amenity to the occupiers of the dwellings in accordance with Paragraph 17 of the NPPF.

16. All main herring bone road surfaces shown on the approved plans shall be to an adoptable standard to allow access by 32 tonne refuse vehicle access.

#### Reason

To prevent break-up of the highway surface in the interest of highway safety.

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

3836 AD (0)02 Site Location Plan

3836AD(0) 01 revE Proposed Layout (only in so much that it is an indicative layout).

Design and Access Statement, PCPT.

Planning Statement, Cushman and Wakefield, dated December 2017.

Statement of Community Involvement, prepared by Cushman and Wakefield

Extended Phase 1 Habitat Survey, WYG, dated April 2017.  
 Arboricultural Assessment, WYG, dated 6 November 2017.  
 Tree survey Report, WYG, Dated 19 July 2017  
 Transport Assessment and Travel Plan, BWB Consulting, 31.10.2017  
 Air Quality Assessment, BWB Consulting, dated 23/10/2017  
 Noise Impact Assessment rev P1, BWB Consulting, dated October 2017.  
 Flood Risk Assessment revP3, BWB Consulting, dated 31/10/2017  
 Sustainable Urban Drainage Strategy rev P1, BWB Consulting, dated 30/10/17  
 Foul Water and Utilities Assessment rev p1 (ref WLC-BWB-00-XX-RP-Z-0001-S"-P1-FWU), BWB Consulting, dated 30/10/17.  
 Remediation Strategy, WYG Issue 1, dated September 2017.  
 Targeted Site Investigations Phase 2 Addendum, dated 01September 2017.  
 Supplementary Site Investigation, Factual Report, Wardell Armstrong, dated January 2017.

#### Notes to the Developer

- i. The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.  
<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>
- ii. Any off-site works within the adopted highway will require a Highway Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact the Council in respect of securing the agreement. Follow the link [www.staffordshire.gov.uk/developers](http://www.staffordshire.gov.uk/developers) for Highway Agreements, a flowchart to identify the relevant agreement, information packs and application forms for the Highway Works.
- iii. Any soakaway should be located a minimum of 4.5m rear of the highway boundary. With reference to the provision of cycle storage at residential dwellings, if it is proposed to include this in garage space then the garage will need to have minimum internal dimensions of 6.0 x 3.0m in order to be considered appropriate for the storage of a bicycle and motor car.
- iv. The developer's attention is brought to the comments of Staffordshire Police in respect to the desirability of achieving Secured by Design accreditation.
- v. The excavation of the remaining hardstanding and remnant foundations will be necessary. It is noted that these materials will be crushed and re-utilised on site. The Developer is advised that the use of mobile concrete / brick crushing and grading equipment on site should be notified in advance to Environmental Protection and the equipment deployed must be authorised under the requirements of the Environmental Permitting (England & Wales) Regulations 2016.

- vi The developers attention is brought to the comments made by the Staffordshire Fire and Rescue Service Vehicle Access, in particular the following: -

Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 1 requirement B5, section 11.

Roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

In the interest of preventing deaths and injuries from fires within domestic dwellings Staffordshire Fire and Rescue Service strongly recommend the provision of a sprinkler system to a relevant standard.

Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing fire deaths and injuries in domestic premises and financial implications for all stakeholders.

Further information can be found at [www.bafsa.org.uk](http://www.bafsa.org.uk) - the website of the British Automatic Fire Sprinklers Association Ltd.

## EXTERNAL CONSULTATIONS

### Bridgetown Parish Council

None received.

### Staffordshire Police

Makes reference to section 17 of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF, Policy CP3 of the Local Plan and the Human Rights Act Article and Protocol 1, Safer Places: The Planning System and Crime Prevention and recommends that the proposal attains Police Secured By Design accreditation. The response goes to make detailed recommendations in respect of designing out crime.

### Staffordshire County Council Highways

No objections subject to conditions.

### Environment Agency

We have no objections to the proposed development but would like to provide the following comments.

The proposed development is approximately 100m from the Augean Integrated service site on Cannock Industrial Estate. This facility has an environmental permit issued by the Environment Agency for the storage, transfer and treatment of a range of hazardous wastes. It is suggested that the fire service and the HSE are consulted for any comments they wish to make.

We have provided pre-planning advice provided during July7-Sep 20-17, where we reviewed WYG's Quantitative Risk Assessment and their subsequent Remediation Strategy. We suggest the HCA should now appoint a remediation contractor to carry out the agreed works and preparation towards preparing a verification report for our approval. e therefore recommend a condition to any planning approval requiring the submission of a verification report before either commencement of development or occupation of any part of the development.

#### Staffordshire Fire and Rescue

The consultation in respect of the housing development would only include the provision of access for fire appliances as required by B5 of The Building Regulations 2000, Approved Document B.

However I would like to point out that the site for development due to its close proximity to Augean Integrated Services, Walkmill Lane, Cannock gives us serious concerns if evacuation of the site had to be required due to an escalating incident at the Augean Site.

Any development in such close proximity to the Augean site will result in the Fire and Rescue Service having to employ offensive tactics in order to deal with an incident and to maximise the safety of the residents. The requirement to employ offensive tactics will lead to an increased risk to Fire and Rescue Service personnel.

Any potential evacuation of the proposed housing development would be very difficult and onerous on the resources of both the Fire Service and the Police as emergency services staff would have to visit each house on the development to ensure the safety of all residents.

In addition to these concerns the control of the site is managed through regulations whereas the control of the domestic premises is unmanaged and as such could create an issue in terms of impact upon the Augean site.

#### Vehicle Access

Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 1 requirement B5, section 11.

I would remind you that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

#### Automatic Water Suppression Systems (Sprinklers)

I wish to draw to your attention Staffordshire Fire and Rescue Service's stance regarding sprinklers.

#### Domestic Sprinklers

In the interest of preventing deaths and injuries from fires within domestic dwellings Staffordshire Fire and Rescue Service strongly recommend the provision of a sprinkler system to a relevant standard.

Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing fire deaths and injuries in domestic premises and financial implications for all stakeholders.

Further information can be found at [www.bafsa.org.uk](http://www.bafsa.org.uk) - the website of the British Automatic Fire Sprinklers Association Ltd.

Health and Safety Executive

The HSE has stated that it has "no comments to make".

Severn Trent Water

No objection subject to a condition for the submission and approval of a means of disposal of foul and surface water.

Local Lead Flood Authority (LLFA)

No phase of development shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme must be based on the design parameters and proposed strategy for the site set out in the Sustainable Drainage Statement (Reference: BMW-2675-SDS, Revision P1, 30/10/2017). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in accordance with the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual).
- Limiting the total discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to 16.2 l/s (12.7 l/s for the 1 year return period) to ensure that there will be no increase in flood risk downstream.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies and contact details for the organisation responsible for carrying out these duties.



School Organisation

This development falls within the catchments of Bridgtown primary school and Cannock Chase High School.

