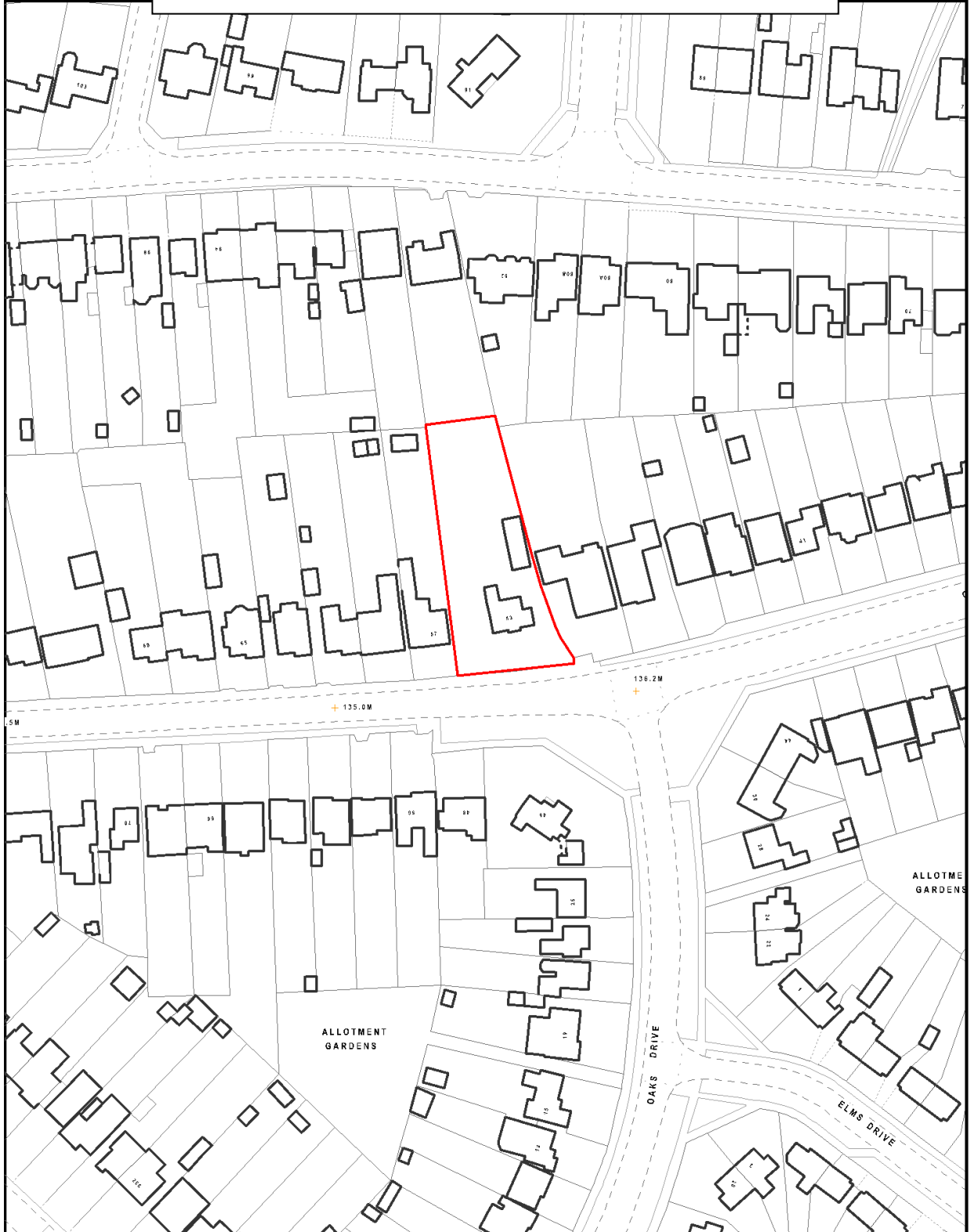




CH/17/251
53, Gorsey Lane, Cannock, WS111EY
Garage conversion into one bed annex

ITEM NO. 6.1



Location Plan and Block Plan

Existing Garage Floor Plan



Reference: Survey 03 Crown Copyright 2017. All rights reserved. Licence number: 100029132

Block Plan 1:500



Reference: Survey 03 Crown Copyright 2017. All rights reserved. Licence number: 100029132

Site Plan 1:1250

CANNOCK CHASE COUNCIL
PLANNING SERVICES

19 JUN 2017

APP NO
CH/17/251

CANNOCK CHASE COUNCIL
PLANNING SERVICES

8 JUN 2017

Allotment

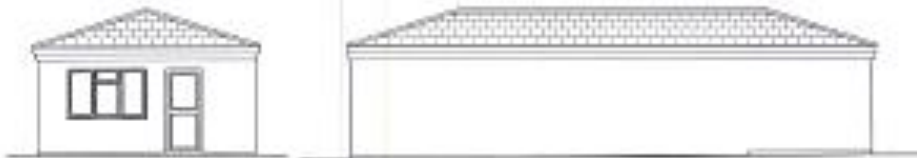
<p>SEARCHED</p> <p>INDEXED</p> <p>FILED</p>		
<p>19 JUN 2017</p>		
<p>JMASON ASSOCIATES</p> <p>53 GORSLEY LANE CANNOCK STAFFORDSHIRE WS11 1EY</p> <p>T: 01845 827188 F: 01845 827190 E: jason@jmasonassociates.co.uk W: www.jmasonassociates.co.uk</p>		
<p>APPLICANT</p> <p>Mr J. Wood</p>	<p>ADDRESS</p> <p>53, Gorsley Lane, Cannock, Staffordshire, WS11 1EY</p>	
<p>PROPOSAL</p> <p>Conversion of Garage into 1 no bed Annex</p>		
<p>SCALE</p> <p>1:50/100</p> <p>DATE</p> <p>12.05.17</p>	<p>MAP REF</p> <p>2106.02A</p>	<p>PLANNING NO</p> <p>CH/17/251</p>

Existing Plans and Elevations



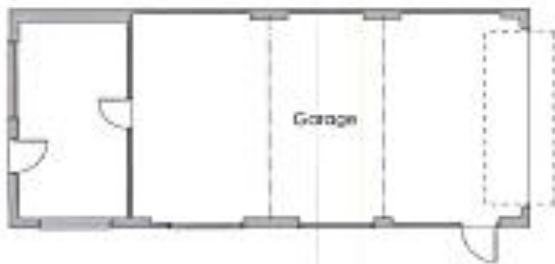
Existing Front Elevation

Existing Side Elevation



Existing Rear Elevation

Existing Side Elevation



Existing Garage Floor Plan

Proposed Plans and Elevations



Proposed Annex Floor Plan

Application No: CH/17/251

Received: 19/06/2017, further info latest 27/11/17

Location: 53 Gorsey Lane, Cannock WS11 1EY

Parish: Non Parish Area

Ward: Cannock West Ward

Description: Residential development: Conversion of the existing detached single garage to form a one bedroom Annex property only

Application Type: Full

Recommendation: Approved subject to 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.

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. Prior to the commencement of the development the vehicle access crossing to number 53 Gorsey Lane shall be extended and realigned to suit the proposed changes to that drive.

Reason

In order to comply with Para.32 of the NPPF and in the interest of Highway Safety

3. The development hereby permitted shall not be brought into use until the parking areas for both number 53 Gorsey Lane and the proposed development have been provided in accordance with drawing number 2106.10A and shall be surfaced in a porous bound material and thereafter retained for the lifetime of the development.

Reason

In order to comply with Para.32 of the NPPF and in the interest of Highway Safety

4. The development hereby permitted shall not be brought into use until the integral garage from the previously approved planning permission CH/17/206 has been completed and off street parking have been provided and surfaced in accordance with the submitted plans. The garage and parking shall thereafter be retained for the lifetime of the development.

Reason

To comply with paragraph 32 of the National Planning Policy Framework

5. The integral garage for 53 Gorsey Lane as previously approved under planning permission CH/17/206 and as indicated on the proposed layout plan number 2106.10A shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Reason

In order to comply with Para.32 of the NPPF and in the interest of Highway Safety

- 6- The proposed detached annex in the rear garden as detailed on drawing no 2106.02A shall only be used by the occupants of 53 Gorsey Lane, or their successors in title, and members of their immediate family, therefore restricting the occupancy of the annexe to ancillary accommodation to the main house and not for commercial or residential lettings.

Reason for recommendations

In order to comply with Para.32 of the NPPF and in the interest of Highway Safety

7. The external materials to be used in the construction hereby approved shall be :-
- (a) Windows – UPVC
 - (b) Doors – UPVC
 - (c) Walls – as existing - Rendered
 - (d) Roof – as existing – Plain Clay Roof Tiles

unless otherwise approved in writing by the Local Planning Authority

Reason

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

8. Notwithstanding the details shown on the approved plan the height of the fence along the boundary shared with No 51 Gorsey Lane shall be 2m unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of protecting the amenity of the occupiers of the neighbouring properties in accordance with Policy CP3 and the NPPF.

9. No windows shall be allowed in the east side elevation wall of the development that faces the neighbouring property of No 51 Gorsey Lane with the exception of the two small roof lights unless approved by the Local Planning Authority.

Reason

To maintain the amenity of no 51 Gorsey Lane and other neighbouring properties.

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

Drawing No 2016.02A – rec'd on 08/06/17 – location plan, block plan, existing elevations, proposed elevations and proposed floor plan.

Drawing No 2106.10A – Additional Drawing – Feasibility Layout showing applications CH/17/215 and CH/17/252 rec'd on 27/11/17 (to show the car parking layout only – this does not include the provision of the detached house in the rear garden)

Reason

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

Informatives

1. Please note that prior to the access being extended/ reconstructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to "vehicle dropped crossings" which includes a "vehicle dropped crossings information pack" and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford. ST16 2DH or email (nmu@staffordshire.gov.uk)
www.staffordshire.gov.uk/transport/staffshighways/licences

EXTERNAL CONSULTATIONS

Staffordshire County Council Highways

No objections subject to the provision of 4 planning conditions and 1 informative.

INTERNAL CONSULTATION COMMENTS

Environmental Protection

No objections.

RESPONSE TO PUBLICITY

The application was advertised by way of neighbour letters to the adjacent and nearby residents and a site notice was placed adjacent to the site. 1 objection was received from neighbouring property of No 51 Gorsey Lane. This objection letter is summarised below:

- Converting an outbuilding midway in the garden and along the boundary of No 51 Gorsey Lane, would in my opinion be overdevelopment of backlands and could easily set a precedent for using gardens in a mature and special leafy suburb of Cannock.
- Would be a detriment to the design and character of this beautiful area on the borders of Cannock Chase.
- Mr Wood changed his existing garage roof in 2015 from a flat roof to a pitched roof without any planning consideration, despite lying on the boundary. The roof structure that went up was massive; blocking out sunlight and daylight on our terrace. There was no consultation before these works took effect and some of it even required access from our garden due to its close proximity to our fence.

- The planning application does not take in to account the impact on wildlife, such as bats and birds which nest in trees along the boundary.
- Extremely concerned about the highways impact of further development, which would mean more cars in the immediate vicinity. The location on Gorsey Lane, on a bend and near a busy junction with Oaks Drive, is already overcrowded with cars parked kerbside. Normally two of the vehicles parked along the road are already from the existing property at 53. I would question where occupants of the 1 bedroom bungalow would park, as under application CH/17/206, the proposed extension would block the existing driveway, giving no vehicular access to this point.
- Also raise concern with regard to an aged Oak tree along our boundary with 53 Gorsey Lane which is alongside the rear of their existing garage. Our tree has obtained significant past damage to it as result of incorrect cutting many years ago, most likely when the garage was erected next door, and certainly precedes our ownership of the site. Cutting off a main branch in the wrong direction has (according to advice of several experts) allowed water to get into the main body of the tree. If any structural work was required to the garage walls that would affect the roots of this tree, we would probably lose this 150 year old plus monument.
- There will be a loss of daylight and sunlight because of such development to our property at 51 Gorsey Lane.
- Consideration of CH/17/206 – previously approved planning application that is for a proposed two storey extension that would need to remove trees
- Consider the 3 development proposals will overshadow our home and garden, to the point where 50% of the property boundary is impacted.
- The street scene of this side of Gorsey Lane would be adversely changed if the properties were developed in the ways proposed, as all properties along the lane have long gardens, offering privacy, reduced levels of noise and pollutants and safe environment for local wildlife and young children. They are also all built in keeping with the style of this old lane and those adjacent on Hatherton Road, and New and Old Penkridge Road above. It is important to retain these leafy suburbs for future generations of Cannock residents.

RELEVANT PLANNING HISTORY

CH/17/252	Current planning application - Residential Development – Outline - Erection of 1 No. three bedroom dormer bungalow – not yet determined and been called in.
CH/17/206	Two storey side extension including single integral garage-granted 13/09/17
CH/10/0227	Two storey side extensions, demolition of existing conservatory and Replacement with a single storey rear extension, and alterations to roof granted on 13/08/10.
CH/08/0228	First floor extension to side and conservatory to rear granted on 30/05/08
CH/07/0573	Residential Development (Outline including layout and access) granted on 28/11/17.
CH/02/0645	Renewal of Planning Permission CH/99/0614 – Land between 53-57 Gorsey Lane – granted on 18/12/02

CH/99/0614 Residential Development – Outline – granted 26/01/00

1. SITE AND SURROUNDINGS

- 1.1. The application site comprises of an existing single storey detached garage with a pitched roof which is located in the rear garden of the No 53 Gorsey Lane. The detached garage is located directly adjacent to the common side boundary to the neighbouring property of No 51 and is therefore directly adjacent to their rear garden. The rear garden in which the detached single garage is located is 41 metres long.
- 1.2. The main property of No 53 Gorsey Lane is a detached 3 bedroom house with a render finish and it has a tiled pitched roof with a gable roof to the rear outrigger. The house has an existing rear conservatory to the western side of the rear elevation.
- 1.3. On the 13th September 2017 the applicant recently secured planning permission (reference CH/17/206) for a two storey side extension including single integral single garage to the right hand side of the property facing the neighbouring property of No 151 Gorsey Lane which will result in the property becoming a 4 bedroomed house.
- 1.4. No 53 Gorsey Lane is one of a series of detached and semi-detached houses fronting onto Gorsey Lane, Cannock. Gorsey Lane is a leafy residential street which consists a variety of sizes, ages and styles of houses. The property is fronted by a range of established trees along the front of the street scene.
- 1.5. No 53 Gorsey Lane currently has 4 off street car parking spaces located at the left hand side of the property leading to the single detached garage located in the rear garden.
- 1.6. The site is not allocated within the Cannock Chase Local Plan (Part 1) but it lies within the existing settlement boundary of Cannock. The site has established public transport links including bus links to Cannock.

2. PROPOSAL

- 2.1. The applicant is seeking full planning permission for the conversion of the existing single detached garage located within the rear garden to be converted into a 1 bedroom annex property.
- 2.2. The proposed double bedroom is proposed to measure 2.5 m x 4.6 m. It is noted that the proposed floor plans also show a proposed study which measures approximately 3.3 m x 2.1 m which has the potential to be a second bedroom.
- 2.3. This proposal would include the following:
 - a) Introduction of two small roof lights within the pitch roof

- b) Maintain the existing 3 x side elevation windows and 1 x entrance door
- c) Removal of the current garage door and replaced with a set of double glass entrance doors and 2 windows
- d) The rear elevation would maintain the existing 3 pane rear window and would remove the existing rear elevation entrance door.

- 2.4. The conversion therefore would be located in part of the rear garden of No 53 Gorsey Lane and the annex would have joint use of the rear garden of No 53 Gorsey Lane.
- 2.5. There is no new access proposed and the property would use the existing access from No 53 Gorsey Lane.
- 2.6. The proposal would form part of the existing residential accommodation to the main property of No 53 Gorsey Lane. As a result of the recently approved planning application CH/17/206 No 53 Gorsey Lane together with the annex would have a provision of 4 off street car parking spaces at the front right hand side of the property and there would also be the provision of a single integral garage which is approved under planning permission CH/17/206.
- 2.7. The existing border fencing between the application site of No 53 Gorsey Lane and neighbouring property of No 51 Gorsey Lane would be maintained.

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 of the adopted Cannock Chase Local Plan - Part 1 (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 – Adopted (2014)

- 3.4. The relevant policies within the Cannock Chase Local Plan are as follows

- Policy CP1 – Strategy
- Policy CP2 – Developer Contributions for Infrastructure
- Policy CP3 – Chase Shaping – Design
- Policy CP6 – Housing Land
- Policy 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 The relevant sections of the NPPF in relation to this planning application are as follows

Paragraph 17	Core Principles
Paragraph 56	Requiring Good Design
Section 9	Protecting Green Belt
Section 11	Conserving and enhancing the natural environment

3.9 Other Relevant Documents

- a) The Cannock Chase District Council's Supplementary Planning Document on Design - April 2016.
- b) Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport Supplementary Planning Document (2005).

4.0 DETERMINING ISSUES

4.1 The determining issues for the application area:-

- (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
- (v) Waste and recycling

4.2 Principle of the Development

- 4.2.1 The proposal is for an annex to provide ancillary accommodation to the host property. It therefore does not constitute a new dwelling or indeed a new planning unit in its own right. Its use would therefore be restricted to provide accommodation to the extended family and friends of the occupiers of the host property and it is implicit that they would share facilities, for example the garden and waste facilities.
- 4.2.3 The site is located in an established residential urban area within Cannock and therefore the proposed use would be compatible to established surrounding uses.
- 4.2.4 Both the NPPF and the Cannock Chase Local Plan Policy CP1 advocate a presumption in favour of sustainable development unless the material considerations

indicate otherwise. Further to this, the Local Plan Policy CP6 seeks to support the creation of new homes within the existing urban area. The site is within the main built up area of Cannock which has good access to a range of transport modes to and from the town centre. As such the proposals are considered to be acceptable in principle.

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

4.3.1 Local Plan Policy CP3 seeks new development to be well related within the development and to the existing buildings and their surroundings in terms of their layout, density, access, scale, appearance, landscaping and materials. The NPPF also attached great importance to the design of sustainable development.

4.3.2 The existing properties that front Gorsey Lane consist of two storey detached dwellings with spacious frontages with ample off street car parking and they have long rear gardens. The proposal is the conversion of a single storey detached garage to form a one bedroom annex in the rear garden is considered to be inkeeping with the existing dwelling as there are only minor changes proposed to the actual exterior of the garage in the form of the addition of 3 windows and a door on the east elevation, the addition of one window on the rear elevation and the replacement of the garage door with windows and a double door on the front elevation. There are also two proposed roof lights in the roof slope east elevation. There are no windows proposed in the east elevation side wall.

4.3.3 The proposed single storey dwelling will hardly be visible from Gorsey Lane due to its existing height and the fact that No 53 Gorsey Lane will be having a two storey side extension to the right hand side which will reduce the view of the annex from the street scene of Gorsey Lane.

4.3.4 There are some mature trees on the eastern boundary of the site. These comprise a mix of conifers and shrubs, with limited significant amenity value, of varying ages and some partially dying. The permission CH/13/0116 relating to the adjacent development at 51 Gorsey Lane contained an agreement whereby a letter between No51 and no.53, dated 26th June 2013, was provided stating that if the tree is damaged during construction or fails within two years of completion of the development then a replacement will be planted. The neighbour now raises concerns about the construction methods and their impact on the tree. However, this proposal would not involve any significant construction work, including the digging of foundations, and as such would not impact on tree roots over and above the current situation.

4.3.5 As the proposal is a conversion of the existing detached garage which already has a pitched roof it is considered that the design changes to the garage to form an annex are minimal and it is considered that the design changes will be in-keeping with the existing adjacent property of No 53 Gorsey Lane and the wider properties along Gorsey Lane. Therefore it is considered that the proposed annex would be of a good quality of design and would be sympathetic to the surrounding properties in terms of scale and mass. As a result it is considered that the proposals would comply with the NPPF, Policy CP3 of the Cannock Chase Local Plan (Part 1) and the Council's Design SPD.