The development is scheduled to provide 116 dwellings. Excluding the 23RSL dwellings from secondary only a development of 116 houses including 23 RSLs could add 24 Primary school, 14 Secondary School and 3 6<sup>th</sup>-Form aged pupils

Bridgtown Primary School and Cannock Chase High School are projected to have sufficient space to accommodate the likely demand from pupils generated by the development and therefore no request will be made towards Primary and High School Provision.

The above comments are based on development providing 116 including 93 houses and 23 RSL houses. If the number of house or total dwellings increases or the number of RSL properties reduces a revised contribution will be necessary.

The have contribution is based on the 2008/2009 cost multipliers which are subject to change.

Staffordshire County Council Planning Policy and Development Control Team

The whole site falls within a Mineral Safeguarding Area (MSA) for Coal and fire clay, while three quarters of the site also falls within an MSA for Brick Clay.

Paragraph 144 of the National Planning Policy Framework (NPPF) and policy 3 of the Minerals Local Plan for Staffordshire (2015-2030), all aim to protect mineral resources from sterilisation by other forms of development.

Policy 3.2 of the new Minerals Local Plan states that

Within a Mineral Safeguarding Area, non mineral development except for those types of development set out in Appendix 6 should not be permitted until the prospective developer has produced evidence prior to determination of the planning application to demonstrate:

- (a) the existence, the quantity, the quality and the value of the underlying or adjacent mineral; resource; and
- (b) the proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict mineral operations.

The whole site lies within the Coal Authority's Surface Coal Resource Area, but there are no coal outcrops, and there is no history of previous coal working in the vicinity. However, our records show that, with the exception of a narrow strip along Walkmill Lane, the entire site lies within the former Walkmill Lane clay extraction site. This implies that any viable clay resources will already have bene extracted, and suggest that the recovery of any underlying coal and fireclay is unlikely to be economically viable in the foreseeable future.

Having had regard to the policies and guidance referred to above, and the specific circumstances of the site, it is reasonable to conclude that the proposed development will not lead to the sterilisation of an important mineral resource.

Therefore the Minerals Planning Authority has no objections to the application.

#### South Staffordshire Water

No comments received.

#### Network Rail

The proposal will not impact on railway infrastructure.

### INTERNAL CONSULTATIONS

#### Waste and Engineering

No comments received.

#### Environmental Health

Various technical reports and updates to previous studies of this site have been submitted in support of this outline application and the following comments are offered on the basis of the information provided.

#### Noise

A Noise Impact Assessment dated October 2017 has been undertaken by BWB. The conclusions of the report propose mitigation in the form of acoustic fencing of 2.5m height to the western site boundary and 1.8m to the remainder of the site. The specification of the fencing needs to be clarified as well as the arrangements for ongoing maintenance into the future. The fencing should be of solid construction, ideally of 25mm thickness with a mass of around 15kg/m<sup>2</sup>. Detailing of the proposed double glazed windows and acoustic trickle ventilators to be installed should also be provided with confirmation of the acoustic performance of these systems.

#### Air Quality

It is noted that the development consists of more than 10 residential units and traffic will feed directly into the Air Quality Management Area adding to the pollutant burden in relation to the A5 trunk road. An air quality assessment has been provided and developer contributions should be sought towards air quality mitigation measures for the adjacent AQMA. To evaluate the level of contributions, a DEFRA damage cost calculation of air quality emissions from traffic generated by the development is requested. This is consistent with local plan policies 'CP3 – Chase Shaping – Design' and CP10 – 'Sustainable Transport'

#### Site Contamination

Site investigations have revealed that remedial requirements will be necessary for chlorinated and petroleum hydrocarbons, metals and asbestos. A remediation strategy has been submitted by the applicant dated September 2017, Job no. AO90070-207 detailing the proposed works. This will entail the excavation and disposal of significantly contaminated

soils as identified together with subsequent testing of soil samples from the clean edges of excavations to meet contamination assessment criteria as detailed for residential use with plant uptake in Appendix A of the report. The removal of significant accumulations of identifiable asbestos containing materials as hazardous waste will also be undertaken. Air monitoring will also be undertaken in conjunction with this work to ensure that any release of air borne fibres is maintained within acceptable limits.

The provision of clean cover to gardens, landscaped areas and other unsurfaced ground to a depth of 600mm will be necessary. I would further recommend that a geotextile membrane barrier is also incorporated to reinforce the contaminant break.

Imported soils will need to be certified as meeting the specified import criteria given as Appendix D of the remediation strategy. Contingencies will be necessary to deal with any unforeseen hot spots of contamination discovered as the ground works are progressed.

#### Ground Gases

The proposed dwellings will require gas and organic vapour protection to all properties. It may be possible to limit the extent of this requirement subject to additional site investigations which verify that indoor concentrations of chlorinated hydrocarbons do not exceed derived criteria to protect human health including via inhalation. Should any further studies of this nature be forthcoming, prior approval of any amended proposals should be required. The membrane specification should also be subject to prior approval procedures and the installation works should be independently validated.

#### Ground / Construction works

The excavation of the remaining hardstanding and remnant foundations will be necessary. I note that these materials will be crushed and re-utilised on site. The use of mobile concrete / brick crushing and grading equipment on site should be notified in advance to Environmental Protection and the equipment deployed must be authorised under the requirements of the Environmental Permitting (England & Wales) Regulations 2016.

An Environmental Construction Management Plan should be provided for this development to specify in particular what procedures will be put into place for mitigating potential dust emissions from the site, as well as detailing working hours and measures to be implemented for noise and vibration controls.

#### Strategic Housing Officer

The application is for 116 dwellings and 20% 23 units is identified for social rented housing which is acceptable to the Council.

The proposed mix as identified in the developers and housing choices SPD would consist of

- 10% 1 bed flat
- 60% 2 bed houses
- 25% 3 bed houses
- 5% 4 bed houses

Registered providers are likely to be unwilling to manage just 2 x 1 bed flats in a block of 10. If that is the case it would be preferable for these to be added to the 2 or 3 bed houses.

The affordable housing should also be pepper potted throughout the development.

### Development Policy

The site is a Brownfield, former employment site located within the urban area of Bridgtown, Cannock. It is not allocated for any use on the Local Plan (Part 1) Policies Map. Local Plan (Part 1) Policy CP1 identifies that the urban areas of the District, including Cannock, 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 sustainable development' will be taken when considering development proposals. Local Plan (Part 1) Policy's CP1, CP6 and CP16 support the development of new houses on urban, brownfield sites in line with the spatial strategy for development- redevelopment is supported in principle subject to no adverse impacts e.g. upon ecological designations or loss of valuable employment land.

The site is currently identified within the Strategic Housing Land Availability Assessment (SHLAA) as contributing towards the developable housing land supply (largely on the basis of previous recommendations for approval for residential development and the intentions of the landowner- the HCA). The proposal would therefore help contribute to meeting the Local Plan (Part 1) Policy CP6 housing requirements, in accordance with the Local Plan strategy for development.

Local Plan (Part 1) Policy CP8 identifies a number of criteria for determining the loss of employment land to residential development which should be considered. There is currently a shortfall of employment land (circa 3ha) for meeting the District's requirements set out in Policy CP8 (88ha up to 2028).

The site lies in close proximity to the designated local centre of Bridgtown. New housing development within its vicinity could help to support the viability of this local centre (Local Plan (Part 1) Policy CP11).

With regards to the detailed design of the scheme, particular regard should be paid to Policy CP3, Policy CP16, the Design SPD (2016) (particularly the sections on the A5 Corridor and residential design standards), and the Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport SDP (2005) (contains parking standards).

As the proposal is for 15 or more dwellings, as per Local Plan (Part 1) Policy CP7 the scheme should provide at least 20% on site affordable housing (as appears to be proposed at present).

The site lies within close proximity of the recently designated A5 Air Quality Management Area. In accordance with Local Plan (Part 1) Policy CP16, which seeks to reduce or mitigate all forms of pollution, the views of Environmental Health should be taken into consideration.

The site lies within proximity (circa 500metres) of the proposed line for the Hatherton Branch Canal restoration. In accordance with Local Plan (Part 1) Policy CP9 it may be advisable to liaise with the Lichfield and Hatherton Canal Restoration Trust to ensure there are no issues arising.

As this is an outline planning application CIL liability should be advised of and then addressed at the reserved matters stage. As a residential development scheme the proposal is CIL liable. Given that a net increase in

#### Economic Development

No objection.

#### Trees, Landscape and Countryside

I can advise that the £60,873 cost per 0.1ha which is currently within our adopted Developer Contributions SPD (2015) was derived from the 2008 Developer Contributions SPD. The cost that was in the 2008 SPD for 0.8ha of play/amenity space was increased to reflect indexation up to 2014 and then divided by 8 to give cost per 0.1ha. The SPD (2015) does state that the £60k per 0.1ha is 2014 based costs and that we would apply index linked increases to the figure (using same method as we use for the Community Infrastructure Levy indexation). So to get up to date figure we would need to add indexation for 2018 costs. This gives a rate of £75,646 per 0.1ha (rounded)

Thus the revised calculation would be  $0.20184 \text{ ha} - 0.1508 \text{ ha} = 0.05104 \text{ ha} \times £75,646 \text{ per } 0.1\text{ha} = £38,610$ . This would need to be index linked from today's date i.e. 2017-8 financial year.

The contribution would be for 'the improvement and maintenance of District Council owned POS facilities within a distance of 2.0km of the site'

Given the somewhat limited nature of the proposed open spaces the Council would not wish to take on the maintenance or adoption of these areas.

#### RESPONSE TO PUBLICITY

The application was advertised by neighbour letter, site notice and by newspaper advert. No letters of representation have been received.

#### RELEVANT PLANNING HISTORY

CH/15/0080: - Residential development: - Erection of up to 93 dwellings with associated parking. Refused for the following reasons: -

The proposed development, in accordance with Policy CP7 of Cannock Chase Local Plan (Part 1) and Developer Contributions Supplementary Planning Document is required to provide 20% on-site affordable housing. However, in this instance the proposed development fails to make any on-site affordable housing provision. As such, the proposed development is contrary to Local Plan Policy (Part 1) CP7 and Developer Contributions Supplementary Planning Document.

CH/14/0422: - Extension of planning consent CH/13/0200 for the temporary change of use from vacant land to prefabricated office, storage and staff facilities, sitting of up to 20 caravans, gate house and 120 space car park to act as a depot for works to the M6 including 24 hour HGV loading, unloading, arrival and departure until April 2016. Approved.

- CH/13/0338: - Removal of condition 3 of planning permission CH/13/0200: to allow heavy goods vehicles to load, unload, arrive and depart at any time of day. Approved.
- CH/13/0200: - Temporary change of use from vacant land to prefabricated office, storage and staff facilities, sitting of up to 20 caravans, gate house and 120 space car park to act as a depot for works to the M6 (for a period of 30 months). Approved.
- CH/10/0107: - Extension of time limit to planning permission CH/07/0565, for redevelopment of site for Use Class (B1) Business (B2) General Industry and (B8) Storage and Distribution comprising one unit with associated parking, landscaping and formation of new vehicular access points. Approved.

## 1. SITE AND SURROUNDINGS

- 1.1 The application site comprises the former Parker Hannifin works, which has been demolished leaving a broadly rectangular area of hardstanding with the exception of the south western corner and a narrow belt along the western boundary which is comprised of grass.
- 1.2 The site is relatively featureless apart from a row of mature leylandii conifers along the northern most section of the frontage to Walkmill Lane and sundry semi mature trees along the western boundary. There are also a number of semi-mature broad leaved trees on the verge at the southern end of the site. The boundaries of the site along Vine Lane and Walkmill Lane are comprised of a 2m high palisade fence.
- 1.3 The site is located in mixed industrial-commercial- residential area to the south of the A5. To the immediate north-west of the site are the rear elevations of the commercial units at Wyrley Brook Retail Park. To the south-west, across Vine Lane, is another modern industrial unit which is set within open grounds. To the north of the site is another complex of commercial-industrial buildings and their associated car parks
- 1.4 To the east of the site, across Walkmill Lane, is a mix of both residential and industrial units, including Vine Court, part of the lakeside Boulevard residential development and at the southern end the Augean Integrated services site.
- 1.5 In considering the location within its wider context it is noted that the site is in walking distance to Bridgtown which has a wide range of services and facilities, including shops, schools, public houses and cafes which serve the day to day needs of the local community.
- 1.6 Walkmill Lane is served by several bus routes giving access by public transport to Walsall, Wolverhampton and Bloxwich.
- 1.7 Although located within a predominantly urban area the site is located within walking distance to a variety of open recreational sites including the public open space at the

Lakeside Boulevard site, Hatherton Reservoir (to the south of the M6 toll) and a large area of POS at Laburnum Avenue which has sports pitches and play equipment

- 1.8 The site is unallocated in the Cannock Chase Local Plan (Part 1) but lies within the main urban area of Cannock.
- 1.9 The site is located within Flood Zone 1 on the Environment Agency's flood risk maps and is located within a Minerals Safeguarding Area.