4.4 Impact on Residential Amenity

- 4.4.1 Policy CP3 of the Cannock Chase Local Plan and the Council's Design SPD seeks to avoid any adverse impact of the loss of amenity to any adjacent neighbouring properties.
- 4.4.2 The common side border between the application site of No 53 Gorsey Lane and No 51 Gorsey Lane is a 1.8 m fence. The existing detached garage that is proposed to be converted into a 1 bedroom annex is located in the rear garden directly adjacent to the common border to the rear garden of the neighbouring property of No 51 Gorsey Lane. The existing detached garage with a pitched roof is located 1.5 metres away from the nearest side elevation of the neighbouring property of No 51 Gorsey Lane and is less than 1 metre away from the common boundary wall to the rear garden of the neighbouring property.
- 4.4.3 The proposed conversion of the existing detached garage to a 1 bedroom annex seeks to mainly retain the existing structure with alterations to the associated windows and doors with the exception of the addition of two small roof lights and the removal of a garage door which is proposed to be replaced with a set of double doors and two associated windows. To the east side of the development that faces the neighbouring property there will only be the provision of 2 small roof lights. It is recommended that a condition be added to the permission to ensure that no further windows are able to be added to the eastern side elevation wall to protect the amenity of the neighbouring property.
- 4.4.4 The proposed annex would be approximately 16 metres from the common boundary to the neighbouring property of No 57 Gorsey Lane and 19 metres from the nearest side elevation of the neighbouring property of No 57 Gorsey Lane.
- 4.4.5 The proposed annex would have a shared rear garden with the existing main residential property on site of No 53 Gorsey Lane. The remaining proposed rear garden that would be shared by the proposed annex and the existing property of No 53 Gorsey Lane would be a total of 264sqm as a minimum should the other current planning application of CH/17/252 secure planning permission. Should CH/17/252 not secure planning permission then the rear garden would exceed 264 sqm. Therefore either way the proposal would have more than sufficient amenity space and would meet the requirements of the Council's Design SPD requirement for amenity space.
- 4.4.6 Due to the fact the proposal is for the conversion of an existing building which would have minimal external changes and due to the existing property boundary treatments and due to the existing separation distances it is considered that the proposed annex would not result in an adverse impact on the adjacent occupiers in terms of loss of daylight / outlook or overlooking and overbearing impact.
- 4.4.7 The adjacent neighbours were consulted on the above application and the neighbouring property of No 51 Gorsey Lane has objected based on a variety of reasons. It is considered that the building is existing garage with an existing pitched roof and only minimal changes are proposed which include the provision of 2 small roof lights within the pitch roof which faces towards their property. Therefore, it is considered that the proposed conversion would not have a significant impact on the

neighbouring amenity and therefore the proposals accord with Policy CP3 of the Cannock Chase Local Plan and the Council's Design SPD.

4.5 Impact on Highway Safety and Capacity

- 4.5.1 The proposed 1 bedroom annex would initially use the existing access off Gorsey Lane and would use the existing off street car parking provision initially as located at the front of the existing 4 bedroom property of No 53 Gorsey Lane which would include the provision of single integral garage as part of the two storey extension which was approved in September 2016.
- 4.5.2 It is noted that there is also another current planning application CH/17/252 that proposes the provision of a 3 bedroom bungalow at the far rear of the existing garden should this additional development proposal for a 3 bedroom bungalow be granted then there would be still sufficient car parking provision of 4 off street car parking spaces for the existing Gorsey Lane property together with the 1 bedroom annex together with the provision of the single integral garage as already approved in planning decision CH/17/206 which forms the ground floor part of the approved two storey extension.
- 4.5.3 The Staffordshire County Highways Department have been consulted on the proposed development and they have also included consideration of the existing recent permission of CH/17/206 and the other current application CH/17/252. The County Council Highways have concluded that the provision of 4 off street parking spaces together with the provision of an integral garage as approved under CH/17/206 and as illustrated on the submitted drawing 2106.10A is considered to meet the requirements of the NPPF, the Cannock Chase Local Plan Policy CP3 and the Council's Supplementary Planning Document entitled 'Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport in relation to the main 4 bedroom house together with the proposed 1 bedroom annex. Therefore the Highways Department have no objections subject to the provision of 4 planning conditions and 1 informative.
- 4.5.4 As such the proposal is considered acceptable in respect to parking provision, access and highway safety and is therefore in accordance with Policy CP16 (a) and (c) of the Local Plan and paragraphs 29, 30, 32 and 36 of the NPPF.

4.6 Waste and Recycling Facilities

- 4.6.1 The 1 bedroom annex as it would be ancillary to the existing property of No 53 Gorsey Lane would share the existing waste and recycling facilities. As such the proposal would contribute to national and local waste reduction and recycling targets in accordance with the requirements of Policy CP16(1) (e) of the Local Plan.

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 the conversion of an existing detached single garage to form a one bedroom annex which would be ancillary to the existing main residential property of No 53 Gorsey Lane. The proposal 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.
- 6.2 It is considered that the proposals meet the requirements of the NPPF, the Cannock Chase Local Plan – Part 1 and the Council’s Design SPD and the Council’s Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport Parking SPD.
- 6.3 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions is considered to be acceptable.
- 6.4 Since this proposal would utilise existing floor space and would not create additional dwelling in its own right it would not be liable for CIL or SAC contributions.
- 6.5 It is therefore recommended that the application be approved subject to the attached conditions.

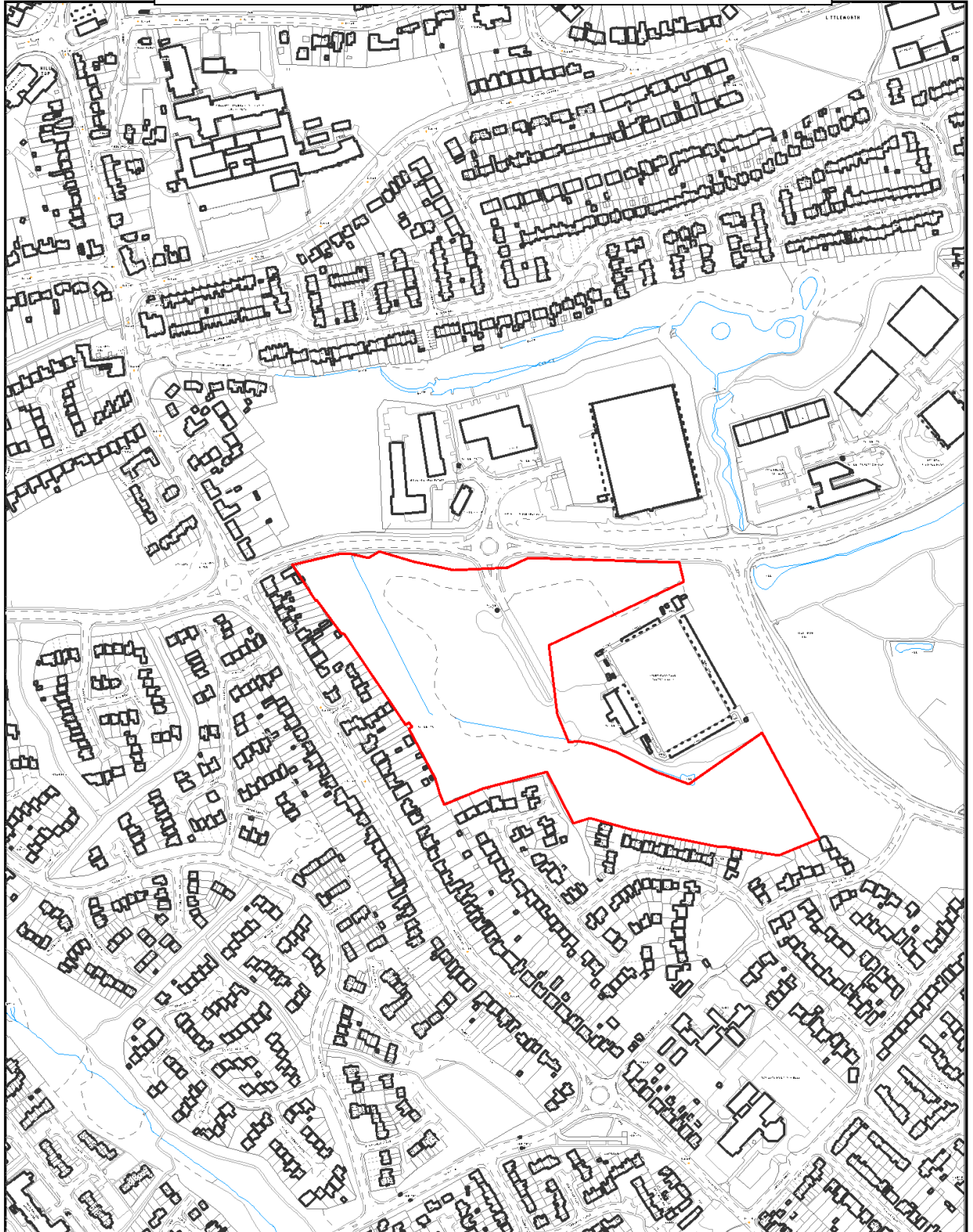


CH/17/236

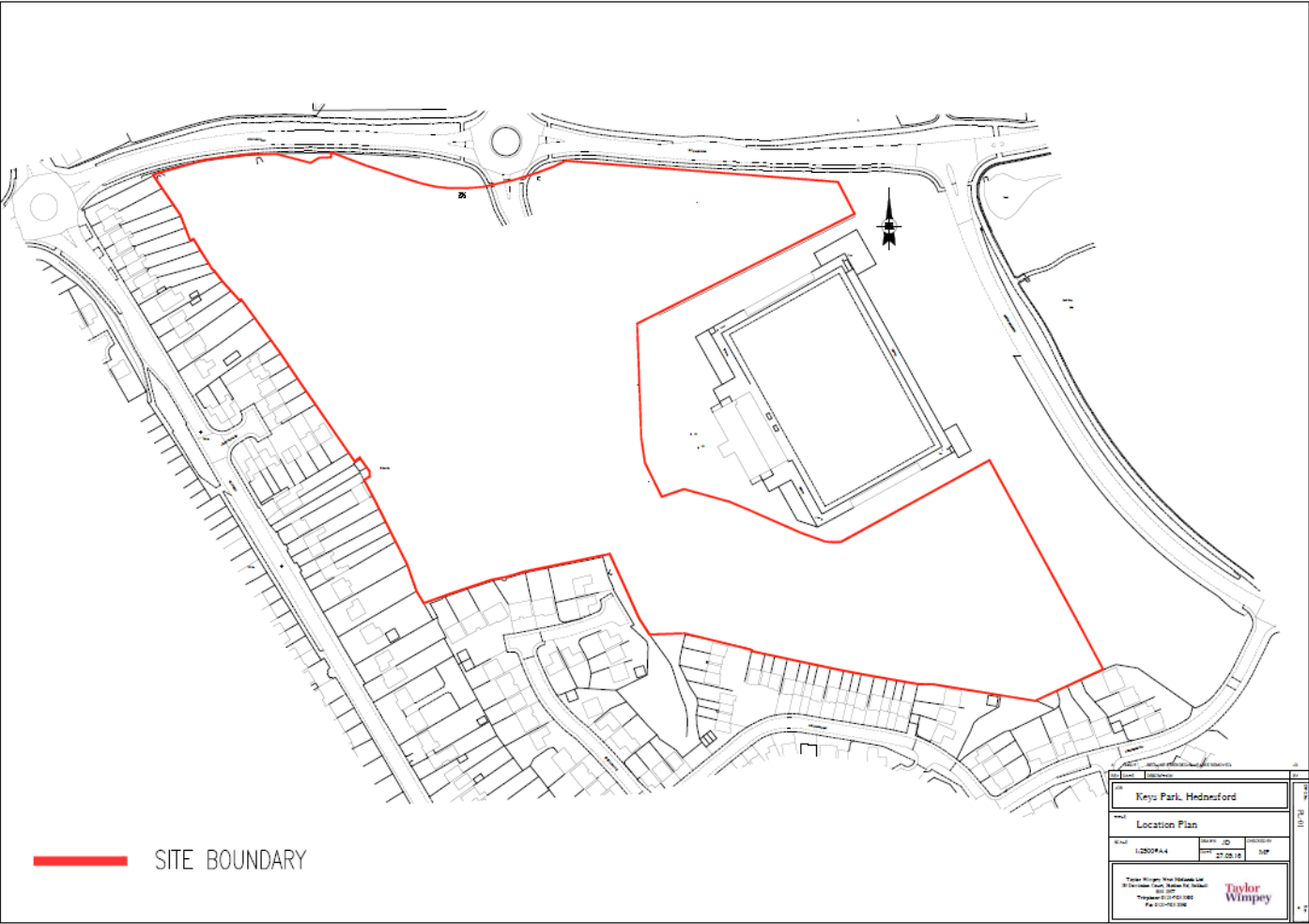
Land at Hednesford Town Football Club, Keys Park Road, Hednesford,
Cannock, WS12 2DZ

Residential Development comprising 125 No. dwellings including 25 No.
affordable dwellings, open space and associated roads and parking

ITEM NO. 6.16



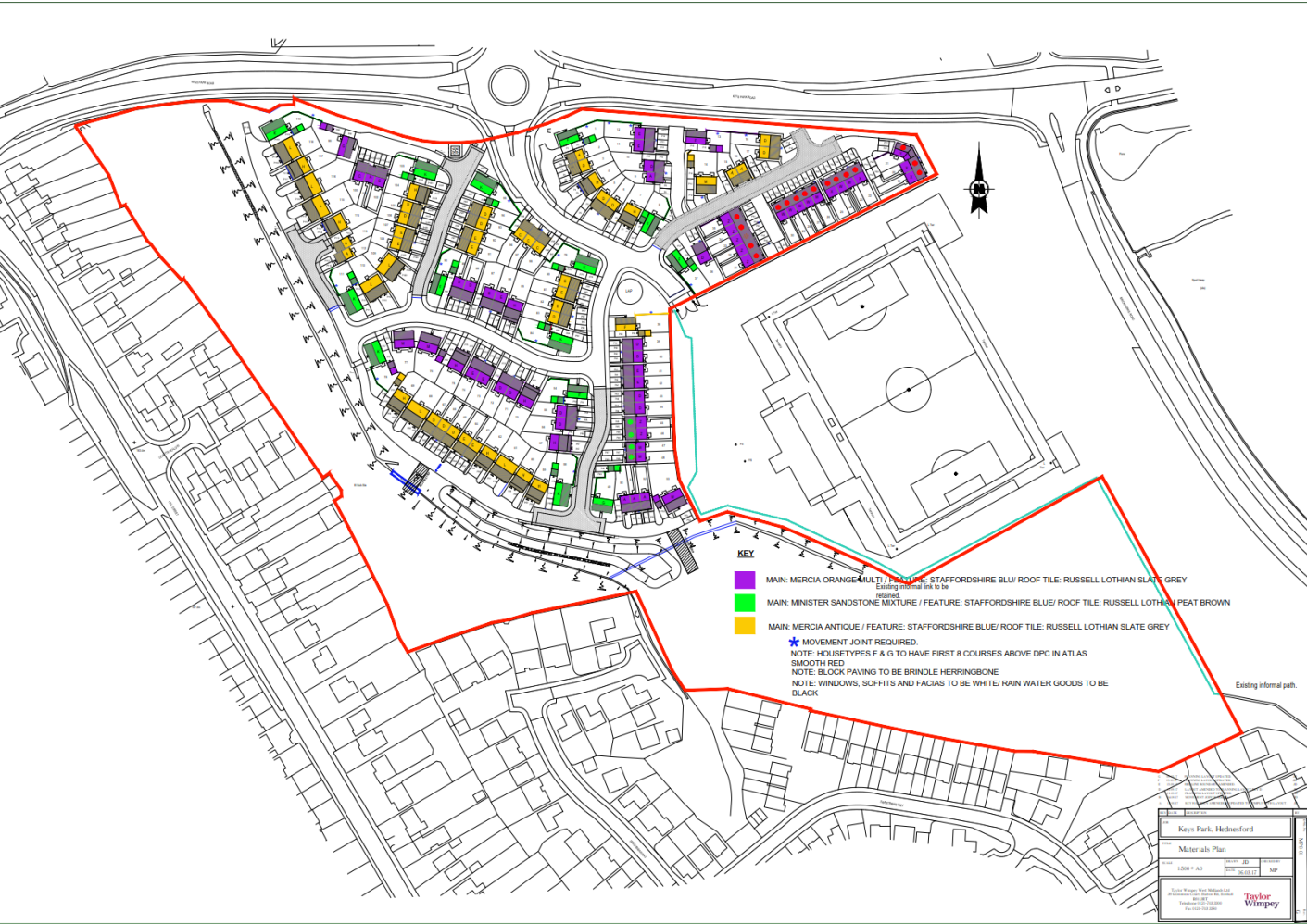
Location Plan



Planning Layout






Materials Plan




Car Parking Area Layout



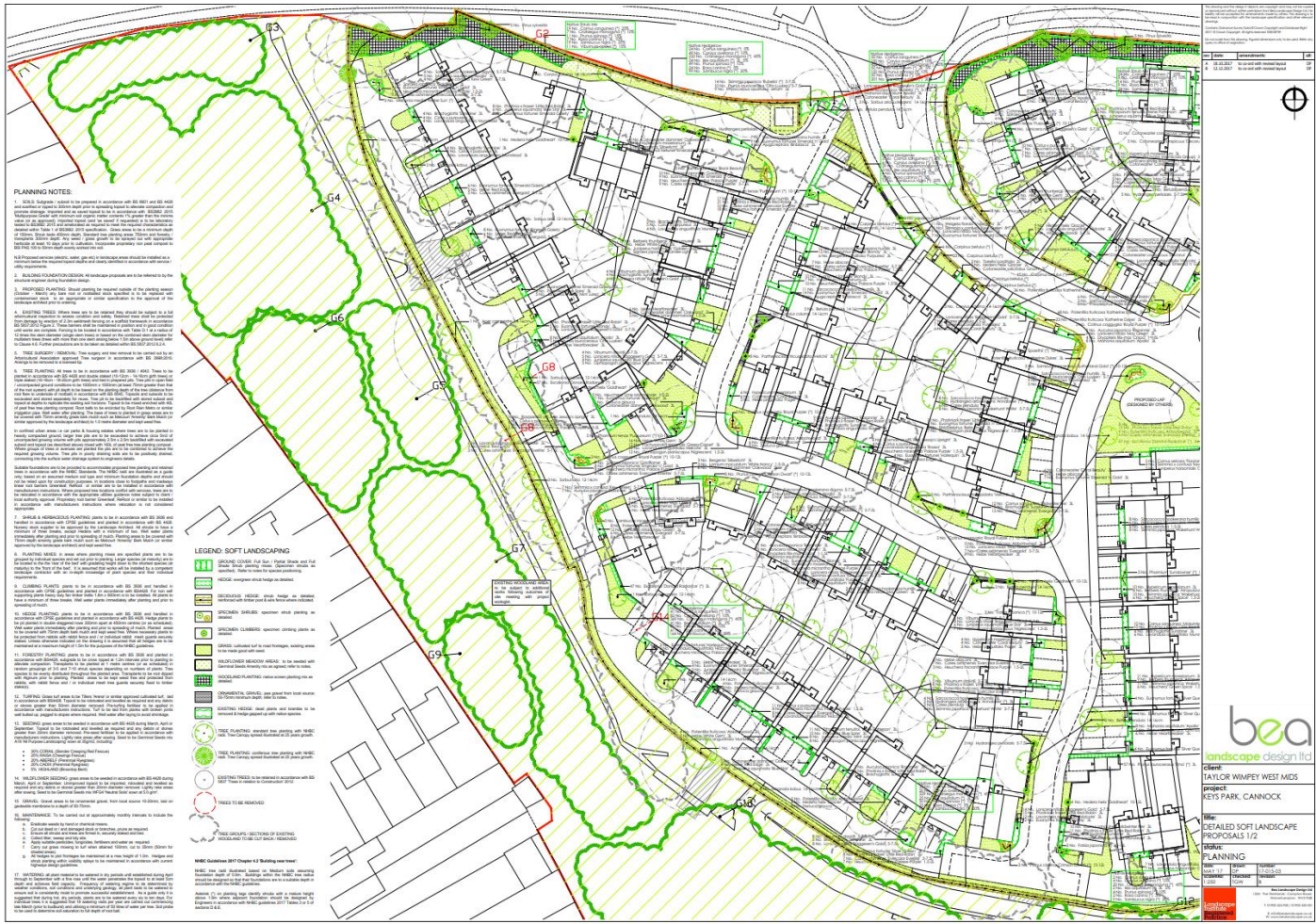
KEY

- 
EXISTING AREA OF TARMAC: 2,130 m² TO BE RELINED TO PROVIDE 60 CAR PARKING SPACES AND 5 DISABLED SPACES
- 
CIRCULATION ROAD: 560 m² SHARED DRIVE CONSTRUCTION AS PER TYPICAL TW DETAIL OUTLINED IN ATTACHED.
- 
GENERAL PARKING AREA: 1310 m² 100mm TYPE 1 SUB-BASE TOPPED WITH 50mm OF SELF BINDING GRAVEL. 60 X CAR PARKING SPACES AND 2 X COACH PARKING BAYS TO BE DELINEATED WITH BLOCK PAVED T-MARKS