## 2. PROPOSAL

- 2.1 The applicant is seeking outline planning permission for residential development for up to 116 dwellings with means of access to be considered at the outline stage. Matters such as 'appearance', 'landscaping', 'layout' and 'scale' are reserved.
- 2.2 In order to inform the application an indicative layout has been provided. This is not for determination at this stage but does indicate how the applicant envisages that the site could accommodate the quantum of development that is being applied for, whilst meeting the Council's guidance for space about dwellings and the provision of some public open space.
- 2.3 The plans also indicate the means of access (which is for consideration at this stage) and shows to access/ egress points, one from Walkmill Lane and the other from Vine Lane.
- 2.4 The applicant has also submitted a range of supporting information, including: -

Design and Access Statement, prepared by PCPT  
 Planning Statement, prepared by Cushman and Wakefield  
 Statement of Community Involvement, prepared by Cushman and Wakefield  
 Extended Phase 1 Habitat Survey, prepared by WYG  
 Arboricultural Assessment, prepared by WYG  
 Transport Assessment and Travel Plan, prepared by BWB Consulting  
 Air Quality Assessment, prepared by BWB Consulting  
 Noise Assessment, prepared by BWB Consulting  
 Flood Risk Assessment, prepared by BWB Consulting  
 Sustainable Urban Drainage Strategy, prepared by BWB Consulting  
 Foul Water and Utilities Assessment, prepared by BWB Consulting  
 Remediation Strategy by WYG

- 2.5 The applicant has stated that they are prepared to provide 20% affordable housing. However, as the application is in outline form the siting and appearance of the provision is not for consideration at this stage.

## 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).
- 3.3 Other material considerations relevant to assessing current planning applications include the National Planning Policy Framework (NPPF) and Supplementary Planning Guidance/Documents.

Cannock Chase Local Plan Part 1 (2014)

- 3.4 Relevant policies within the Cannock Chase Local Plan include: -

CP1: -	Strategy
CP2:-	Developer Contributions for Infrastructure
CP3: -	Chase Shaping – Design
CP5: -	Social Inclusion and Healthy Living
CP6: -	Housing Land
CP7: -	Housing Choice
CP12: -	Biodiversity and Geodiversity
CP14: -	Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
CP15: -	Historic Environment
CP16: -	Climate Change and Sustainable Resource Use

3.5 National Planning Policy Framework

- 3.6 The NPPF 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 outlines the “presumption in favour of sustainable development”.
- 3.7 The NPPF confirms that a plan-led approach to the planning system and decisions must be made in accordance with the Development Plan. In particular the following NPPF references are considered to be appropriate.
- 3.8 Relevant sections and paragraphs of the NPPF include: -

Paragraphs 7, 8	Three dimensions of sustainable development.
Paragraph 14	The presumption in favour of sustainable development.
Paragraph 17	Core planning principles.
Paragraphs 47, 49, 50	Delivering a wide choice of high quality homes.
Paragraphs 56, 60, 61, 64	Design.
Paragraph 73	Promoting healthy communities.
Paragraph 96, 103	Meeting the challenge of climate change, flooding.
Paragraphs 109, 111, 118, 120, 123	Conserving the natural environment.
Paragraphs 18, 135	Heritage assets.
Paragraph 216	Implementation.



### 3.9 Other Relevant Documents

Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport Supplementary Planning Document (2005).

Manual for Streets

Minerals Local Plan for Staffordshire (2015-2030)

## 4. DETERMINING ISSUES

### 4.1 The determining issues for the proposal are

- (i) Principle of the development
- (ii) Design and the impact on the character and form of the area
- (iii) Impact on residential amenity
  - (a) space about dwellings
  - (b) noise from surrounding land uses
- (iv) Impact on highway safety and capacity
- (v) Impact on nature conservation interests
- (vi) Drainage and flood risk
- (vii) Ground contamination
- (viii) Air quality
- (ix) Design, crime and the fear of crime
- (x) Waste and recycling
- (xi) Sustainable resource use
- (xii) Affordable housing provision
- (xiii) Play space and recreation
- (xiv) Education
- (xv) Minerals Conservation
- (xvi) Loss of employment land
- (xvii) Impact on the Hatherton Canal
- (xviii) Health and safety and proximity to Augean
- (x) Whether any adverse impact of granting planning permission would be significantly and demonstrably outweighed by the benefits, when assessed against the policies in the Framework, taken as whole.

### 4.2 Principle of the Development

- 4.2.1 Policy CP1 of the Local Plan provides the overall strategy in respect of the District and states that in Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. Other than this point the Local plan is largely silent on the issue of housing on unallocated sites.

- 4.2.2 Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. What the presumption means in practice is set out in Policy CP1 of the Local Plan and Paragraph 14 of the NPPF which states

"For decision taking this means

approving development proposals that accord with the development plan without delay; and

-where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or

-specific policies in this framework indicate development should be restricted.

- 4.2.3 The reference above to specific policies in the framework relates to those policies in the Framework relating to sites protected under the Birds and Habitats Directive and/or designated as Sites of Special Scientific Interest, land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park, designated heritage assets and locations at risk of flooding or coastal erosion. Officers can confirm that the site is not subject to any designation that would render it appropriate to be considered under any of the above policies. As such the proposal should be assessed against whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 4.2.4 In respect to the principle of the proposal it is noted that the site is located within the main urban area of Cannock and hence broadly conforms to the requirements of policy CP1. Furthermore, as the proposal involves the redevelopment of previously developed land, the proposal would meet the core planning principle of encouraging "the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value (NPPF, para 17)"
- 4.2.5 In addition to the above the site is located within a sustainable location with good access to local bus routes along Walkmill Lane and the local service centre of Bridgtown. Hence occupiers of the proposed development would have good access to local goods and services by a range of transport methods including walking and cycling and therefore the proposal meets the core planning principle of actively managing "patterns of growth to make fullest possible use of public transport, walking, cycling and focus significant development in locations which are or can be made sustainable" (NPPF, para 17).
- 4.2.6 In addition to the above it is noted that the site is currently identified within the Strategic Housing Land Availability Assessment (SHLAA) as contributing towards the developable housing land supply (largely on the basis of previous recommendations for approval for residential development and the intentions of the

landowner- the HCA). The proposal would therefore help contribute to meeting the Local Plan (Part 1) Policy CP6 housing requirements, in accordance with the Local Plan strategy for development.

4.2.7 As such the proposal would meet the thrust of Policy CP1 to focus investment and regeneration on existing settlements which are expected to accommodate most of the District's housing and it is therefore concluded that the proposal is acceptable in principle.

4.2.8 However, proposal that are acceptable in principle are still subject to all other policy tests. The next sections of this report will consider the proposal in the light of those policy tests and determine what harms or benefits arise from the proposal.

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

4.3.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

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

4.3.2 In addition to the above Paragraph 56 of the NPPF states that the government attaches great importance to the design of the built environment and states good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

4.3.3 Paragraph 61 of the NPPF goes on to state: -

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

4.3.4 In addition Paragraph 64 of the NPPF makes it clear that

"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."

4.3.5 Notwithstanding the above context it is noted that matters such as layout, appearance, landscape and scale are reserved and not for determination at this stage. However, the submitted indicative layout demonstrates that a suitable design could be accommodated within the site that could conform to the requirements of the above policies. In addition it is noted from the arboricultural reports that none of the trees on site are of particular importance as to warrant their retention.

#### 4.4 Impact on Residential Amenity

- 4.4.1 A core planning principle is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and this has been accommodated within Policy CP3 of the Local Plan and supported by the guidance as outlined in the Design SPD.

##### Space about Dwellings

- 4.4.2 In this respect it is noted that the indicative layout generally meets, the guidance for space about dwellings set out in the Design SPD, both between front to front and rear to rear relationships and in respect of rear garden areas.

##### Noise

- 4.4.3 As the site lies adjacent to a number of commercial and industrial uses there is the potential for noise and disturbance to arise from those uses.

- 4.4.5 Paragraph 123 of the NPPF states that planning policies and decision should aim to

"avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

mitigate and reduce to a minimum other adverse impacts on health and quality from noise from new development, including through the use of conditions;

recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and

identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason."

- 4.4.6 In order to inform the application the applicant has submitted a Noise Assessment, prepared by BWB Consulting. The report outlines that

- (a) An assessment has been undertaken based on results of a baseline noise survey undertaken in September 2017 and that the assessment is in accordance with current guidance and the requirements of the Council; and
- (b) the noise assessment concludes that mitigation measures in the form of acoustic fencing will need to be incorporated into the scheme to protect future residents of the proposed development and that appropriate glazing and ventilation units will need to be installed;

and concludes that it has been demonstrated that the site is suitable for residential development and that noise need not be a determining factor in the granting of the planning consent for the proposed scheme.

- 4.4.7 The Council's Environmental Health Officer has accepted the recommendations and conclusions of the report subject to further clarification of the specification of the mitigation measures. Officers note that this could be adequately dealt with by condition
- 4.4.8 It is also noted that disturbance to existing occupiers of neighbouring residential properties during the construction phase can be adequately controlled through a condition requiring approval of a Construction Method and Environmental Protection Scheme outlining, amongst other things the hours of construction and dust suppression
- 4.4.9 Having had regard to the above it is considered that, subject to the attached conditions a good standard of residential amenity would be maintained for both future occupiers and existing residents of the surrounding dwellings in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF.

#### 4.5 Impact on Highway Safety and Capacity

- 4.5.1 Paragraph 32 of the NPPF states that Plans and decisions should take account of whether; -

the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for transport infrastructure.

safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds, where the residual cumulative impacts of development are severe.

- 4.5.2 In order to inform the application the applicant has submitted a: -

Transport Assessment and Travel Plan, prepared by BWB Consulting

- 4.5.3 With regard to highway safety and capacity the Highway Officer has no objections to the proposal subject to conditions.
- 4.5.4 It is therefore concluded that the proposal, subject to the attached conditions and completion of the section 106 agreement for the implementation of the travel plan would be in accordance with Policy CP16 (a) and (c) of the Local Plan and paragraphs 29, 30, 32 and 36 of the NPPF.

#### 4.6 Impact on Nature Conservation Interests

- 4.6.1 Policy CP12 of the Cannock Chase Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced by, amongst other things,

the safeguarding of sites from damaging development of ecological and geological sites, priority habitats and species and areas of importance from enhancing biodiversity

support for the protection, conservation and enhancement of existing green infrastructure

4.6.2 In addition to the above paragraph 118 of the NPPF states that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying a range of principles.

4.6.3 In order to inform the application the applicant has submitted an Extended Phase 1 Habitat Survey, dated April 2017 and prepared by WYG. This concludes: -

It is considered unlikely that the development of the site would directly or indirectly impact any nature conservation sites identified within the 2km search area, although there is the possibility for the Stowe pools and Walkmill Clay Pit SSSI and Hatherton Pines Retained BAS, located 120m from the site to be indirectly impacted by dust, run-off and noise.

None of the habitats on site are considered to be priority habitats and there are no recommendations in respect to this.

Badgers: If any excavation which can be attributed to badger (30cm in size and 'D' shaped) appear to be present on the site prior to or during development activities a suitably qualified ecologist should be contacted for advice. All deep excavations should be covered over night or a ramp of rough sawn wood or earthy placed inside to allow any mammals to escape should they enter the excavation. Any stored materials (pipes) with a diameter over 30cm should be capped or checked daily prior to their commencement of works or disturbance to check for any protected species which may have sought shelter within them.

Birds: Any vegetation clearance which is to be undertaken during the breeding bird season (March to September) must be first inspected by a suitably qualified ecologist for potentially active nests prior to the commencement of clearance works.

Enhancement opportunities include wildlife friendly planting and the inclusion of bird and bat boxes incorporated into the development.

4.6.4 Officers note that the site is not covered by any formal or informal nature conservation designations and mainly comprises hardstanding and any semi-natural areas constitute low grade habitats with minimal value for nature conservation. The conclusions and recommendations of the Habitat Survey are therefore accepted. It is further noted that potential impacts on the nearby SSSIs can be readily dealt with by a Construction Method Statement and potential impacts on badgers, bats and birds (and enhancement in respect of the latter two) could be readily controlled through the imposition of conditions

4.6.5 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 would be provided through CIL.

4.6.6 Subject to the above conditions and the CIL payment the proposal, subject to the attached conditions, is considered acceptable in respect of its impact on nature conservation interests and therefore would be in compliance with Policies CP3 and CP13 of the Cannock Chase Local Plan and the NPPF.

#### 4.7 Drainage and Flood Risk

4.7.1 The site is located within Flood Zone 1 in the Environment Agency's Flood Risk maps and hence is at the lowest risk of flooding. Paragraph 103 of the NPPF states that when "determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere". To this end the applicant has submitted

Flood Risk Assessment, prepared by BWB  
Sustainable Drainage Statement prepared by BWB  
Foul Water and Utilities Assessment, prepared by BWB

4.7.2 The Flood Risk Assessment notes that the site is located within Flood Zone 1 and seeks to demonstrate that the proposed development is at an acceptable level of flood risk, subject to the recommended flood mitigation strategy and that it would not result in increased flood risk to the wider catchment.

4.7.3 The Sustainable Drainage Statement sets out the principles for drainage design for the development in the light of the above Flood Risk Assessment and having had regard to the Sustainable Urban Drainage Handbook produced by Staffordshire County Council. The sustainable drainage features that are proposed include:

- (a) silt traps;
- (b) permeable paving; and
- (c) underground cellular storage tanks.

4.7.4 The requirements for ongoing maintenance of the drainage network would form part of the Operation and Maintenance Manual for the site which will be undertaken by a management company in the event that the drainage network is not adopted by Severn Trent Water which can be controlled through condition.

4.7.5 The Foul Water and Utilities Assessment indicates that there are several sewers within the immediate area and that Severn Trent indicates that the surrounding network has sufficient capacity to accommodate the development

4.7.6 The Local Lead Flood Authority, Severn Trent and South Staffordshire Water have been consulted on the proposals. Severn Trent Water and the Local Lead Flood authority have stated that they have no objections to the proposal subject to the attached conditions requiring the submission of a detailed drainage scheme. No reply has been received from South Staffordshire.

4.7.7 It is therefore considered that, subject to the attached condition, the proposal would not be subject to unacceptable flood risk or result in a significant increase in flood risk elsewhere and therefore the proposal would be resilient to climate change in accordance with Policy CP16 (1) (g) and (2) (e) of the Local Plan and Paragraph 17(6) of the NPPF.