REV A 23.11.17 SURFACE SPECIFICATION DETAIL ADDED. CG

KEYS PARK, HEDNESFORD.	
CAR PARKING AREA PLANNING LAYOUT	
SCALE: 1:500 @ A1	DATE: 21.11.17
DESIGNER: JP	CHECKED BY: BJ
<small>Taylor Wimpey West Midlands Ltd Floor 2, Park Boulevard Park, Hednesford Way, Shirley, Solihull, B39 4JG Telephone: 0121 713 3300 Fax: 0121 701 2880</small>	
	

Soft Landscape Proposals



Client: TAYLOR WIMPEY WEST MIDS
Project: KEY'S PARK, CANNOCK

bea
landscape design ltd

Drawn: [Name]
Checked: [Name]
Date: 08/08/2017

Scale: 1:500

Project No: [Number]

Drawn No: [Number]

Checked No: [Number]

Project Name: TAYLOR WIMPEY WEST MIDS
KEY'S PARK, CANNOCK

Drawn Name: [Name]

Checked Name: [Name]

Date: 08/08/2017

Scale: 1:500

Project No: [Number]

Drawn No: [Number]

Checked No: [Number]

Boundary Treatment Layout



Indicative Street Scene



Indicative Streetscenes
Keys Park, Hednesford

Scale: NTS@A3

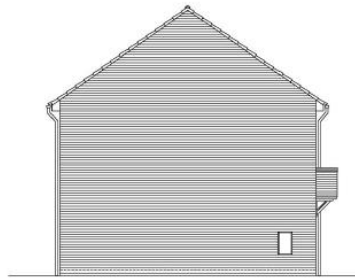
Plans and Elevations - House Type A

**Taylor
Wimpey**

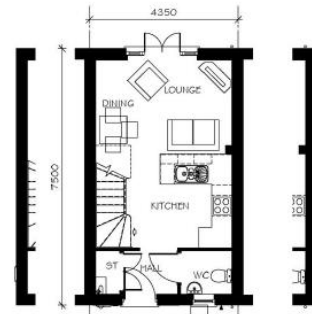
DRAWING REF: 1001-HT-A



FRONT ELEVATION



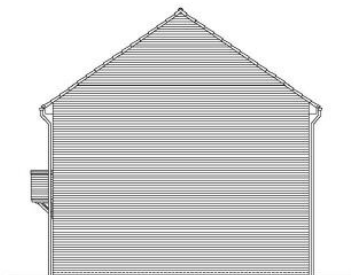
SIDE ELEVATION



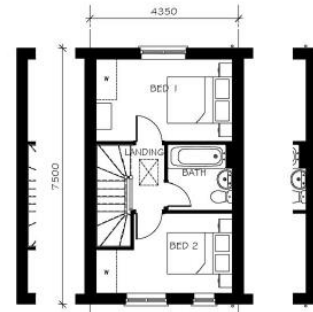
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

A - 2 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 602sqft/ 55.9qm
Nett Floor Area: 590sq ft/ 54.80sqm

Plans and Elevations - House Type C

**Taylor
Wimpey**

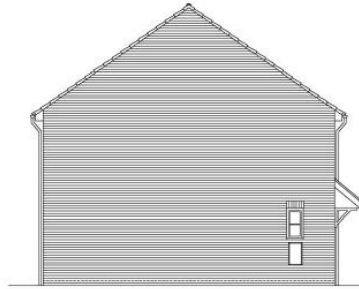
DRAWING REF: 1001-HT-C



FRONT ELEVATION-
END GABLE



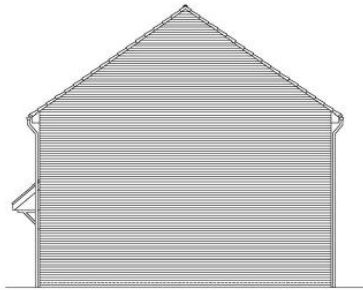
FRONT ELEVATION-
MID TERRACE



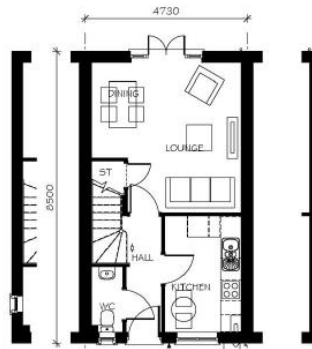
SIDE ELEVATION



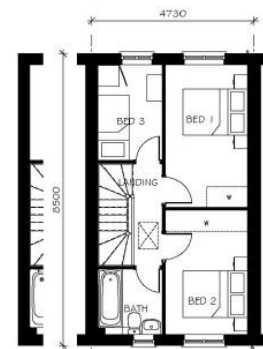
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

C- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 753sqft/ 70qm
Nett Floor Area: 741sq ft/ 68.8sqm

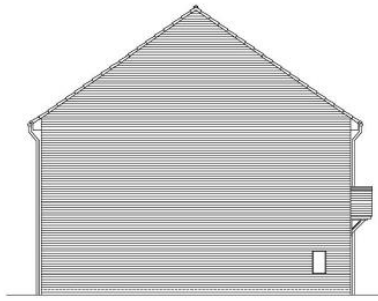
Plans and Elevations - House Type D

**Taylor
Wimpey**

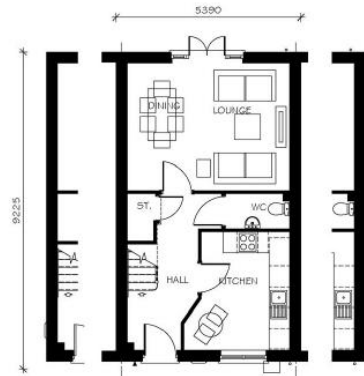
DRAWING REF: 1001-HT-D



FRONT ELEVATION



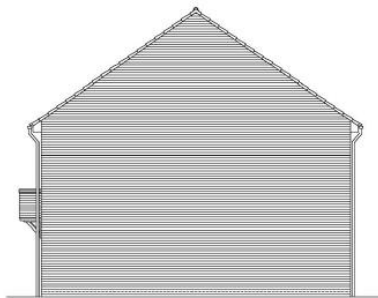
SIDE ELEVATION



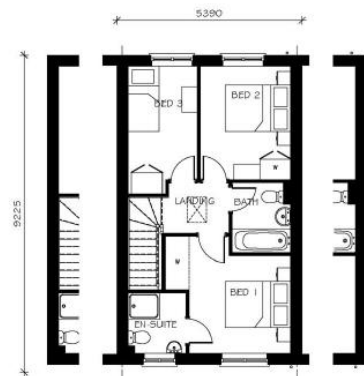
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

D- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 867sqft/ 80.5qm
Nett Floor Area: 853sq ft/ 79.2sqm

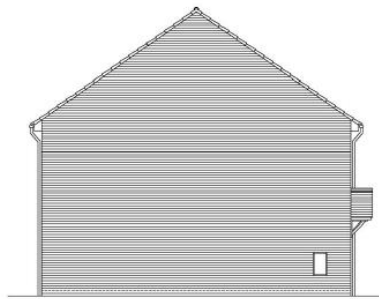
Plans and Elevations - House Type E

**Taylor
Wimpey**

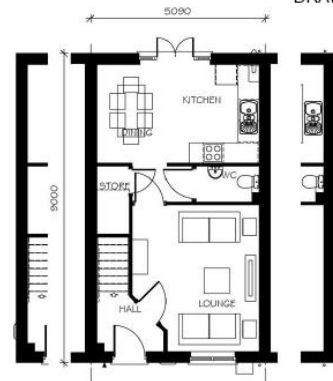
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FRONT ELEVATION



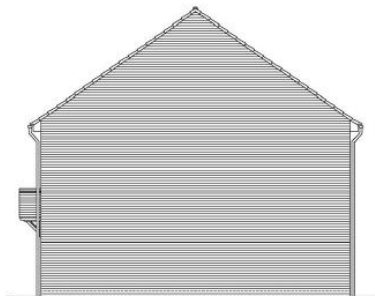
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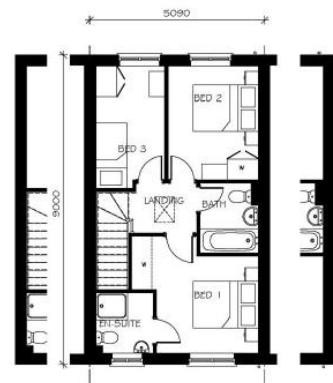
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

E- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 867sqft/ 80.5qm
Nett Floor Area: 853sq ft/ 79.2sqm

Plans and Elevations - House Type F

**Taylor
Wimpey**

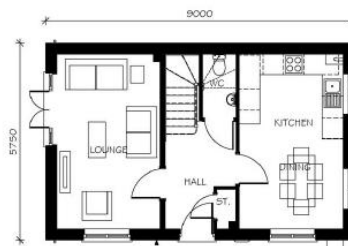
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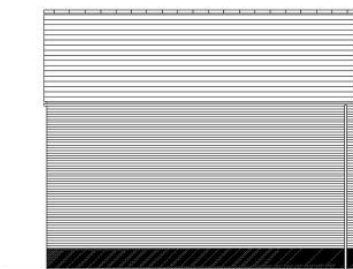
FRONT ELEVATION



SIDE ELEVATION



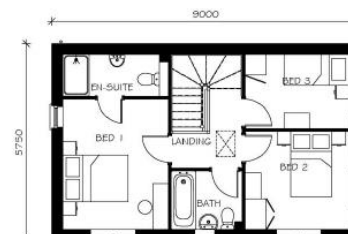
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

F- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 931sqft/ 86.5qm
Nett Floor Area: 917sq ft/ 85.2sqm

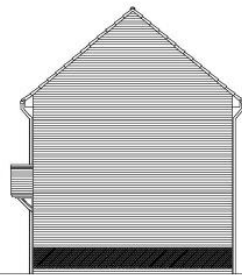
Plans and Elevations - House Type G

**Taylor
Wimpey**

DRAWING REF: 1001-HT-G



FRONT ELEVATION



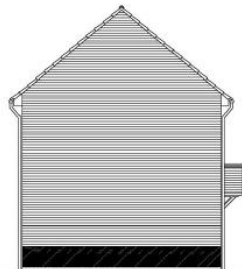
SIDE ELEVATION



GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

G- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 931sqft/ 86.5qm
Nett Floor Area: 917sq ft/ 85.2sqm

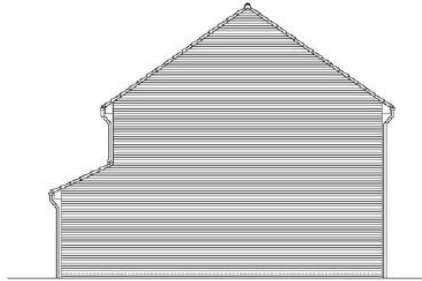
Plans and Elevations - House Type H

**Taylor
Wimpey**

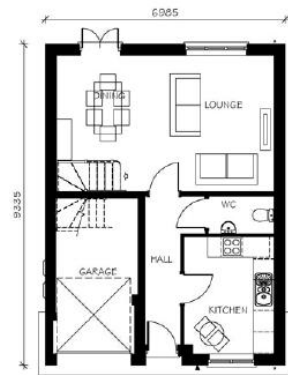
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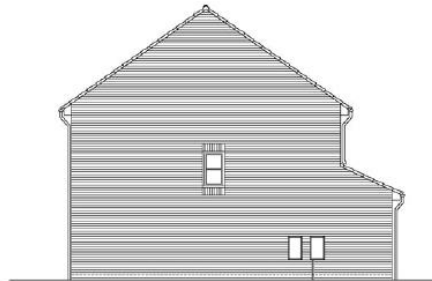
FRONT ELEVATION



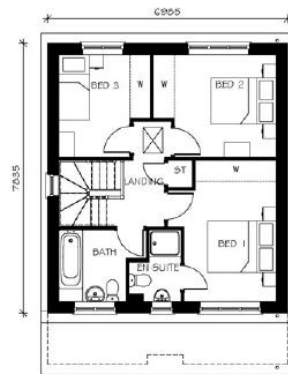
SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION



H- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 962sqft/ 89.4qm
Nett Floor Area: 947sq ft/ 88.0sqm

Plans and Elevations - House Type K

**Taylor
Wimpey**

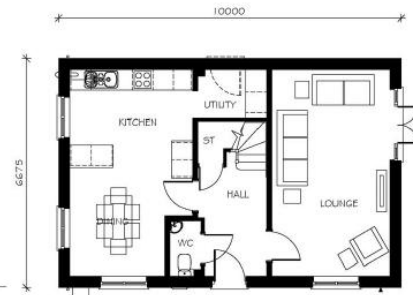
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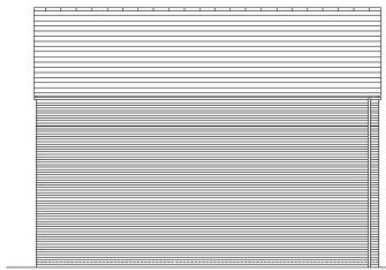
FRONT ELEVATION



SIDE ELEVATION



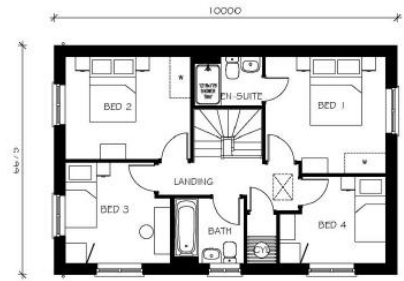
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

K- 4 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 1222 sqft/ 113.5sqm
Nett Floor Area: 1205 sq ft/ 112.0sqm

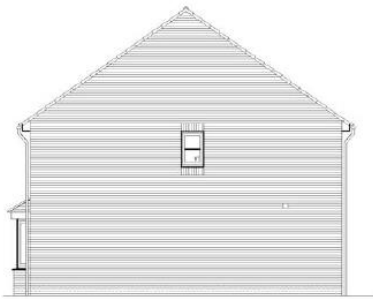
Plans and Elevations - House Type L

**Taylor
Wimpey**

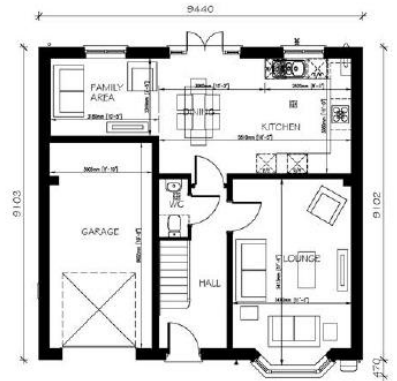
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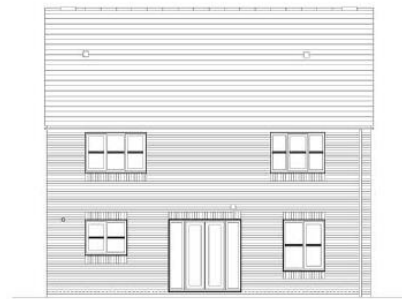
FRONT ELEVATION



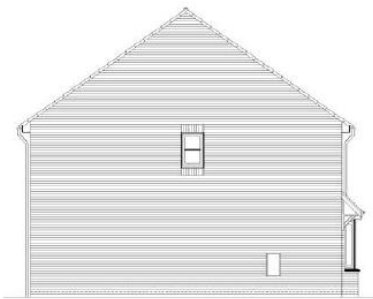
SIDE ELEVATION



GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

L- 4 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 1415 sqft/ 131.4 sqm
Nett Floor Area: 1396 sq ft/ 129.7 sqm

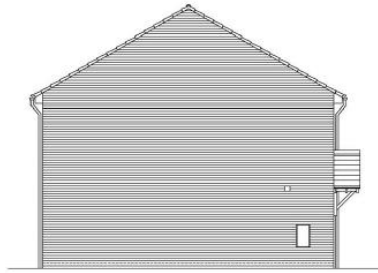
Plans and Elevations - House Type W

Taylor Wimpey

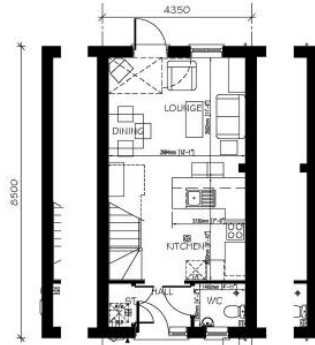
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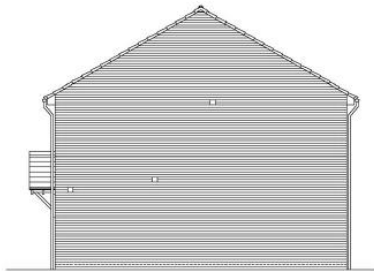
FRONT ELEVATION



SIDE ELEVATION



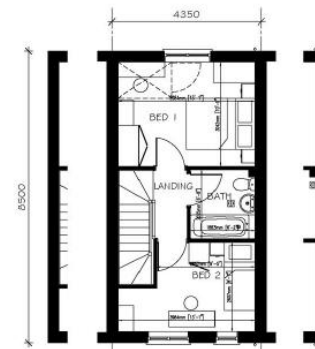
GROUND FLOOR PLAN



SIDE ELEVATION



REAR ELEVATION



FIRST FLOOR PLAN

W- 2 Bedroom Home
 1:100 - A3
 Keys Park, Hednesford
 Gross Floor Area: 689 sqft/ 64 sqm
 Nett Floor Area: 676 sq ft/ 62.8 sqm

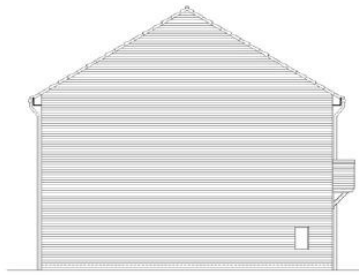
Plans and Elevations - House Type X

**Taylor
Wimpey**

DRAWING REF: 1001-HT-X



FRONT ELEVATION



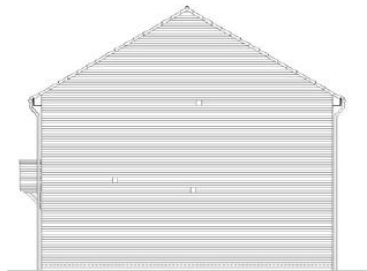
SIDE ELEVATION



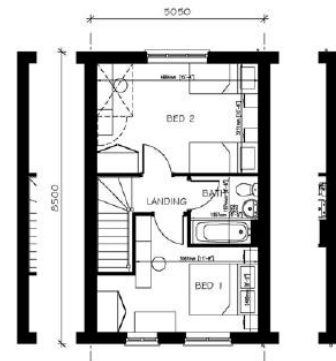
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

X- 2 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 808 sqft/ 75 sqm
Nett Floor Area: 794 sq ft/ 73.8 sqm

Plans and Elevations - House Type Y

**Taylor
Wimpey**

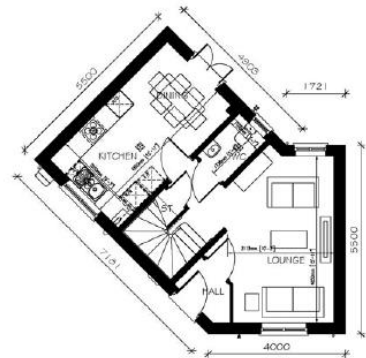
DRAWING REF: 1001-HT-Y



FRONT ELEVATION A



SIDE/REAR ELEVATION A



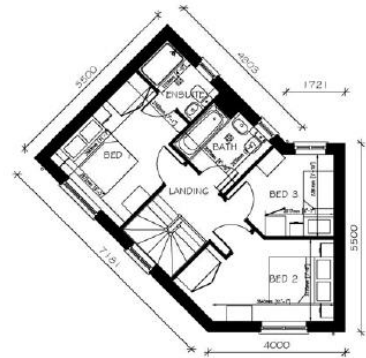
GROUND FLOOR PLAN



FRONT ELEVATION B



SIDE/REAR ELEVATION B



FIRST FLOOR PLAN

Y- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 876 sqft/ 81.3 sqm
Nett Floor Area: 862 sq ft/ 80.1 sqm

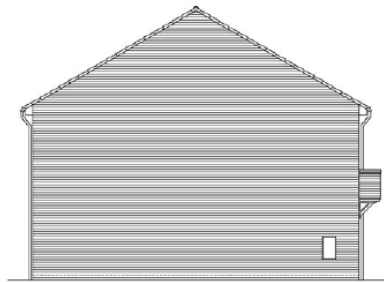
Plans and Elevations - House Type Z

**Taylor
Wimpey**

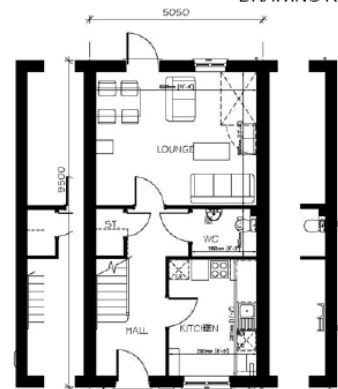
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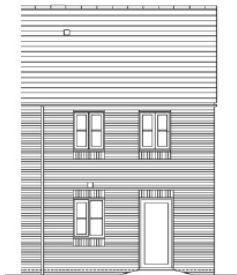
FRONT ELEVATION



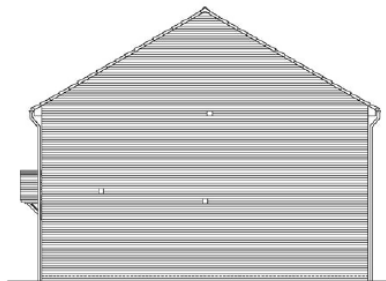
SIDE ELEVATION



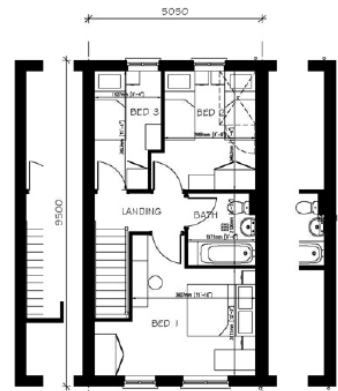
GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



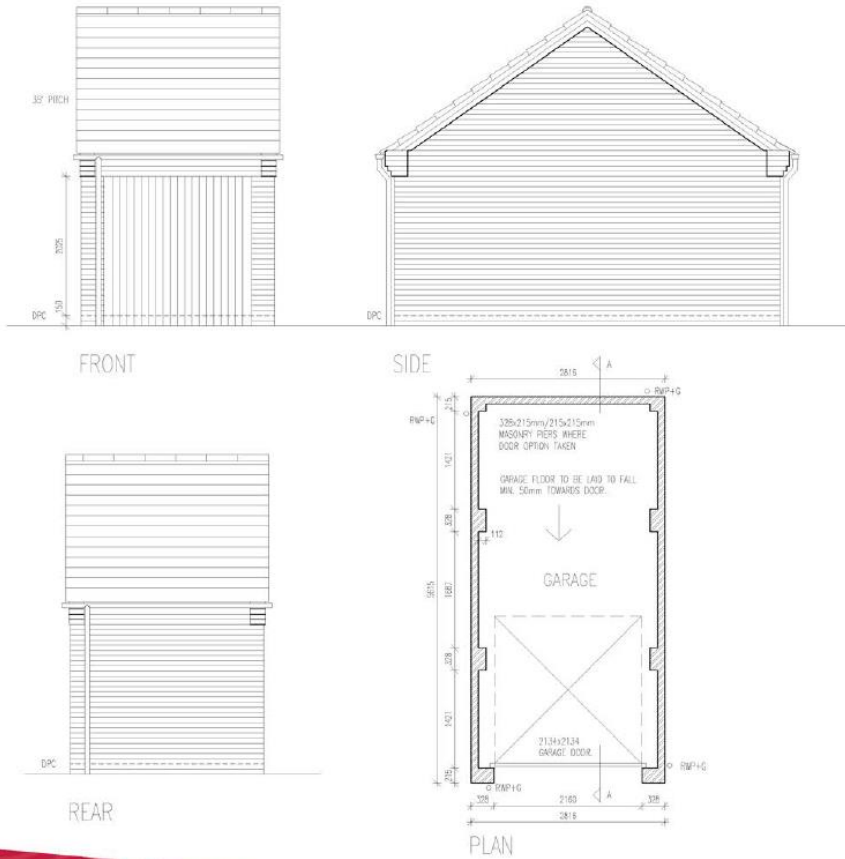
FIRST FLOOR PLAN

Z- 3 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 910 sqft/ 84.6 sqm
Nett Floor Area: 895 sq ft/ 83.2 sqm

Plans and Elevations - Single Garage

DRAWING REF: 1001-GAR-1

**Taylor
Wimpey**



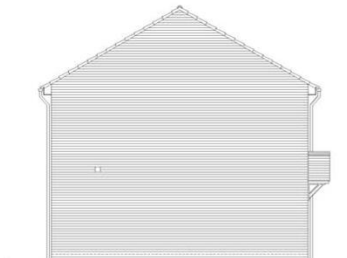
Plans and Elevations - House Type M

**Taylor
Wimpey**

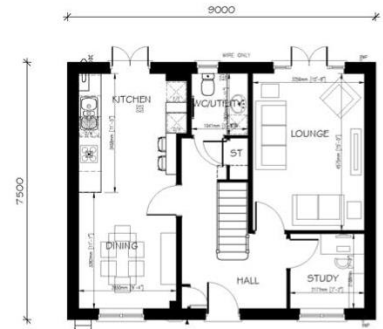
DRAWING REF: 1001-HT-M



FRONT ELEVATION



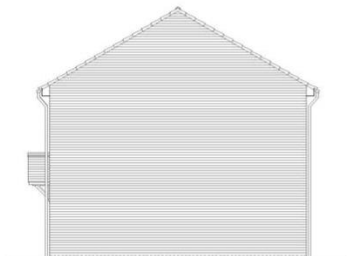
SIDE ELEVATION



GROUND FLOOR PLAN



REAR ELEVATION



SIDE ELEVATION



FIRST FLOOR PLAN

M- 4 Bedroom Home
1:100 - A3
Keys Park, Hednesford
Gross Floor Area: 1248sqft/ 115.9qm
Nett Floor Area: 1231sq ft/ 114.4

Application No: CH/17/236

Received: 09/07/2017

Location: Land at Hednesford Football Club, Keys Park Road, Hednesford

Parish: Hednesford

Ward: Hednesford South

Description: Residential development comprising 119No dwellings including 21No affordable dwellings, open space and associated road and parking.

Recommendation: That members are minded to approve the application subject to no objections being received from the Highway Officer, the conditions attached to this report and the completion of a section 106 agreement to secure: -

- (i) The provision of 18 % affordable housing comprising 4 (19%) affordable rent and 17 (81%) for social rent; and
- (ii) A £8k contribution towards the provision of a traffic regulation order to be paid and implemented before the completion of the 50th dwelling; and
- (iii) Provision of the future management of the Site of Biological Interest in accordance with the approved ecological management plan; and
- (iv) Arrangements for the future access by vehicles for management of the Site of Biological Interest; and
- (v) Future management of the sustainable drainage scheme; and
- (vi) Future management and maintenance of the Local Area of Play and communal landscaped areas (either by transfer of land together with any monies or by management company); and
- (vii) Implementation of the Travel Plan and Travel Management Plan;

and that delegated authority is given to officers to determine the application on the expiration of the consultation deadline subject to no further material issues being raised before the expiry of the consultation period.

1.0 Assessment

1.1 This application was presented to Planning Committee on 6th December 2017 when it was resolved to defer the report to allow officers to work with the applicant to resolve issues in respect of: -

- (i) Over-development of the site; and
- (ii) Affordable housing contribution; and
- (iii) Highway issues in respect to the implementation of the Travel Plan in respect to parking issues in and around the football ground.

1.2 This addendum to the original report seeks to address the specific issues raised by members and should be read alongside the original report. The original report to Planning Committee and the officer update sheet are attached as Appendices 1 and 2 to this report.

1.3 The applicant has submitted additional and amended details to address the specific issues raised by Planning Control Committee at its meeting on 6th December 2017. This information has been advertised for a period of 14 days which will expire on 4th January 2018. This is one day after the meeting of Planning Control Committee. In

order to expedite the determination of the application it is therefore recommended that members give a 'minded to approve' resolution to allow officers to determine the application on the expiration of the consultation deadline subject to no further material issues being raised before the expiry of the consultation period.

1.4 The next part of this report will address the issues raised by members.

2.0 Over-development of the Site

2.1 Members at the last meeting of Planning Committee expressed concerns that the current proposal constitutes an over development of the site with subsequent loss of parking to the football stadium.

2.2 In respect of this it should be noted that a previous scheme (reference CH/06/0095) was subject to a resolve to grant by Planning Committee on 6th December 2006. This application was in outline form only with an area of 1.95ha outlined specifically for housing. Given that the proposal was in outline form the actual quantum of development (i.e. the number of houses sought) was not up for approval. However, in the subsequent officer report to Planning Committee the officer opined that "the likely capacity of the site on current recommended densities would be 80-90 dwellings". It was on the basis of this report (and that alone) that the Strategic Housing Land Availability Assessment (SHLAA) (2017) advises that the capacity for the site is 90 dwellings.

2.3 It should also be noted that the capacity of a site outlined in the SHLAA is not intended to act as a prescribed amount. Therefore the actual capacity of any site should be determined on its merits at the time the decision is taken having had regard to all policy as it stands at that time and all other relevant material considerations.

2.4 In this respect it should be noted that the policy context has considerably changed since the decision to resolve to grant in 2006 and that extant today. These policy changes include the introduction of the NPPF (2012), the Cannock Chase Local Plan (Part 1) (2014) and the Design supplementary Planning Document (2016). Of particular note is the NPPF which emphasises that it is Government's intention to boost significantly the supply of housing and which introduced the 'presumption in favour of sustainable development' which sets out how applications should be determined and that sustainable development has a social and economic dimension as well as an environmental dimension.

2.5 In addition to the above adoption of the Design SPD has had an impact on the layout and space about dwellings on residential estates. This sets out new guidance for the relationship between various elevation types, for example 21.3m between front to front elevations. Prior to this the distance in this type of relationship could be as low as 14m. However, the current proposal meets the guidance set out for space about development set out in the Design SPD.

2.6 In addition to the above the previous 2006 scheme was limited by the requirement to secure parking for the football club and the need to prevent incursion into the SBI. In this respect it should be noted that in terms of the parking requirements for the football club this has been informed by up to date studies, including: -

Framework Travel Plan (May 2017), prepared by Taylor Wimpey.
 Parking Study (September 2017), prepared by M-EC.
 Transport Assessment (September 2017), prepared by M-EC.
 A plan showing proposed parking at the Hednesford Football Club site.

- 2.7 These have informed the amount of parking that is required and how that should be laid out. These have been reviewed by the Highway officer who has no objections to the proposal subject to conditions. As such, subject to the attached conditions the parking requirements to the football ground do not provide a constraint on the development.
- 2.8 In respect to the potential impact on the Site of Biological Importance (SBI) it is noted that the main reason for the designation was the amphibian assemblage of the site. Given the degradation of aquatic habitats on the site the amphibian populations have significantly declined. This being the case the Council's ecologist has no objections to the limited incursion into the SBI subject to the mitigation in respect of the Dingy Skipper.
- 2.9 Taking all of the above into consideration it is clear that the former stated 'capacity' of the site was at best an estimate based on densities used at the time and the area of the site as defined on the submitted plans. They were not rigidly set at the time and should be used with the utmost caution. In addition planning policy has fundamentally changed since 2006 and the current layout meets guidance and policy set out in Local Plan, Design SPD and NPPF. As such there is no evidential basis with which to support a proposition that the current proposal constitutes an overdevelopment of the site.
- 2.10 Notwithstanding the above the applicant has agreed to reduce the proposal by a further two dwellings so that it is currently for '119 No dwellings including 21No affordable dwellings'.
- 3.0 Affordable Housing Contribution
- 3.1 Members at the last meeting of Planning Committee expressed concerns regarding the proposed affordable housing mix and expressed a strong preference for rental rather than shared equity.
- 3.2 For the purposes of clarity '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". Therefore the intermediate housing initially offered by the applicant does constituted "affordable housing" for the purposes of interpreting planning policy.
- 3.3 However, the applicant has listened to Planning Committee's comments in respect to overdevelopment of the site and affordable housing mix and has altered the proposed affordable housing to reflect the wishes of Committee, such that the affordable housing provision offered is: -

17 units of social rent

<u>04</u>	units of affordable rent
21	Total

3.4 This represents a contribution of 18% affordable housing all of which would be for rent.

3.5 Highway Issues in Respect to the Implementation of the Travel Plan

3.6 In response to concerns expressed by Planning Control Committee on 6th December 2017 the applicant has prepared a briefing note which sets out how the Travel and Traffic Management Plans would operate and which parties would be responsible for ongoing management. This is given in full in Appendix 3 of this report.

3.7 In summary the TRO and Resident Permit Scheme will include the following characteristics:

- Unlike the majority of parking schemes, the restrictions will only come into effect on certain days when football matches are taking place at the Keys Park Stadium.
- The TRO would place waiting restrictions on the estate roads - “1 hour and no return within 2 hours during matchdays.”
- Parking restriction signage will be used at the entrance to the development, off Keys Park Road and on the estate roads through the agreement of the TRO.
- Each household will be issued with one on-street parking permit, free of charge plus a visitor scratchcard. The finer details of this system will be agreed with Clear Streets Team at Staffordshire County Council.
- Only cars displaying a resident permit or visitor scratchcard will be allowed to park on the estate roads and any cars parked illegally may face financial penalties.
- Each household will be issued with an annual matchday calendar so they are aware, in advance, of the dates of the Football Club’s matchdays.

3.8 Officers confirm that this is considered acceptable.

3.9 Officers also note that a scheme for the laying out and surfacing of the car park has been submitted and the County Highway Officer has been consulted on these details. However, given the timing of the report deadline it was not possible to obtain the comments of the Highway Officer. As such members will be updated on any comments received from the Highway Officer.

3.10 Subject to no objections being received by the Highway Officer it is considered that the proposal, subject to the attached conditions would be acceptable in respect of highway safety and capacity.

4.0 HUMAN RIGHTS ACT

4.1 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.

5.0 CONCLUSION

- 5.1 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.
- 5.2 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions, and no objections from the Highway Authority, is considered on balance, to be acceptable.
- 5.3 The proposal would deliver 18% affordable housing, all of which would be for rent which having regard to viability considerations is considered acceptable.
- 5.4 Impacts on the Cannock Chase SAC would be mitigated through CIL.
- 5.5 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.
- 5.6 The above information addresses the concerns that the Planning Control Committee raised at its meeting on 10th December 2017 and the amendments to the submitted scheme are considered to be acceptable.
- 6.7 It is therefore recommended that the application be approved subject to the attached conditions and the completion of a section 106 agreement.

Amended Schedule of Conditions

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

Reason

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

Highways

2. No development hereby approved shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
 - i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;

- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction
- viii specify method of piling, should piling be undertaken

Reason

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

3. No phase of the development shall take place until a Construction Vehicle Management Plan (CVMP) 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 include:
 - Arrangements for the parking of site operatives and visitors.
 - Loading and unloading of plant and materials.
 - Storage of plant and materials used in constructing the development
 - Construction hours
 - Delivery routeing and hours
 - Recorded daily inspections of the highway adjacent to the site access
 - Details of measures to avoid/remove mud or debris carried onto the highway

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

4. Prior to commencement of development a revised plan indicating limits of adoption to include the visibility splay at the junction of Road 1 and Road 4 shall be submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be provided and maintained for the life of the development.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

5. Prior to first occupation of any of the new dwelling units the revised access road (road 1) linking Keys Park Road to the stadium shall be completed.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

6. Prior to first occupation of any of the new dwelling units the revised Travel Plan shall including measures to encourage sustainable travel to and from the development be submitted to and approved in writing by the Local Planning Authority.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

7. Prior to the first occupation of any permitted dwelling the parking and turning areas for that dwelling shall be provided. The parking and turning areas shall thereafter be retained at all times for their designated purposes.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

8. Prior to first occupation of any of the new dwelling units a scheme showing the marking out of 125 parking spaces (including disability and coach bays) in the vicinity of the stadium main entrance and the surface treatment of the parking, circulation and turning areas shall be submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme shall be completed.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

Ground/ Gas Contamination

9. No dwelling shall be occupied until: -
- (i) gas protection measures have been provided in accordance with Amber 2 classification incorporating a minimum 150mm ventilated void space beneath that dwelling together with the installation of a gas proof membrane by a specialist contractor; and validation of the works as been provided following completion; or
 - (ii) further gas and gas flow assessments to delineate the development between Amber 2 & Amber 1 classifications for gas protection has ben underaken, a further report has been submitted, approval has ben granted for a revised scheme and the works comprising that scheme have been implemented and 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.

10. No dwelling shall be occupied until clean cover to all external areas to that dwelling, to a depth of 600mm has been provided and certification that the cover is suitable for use provided and validation that the works has been undertaken have been submitted to the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property

and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Paragraph 121 of the National Planning Policy Framework.

11. The Local Area of Play shall not be brought into use until clean cover to a depth of 300mm has been provided and certification that the cover is suitable for use provided and validation that the works have been undertaken have been submitted to the Local Planning Authority. All verges and amenity areas (excluding those areas within the SBI) shall be provided with clean cover to a depth of 300mm and certification that the cover is suitable for use provided and validation that the works have been undertaken shall be submitted to the Local Planning Authority before they are made available for public use.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Paragraph 121 of the National Planning Policy Framework.

12. If during development, contamination not previously identified is found to be present at the site, no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until either: -
 - (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 the development complies with approved details in the interests of protection of Controlled Waters and in accordance with the National Planning Policy Framework.

13. The development shall not be brought into use until the measures to deal with the isolated presence of Japanese Knotweed, as detailed in Section 8.10 of the Site Investigation Report have been implemented.

Reason

To ensure that this invasive species is eradicated safely from the site.

Drainage

14. No development shall take place until a detailed surface water drainage scheme for the site 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 set out in the Flood Risk Assessment (Ref: 22881/03-17/4818, May 2017), FRA Addendum (Ref: 22881/09-17/5156, 28/09/2017) and amended drainage strategy drawing (No: 22881_02_020_02, Rev D).

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 designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- SuDS management train to provide adequate water quality treatment in accordance with the Simple Index Approach (CIRIA SuDS Manual).
- Limiting the total discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain storm to no more than 10l/s in total.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system and natural watercourses. Site layout and levels should provide safe flood routes and adequate access for maintenance.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and 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.

15. 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

16. The development shall not be brought into use until scheme for mitigating the financial cost of the air quality burden, (calculated to be £69,400.29) and the NO₂ 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 Paragraph 124 of the National Planning Policy Framework.

Materials

17. The external materials to be used in the construction of the dwellings hereby approved shall only be those set out in Drawing No MP0-01Rev E, unless otherwise approved in writing by the Local Planning Authority

Reason

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

18. Prior to the first occupation of any dwelling on the site a detailed scheme for the laying out of the Local Area of Play (LAP) including the specification of equipment to be provided within the play space area shall be submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme shall be implemented to a timetable which shall be agreed in writing with the Local Planning Authority. The LAP shall thereafter be retained and maintained for the life time of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of providing accessible local play areas for young people.

Ecology

19. The development shall be undertaken in complete accordance with the Landscape Ecological Management Plan, dated October 2017. No development shall commence within that section of the SBI currently supporting Dingy Skipper Butterfly and identified for short term retention within the Landscape and Ecological Management Plan dated October 2017 until verification has been provided in writing to the Local Planning Authority that the butterfly has successfully colonised the compensatory habitat and approval for the commencement of the development of that part of the site has been given in writing.

Reason

In the interest of protecting and conserving the population of the Dingy Skipper Butterfly that is present on the site.

Noise Mitigation

20. No dwelling shall be occupied until a scheme to protect the internal noise levels within susceptible properties from noise generated by traffic along Keyes Park Road and from the Hednesford Town Football Stadium has been submitted to and approved in writing by the Local Planning Authority. The works shall include, but not necessarily limited to the provision of acoustic glazing, at relevant properties, to the standards cited in the Acoustic Report together with appropriate ventilation systems to allow the windows to remain closed when required. The ventilation system shall comply with Building Regulations. No dwelling shall be occupied until the works to that dwelling required under the approved scheme has been implemented.

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.

21. No dwellings at Plots 22- 38 and 39-50 shall be occupied until a specification for the provision of an acoustic fence along the boundary shared with the car park to the Hednesford Town Football Club has been submitted to and approved in writing by the Local Planning Authority and an acoustic fence has been erected to that specification. Thereafter the acoustic fence shall be retained and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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.

Dealing with Minor Discrepancies on the Submitted Plans

22. Notwithstanding the details of the approved plans: -
- (i) that part of the southern boundary to Plots 50-51 running between the car park to the football ground to the access strip to the Site of Biological Importance shall be comprised of ranch style fencing and defensible planting.

- (ii) a revised scheme for the planting of trees along the entrance to the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with approved time table for the implementation of the wider landscape scheme.
- (i) the knee rail running along the boundary of the approved estate and the Site of Biological Interest shall run along the rear of the bin collection points so as to allow unfettered access to the storage areas.
- (ii) the height of the acoustic fence along the boundary of plots 22- 38 and 39-50 shall be increased to at least 2.2m.