#### 4.8 Ground Contamination

4.8.1 The site has been previously developed being on the site of a former industrial site. Hence there is the potential for ground contamination within the site. In this respect it is noted that Paragraph 120 of the N PPF states

"To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner."

4.8.2 In order to inform the application the applicant has submitted: -

Supplementary Site Investigation, factual report by Wardell  
Armstrong;  
Targeted Site Investigation, Phase 2 Addendum; and  
Remediation Strategy, by WYG

4.8.3 The above documents outline the extent of contamination on the site and a strategy of how it should be dealt with.

4.8.4 The Environmental Health Officer has stated that site investigations have revealed that remedial requirements will be necessary for chlorinated and petroleum hydrocarbons, metals and asbestos and has raised no objections to the remediation strategy subject to conditions for the implementation of the remediation strategy, removal of significant accumulations of identifiable asbestos containing materials, air monitoring will also be undertaken in conjunction with this work, certification of imported soils and incorporation of a geotextile membrane barrier and an unforeseen contamination strategy.

4.8.5 In addition to the above the Environmental Health Officer has recommended that the proposed dwellings will require gas and organic vapour protection to all properties and that the membrane specification should also be subject to approval procedures



prior to development commencing and the installation works should be independently validated.

- 4.8.6 The comments of the Environmental Health Officer are accepted and it is considered that the recommendations could be controlled through the use of appropriately worded conditions. Therefore it is concluded that subject to the attached conditions the proposal would be satisfactory in terms of ground contamination/ ground gas and would meet the guidance within the NPPF.

#### 4.9 Air Quality

- 4.9.1 The site lies adjacent to the Longford to Churchbridge Air Quality Management Area and hence the issue of air quality is of particular significance to the application.

- 4.9.2 Policy CP16 of the Local Plan states that sustainable resource use will be promoted by, amongst other things, supporting development proposals that reduce or mitigate all forms of pollution, based upon air quality modelling where necessary and having regard to strategic local issues including air quality.

- 4.9.3 In addition to the above paragraph 124 of the NPPF states that

"planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan."

- 4.9.3 Furthermore, the Planning Practice Guidance provides detailed technical guidance in respect of the implementation of the policies within the NPPF in respect of air quality.

- 4.9.4 To this effect the applicant has submitted an air quality assessment. The report concludes that: -

monitoring data within the vicinity of the application site suggests that NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> (nitrogen dioxide and particulate matter [in microns]) concentrations are well below the AQSs (Air Quality Standards).

the proposed development is expected to have minimal impact on pollution concentrations at nearby existing receptors. Overall impact is expected to be negligible.

during construction with the adoption of appropriate mitigation measures, dust emissions should not cause any significant side effects.

- 4.9.5 The Environmental Health Officer has noted that the development consists of more than 10 residential units and traffic will feed directly into the Air Quality Management Area adding to the pollutant burden in relation to the A5 trunk road and that developer contributions should be sought towards air quality mitigation measures

for the adjacent AQMA. Officers note that mitigation measures to reduce the impact could be secured through the use of a suitably worded condition.

4.9.6 Therefore subject to the attached conditions it is considered that the proposal would be acceptable in respect to air quality and in compliance with Policy CP16 of the Local Plan and the provisions of the NPPF and the PPG.

#### 4.10 Waste and Recycling Facilities

4.10.1 Although the application is in outline form an indicative layout has been submitted. Although not for approval it does demonstrate that in principle a suitable design could come forward which could be adequately accommodated and be serviced by served adequate waste and recycling facilities.

4.10.2 As such it is considered that there is no evidence to suggest that a proposal could not come forward that could contribute to national and local waste reduction and recycling targets in accordance with the requirements of Policy CP16(1) (e) of the Local Plan.

#### 4.11 Crime and the Fear of Crime

4.11.1 Legislation, policy and guidance in respect of crime and the fear of crime is provided by Section 17 of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF and Policy CP3 of the Local Plan. In this respect the comments of Staffordshire Police area noted.

4.11.2 It is noted that the comments made by the police relate to the detail of any proposal that may come forward and do not have any particular relevance to the principal of residential development on the site.

4.11.3 Therefore, having had regard to the provisions of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF and Policy CP3 of the Local Plan it is considered that at this outline stage the proposal would be acceptable in respect to crime prevention and the fear of crime.

#### 4.12 Sustainable Resource Use

4.12.2 The requirements of Policy CP16(3)(a) in respect of the above have now been incorporated into the building regulations. As such, on balance, it is considered that the fact that the proposal would need to meet building control regulations means that the proposal would be in accordance with Policy CP16 without needing to submit a sustainability appraisal at this stage. Furthermore, issues such as sustainable transport, climate change resilience and pollution have been addressed above.

#### 4.13 Affordable Housing

4.13.1 Paragraph 50 of the NPPF states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

plan for a mix of housing based on current and future demographic trends, market trends and different groups in the community

identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and

where they have identified that affordable housing is needed set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified.

#### 4.13.2 Affordable housing is defined in the NPPF as

"Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans)".

4.13.3 The requirements of the NPPF have been incorporated into Policy CP7 of the Local Plan and additional guidance is provided by the Developer Contributions and Housing Choices Supplementary Planning Document (July 2015)

4.13.4 Under Policy CP7 of the Local Plan on sites of 15 units and above 20% is required for affordable housing of which 80% is required for social rent and 20% shared ownership. However, guidance makes it clear that this is subject to viability considerations.

4.13.5 The affordable Housing Officer has noted that the application is for 116 dwellings and that 23 (20%) units are identified for social rented housing which although not strictly in accordance with Council policy is nevertheless considered acceptable.

4.13.6 The details of the proposed provision of affordable housing is therefore considered acceptable and the type, tenure and distribution and be adequately controlled through the mechanism of a section 106 agreement and the approval of reserved matters for layout, appearance and scale

4.13.7 It is therefore recommended that, having had regard to Policy CP7, the NPPF and the representations of the Strategic Housing Officer, subject to a Section 106 agreement the proposal is, on balance, acceptable in respect to the provision of affordable housing.

#### 4.14 Education

4.14.1 Policy CP2 gives the overall arching policy in respect to developer contributions for infrastructure. This is augmented by the Developer Contributions and Housing Choices SPD which sets out the overall approach to securing contributions towards education facilities. In this respect it is noted that the development falls within the catchments of Bridgtown Primary School and Cannock Chase High School and that the development is scheduled to provide 116 dwellings which could add 24 Primary school, 14 Secondary School and 3 6<sup>th</sup> Form aged pupils.

4.14.2 Notwithstanding the above the Education Authority has stated Bridgtown Primary School and Cannock Chase High School are projected to have sufficient space to accommodate the likely demand from pupils generated by the development and therefore no request has been made towards Primary and High School Provision.

4.14.3 As such it is considered that there is no basis for requiring the developer to pay a contribution towards education and the proposal is acceptable in this respect.