Reason

In the interest of proactively dealing with minor discrepancies and deficiencies in the submitted plans and, or, to deal with issues raised by consultees.

23. 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.

Trees and Landscape

24. No part of the development shall commence until details of all arboricultural work have been submitted to and approved by the Local Planning Authority. Details shall include a method statement and schedule of works.

Reason

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

25. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing Ref Dwg. No. 17-15-06 Rev A unless otherwise agreed in writing by the Local Planning Authority.

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 National Planning Policy Framework.

26. Within the enclosed area known as the Tree Protection Zone, no work shall be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles shall 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 shall 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 National Planning Policy Framework.

27. The approved landscape works shown on Drawing Nos. 17-15-03A Landscaping Sheet 1 Rev A, 17-015-04A Landscaping Sheet 2 Rev A and 17-015-05B Landscape Strategy Rev B, as amended by any condition, or the approval of any scheme pursuant to any condition attached to this permission, shall be carried out in the first planting and seeding season following the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area in accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

28. No dwelling shall be occupied until a management plan for the establishment (including the replanting of any trees and shrubs that dies within the first five years following their planting) and subsequent management of soft and hard landscaping on the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the soft and hard landscaping on the site shall be managed in accordance with the approved management plan unless otherwise approved in writing by the Local Planning Authority.

Reason

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

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

PL-01	Planning Layout Rev H.
MP0-01	Material Plan Rev G.
BTP0-01	Boundary Treatments Rev H.
17-15-06	Tree Retention / Removal plan Rev A.
17-15-17	Tree Constraints Plan.
17-15-03A	Landscaping Sheet 1 Rev B.
17-015-04A	Landscaping Sheet 2 Rev B.
17-015-05B	Landscaping Strategy Rev B.
SLP-01	Slab Levels Rev C.
20093-801	Sections.
20093	UCP Utility Corridor Routes.
22881/08-17/5090	Parking Study Rev B.
22881/05-17/4802	Transport Assessment Rev B.
17015/DP/AIA001	Arboricultural Report Rev A.
WM11069	Site Investigations.
LEMP A	
17015/TGW/TS001	Tree Report Rev A
17443-1	Noise Report.
LE13883	Air Quality.
	Design and Access Statement RevB.

	Travel Plan, August 2017.
	Preliminary Ecological Appraisal, dated August 2015, prepared by ADAS.
	Reptile Survey, dated November 2015, prepared by ADAS.
	Great Crested Newt Survey, dated July 2016, prepared by ADAS.
	Final Invertebrate Survey, prepared by ADAS.
	Landscape and Ecological Management Plan, dated October 2017, prepared by ADAS.
	Botanical Survey.
2281/03-17/4818	Flood Risk Assessment.
2281/09-17/5156	Flood Risk Assessment Addendum.
1001-HT-A A -	
1001-HT-C C -	
1001-HT-D D -	
1001-HT-E E -	
1001-HT-F F -	
1001-HT-G G -	
1001-HT-H H -	
1001-HT-L L -	
1001-HT-W W -	
1001-HT-X X -	
1001-HT-Y Y -	
1001-HT-Z Z -	
M-4 Bedroom Home (received 14/12/2017)	
1001-GAR-1	Garages

Where there is a conflict in respect to the layout of the approved plans it shall be taken that the layout and housetypes and provision of affordable housing shown on PL-01 "Planning Layout Rev H2 are the approved ones.

30. No dwelling shall be occupied until the boundary treatment to that plot shown in Drawing BTP0-01, as amended by any condition, or the approval of any scheme pursuant to any condition attached to this permission, has been completed. All other boundary treatments shown in Drawing BTP0-01, as amended by any condition, or the approval of any scheme pursuant to any condition attached to this permission, shall be completed within 2 months of the completion of the last dwelling.

Reason

In the interest of visual amenity of the area in accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

APPENDIX 1:
Copy of Report to Planning Committee on 6th December 2017

Application No: CH/17/236

Received: 09/07/2017

Location: Land at Hednesford Football Club, Keys Park Road, Hednesford

Parish: Hednesford

Ward: Hednesford South

Description: Residential development comprising 123No dwellings including 22No affordable dwellings, open space and associated road and parking.

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

- (viii) The provision of 18 % affordable housing comprising 8 (36%) for shared ownership and 14 (64%) for rent.
- (ix) A £8k contribution towards the provision of a traffic regulation order to be paid and implemented before the completion of the 50th dwelling.
- (x) Provision of the future management of the Site of Biological Interest in accordance with the approved ecological management plan.
- (xi) Arrangements for the future access by vehicles for management of the Site of Biological Interest.
- (xii) Future management of the sustainable drainage scheme.
- (xiii) Future management and maintenance of the Local Area of Play and communal landscaped areas (either by transfer of land together with any monies or by management company).
- (xiv) Implementation of the travel plan.

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 proposal in some respects is contrary to Policy and guidance and therefore requires a balanced judgement to be taken between competing priorities.

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.

Highways

2. No development hereby approved shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:
- i. specify the type and number of vehicles;
 - ii. provide for the parking of vehicles of site operatives and visitors;
 - iii. provide for the loading and unloading of plant and materials;
 - iv. provide for the storage of plant and materials used in constructing the development;
 - v. provide for wheel washing facilities;
 - vi. specify the intended hours of construction operations;
 - vii. measures to control the emission of dust and dirt during construction
 - viii specify method of piling, should piling be undertaken

Reason

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

3. No phase of the development shall take place until a Construction Vehicle Management Plan (CVMP) 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 include:
- Arrangements for the parking of site operatives and visitors.
 - Loading and unloading of plant and materials.
 - Storage of plant and materials used in constructing the development
 - Construction hours
 - Delivery routeing and hours
 - Recorded daily inspections of the highway adjacent to the site access
 - Details of measures to avoid/remove mud or debris carried onto the highway

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

4. Prior to commencement of development a revised plan indicating limits of adoption to include the visibility splay at the junction of Road 1 and Road 4 shall be submitted to and approved in writing by the Local Planning Authority. The visibility splay shall thereafter be provided and maintained for the life of the development.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

5. Prior to first occupation of any of the new dwelling units the revised access road (road 1) linking Keys Park Road to the stadium shall be completed.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

6. Prior to first occupation of any of the new dwelling units the revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

7. Prior to the first occupation of any permitted dwelling the parking and turning areas for that dwelling shall be provided. The parking and turning areas shall thereafter be retained at all times for their designated purposes.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

8. Prior to first occupation of any of the new dwelling units a scheme showing the marking out of 125 parking spaces (including disability and coach bays) in the vicinity of the stadium main entrance and the surface treatment of the parking, circulation and turning areas shall be submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme shall be completed.

Reason

To comply with Paragraph 32 of the National Planning Policy Framework and in the interest of highway safety.

Ground/ Gas Contamination

9. No dwelling shall be occupied until: -
- (iii) gas protection measures have been provided in accordance with Amber 2 classification incorporating a minimum 150mm ventilated void space beneath that dwelling together with the installation of a gas proof membrane by a specialist contractor; and validation of the works as been provided following completion; or
 - (iv) further gas and gas flow assessments to delineate the development between Amber 2 & Amber 1 classifications for gas protection has ben underaken, a further report has been submitted, approval has ben granted for a revised scheme and the works comprising that scheme have been implemented and 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.

10. No dwelling shall be occupied until clean cover to all external areas to that dwelling, to a depth of 600mm has been provided and certification that the cover is suitable for use provided and validation that the works has been undertaken have been submitted to the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Paragraph 121 of the National Planning Policy Framework.

11. The Local Area of Play shall not be brought into use until clean cover to a depth of 300mm has been provided and certification that the cover is suitable for use provided and validation that the works have been undertaken have been submitted to the Local Planning Authority. All verges and amenity areas shall be provided with clean cover to a depth of 300mm and certification that the cover is suitable for use provided and validation that the works have been undertaken shall be submitted to the Local Planning Authority before they are made available for public use.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Paragraph 121 of the National Planning Policy Framework.

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

- (iii) 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;
- (iv) 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 the development complies with approved details in the interests of protection of Controlled Waters and in accordance with the National Planning Policy Framework.

13. The development shall not be brought into use until the measures to deal with the isolated presence of Japanese Knotweed, as detailed in Section 8.10 of the Site Investigation Report have been implemented.

Reason

To ensure that this invasive species is eradicated safely from the site.

Drainage

14. No development shall take place until a detailed surface water drainage scheme for the site 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 set out in the Flood Risk Assessment (Ref: 22881/03-17/4818, May 2017), FRA Addendum (Ref: 22881/09-17/5156, 28/09/2017) and amended drainage strategy drawing (No: 22881_02_020_02, Rev D).

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 designed in accordance with national and local standards, including the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- SuDS management train to provide adequate water quality treatment in accordance with the Simple Index Approach (CIRIA SuDS Manual).
- Limiting the total discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain storm to no more than 10l/s in total.
- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system and natural watercourses. Site layout and levels should provide safe flood routes and adequate access for maintenance.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and 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.

15. 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

16. The development shall not be brought into use until scheme for mitigating the financial cost of the air quality burden, (calculated to be £69,400.29) and the NO₂ 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: -

- (vii) Contributions to highways improvements in order to reduce local traffic congestion
- (viii) Support for and promotion of car clubs
- (ix) Contributions to low emission vehicle refuelling infrastructure
- (x) Provision of incentives for the uptake of low emission vehicles
- (xi) Financial support to low emission public transport options
- (xii) 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 Paragraph 124 of the National Planning Policy Framework.

Materials

17. The external materials to be used in the construction of the dwellings hereby approved shall only be those set out in Drawing No MP0-01Rev E, unless otherwise approved in writing by the Local Planning Authority

Reason

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

18. Prior to the first occupation of any dwelling on the site a detailed scheme for the laying out of the Local Area of Play (LAP) including the specification of equipment to be provided within the play space area shall be submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme shall be implemented to a timetable which shall be agreed in writing with the

Local Planning Authority. The LAP shall thereafter be retained and maintained for the life time of the development unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of providing accessible local play areas for young people.

Ecology

19. The development shall be undertaken in complete accordance with the Landscape Ecological Management Plan, dated October 2017. No development shall commence within that section of the SBI currently supporting Dingy Skipper Butterfly and identified for short term retention within the Landscape and Ecological Management Plan dated October 2017 until verification has been provided in writing to the Local Planning Authority that the butterfly has successfully colonised the compensatory habitat and approval for the commencement of the development of that part of the site has been given in writing.

Reason

In the interest of protecting and conserving the population of the Dingy Skipper Butterfly that is present on the site.

Noise Mitigation

20. No dwelling shall be occupied until a scheme to protect the internal noise levels within susceptible properties from noise generated by traffic along Keyes Park Road and from the Hednesford Town Football Stadium has been submitted to and approved in writing by the Local Planning Authority. The works shall include, but not necessarily limited to the provision of acoustic glazing, at relevant properties, to the standards cited in the Acoustic Report together with appropriate ventilation systems to allow the windows to remain closed when required. The ventilation system shall comply with Building Regulations. No dwelling shall be occupied until the works to that dwelling required under the approved scheme has been implemented.

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.

21. No dwellings at Plots 22- 38 and 39-50 shall be occupied until a specification for the provision of an acoustic fence along the boundary shared with the car park to the Hednesford Town Football Club has been submitted to and approved in writing by the Local Planning Authority and an acoustic fence has been erected to that specification. Thereafter the acoustic fence shall be retained and maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

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.

Dealing with Minor Discrepancies on the Submitted Plans

22. Notwithstanding the details of the approved plans: -
- (iii) that part of the southern boundary to Plots 50-51 running between the car park to the football ground to the access strip to the Site of Biological Importance shall be comprised of a 2.0metre high brick wall.
 - (iv) a revised scheme for the planting of trees along the entrance to the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with approved time table for the implementation of the wider landscape scheme.
 - (v) the knee rail running along the boundary of the approved estate and the Site of Biological Interest shall run along the rear of the bin collection points so as to allow unfettered access to the storage areas.
 - (vi) the height of the acoustic fence along the boundary of plots 22- 38 and 39-50 shall be increased to at least 2.2m.

Reason

In the interest of proactively dealing with minor discrepancies and deficiencies in the submitted plans and, or, to deal with issues raised by consultees.

23. 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.

Trees and Landscape

24. No part of the development shall commence until details of all arboricultural work have been submitted to and approved by the Local Planning Authority. Details shall include a method statement and schedule of works.

Reason

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

25. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing Ref Dwg. No. 17-15-06 Rev A unless otherwise agreed in writing by the Local Planning Authority.

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 National Planning Policy Framework.

26. Within the enclosed area known as the Tree Protection Zone, no work shall be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles shall 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 shall 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 National Planning Policy Framework.

27. The approved landscape works shown on Drawing Nos. 17-15-03A Landscaping Sheet 1 Rev A, 17-015-04A Landscaping Sheet 2 Rev A and 17-015-05B Landscape Strategy Rev B, as amended by any condition, or the approval of any scheme pursuant to any condition attached to this permission, shall be carried out in the first planting and seeding season following the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area in accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

28. No dwelling shall be occupied until a management plan for the establishment (including the replanting of any trees and shrubs that dies within the first five years following their planting) and subsequent management of soft and hard landscaping on the site has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the soft and hard landscaping on the site shall be managed in accordance with the approved management plan unless otherwise approved in writing by the Local Planning Authority.

Reason

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

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

PL-01	Planning Layout Rev F.
MP0-01	Material Plan Rev F.
BTP0-01	Boundary Treatments Rev G.
17-15-06	Tree Retention / Removal plan Rev A.
17-15-17	Tree Constraints Plan.
17-15-03A	Landscaping Sheet 1 Rev A.
17-015-04A	Landscaping Sheet 2 Rev A.
17-015-05B	Landscaping Strategy Rev B.
SLP-01	Slab Levels Rev C.
20093-801	Sections.
20093	UCP Utility Corridor Routes.
22881/08-17/5090	Parking Study Rev B.
22881/05-17/4802	Transport Assessment Rev B.
17015/DP/AIA001	Arboricultural Report Rev A.

WM11069	Site Investigations.
LEMP A	
17015/TGW/TS001	Tree Report Rev A
17443-1	Noise Report.
LE13883	Air Quality.
	Design and Access Statement RevB.
	Travel Plan, August 2017.
	Preliminary Ecological Appraisal, dated August 2015, prepared by ADAS.
	Reptile Survey, dated November 2015, prepared by ADAS.
	Great Crested Newt Survey, dated July 2016, prepared by ADAS.
	Final Invertebrate Survey, prepared by ADAS.
	Landscape and Ecological Management Plan, dated October 2017, prepared by ADAS.
	Botanical Survey.
2281/03-17/4818	Flood Risk Assessment.
2281/09-17/5156	Flood Risk Assessment Addendum.
1001-HT-A A -	
1001-HT-C C -	
1001-HT-D D -	
1001-HT-E E -	
1001-HT-F F -	
1001-HT-G G -	
1001-HT-H H -	
1001-HT-L L -	
1001-HT-W W -	
1001-HT-X X -	
1001-HT-Y Y -	
1001-HT-Z Z -	
1001-GAR-1	Garages

30. No dwelling shall be occupied until the boundary treatment to that plot shown in Drawing BTP0-01, as amended by any condition, or the approval of any scheme pursuant to any condition attached to this permission, has been completed. All other boundary treatments shown in Drawing BTP0-01, as amended by any condition, or the approval of any scheme pursuant to any condition attached to this permission, shall be completed within 2 months of the completion of the last dwelling.

Reason

In the interest of visual amenity of the area in accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

Notes to the Developer

- i. This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that all approvals and agreements are secured before commencement of works.

- 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 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.
- iv. The developer's attention is brought to the comments of Staffordshire Police in respect to the desirability of achieving Secured by Design accreditation.

EXTERNAL CONSULTATIONS

Hednesford Town Council

Although the provision of some affordable dwellings is welcomed the Town Council would point out that, if approved, Policy H1 in the draft Neighbourhood Plan for Hednesford provides that, subject to viability issues, a housing development of more than 25 units would need to include a minimum of 10% bungalows designed to mobility standards suitable for occupants who may need to use wheelchairs or other mobility aids

In terms of open spaces and the proposed play area the Town Council would wish to see in place agreements to ensure the future management and maintenance. With regard to the equipment to be installed in the play area the Town Council would be concerned to ensure that this was not easily susceptible to vandalism For example, litter bins that can be used to set fires such as the example with the plans

In terms of roads it is noted that the Hednesford Town FC will be accessed via the estate road. On match days and when the FC hosts corporate events and private functions there will be concerns for highway safety due to the large numbers of vehicles that will be entering and or leaving simultaneously. This could also potentially be a nuisance for those dwellings facing on to the road

The site plans indicate several cul-de-sacs constructed from brick paviers which can be easily damaged by HGV's. Agreements need to be made to ensure future repair and maintenance of all the roads on the estate

The Town Council is increasingly concerned about the impact of new developments on the provision of local public services – especially education and health and trust that suitable developer contributions will be secured to cater for additional demands that will be placed on these services

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.

There are numerous desire lines on site, there is a desire line which would run along the front of the proposed outward facing dwellings along the west of the site. As the dwellings are outward facing this allows for natural surveillance from the residents.

At present there are three visible desire lines leading to adjacent streets, namely Hill Street and at various points along Sweetbriar Way, which have been formed by the regular visitors to the football stadium and associated grounds. Historically the wooden fence panels have been removed from Sweetbriar Way and used to provide a sturdier route along boggy section of the desire line. I recommend that these desire lines are made into well connected footpaths / cycle paths, 3m wide without any obvious bends, with low level shrubs along the paths. The path should be lit to street lighting levels. This will provide a safe environment for users.

The high density of dwellings proposed for the site does not allow for sufficient visitor parking within the development. The high density of drive ways does not allow for sufficient on street visitor parking. If a resident was to hold a child's birthday party, the number of visitors' cars would lead to potential parking friction between visitors and residents.

Building for life 12 recommends that the car parking demand should be anticipated, that a range of parking solutions should be offered and that the opportunity for antisocial parking is designed out, none of which appear to have been offered.

There are insufficient trees incorporated into the street design to balance the high density of driveways. The proposed layout has insufficient landscape front gardens and highly dominated with vehicles.

Street Lighting

The public areas of this development should have the street lighting layout carefully designed to produce a uniform light and comply with BS5489:2013.

High pressure sodium units or LEDs should be used where possible.

Care should be taken to ensure that the established trees do not block light and the lighting scheme works throughout the year.

Perimeter

The stadium will only be occupied at certain times of day, with legitimate access to the stadium car park limited to the same period. There is a barrier at the entrance, however this is rarely in use, enabling unauthorised car park use, with no natural surveillance of the stadium car park, this may lead to vehicle related anti-social behaviour and criminal damage. I recommend the height of the acoustic fence is increased to at least 2.4m and an improved lockable gate at the entrance to the stadium. Dwelling 52- is the corner property, with close proximity to the current desire line through the trees, this leaves the dwelling and the cars parked in the parking bays vulnerable to anti-social behaviour and criminal damage and the offenders escaping unobserved along the desire line. I recommend the brick wall should be extended to enclose the parking bays associated to the property to limit unauthorised access to private property.

Dwellings

All dwellings should attain SBD [secure by design] accreditation standards regarding security.

Staffordshire County Council Highways

No objections subject to conditions.

National Grid

No comments received.

County Economic Development

No comments received.

Environment Agency

The site is located on Carboniferous Coal Measures strata which are designated a 'Secondary (A) Aquifer by the Environment Agency. A tributary of Riding Brook is located 150 metres to the north of the site.

According to information held by the Environment Agency the site is located above a historic landfill site. Recommend the developer contact the local council, as lead regulator for these sites.

The proposed site appears to have been the subject to past industrial activity which poses a high risk of pollution to controlled waters. However, the EA have recently revised the - priorities for deployment of EA's technical guidance towards focussing on: -

- The protection and improvement of the groundwater that supports existing potable drinking supplies,
- Groundwater within the most strategically important aquifers for future supply of potable drinking or other environmental use.

As such the EA is unable to provide site-specific advice relating to ground contamination issue sat this site. Recommends looking at the EA's published guidance and that Environmental Health area consulted. Goes on to recommend that where planning controls are necessary the EA would recommend that the local planning authority seek to integrate any requirements for human health protection with those for the protection of the water environment. This approach is supported by Paragraph 109 of the NPPF.

The consultation goes on to recommend the approach that the developer should take with reference to Government guidance and model procedures for the management of contamination including when contamination is taken off site.

Recommends a condition to the effect that the applicant shall submit an ecological management plans to the council.

Severn Trent Water

The submitted drainage drawing shows all foul sewage is proposed to discharge to the public foul and all surface water to discharge to the nearby ditch. Severn Trent has no objections.

Local Lead Flood Authority (LLFA)

Following our original comments on the Flood Risk Assessment (Ref: 22881/03-17/4818, May 2017), further correspondence and amended details have been submitted including FRA Addendum (Ref: 22881/09-17/5156, 28/09/2017) and amended drainage strategy drawing (No: 22881_02_020_02, Rev D) with supporting calculations.

Further assessment of the flood risk from the watercourse has been undertaken based on the topographical survey, which concluded that with properties elevated approximately 2m above the watercourse there would be no future flood risk to the scheme.

The drainage strategy has been revised to reduce the proposed surface water discharge rate to the greenfield QBAR rate of 9.8l/s in total for all rainfall events up to 1 in 100 years with a 40% allowance for climate change.

On-site flood volumes during extreme events have been reduced to a volume that can be safely managed within the highway at a low depth.

Additional water quality treatment measures have been added, including a vortex pollution control chamber and construction of a reed bed by widening the existing watercourse channel.

Some minor amendments and additional detail will be required in the detailed design, including re-profiling of the channel to incorporate an effective reed bed without restricting high flows, and incorporating the pond depth/area profile.

To fulfil the need for local planning authorities to satisfy themselves that there are clear arrangements in place for ongoing maintenance over the lifetime of the development (House of Commons Written Statement on SuDS (HCWS161)) I would recommend that a management and maintenance plan should be produced, with details of the management company and maintenance agreement provided to the LPA prior to first occupation.

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations. Please also consult us again on any future major changes to the proposed development or drainage scheme.

Staffordshire County Council Flood Risk Management Position

The proposed development will only be acceptable if the following measure(s) as detailed in the Flood Risk Assessment (Ref: 22881/03-17/4818, May 2017), FRA Addendum (Ref: 22881/09-17/5156, 28/09/2017) and amended drainage strategy drawing (No: 22881_02_020_02, Rev D) submitted with this application are implemented and secured by way of a planning condition on any planning permission

Natural England

No objection subject to appropriate mitigation being secured in respect to Cannock Chase SAC.

The application site lies within 3km of Cannock Chase SAC. Your Authority is a partner in the Cannock Chase SAC Partnership project. Cannock Chase District Council has recently published an evidence base, including recommendations on the mitigation of recreation related impacts on the Cannock Chase SAC. Review of this evidence base has shown that recreation associated with new housing development within 15km of this European site

would have a significant effect on the SAC unless mitigation measures are put in place. The effects arising from recreation comprise the creation of new paths, path widening, erosion and nutrient enrichment.

This evidence base is reflected in your local plan policy CP13 and the accompanying development management guidance. This guidance sets out the Council's approach to delivering mitigation by means of the Strategic Access Management & Monitoring Measures (SAMMM) agreed by the SAC Partnership. These measures will facilitate sustainable residential development while safeguarding the SAC.

To ensure compliance with the Habitats Regulations, we consider that the LPA will need to demonstrate, in advance of granting permission for a development management application, that there is sufficient certainty of the required financial commitment to deliver the SAMM measures. If such security can be demonstrated the council should complete an HRA 'screening' record accordingly. Provided that the Council as competent authority is satisfied the proposal can be screened out of the HRA process, we do not need to be re-consulted.

If the HRA screening process cannot demonstrate that the required financial contribution will be delivered then please consult us again.

Sites of Special Scientific Interest (SSSI) - no objection.

This application is in close proximity (within 1km) to the Chasewater and the southern Staffordshire Coalfield Heaths Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which this site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

The consultation response goes on to provide generic advice in respect of landscape, best and most versatile agricultural land and soils, protected species, local sites and priority habitats and species, ancient woodland and veteran trees, environmental enhancement, and recreation and access

Biodiversity Duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat.

School Organisation

The development falls within the catchments of Five Ways Primary School and Kingsmead School. Five Ways Primary School is projected to have limited vacancies based on the current and projected pupil numbers available at this time.

Excluding the 16 RSL dwellings from secondary only a development of 125 houses including 16 RSLs could add 26 Primary School aged pupils, 16 High School aged pupils and 3 Sixth Form pupils.

Although the development will put additional pressure on school places current pupil demographics indicate that the school should be able to accommodate the likely demand from pupils generated by the development.

Kingsmead School is projected to have sufficient space to accommodate the likely demand from pupils generated by the development.

Staffordshire County Council Planning Policy and Development Control Team

The whole site falls within a Mineral Safeguarding Area (MSA) for coal and fireclay.

Paragraph 144, of the National planning Policy Framework 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.

Our records show that the site falls within a former clay extraction site and landfill site area known as Hednesford Brickworks. This is confirmed in the 'Report on Ground Investigation' accompanying the planning application. It is therefore likely that any underlying mineral has been previously extracted and the land infilled and restored. It is therefore reasonably concluded that that the proposed development will not lead to sterilisation of an important mineral resource. No objections.

South Staffordshire Water

No comments received.

INTERNAL CONSULTATIONS

Waste and Engineering

Herring Bone Paving

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

Bin Collection

Adjacent to the end of the hammerheads and/ or junctions of adoptable roads and private roads there must be a waste collection point suitable for the temporary positioning at the same time of at least two bins per property.

Property Position Relative to Bin Collection Points

All properties should be located with 25 metres distance of the designated bin collection point adjacent to the end of each hammerhead and/ or junction of adoptable roads.

Environmental Health

I refer to the above report, ref: WM11069, dated August 2017, which has re-assessed the ground conditions on residential development land adjacent to Hednesford Town FC.

I concur with the conclusions and recommendations given in Section 8 of the report.

Gas protection measures should be provided in accordance with Amber 2 classification incorporating a minimum 150mm ventilated void space beneath the houses together with the installation of a gas proof membrane by a specialist contractor. Validation of these works should be provided following completion. Should the developer wish to undertake further monitoring and gas flow assessments to delineate the development between Amber 2 & Amber 1 classifications for gas protection then this should be subject to further reporting for approval of any revised scheme.

Clean cover will be required to a depth of 600mm in garden areas and 300mm in public open spaces. This work will also require validation and certification that the cover is suitable for use provided. Contingency measures will be necessary to deal with any unforeseen hot spots of contamination discovered during the development process.

Appropriate arrangements to deal with the isolated presence of Japanese Knotweed as detailed in Section 8.10 will also be required.

The [acoustic] report identifies Keys Park Road and the Hednesford Town FC Stadium as the main noise sources, and recommends that acoustic glazing as an appropriate measure to protect the internal noise levels within susceptible properties. I request that that the development is conditioned to require acoustic glazing, at relevant properties, to the standards cited in the report together with appropriate ventilation systems to allow the windows to remain closed when required. The ventilation system must comply with Building Regulations, and I therefore recommend that Building Control are consulted.

I do not feel that the report adequately demonstrates that the external amenity of properties close to Keys Park Road has been addressed. As this development is not within a large conurbation or affected by significant roads networks, etc I am not of the opinion that any properties should experience external amenity noise greater than $50\text{dB}_{\text{LAeq,T}}$ in rear gardens, and request that the developer provides and demonstrates adequate acoustic protection to achieve this standard. In particular, it is of concern that a number of properties are positioned side on to the road where the rear gardens are not protected by the fabric of the houses. As such, these may experience day time noise levels of $62.6\text{ dB }L_{\text{AEQ,T}}$. It may be that acoustic fencing along Keys Park Road is required to achieve this standard. This may also reduce the acoustic glazing requirement, which the developer may wish to demonstrate.

I would also recommend that acoustic fencing is provided to mitigate the impact of noise from the car park area. Such noise may not cause exceedance of recommended noise levels. However, the nature of the noise and the sight & behaviour of fans may potentially be problematic to the nearest properties. Robust acoustic fencing should help mitigate this impact to some extent.

An air quality impact assessment report has been submitted. The report concludes that the development in itself will not lead to an unacceptable risk to air quality. However, the financial cost of the air quality burden has been calculated to be £69,400.29 with a recommendation that mitigation measures against NO₂ and PM concentrations, equivalent to this amount, should be provided. I accept these findings, and recommend that relevant transport authorities and policy departments are consulted on appropriate schemes that can be supported. Those recommended are:

Contributions to highways improvements in order to reduce local traffic congestion
 Support for and promotion of car clubs
 Contributions to low emission vehicle refuelling infrastructure
 Provision of incentives for the uptake of low emission vehicles
 Financial support to low emission public transport options
 Improvements to cycling and walking infrastructure

I am advised that car clubs may not necessarily be an effective measure outside of major conurbations, so should probably be of lower priority.

The report also assesses the impact of the construction phase, recommending a suite of mitigation measures. These measures should be incorporated into a construction management plan to ensure minimal impact from the development.

Strategic Housing

On sites of 15 units and above 20% is required for affordable housing so the 25 units identified in the planning application is correct. 80% is required for social rent and 20% shared ownership. 20 units should therefore be provided for social rent not the 16 identified and 5 units for shared ownership, not 9. There is high demand for 2 bedroom houses so there should be a greater proportion of 2 bedroom houses for social rent than 3 bedroom.

Development Policy

The site is a brownfield site (former brickworks), situated within the urban area of Hednesford. It is identified within the Strategic Housing Land Availability Assessment (SHLAA 2016) as a developable site for approximately 90 dwellings based upon the previous planning consent (subject to S106 which not completed) landowner interest in bringing the site forward and a high level assessment of potential constraints (constraints highlighted within the SHLAA are that the site is surrounded by the SBI designation/ TPOs/ Green Space Network, former brickworks-potential ground issues (historic landfill) some Coal Authority High Risk Development Area). As such the principle of housing development at this site is considered to be broadly in line with the Local Plan (Part 1) spatial strategy for housing development-Policy CP1 and CP6 and has been previously established as acceptable.

However, it is noted that the current proposals suggest an increase in the number of units compared with previous consents (125 dwellings compared to 90 dwellings). As such the degree to which a more intense development on this site is acceptable will need to be considered in more detail. This is particularly relevant with regards to the likely loss of part of the designated Site of Biological Interest arising from the increase in dwellings proposed.

Policy CP12 states 'Planning permission will be refused for developments resulting in the loss of adverse effects upon a locally designated site unless

- there is no alternative suitable site for the proposal, and
- the need for and the wider sustainability benefits of the proposal outweigh the adverse impacts taking into account the value of the site and;
- appropriate mitigation measures or new benefits can be provided to compensate for the loss.

In terms of the first and second bullet point as outlined above the site has been identified as needed to contribute towards the Local Plan (Part 1) housing requirements. If this major site does not come forward then there may be a need to identify additional capacity elsewhere in the district. There are a number of benefits of the proposal including reuse of a large brownfield site; helping meet housing needs overall, contributing towards affordable housing needs in accordance with policy, providing open space, providing facilities for the adjoining football club (car parking and receipts towards the clubs improvement) , providing local infrastructure funding via CIL receipts . However, it is considered that a reduction in the number of dwellings could avoid the extent of the third bullet point, it is noted that the applicants have submitted habitat and species survey work analysing the value of the site and recommended mitigation measure. The degree to which this satisfies the provisions of the second and third bullet point of policy CP12 should be reviewed with the appropriate ecological consultees. It is noted that an Ecological Management Plan is also yet to be produced which may affect the extent to which a decision can be reached in respect of policy CP12 provisions.

As a market housing scheme the proposal is CIL liable. Given that a net increase in dwellings is proposed the development also needs to mitigate its impact upon the Cannock Chase SAC (Policy CP13). Should the developer be liable to pay CIL charges then this will satisfy the mitigation requirements.

Any site specific requirements may be addressed via Section 106/278 if required, in accordance with Developer contributions and Housing Choices SPD (2015) and the councils most up to date CIL Regulation 123 List. As the scheme is in excess of 15 dwellings, it is required to provide 20% on site affordable housing, in accordance with Local Plan (Part 1) Policy CP7. It is noted that these proposal meet this requirement. As the scheme is in excess of 100 dwellings the need for on-site formal play provision also needs to be considered. It is noted that the proposal contains open space provision, but there appears to be no play area provision or reference to this potential requirement within the supporting information.

Makes reference to Policies CP3, CP16 and the Design SPD, amenity issues arising from the football club, local commercial premises and recommends consultation with the Environmental Health Officer.

It is noted that the existing designated area of Green Space Network within the site development boundary is to be retained as open amenity space. Therefore there are no issues with regards to Policy CP5 in terms of loss of Green Space Network.

Ecological Officer

Having carefully considered the proposals set out in amended plans and the Landscape Ecological Management Plan, dated October 2017, I am of the opinion that sufficient amendments have now been made to largely offset adverse ecological impacts.

However, I would remain of the opinion that it will be essential to retain existing dingy skipper butterfly colonies within the development until it has been verified that the insect is established within the compensatory habitat. The area identified for short term retention which is entirely within the current SBI is likely to be sufficient for that purpose but should not be developed until verification of colonisation of the new habitat is obtained.

I am prepared to withdraw previous objections subject to the imposition of a condition and would suggest the following:

Development will not commence within that section of the SBI currently supporting dingy skipper butterfly and identified for short term retention within the Landscape and Ecological Management Plan dated October 2017 until there is verification that the butterfly has successfully colonised the compensatory habitat.

All other contents of the Landscape and Ecological Management Plan dated October 2017 should similarly be secured by way of a condition.

Economic Development

Welcomes the development of housing on this land and would hope that the developers consider installation of fibre optic broadband to support the infrastructure provision.

Trees, Landscape and Countryside

Layout - All as noted previously: -

The proposal fails to take appropriate account of the SBI, does not integrate with it or recognise potential requirements & more importantly the proposed or future impacts on the remaining.

There is no obvious recognition of the football club in terms of entrance definition. Proposal could be any estate, in any town. Needs to be an appropriate width recognising the Football club and estate, tree lined and with no individual properties accessing onto it.

The development is totally car orientated with no pedestrian/cycle linkages to the surrounding area from within or through the site. It relies solely on one access point for the whole development! It fails to recognise the strong and well used desire lines that cut through the site as a whole.

A potential pedestrian link is shown on the landscape masterplan but this crosses the football club site and is outside the red line area of the application. Thus there is no control over its implementation or retention particularly if the football club decide to enclose their car park area. The footpath link needs to connect with adopted highway and run through the open space area to the south of the site.

As noted previously: -

There is a clear network of paths running through the housing areas to the south/SE that provide important linkages to schools that need to be retained and improved.

Cycleways exist on the norther side of Keys Park Road, appropriate linkages need to be made to the Development and Football club.

The proposal basically removes all the existing established screen planting along the South side of Keys Park Road. This would have a large visual impact and be at odd with the design of the Keys Park Road through the brickworks site. Proposed new planting is chiefly shrubs with few pines. This would not be sufficient to screen the

development/rear/side gardens. Overall this would reduce the effect and quality of the exiting street scene.

Large amount of frontage parking results in large areas of tarmac which with roads and footpaths gives a very hard surfaced dominated environment particularly as there is little space for suitable landscaping to soften this effect.

The proposed LAP is located at the junction of the main access road and the football club entrance. This is a totally unsuitable location for a LAP which should be located within the housing area in a relatively quiet [sic] but easily accessible and viewable location. The proposed design is poor, no footpath links, tarmac area. The fenced area set within the only usable piece of POS (325m²) within the development actually wastes over 2/3rd of that usable space!

The revised layout contains an area of 325m² for usable open space containing a Local area of play (LAP), which is solely designed for toddler use. This is way below the minimum required standard

A development of 125 units needs to provide a bare minimum of 0.22HA usable amenity green space including appropriate age related play provision.

The proposal relies on the remaining open space which is neither usable (SBI) nor accessible due to existing features/drainage requirements/ topography and private drives.

The provision of appropriate recreation or usable open space especially in terms of formal play area facilities is an essential part of any large development and its lack is thus clearly contrary to Policy requirements and is not acceptable.

The survey schedules are still incomplete and contradictory. i.e. 20m SM trees!

The AIA is still incomplete and does not realistically assess the impact other than to say it is all ok.

There is still no TPP or heads of terms for the AMS.

There is still a significant loss of screening along the north boundary. They now seem to be suggesting mitigating this by planting shrubs in front gardens.

Boundary Treatments

Use of knee rail will not prevent shortcuts developing from estate road towards Keys Park Road.

Bin collection points located to rear of knee rail on SBI area! Inaccessible and not acceptable in terms of loss of SBI area however small.

Materials plan

Deals only with buildings – no comments

Landscaping Strategy

Comments in relation to the open space area will be covered via the separate ecologists comments. However comments above from tree officer need to be noted as above.

Housing Area only.

Given the density and associated parking areas there is little green space left and what is left will have little effect.

Tree planting is proposed along the entrance way however that to the northern side and close to the roundabout is wedged between two paved areas and will have little if any rootzone thus are not sustainable. This should be a key visual area and absence of trees would not be acceptable.

There are numerous narrow areas between paved areas where planting and grass is impractical!

Detailed soft landscape drawings.

Issues of impractical grass and planting areas wedged between paved areas.

Lack of rootzones for trees .

Trees located too close to adjacent edge of paved areas – need to be set 0.5-1.0m from edge of pavements to allow growth.

Maintenance/ Management.

The design & layout provides maintenance access points into the area to the south of the housing area via private access drives. This should be off adopted highway and to allow public access!

Overall there is no place making to the proposals, house types are generic found all over the midlands. Fails to capitalise on the value of the SBI, its setting, features and the football club itself.

RESPONSE TO PUBLICITY

The application was advertised by neighbour letter, site notice and by newspaper advert. 2 letters of objection have been received, making the following comments: -

The area is already densely populated with the islands on Hill Street and Hill Top experiencing quite substantial congestion during peak hours. With 125 houses this has the potential for 250 or more extra cars on these roads at peak times as well as the pollution associated with this.

Myself and other residents have on occasions seen newts on the land where the dwellings are proposed. There are also bats, woodpeckers, badgers and other uncommon wildlife which

use this as their natural habitat and the removal of trees as well as the disturbance caused would prevent this being their habitat going forward.

There are old trees on the site which look set of felling. A lot of these have TPOs on them as well as related to the above, being a natural habitat for wildlife. These trees have a lot of amenable purpose to them and I do not feel that it is right that these should be felled.

The building work as when they are built will cause much noise, smell and pollution. With the football club situated where it is and there is a match on there is a lot of noise and light pollution from this area and the building of 125 houses will substantially increase this.

Also concerned about the accessibility to the rear of the properties on the houses which back on to this and at the end of Sweetbriar Way. If planning is approved I would like to know if a stipulation could be put in for higher fence at the bottom of the gardens of the properties which border on to land to be built as these are only currently 6 foot fences but I would like to see a 10 foot fence erected here for extra security and also for the reduction in the noise carried through to the residences.

There is currently an unofficial path at the very end of Sweetbriar Way which leads to this land. I would like to see this block d off to prevent people using the street as a short cut for whatever reason (for getting to Five Ways School for example) as I bought the house in the location it is for the very reason that it is quiet, not overlooked and not affected by passing traffic either vehicular or pedestrian.

I have been assured by Taylor Wimpey that the woodland to the side of 14 Levetts Hollow was to be retained. This is very important to us and our neighbours as it provides privacy and screens us from the development. However, having read the details of the proposal this is not made clear and there appears to be plans to thin out or remove much of this screen.

Would like reassurance that the council will retain the woodland marked G9 and G7 on the plans.

Also with a young family we will be requiring primary school places in a few years time and we are concerned that the new development will lead to a shortage in availability.

Concerns have been raised by police and other institutions about this and should be listened too.

Proposal is based on greed and will have a major impact on local community and services, which are already stretched.

Although not living close as some other residents to the proposed site, the noise, social and regular disturbances from residents from football traffic will have a major impact on those close by.

The traffic and parking on current match days already significantly impacts on the local roads surrounding HTFC without adding to it.

There are already numerous power cuts throughout the year suggesting the current systems cannot cope without adding further draws on these resources will only add to further disruptions.

The increased disruption to the local roads and the state they will be in with limited access to/from the site causing major problems especially whilst the site is being built.

Concerns have been raised by police and other institutions about this and should be listened too.

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The increased disruption to the local roads and the state they will be in with limited access to/from the site causing major problems especially whilst the site is being built.

When we spoke you mentioned about the SBI and Brickworks as I recall this land is only managed by CCDC but owned by the Land Trust. If I understand correctly what you were saying that this would be included in that amenity assessment does the ownership and ability to develop the site for increased leisure use impact on the considerations.

My concerns about the proposed location relate to a play area with very minimal equipment is situation adjacent to the main estate road on a corner close the football ground entrance. Reading the report in full shows a number of ecological concerns expressed and I believe this should be specifically highlighted and discussed by the committee.