#### 4.15 Play Space and Recreation

4.15.1 Policy CP5 of the Local Plan states "subject to viability, development proposals will be required to have regard to the wider determinants of health and make a positive contribution to provision of infrastructure, design and layout which supports social inclusion and healthy living for sustainable communities". Examples of such facilities highlighted within the policy include "parks, open spaces and woodland, open spaces and allotments facilities. However, policy CP5 goes on to make it clear that the above will be delivered through a combination of Community Infrastructure Levy as well as on and off site facilities.

4.15.2 The Developer Contributions and Housing Choices Supplementary Planning Document (DHCSPD) (July 2015) states: -

"Larger scale development schemes may give rise to the need for further on-site facilities in order to meet the needs generated by that development (in line with the Council's open space standards. The Council will generally expect proposals of 100 dwellings or more to provide for on-site formal play provision for young people (play areas and complementary amenity space) in order to meet the needs generated by that development."

4.15.3 However the DCHSPD goes on to make it clear that "the exact nature of the on-site provision required will take into account the nature of the development (including site constraints), the proximity and quality of existing play provision". Furthermore, where off-site contributions may be required then equivalent financial contributions may be sought for the Council to provide this infrastructure where this is consistent with CIL.

4.15.2 Paragraph 3.3 of the Developers Contributions SPD states

The Council will generally expect proposals of 100 dwellings or more to provide for on-site formal play provision for young people (play areas and complementary amenity space) in order to meet the needs generated by that development. The exact nature of the on-site provision required will take into account the nature of the development (including site constraints), the proximity and quality of existing play provision. If the development lies within the catchment of existing play space which can be enhanced to meet the development needs, then an equivalent financial contribution via a Planning Obligation may be sought for the Council to provide this infrastructure.

4.15.4 In respect it is noted that the proposal offers two areas of open space, including a Local Area of Play (LAP) of 560sqm in the centre of the site and an area of Public Open Space of 948sqm in the south east corner of the site (which would serve to protect the course of an arm of a former canal). As such the applicant has offered to provide a total of 1,508m (=0.1508ha) of public open space on site. This represents a shortfall of 0.05104ha based on a projected figure of 0.20184 ha. Therefore the applicant has also offered a financial contribution towards the provision of off-site facilities

4.15.5 In respect to the provision of off-site public open space it is noted that there are facilities, including a MUGA at the nearby Lakeside Boulevard site (90m from the edge of the application site), and informal open space at the nearby nature reserve to the south. A little further afield (0.7km) is a large area of public open space off Laburnum Avenue/ Longford Road, which contains a MUGA, formal pitches and semi-natural areas. Therefore there are sites within the area that could benefit from improvement to accommodate the needs arising from the development, particularly in respect of the needs of older children.

4.15.6 As such, subject to the attached conditions and the provisions of a Section 106 agreement the proposal is considered acceptable in respect of the provision of public open space.

#### 4.16 Minerals Conservation

4.16.1 The application site is located within a minerals conservation area. However the comments made by the County Council are accepted and it is considered that the proposal would not sterilise any mineral and in this respect the proposal is acceptable in respect of the Minerals Local Plan and the requirements of the NPPF.

#### 4.17 Loss of Employment Land

4.17.1 Local Plan (Part 1) Policy CP8 identifies a number of criteria for determining the loss of employment land to residential development which should be considered. In addition it is noted that there is currently a shortfall of employment land (circa 3ha) for meeting the District's requirements set out in Policy CP8 (88ha up to 2028).

4.17.2 Policy CP8 states that

"Proposal which involve the redevelopment or conversion of employment uses to alternative uses will be considered on their merits, based upon other Core Strategy policies and having primary regard to following key criteria:

On going availability of land supply at other locations and ability of existing businesses on site to relocate to suitable alternative sites within the District;

Benefits arising from the proposal including improvements to local residential and environmental amenity, supporting existing businesses on site, or enabling funding for the relocation of an existing business within the district;

The quality of the site/ unit and the extent to which the site/ unit is no longer viable for employment use taking into account any information on vacancy rates and the potential for modernisation. This will be based upon sites/ units market attractiveness (taking into account its portfolio offer to locally based investors) and the viability of any potential employment redevelopment scheme.

The Council will seek to retain employment generating uses on site where evidence demonstrates that the site is still viable for employment use and that redevelopment will not provide any benefits as defined above. In the case of residential proposal, regard will also be paid to the findings of the Strategic Housing Land Availability Assessment."

4.17.3 In respect to the above it is noted that the site was formerly occupied by Parker Hannifin, who relocated to Lichfield approximately 10 years ago. Since then, apart from some use in connection to the development of the M6 Toll the site has remained vacant, despite applications for B1, B2 and B8 uses being approved. The reluctance of potential purchasers of B uses to develop the site is perhaps largely due to the close proximity of new residential uses in the area, such as Vine House and Lakeside Boulevard and the consequent potential for restrictions on operations.

4.17.4 As such the issue with the site in respect to its continued use is not such an issue with viability rather than one of attractiveness to the market *viz a viz* other available sites. This has led the Council including the site within its Strategic Housing Land Availability Assessment and the efforts of Homes England (formerly Homes and Communities Agency) to acquire the site for housing.

4.17.5 In addition to the above it is noted that the Economic Development Officer has no objections to the proposal.

4.17.6 Therefore having had regard to the above it is considered, on balance, that the loss of this employment site is acceptable in respect to Policy CP8 of the Local Plan.

#### 4.18 Impact on the Hatherton Branch Canal

4.18.1 The site lies within proximity (circa 500metres) of the proposed line for the Hatherton Branch Canal restoration.

4.18.2 The proposal therefore is subject to the provisions of Policy CP15 Historic environment and Section 12 of the NPPF. Policy CP15 states that District's Historic Environment will be protected and enhanced via safeguarding of all historic sites, buildings, areas, archaeological remains, their settings and their historic landscape and townscape context.

4.18.3 The canal could be considered to constitute an undesignated heritage asset. Paragraph 135 of the NPPF states "the effect of an application on the significance of a non designated heritage asset should be taken into account in determining the application<sup>2</sup> adding in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgment will be required having regard to the scale of harm or loss and the significance of the heritage asset.

4.18.4 The course of the former canal ran along what is now Vine Lane but had an arm that extended into the south east corner of the site. The course of the line of the main canal would fall outside of the application site and hence would not be directly affected by the proposal. In respect to the arm extending into the site this area is shown on the indicative layout to be public open space and as such would not significantly prejudice the course of the arm. As such it is considered that there would not be any significant harm to the undesignated heritage asset.

#### 4.19 Health and Safety and Proximity to the Augen Waste Transfer site

4.19.1 It is noted that the application site is in proximity to the Augen Integrated Services site which temporarily stores a range of chemicals, including flammable substances, for testing prior to being sent elsewhere for disposal. Hence the presence of the Augen site poses a potential risk to health of the occupiers of any future residential premises on the application site.