Finally you mentioned that an increase in provision within the development would reduce social housing provision. Beyond the reduced housing percentage I don't accept that they can just impact on the social housing element of the development particularly as you also mentioned that it was originally assessed for 90 houses as opposed to the proposed 125. Is there some sort of independent assessment of this or is it just down to the developer to make their own financial risk and reward commercial decision.

Beyond all this I still remain concerned about the safety of people needing to exit the football stadium in case of incident when the capacity of over 6000.

RELEVANT PLANNING HISTORY

- CH/06/0095: - Residential development (outline) and replacement car parking. Approved subject to Section 106.
- CH/05/0686: - Variation of condition 21 of Planning Application CH/94/0670 to extend hours. Approved.
- CH/04/0783: - Residential development. Withdrawn.
- CH/03/0356: - Industrial development. Withdrawn.
- CH/03/0269: - Variation of condition hours of operation for Hednesford Town Football & Social Club. Refused.
- CH/03/0247: - Variation of condition to allow market to operate on Bank Holiday Mondays at Hednesford Town Football & Social Club.
- CH/02/0460: - Change of Use. Granted.

1. SITE AND SURROUNDINGS

- 1.1 The application site comprises land adjacent to Hednesford Town Football Club, comprising areas of short grassland (sometimes used for parking to the football ground) tall, ruderal grass and scrub, areas of hardstanding with belts and blocks of semi-mature woodland around the southern, western and northern peripheries. The site forms part of the wider grounds of the Hednesford Town Football Club.
- 1.2 The boundary to the site is formed by Keys Park Road along the northern edge, the boundary shared with residential properties along Hill Street to the west and Sweetbriar to the south and the car park serving the football ground to the east. The football stadium and its formal car park therefore fall outside of the perimeters of the current application site.
- 1.3 Keys Park Road is located within the settlement of Hednesford and the surrounding area is predominantly characterised by modern and sometimes substantial housing which constitute much of the Hawks Green-Heath Hayes and Wimblebury areas. The exception to this is the Upper Keys Business Park that runs along the northern side of Keys Park Road with its modern units and associated parking set in established landscaped grounds.
- 1.4 The site is within 10 minutes walk of the B4154 which is served by the No 60 bus service giving 30 minutes service to Cannock Town Centre. The site is also within walking distance of the small commercial hub at the junction of Sharon Way and Hill Street which has the Coach House Restaurant, Trocadero Fish Bar and One Stop Stores and the No 62 bus service (Hednesford-Cannock) in addition to the Kingsmead Technology College and hence can serve the day to day needs of the occupiers of the proposed estate.
- 1.5 The site is unallocated in the Cannock Chase Local Plan (Part 1) but lies within the settlement boundary of Hednesford. However, part of the site (mostly characterised

by semi-natural vegetation) is designated as a Site of Biological Interest, principally on its amphibian assemblage but also because it supports a population of the regionally scarce Dingy Skipper butterfly.

1.6 The site is located within Flood Zone 1 on the Environment Agency's flood risk maps.

1.7 To the east of the football ground is the Old Brickworks Nature Reserve which is described as a small but valuable green oasis which supports a variety of important habitats including woodland, wetland and grassland areas in the middle of an urban environment. The site is owned by The Land Trust and managed on their behalf by Cannock Chase Council.

2. PROPOSAL

2.1 The original application sought permission for residential development comprising 125 dwellings including 25 affordable dwellings, open space and associated roads and parking

2.2 Following consultation responses and extensive negotiation to resolve competing interests the proposal has been amended. The applicant is now seeking full planning permission for 123 dwellings including 22 affordable dwellings, open space, equipped childrens' play space and associated roads and parking.

2.3 The proposals include alterations to the Site of Biological Interest to create an extensive area of new grassland habitat through selective removal of plantation woodland areas. This is to provide compensatory habitat for the Dingy Skipper Butterfly which is a priority species. However, an area of existing woodland is proposed to be retained along the western and southern boundaries of the SBI which would continue to provide amenity cover to the adjacent residential properties. The long term ecological value of the SBI is proposed to be maintained through a Landscape and Ecological Management Plan.

2.4 The revised layout incorporates an area for childrens' play (a LAP).

2.5 As a result of the changes brought through the planning process the number of affordable plots has fallen from 25 to 22 (representing provision of 18% affordable units) with a split of 35% shared equity and 65% affordable rented units.

2.6 The proposal also includes a 2.1m high acoustic fence between the residential properties and the football club.

2.7 It is proposed that drainage for the site would take foul to public mains and surface water to water course (a drainage ditch runs through the site) with appropriate sustainable drainage system attenuation.

2.8 The proposed accommodation schedule is as follows: -

Market Housing

Affordable Housing

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 216	Implementation.

3.9 Other Relevant Documents

Design Supplementary Planning Document, April 2016.

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

Manual for Streets

Hednesford Neighbourhood Plan (Consultation Draft)

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 the adjacent football ground
- (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) Hednesford Neighbourhood Plan
- (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 Frame work 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 a suburban area of the town of Hednesford and hence broadly conforms to the requirements of policy CP1. Furthermore, as an area of predominantly 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 the B4154 Hill Street and a small commercial hub at the junction of Sharon Way and Hill Street which has the Coach House Restaurant,

Trocadero Fish Bar and One Stop Stores and the No 62 bus service (Hednesford-Cannock). 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, para17).

- 4.2.6 As such it is concluded that the proposed development would be located within a sustainable location.
- 4.2.7 In addition to the above it is noted that the site is identified within the Strategic Housing Land Availability Assessment (SHLAA 2016) as a developable site for approximately 90 dwellings.
- 4.2.8 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.
- 4.2.9 However, proposals 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 Given the above context it is noted that the application site is located within a large suburban area of late C20th/ early C21st housing estates, most, if not all of standard design housing (of varying designs) served by cul-de-sacs that cover much of the area between the A5190 Lichfield Road to the south, the A460 Eastern Way to the west, Wimblebury Road to the East and Keys Park Road to the north. These developments have little or no local distinctiveness in their character and are typical of housing of that date throughout much of the country.

4.3.6 A variety of dwelling types are proposed, which are traditional in design with pitched roofs, and some detailing to the sills. Proposed materials to be used include: -

Main: Mercia orange multi/ Feature: Staffordshire Blue / Roof Tile: Russell Lothian Slate Grey.

Main: Minister Sandstone Mixture/ Feature Staffordshire Blue/ Roof Tile : Russel Lothian Peat Brown.

Main: Mercia Antique/ Feature: Staffordshire Blue/ Roof Tile: Russell Lothian Slate Grey.

Housetypes F and G would have the first 8 courses above the DPC in atlas smooth red.

The use of Mercia Orange Multi and Staffordshire Blue bricks do give some degree of homage to local material types that can be found on some older properties within the district and hence do contribute in some measure towards local distinctiveness. As such they are considered to be acceptable and can be controlled through the use of a condition.

4.3.7 Boundary treatments proposed include a mixture of

1.8m high close boarded wooden fencing to rear gardens;
1.8m high English garden bond brick wall to side garden boundaries long highways ;
0.9m high hoop top railings around the LAP; and
0.45m high trip rail timber fence along the boundary with the Site of Biological Interest.

These are boundary treatments that are normally found on residential estates and are considered acceptable.

4.3.8 In respect to layout the estate would be laid out in a series of cul-de-sacs served off a main spine road giving access via the existing access to the football ground to the

roundabout on Keys Park Road. This arrangement is commonly found in the wider area and is considered acceptable.

- 4.3.9 Much of the Site of Biological Interest will be retained although, in the interests of nature conservation, some scrub and trees are proposed to be removed to create open grassland habitat for the Dingy Skipper Butterfly. However, a woodland belt would be retained along the southern and western boundaries and as such the contribution this woodland makes to the character of the area would be retained.
- 4.3.10 The proposal would result in the loss of a semi-mature area of woodland planting strip along the frontage of the site with Keys Park Road. The result would be to replace the tree belt with residential development and as such the streetscene would alter from a wooded character to one that is residential in nature. However, it must be borne in mind that this is a predominantly residential area, which is characterised by residential streets. As such the overall effects would not be out of character with the wider area.
- 4.3.11 In respect to comments made in relation to the "high density" of the development, it is noted that the guidance for space about dwellings set out in the Council's Design Guide has been largely met throughout the development with typically 21metres between rear to rear and between front to front relationships and 12 metres between main to side relationships. This is a more generous relationship than what is found in many recently consented schemes throughout the district where front to front relationships can be as low as 14 metres.
- 4.3.12 In respect to comments that the streetscenes will be car dominated it is noted that some areas of the proposal is characterised by terrace housing, particularly in the south east corner. However, this parking arrangement is little different to some of the parking arrangements that exist in the surrounding area, for example, on the adjacent estate at Sweetbriar Way, or on recently consented developments, e.g. the Barratt development at Limepit Lane and is reflective of the modern emphasis of planning policy on making efficient use of land. As such it is considered that this element of the proposal is acceptable.
- 4.3.13 In respect to the issue of the bin collection points being behind a knee rail this issue can easily be remedied by the use of a condition.
- 4.3.14 In respect to the issue of the lack of cycle and footpaths links it is noted that the site is within walking distance to public transport services and a range of shops and schools. As such there is no requirement for cycleways and pedestrian links other than those provided to make the proposal acceptable in planning terms. Furthermore, while it is accepted that dedicated cycle and pedestrian links can be beneficial they can in certain instances create other problems. In this case the opportunities for cycle ways and pedestrian links would run from the site across the Site of Biological Interest (SBI) and links up to surrounding highways. These would result in additional take-up of the semi-natural vegetation which comprises the SBI with consequent further erosion of the ecological interest. Furthermore, Staffordshire Police have stated that if these links are to be provided then they would have to be of adequate width and lit by street lamps which would provide further disturbance to the wildlife within the SBI (for example foraging bats).

- 4.3.15 In addition to the above links through the SBI, whether they are informal or formal could provide a means for burglars and those involved in anti-social behaviour escaping unobserved.
- 4.3.16 On balance it is considered that the proposal is acceptable without any formal pedestrian and cycle links other than the main highway serving the site.
- 4.3.17 The issues raised in respect of the proposed trees along the access are minor technical details which can be resolved by either the removal of the trees which are in impractical places due to lack of rootzone, replacement of the trees which can survive constricted rootzones (e.g. Rowan which is often found in car parks) or a combination of the two. In either case the matter can be adequately controlled by condition as it is noted that there is no requirement in planning policy to have avenues of trees along any road, eve at entrances to residential estates (and it is common to find entrances to estates having no trees). As such a scheme delivering no trees at the access would still be acceptable in planning terms.
- 4.3.18 In respect to the other issues in respect of trees these again are minor in nature and do not go to the heart of the development. As such they can be adequately dealt with by condition.
- 4.3.19 Therefore it is concluded that the proposal in respect to its layout, scale and design would not have a significant impact on the character and form of the area and therefore would not be contrary to Policies CP3 of the Cannock Chase Local Plan, the Design SPD and the Good Design section of the NPPF.

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 the proposal generally meets, and in some instances exceeds 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. In addition the proposed dwellings would be over 60 metres from the nearest existing residential premises and in most instances at a substantially greater distance.
- 4.4.3 As such it is considered that in respect to layout and space about dwellings the proposal would attain a good level of amenity for future occupants and the occupiers of existing neighbouring properties.
- 4.4.4 As the site lies adjacent to the Hednesford Town Football ground there is the potential for noise and disturbance to arise from the football ground during matches and when events take place at night.
- 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 of life arising 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 an Environmental Noise Survey and Assessment (dated 1st December 2016), prepared by Noise.co.uk.

4.4.7 In respect to the potential for noise and disturbance arising from the football ground it is noted that an acoustic fence is proposed to be provided around the perimeter of the football ground car park which abuts the rear gardens of plots 22-38 and 39-50. Furthermore where the side of rear gardens are presented towards Key Park Road these are delineated by a 1.8m high brick wall. The Environmental Health Officer has, subject to the attached conditions, no objections on noise grounds and as such it is considered that, subject to the attached conditions for noise mitigation, that the proposal would attain a good standard of residential amenity.

4.4.8 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 op 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 limit 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: -

Framework Travel Plan (May 2017), prepared by Taylor Wimpey.

Parking Study (September 2017), prepared by M-EC.
 Transport Assessment (September 2017), prepared by M-EC.
 A plan showing proposed parking at the Hednesford Football Club site.

- 4.5.3 With regard to highway safety and capacity and the promotion of sustainable transport it is noted that Staffordshire County Council Highways Authority has considered the submitted plans and has stated that it has no objections subject to the layout and parking provision within the proposed estate subject to conditions.
- 4.5.4 In respect to parking provision for Hednesford Town Football Club the applicant has provided drawing showing that an appropriate amount of parking can be provided within the site and a draft specification for marking out 125 parking spaces within the car park together with a specification for improvements to parts of the surface treatment near the entrance to the highway. The Highway Officer has considered the draft plans and has no objections subject to the attached condition. Furthermore, the applicant has confirm that they have no objections to the imposition of a condition to control the implementation of the works.
- 4.5.5 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 Part of the application site lies within the limits of a Site of Biological Interest (SBI) and part of the SBI would be lost as part of the proposal. SBIs are non-statutory designations for areas of ecological interest in Staffordshire and are considered as the best remaining examples within the county of habitats which rate highly on the basis of factors such as naturalness, diversity or rarity of species or communities.
- 4.6.2 Policy CP12 of the Local Plan states 'Planning permission will be refused for developments resulting in the loss of adverse effects upon a locally designated site unless: -
- there is no alternative suitable site for the proposal, and
 - the need for and the wider sustainability benefits of the proposal outweigh the adverse impacts taking into account the value of the site and;
 - appropriate mitigation measures or new benefits can be provided to compensate for the loss.
- 4.6.3 Paragraph 118 of the NPPF states: when determining planning applications, local planning authorities should, amongst other things (not relevant to the determination of this application)

"aim to conserve and enhance biodiversity by applying the following principles:

if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately

mitigated, or, as a last resort, compensated for, then planning permission should be refused"

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

Preliminary Ecological Appraisal, dated August 2015, prepared by ADAS.
 Reptile Survey, dated November 2015, prepared by ADAS.
 Great Crested Newt Survey, dated July 2016, prepared by ADAS.
 Invertebrate Survey, various dated, prepared by ADAS.
 Tree Retention and Removal Plan (Ref 17-15-06)
 Landscape Strategy Plan (Ref 17-15-05)
 Landscape and Ecological Management Plan, prepared by ADAS

4.6.5 The Preliminary Ecological Appraisal states that

"A portion of the proposed development area forms a small part of Hednesford Brickworks LWS [Local Wildlife Site]/ SBI. The red line area forms a larger portion of the LWS/SBI; however, the large majority of the LWS/SBI is within The Old Brickworks Nature Reserve to the east and north of the site. The on-site are of the LWS/SBI is in decline through lack of active management.

There are records of Dingy Skipper on the site.

Great Crested Newts have been recorded in the on-site pond. Most of the habitats on the site and within the red line boundary are apparently suitable for this species. The on-site pond and all others within the nature reserve to the east and north must be surveyed for Great Crested Newts during mid-March to mid-June. Much of the mitigation/ compensation that is required will depend on the outcome of this survey.

The extent of habitat improvement, means of establishment, management and long term funding, should be described in a site wide Ecological Management Plan.

Provided the recommendations set out in this report are implemented, the proposed development is not anticipated to result in any significant negative ecological impacts."

4.6.6 The Great Crested Newt Survey Report adds further detail to the Preliminary Ecological Appraisal and states: -

"An initial assessment comprising a Preliminary Ecological Appraisal identified one pond on the proposed development site and a number of others within 500m ADAS undertook Great Crested Newts surveys of weight f these ponds. Three other ponds were dry. Of the eleven ponds, four scored 'poor', five scored 'below average' and two scored 'average' according to the Habitat suitability Index assessment. No Great Crested Newts were found during the ADAS survey.

In addition to the ADAS surveys Trust Ecology undertook even more details surveys of three 'core' ponds in the nature reserve. They recorded three

individually identified Great Crested Newts and a number of eggs in one pond and a single egg in another pond.

Taking into account a range of factors, it is considered that Great Crested Newts are unlikely to [be] affected by the proposed development. No specific Great Crested Newt Mitigation is required. Habitat improvements recommended and described in the Preliminary Ecology Appraisal for the site are expected to benefit Great Crested Newts should the population in the core site on the nature reserve recover."

- 4.6.7 In respect to the existing pond on the Hednesford Football site surveys found that this has deteriorated over time and was now heavily shaded by Alders and appeared to be relatively shallow, such that during the 2016 survey it was found to be dry.
- 4.6.8 The main species of interest to be found on the site was the Dingy Skipper Butterfly (*Erynnis tages*) which is described as a species of principal importance on the basis of a substantial and rapid national decline. This species is found scattered around the SBI site such that it would be impacted in as a result of the proposal.
- 4.6.9 As a result of the above the emphasis of conservation, mitigation and compensation in respect of the proposal has been on this species. This has culminated in an ecological strategy and management plan for that part of the SBI that would remain untouched by the proposed development. This puts an emphasis on the creation of suitable areas of grassland habitat which will require some loss of scrub and immature woodland which has a lower ecological value. This would allow not only successful translocation of the butterfly from those parts of the site that would be affected but also provide a mechanism for the ongoing maintenance of the site to ensure the long terms survival of the grassland and the dingy skipper.
- 4.6.10 The proposal also includes proposals to retain and enhance the existing pond by desilting and clearing trees around it to make it more suitable for re-colonisation by the Great Crested Newt (either by natural process or deliberate introduction). In addition purpose built hibernacula (winter resting sites) for the newts would also be created.
- 4.6.11 The Council's Ecologist has worked proactively with the applicant in the development of the Landscape Ecological Management Plan and is now satisfied that the proposal would "largely offset adverse ecological impacts" and has no objections subject to conditions to the effect that

"development will not commence within that section of the SBI currently supporting dingy skipper butterfly and identified for short term retention within the Landscape and Ecological Management Plan dated October 2017 until there is verification that the butterfly has successfully colonised the compensatory habitat; and

"contents of the Landscape and Ecological Management Plan dated October 2017 should similarly be secured by way of a condition"

- 4.6.12 Therefore, turning to the policy requirements of Policy CP12 the comments of the Policy Officer are accepted in respect to criteria (1) and (2) in respect to the fact that as an identified site within the SHLAA there is no suitable site for the proposal and that there would be wider sustainability benefits arising from the proposal. Furthermore it has been demonstrated that appropriate mitigation measures and new benefits can be provided to compensate for any loss of habitat. Given this it is concluded that the wider sustainable benefits arising from the proposal, including habitat enhancement and long term management of the SBI, would substantially outweigh any adverse impacts to the SBI.
- 4.6.13 The issue of the maintenance access into the SBI being on private drive is noted. However these accesses have to be located in the areas shown due to the presence of the drainage ditch and the issue of rights of access across these private drives can be controlled by section 106 agreement which would become a land charge.
- 4.6.14 As such it is considered that the proposal, subject to the attached conditions, meets the policy tests set out in Policy CP12 of the Local Plan and 118 of the NPPF.
- 4.6.15 This application is in close proximity (within 1km) to the Chasewater and the southern Staffordshire Coalfield Heaths Site of Special Scientific Interest (SSSI). However, Natural England has confirmed that it is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, would not damage or destroy the interest features for which this site has been notified.
- 4.6.16 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.
- 4.6.17 Subject to the above conditions and the CIL payment the proposal 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

- 4.7.2 The drainage strategy is to discharge surface water via underground attenuation tanks, fitted with hydro-brake control chambers into the water course which flows through the site which would be subject to some degree of remodelling.
- 4.7.3 The Local Lead Flood Authority, Severn Trent and South Staffordshire Water have been consulted on the proposals. Severn Trent has stated that it has no objections and no reply has been received from South Staffordshire.
- 4.7.4 At the time of the writing of this report negotiations in respect of the finer details of the drainage were still ongoing [albeit almost at an end]. In this context the Local Lead Flood Authority has stated that although it has not been able to assess the final details of the drainage scheme it considers that an acceptable drainage scheme will be achievable. Furthermore, the LLFA has stated that although there may be some details outstanding they consider that these can be resolved and therefore recommends a condition for the final design to be approved.
- 4.7.5 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 quarry that has been subject to back fill. Hence there is the potential for ground contamination of 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 a Report on Ground Investigation at Land Adjacent to Hednesford Football Club.
- 4.8.3 The Environment Agency has made reference to the fact that the site is located on Carboniferous Coal Measures strata which are designated a 'Secondary (A) Aquifer by the Environment Agency. A tributary of Riding Brook is located 150 metres to the north of the site. However, they have also confirmed that they do not provide site specific advice and have deferred the matter to the local authority Environmental Health Officer
- 4.8.4 The Environmental Health Officer has stated that he concurs with the conclusions and recommendations given in Section 8 of the submitted report, in respect to gas protection measures and the need for clean cover to a depth of 600mm in garden

areas and 300mm in public open spaces, subject to validation and appropriate treatment of Japanese knotweed.