4.19.2 Although the Augean site is used to store an amount of chemicals it is not considered to constitute a "Major Hazard" as defined in Glossary of the NPPF, which defines such sites as "major hazard installations and pipelines, licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents apply). As such the Augen site is not subject to the control of the under Control of Major Accident Hazards (COMAH) Regulations.

4.19.2 In this respect it is noted that Paragraph 120 of the NPPF states: -

"To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the

natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account."

4.19.3 Paragraph 122 of the NPPF goes on to state: -

"In doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities."

4.19.4 Although the Planning practice Guidance has a section on Hazardous Substances this concentrates on Hazardous Substance Consents and the "handling of development proposals around hazardous installations" which is not applicable to the situation within the current application.

4.19.5 The most recent advice in respect of the "responsibility for fire safety during the development application process in England" has been provided by the Royal Town Planning Institute which has been produced in the aftermath of the Grenfell fire and which summarises the roles of the different players (planning, building control and the fire service) in the wider development control process. In respect to planning the advice note states: -

"The planning system is tasked with promoting sustainable development. This is development that delivers social, economic and environmental value. In practice this means considering things like jobs, environmental impacts, community needs and heritage. Planning takes a 'spatial' view deciding what should go where, an aesthetic view regarding how things should look, and a community view concerning the relevant planning needs and desires of the local community and stakeholders.

Planning does not have powers to assess the fire safety of building materials nor most elements of building design. Fire precautions covered by building regulations are not part of material planning considerations on which planning decisions must be based. For the Grenfell Tower refurbishment, the LPA gave permission for the cladding, but this decision was correctly made only on information about the aesthetics.

Moreover building control professionals have expertise and information that makes them better placed to assess fire safety than planners. At planning permission stage there would rarely be enough information in the application and submitted plans to make informed decisions on planning conditions regarding fire safety. Over many years, Government has repeatedly emphasised that consenting regimes (such as planning and building control), should avoid overlap wherever possible:



- English planning policy is collected in the National Planning Policy Framework (NPPF), which states LPAs should assume other regimes will operate effectively.
- Paragraph 206 of NPPF says: “Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects”.
- National Planning Practice Guidance says: "conditions requiring compliance with other regulatory requirements will not meet the test of necessity and may not be relevant to planning".
- The Pretty Review recommended that “there needs to be a clearer recognition of the limits of the planning system” and that government should “remove duplication with other regulatory regimes”.

However, there is some overlap between planning’s spatial and consultative approach and fire safety. This means planning has a limited set of responsibilities around fire safety, and a larger set of considerations that might be considered best practice:

- LPAs must assess provisions for emergency fire service access, and water supply. These are material planning considerations. This assessment may require or benefit from consultation with the fire service.
- It is good practice for planning to work with building control, for example where decisions made regarding the fire safety of certain materials will have planning implications, such as changing the look of the development. This might involve early or even pre-application consultation where useful, and where the information is available. This may be less practical where compliance with Building Regulations is to be provided by an approved inspector (more below).
- Due to the public consultation built into planning it is often perceived as the public face of the whole process of development management. Thus, although it has no legal powers around fire safety, some LPAs and especially councillors might still feel the need to address local concerns. One example would be encouraging developers to set out their plans for fire safety from an early stage or putting a note on the application reiterating the need for full plans building control approval. Planners ideally need to be able to access expertise from other stakeholders and help coordinate responses to concerns raised by the public. However this will not extend to basing permissions or refusals on fire safety."

4.19.6 Having had regard to this it is noted that the Health and safety Executive and Environment Agency have made no objection to the proposal.

4.19.7 The comments and concerns of Staffordshire Fire and Rescue Service are noted, in particular that "any development in such close proximity to the Augean site will result in the Fire and Rescue Service having to employ offensive tactics in order to deal with

an incident and to maximise the safety of the residents " and that the "requirement to employ offensive tactics will lead to an increased risk to Fire and Rescue Service personnel".

- 4.19.8 It is also noted that the consultation in respect of the housing development would only include the provision of access for fire appliances as required by B5 of The Building Regulations 2000, Approved Document B and that appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 1 requirement B5, section 11.
- 4.19.9 However, it is noted that although there would be increased risk, Staffordshire Fire and Rescue have not objected to the proposal on any grounds and in particular in respect of the capability of fire appliances to reach any part of the development or on the availability of water supplies.
- 4.19.10 The comments in respect of the desirability of sprinkler systems are noted but it is also noted that such matters fall outside of the scope of planning controls and cannot be controlled through the placing of conditions on the grant of a planning consent. However, an appropriate means of dealing with this issue would be to place an informative on any permission granted bringing to the attention of the developer the comments made by the Fire Service.
- 4.19.11 Given the above it is considered that there are no material considerations that would justify a refusal of consent on the basis of health and safety concerns. However, it is recommended that the above informatives are attached to any permission granted.
- 4.20 Whether any Adverse Impact of Granting Planning Permission would be Significantly and Demonstrably Outweighed by the Benefits, when Assessed Against the Policies in the Framework, Taken as Whole.
- 4.20.1 Although the Council has a five year supply of housing land it is noted that such a supply is not a ceiling and it is the Government's firm intention to significantly boost the supply of housing. With this in mind it is noted that the application site, being identified as available and deliverable in the Council's SHLAA forms a significant part of the Council's five year land supply. The granting of permission would therefore make a significant contribution towards meeting the objectively assessed housing needs and particular affordable housing needs, of the District.
- 4.20.2 In addition the proposal would have economic benefits in respect to the construction of the property and the occupiers who would make a significant contribution into the local economy, especially to the local centre at Bridgtown.
- 4.20.3 Finally, the proposal would have an environmental benefit of making efficient use of previously developed land within a sustainable location, the creation of 116 thermally efficient new dwellings which would be required to meet modern building control standards.
- 4.20.4 Conversely when looking at potential harm it is considered that, subject to the attached conditions and the completion of a section 106 agreement, there would be no

significant and demonstrable harm to highway safety, residential amenity, wider nature conservation interests and flood risk.

- 4.20.5 As such it is considered that any adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as whole. As such the proposal benefits from the presumption favour of sustainable development and should, subject to the attached conditions, be approved.

## 5.0 HUMAN RIGHTS ACT

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

## 6.0 CONCLUSION

- 6.1 The application site is identified as available and deliverable within the Council's Strategic Housing Land Availability Assessment for residential development. Furthermore, the site is located in a sustainable location with good access to goods, services and areas of employment by modes of transport other than the private car. As such it is considered that the proposal is acceptable in principle.
- 6.2 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions, is considered to be acceptable.
- 6.3 The proposal would deliver 20% affordable housing which is considered acceptable.
- 6.4 Impacts on the Cannock Chase SAC would be mitigated through CIL.
- 6.5 As such it is concluded that the adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as whole.
- 6.6 It is therefore recommended that the application be approved subject to the attached conditions and the completion of a section 106 agreement.