- 4.8.5 The comments of the Environmental Health Officer are accepted and it is considered that subject to the attached conditions the proposal would be satisfactory in terms of ground contamination/ ground gas and meet the guidance within the NPPF.

4.9 Air Quality

- 4.9.1 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.

- 4.9.2 To this effect the applicant has submitted an air quality assessment. The report concludes that the development in itself will not lead to an unacceptable risk to air quality. However, the financial cost of the air quality burden has been calculated to be £69,400.29 with a recommendation that mitigation measures against NO₂ and PM concentrations, equivalent to this amount, should be provided.

- 4.9.3 The Environmental Health Officer has stated that he accepts the findings of the report and has no objections subject to conditions to secure the mitigation. It is therefore considered that subject to the attached condition the proposal is acceptable in respect of its impact on air quality.

4.10 Waste and Recycling Facilities

- 4.10.1 These are shown on the submitted plans and the Waste and Recycling Officer has no objections to the proposal. As such the proposal would 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 In respect to the desire lines that cross the site it is noted that these are across private land. It is not proposed that these lines are enhanced but rather discouraged due to the impacts of upgrading them on the ecological value of the SBI.

- 4.11.3 In respect to issues of parking raised by the Police it is noted that the Highway Authority has no objections in this respect. In addition it is noted that a balance has to be struck between providing sufficient parking for everyday use and the encouragement of the use of other forms of transport.

- 4.11.4 In addition to the above it is noted that the above layout is not dis-similar to many others that occur in the area or which have been recently approved and it would be difficult to substantiate a reason for refusal on the grounds raised by the Police in respect to parking provision.
- 4.11.5 In respect to the issue of street lighting this would be a subsequent matter for the highway authority to determine should the application be approved.
- 4.11.6 Comments have been made by the Police in respect to access to the car park of the stadium and the potential for anti-social behaviour. However, this falls outside of the scope of this application and is not a material planning issue in the determination of this application.
- 4.11.7 In respect to the comments made in respect to the vulnerability of cars parked at the dwelling at Plot 52 (Plot 50 on the most up to date drawing) this could be resolved by condition requiring the building of a wall/ fence along the boundary.
- 4.11.8 In respect to the recommendation that the dwellings should attain Secure by Design accreditation standards regarding security it is considered that this is matter for the developer to determine. As such it is considered that the most appropriate way of dealing with this is by placing an informative on any permission granted bringing the developers attention to the comments of Staffordshire Police
- 4.11.9 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 subject to the attached condition and informative the proposal would be acceptable in respect to designing out 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 have been addressed above where it was found that the site has good access to public transport and is conveniently placed to be accessible by foot and cycle to a wide range of facilities to serve day to day needs.

4.13 Affordable Housing

- 4.13.1 Under Policy CP2 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. In the initial submitted scheme a 20% contribution towards affordable housing was offered. However, in order to provide on-site recreational open space in the form of Local Area of Play (LAP) the number of overall units has had to be reduced with a corresponding loss of two affordable units, representing an 18% provision.

4.13.2 The proposed affordable housing mix is 8 (36%) for shared ownership and 14 (64%) for rent. This compares to the number of units for each tenure type required by policy to 5 (20%) shared ownership and 17 (80%) for social rent, effectively a difference of 3 units. In support of this mix the applicant has forwarded a viability statement which is considered proportionate to this minor difference in affordable housing provision and which is accepted by officers.

4.13.3 Although, not entirely in accordance with policy it is considered on balance, that the affordable housing contribution is acceptable. It is therefore recommended that subject to a Section 106 agreement to ensure the delivery of the affordable homes that the proposal, on balance, is acceptable.

4.14 Education

4.14.1 The development falls within the catchments of Five Ways Primary School and Kingsmead School. Five Ways Primary School is projected to have limited vacancies based on the current and projected pupil numbers available at this time. Excluding the 16 RSL dwellings from secondary only a development of 125 houses including 16 RSLs could add 26 Primary School aged pupils, 16 High School aged pupils and 3 Sixth Form pupils.

4.14.2 It is noted that the education authority has stated that although the development will put additional pressure on school places current pupil demographics indicate that the school should be able to accommodate the likely demand from pupils generated by the development. Further the Education Authority has advised that Kingsmead School is projected to have sufficient space to accommodate the likely demand from pupils generated by the development.

4.14.3 As such it is considered that there is no basis for requiring the developer to pay a contribution towards education.

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 onsite 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.
- 4.15.4 In respect to the above the Landscape Officer has advised that a development of 125 units needs to provide a bare minimum of 0.22ha of usable amenity green space including appropriate age related play provision.
- 4.15.5 Officers note that in the earlier iterations of the proposal, before the formal submission at the application stage, the proposal included provision of footpaths through the remaining part of the SBI so that it could be used as informal recreational open space as well as having an ecological function. However, the provision of formal paths in this area was discounted on the advice of the ecologist on the basis that it would create further disruption and encroachment into the SBI. Nevertheless the remaining part of the SBI would represent an area of over 2.0ha of open space which is far in excess of the 0.22ha required under the guidance in the Developer Contributions SPD, albeit not formally laid out. Much of this would be meadow land which people would be able to walk through to enjoy the local wildlife. Should members take the view that the benefit of increased public access would outweigh any harm to the ecological value of the SBI then footpaths could be secured through the use of an appropriately worded planning condition.
- 4.15.6 In addition to the above it is noted that the proposal would generate around £370k in Community Infrastructure Levy, part of which would be available to the town council for the provision, amongst other things the improvement of recreational open space in the parish.
- 4.15.7 In addition to the above it is noted that in the immediate area there is Old Brick Works Nature Reserve beyond which there is a MUGA and playing fields (adjacent to Scott Street) and an area of playing fields off Hemlock Way.
- 4.15.8 The revised layout contains an area of 325m² for usable open space containing a Local area of play (LAP), which is solely designed for toddler use to be located at the junction of the main access road with the football club entrance. Despite comments received from the Landscape Officer it is not considered that this is an unsuitable location for the LAP. It is placed somewhat centrally to the proposed estate and is well overlooked hence providing natural surveillance and is located in location which is least liable to generate complaint due to noise and disturbance.
- 4.15.9 However, it accepted that the proposed design is somewhat poor and that it could be redesigned so that it makes better use of available space and has better access from the surrounding highways. These matters are one of detail and could be satisfactorily dealt with by condition requiring a more appropriate design to be submitted for approval.

4.15.10 Having had regard to the above, in particular the provision of the SBI and LAP on site, the amount of recreational open space provision within the wider area, and that approximately £370k would be generated in CIL which could be used, at least in part, for the improvement of existing facilities within the parish, it is considered, on balance, that the proposal is acceptable in respect of its provision of recreational open space.

4.15.11 The developer has indicated that the SBI and LAP would be managed by a management company. This could be secured through a section 106 agreement.

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 requirements of the NPPF.

4.17 Hednesford Neighbourhood Plan

4.17.1 Notwithstanding the provisions of the Hednesford Neighbourhood Plan it is noted that paragraph 216 of the NPPF states

"from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."

4.17.2 Given that the plan is only at the consultation stage it is considered that no significant weight can be given to its provisions such that it would affect the overall conclusions arrived at above.

4.18 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.

4.18.1 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, 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 of the District.

- 4.18.2 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. In order to quantify such economic benefits the applicant has estimated that the proposal would generate: -

48 temporary direct jobs per year during the construction phase.
 73 jobs would be supported in the supply chain per year.
 £4.7m expected additional gross value added per year.
 £630,000 first occupation expenditure on goods and services.
 £132,000 in Council tax.
 £847,000 in new homes bonus.
 £378,165 in CIL.

- 4.18.3 Finally, the proposal would have an environmental benefit of making efficient use of land within a sustainable location, the creation of 123 thermally efficient new dwellings which would be required to meet modern building control standards and the securement of long term management of the SBI.

- 4.18.4 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. However, it should be acknowledged that there would be some harm caused by the loss of a small area of semi-mature trees along the frontage of the site and that the provision of recreational open space would not be strictly in accordance with policy. This harm would be relatively minor in nature and extent given the area of the SBI that would be managed, provision of facilities in the wider area and proposed facilities on site; and that the resultant development replacing the woodland strip would not be harmful in itself to the character of the area in such an urban setting.

- 4.18.5 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, and no objections from the Highway Authority, is considered on balance, to be acceptable.
- 6.3 The proposal would deliver 18% affordable housing which having regard to viability considerations 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.

Appendix 2:

Officer Update Sheet to Planning Committee on 6th December 2017

Cannock Chase District Council

Planning Control Committee

Officer Update Sheet

Application No: CH/17/236

Received: 09/07/2017

Location: Land at Hednesford Football Club, Keys Park Road, Hednesford

Parish: Hednesford

Ward: Hednesford South

Description: Residential development comprising 123No dwellings including 22No affordable dwellings, open space and associated road and parking.

A further representation has been received from the Landscape Trees and Countryside Officer which makes the following statement: -

For some time (certainly between 1990 and 2008) this Council has adopted and exceeded the National Playing Fields Standard (CCDC used 7ac) of providing outdoor space/Leisure facilities as part of the Development proposals in the District. This standard known as the 6 ac per 1000 population standard has been seen as the minimum standards required by Local Authorities and some authorities exceed it – Stratford use 3.0 ac per 1000 population. The point is that the provision whatever the quantity should aim to provide informal casual playing space, sports pitches and play areas. This is broken down in the old standard enclosed and of the 0.8 Ha of children's play space 0.2-0.3 Ha of this should be equipped play areas. In 2009 Planning amended these to reduce it to 0.048Ha/1000 population but changed the classification to equipped Local Areas for Play-known as LAPS. According to the NPFA (now known as the Fields in Trust). I shall come back to this important classification in a while as this is what is being proposed for the Keys Park development. The key issue here is that we are dealing with children (up to the age of 18), young people and adults as all three use outdoor space and equipped play areas all of which are free to use. The standards vary depending on what else is available locally and I use the Ward as a local area. The Councils supplementary Planning Document 2008 does make the case for issues around viability/space issues around smaller developments and allows for a viability test to either reduce the planning obligation for play and/ or allow for an off site contribution to upgrade another site either in the Ward or locally to the Ward where it can be shown that people will be able to get to. The viability test is subject to independent assessment.

Turning to what is been offered is a LAP- local area for play. These are generally small areas of open space laid out for very young children (up to age 6) to play close to where they live i.e. within 1 minute of where they live. It contains no equipment and is generally used for imaginative play. The activity zone where most children

congregate must be a minimum of 100 sq. m. They were originally designed into developments where there were other play areas for older children so there was no conflict between the users. As part of the 2009 reworking of the CCDC standards we presumed against their use as they are impossible to police in terms of age use and generally get used by older children for ball games, which creates animosity with residents around the site, and for that reason have not been used for over 15 years. Planning also concluded in 2009 that developments with 100+ houses would automatically generate the minimum NPFA standards that would be a NEAP- a Neighbourhood Equipped Area for Play-such as you see at Park Farm, Kingswood Lakes- larger play areas with at least 8 pieces of equipment measuring at least 1000sq m of activity zone.

To put this into context of your Ward-it is 6Ha + plus deficient in POS and has no play areas, allotments or football pitches. It does have a kick about area at Littleworth Road and a play area in Arthur Street but this is not in the Ward and is 0.5 m away on the other side of main roads. The other main open spaces are Anglesey Park and The Brickworks, which are both, managed for their environmental/ecological attributes as opposed to informal/formal play.

The report also contains a viability statement that costs the play area and seeks recompense for these houses when in fact it includes ecological mitigation works and does not start from the point of incorporating a NEAP as per the SPD. The report also lists other areas close to the Ward such as the SBI which are not allowable as POS by the NPFA as you cannot formalise recreation in the general sense without impacting on their objectives of nature conservation.”

Officers would comment that this site is a very complex site with a number of competing demands of particular importance being the Government’s stated commitment to boost significantly the supply of housing, including the provision of affordable housing, and to encourage effective use of previously developed land and the ecological constraints of the SBI.

The provision of recreational open space is only one of a number of these competing factors and the issue is addressed at Section 4.15 of the Officer Report. Of particular relevance is that the SPD states that “larger scale development may give rise to the need for further on-site facilities” and as such it should not be automatically concluded that all large scale development will give rise to as need. In addition the SPD also makes it clear that the “exact nature of the on-site provision required will take into account the nature of the development (including site constraints)”.

It should be noted that initially the applicant did provide for a path through the SBI to allow for a measure of formal access. This was removed at the request of the ecologist but should members consider that on balance it would be beneficial a path could be incorporated and this could be controlled through an appropriately worded condition.

Ultimately the policy test with which to assess the proposal is: -

whether any adverse impact of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, taken as a whole.

This exercise of weighing the social, economic and environmental aspects of the proposal is set out in Section 4.18 of the Officer Report which gives a summary of the planning balance of the various benefits and adverse impacts.

As such the further comments raised by the Landscape, Trees and Countryside Officer do not change the overall recommendation in the Officer report.

The following changes to the conditions schedule are recommended (changes shown in bold):

-
6. Prior to first occupation of any of the new dwelling units a revised Travel Plan, **including measures to encourage sustainable travel to and from the development**, shall be submitted to and approved in writing by the Local Planning Authority.

 11. The Local Area of Play shall not be brought into use until clean cover to a depth of 300mm has been provided and certification that the cover is suitable for use provided and validation that the works have been undertaken have been submitted to the Local Planning Authority. All verges and amenity areas (**excluding those areas within the SBI**) shall be provided with clean cover to a depth of 300mm and certification that the cover is suitable for use provided and validation that the works have been undertaken shall be submitted to the Local Planning Authority before they are made available for public use.

 22. Notwithstanding the details of the approved plans: -
 - (iii) that part of the southern boundary to Plots 50-51 running between the car park to the football ground to the access strip to the Site of Biological Importance shall be comprised of **ranch style fencing and defensible planting**.
 - (iv) a revised scheme for the planting of trees along the entrance to the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with approved time table for the implementation of the wider landscape scheme.
 - (v) the knee rail running along the boundary of the approved estate and the Site of Biological Interest shall run along the rear of the bin collection points so as to allow unfettered access to the storage areas.
 - (vi) the height of the acoustic fence along the boundary of plots 22- 38 and 39-50 shall be increased to at least 2.2m.

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

PL-01	Planning Layout Rev F.
MP0-01	Material Plan Rev F.
BTP0-01	Boundary Treatments Rev G.
17-15-06	Tree Retention / Removal plan Rev A.
17-15-07	Tree Constraints Plan.
17-15-03A	Landscaping Sheet 1 Rev A.

17-015-04A	Landscaping Sheet 2 Rev A.
17-015-05B	Landscaping Strategy Rev B.
SLP-01	Slab Levels Rev C.
20093-801	Sections.
20093	UCP Utility Corridor Routes.
22881/08-17/5090	Parking Study Rev B.
22881/05-17/4802	Transport Assessment Rev B.
17015/DP/AIA001	Arboricultural Report Rev A.
WM11069	Site Investigations.
LEMP A	
17015/TGW/TS001	Tree Report Rev A
17443-1	Noise Report.
LE13883	Air Quality.
	Design and Access Statement RevB.
	Travel Plan, August 2017.
	Preliminary Ecological Appraisal, dated August 2015, prepared by ADAS.
	Reptile Survey, dated November 2015, prepared by ADAS.
	Great Crested Newt Survey, dated July 2016, prepared by ADAS.
	Final Invertebrate Survey, prepared by ADAS.
	Landscape and Ecological Management Plan, dated October 2017, prepared by ADAS.
	Botanical Survey.
22881/03-17/4818	Flood Risk Assessment.
2281/09-17/5156	Flood Risk Assessment Addendum.
1001-HT-A A -	
1001-HT-C C -	
1001-HT-D D -	
1001-HT-E E -	
1001-HT-F F -	
1001-HT-G G -	
1001-HT-H H -	
1001-HT-L L -	
1001-HT-W W -	
1001-HT-X X -	
1001-HT-Y Y -	
1001-HT-Z Z -	
1001-GAR-1	Garages

Appendix 3:

Briefing Note Prepared by Taylor Wimpey in Respect to Implementation of the Traffic Management Plan and Travel Plan in Response to Issues Raised by Planning Committee on 6th December 2017

Keys Park, Hednesford Traffic Management Plan

18.12.2017

Overview

1. This Briefing Note has been prepared by Radnor Consulting on behalf of Taylor Wimpey West Midlands to support the planning application for residential development on land to the south of Keys Park Road for a scheme consisting of 127 dwellings. The development site is located adjacent to Keys Park, Hednesford Town's football club approximately 1.6km to the south east of Hednesford and 1.9km to the east of Cannock. The site is within the Cannock Chase District in the county of Staffordshire.
2. Highlighted by **Figure 1.1**, the proposed development site is currently open land to the west of Hednesford Town Football Club's ground Keys Park, on land that is currently used as 'informal' overspill parking at the ground. The key aim of this Note is to address concerns regarding car parking on the estate roads of the proposed development on match days and explore how the implementation of a Traffic Management Plan (TMP) could alleviate such concerns.

Figure 1.1: Site Location



3. It should be noted that the Briefing Note has taken reference from the Hednesford Town Football Club (Keys Park Stadium) Matchday Operations Manual published on the 25th November 2017 by the Club Secretary, Terry McMahon and the Club Safety Officer, Charlie Ward.
4. The Manual makes the following provision for car parking:
 - The Ground has parking facilities for both cars and coaches outside the ground but the Secretary of the club will liaise about coach numbers as this is limited. Local roads are able to cater for additional cars.
 - Provision is made for the visiting club's team and supporters' coaches, if requirements are known in advance. Stewards manage and monitor the car park and at the appropriate time a visible.
 - Organise car parking arrangements for at least one hour before kick-off time in liaison with the Club Secretary and the Club Safety Officer.
5. In addition to this, it has been agreed with the owner of the football club that a restriction will be placed on events at the ground which includes a restriction that non-football functions will not be permitted to take place on match days.

Traffic Management Plan

6. The proposed development is located on open land currently used, when needed, by Hednesford Town Football Club on matchdays as 'informal' overspill parking. As part of the development proposals, to offset the loss of this space, a total of 222 car parking spaces will be provided for use by Hednesford Town Football Club. There are currently approximately 74 designated car parking spaces at the stadium.
7. In addition to the provision of this extra car parking the implementation of a Traffic Management Plan is proposed to manage car parking associated with the Football Club on the development site. It is proposed that if Committee approval is achieved the detailed TMP will be prepared in conjunction with the Football Club and Cannock Chase District Council. It is envisaged that the TMP will consist of a permanent Traffic Regulation Order (TRO) with waiting restrictions on the development's estate roads coupled with a Residents Permit Scheme.
8. A TRO is a legal order, which allows the highway authority to regulate the speed, movement and parking of vehicles. The act governing Traffic Orders is the Road Traffic Regulation Act 1984 and is enforceable by law. The TRO will act as a 'controlled parking zone' for the development site to prevent traffic associated with the Football Club parking in the residential areas during Hednesford Town's home matches.

9. The proposed TRO would be to restrict parking on the development's estate roads to "1 hour and no return within 2 hours during matchdays" and this would be supported by a Residents Permit Scheme to allow residents of the development and their visitors to park on the roads and not be bound by the restrictions of the TRO. Residents must adhere to the tenets of the TMP by complying with the use of their parking permits and visitor scratchcards during matchdays.
10. A signage plan will be implemented in conjunction with the TRO, to make visitors to the Football Club aware of the restricted parking on the estate roads, and the operation of a Residents Permit Scheme, hence discouraging the use of these minor roads for parking.
11. In terms of the enforcement of the TRO, Staffordshire County Council is able to carry out enforcement where parking restrictions exist. If the vehicle(s) in question are in contravention of the TRO (i.e. parking for longer than the time permitted) then the Clear Streets Team at Staffordshire County Council can communicate with the Stoke on Trent Parking Team who hold the powers necessary to enforce parking and can ticket the offending vehicles.
12. Therefore, it is proposed that a developer contribution be made, via the Section 106 Agreement for the development, payable to the relevant bodies at Staffordshire County Council who would have the responsibility to undertake the necessary procedures to implement the TRO and set up and manage the Residents Permit Scheme.
13. It is envisaged that the TRO and Resident Permit Scheme will include the following characteristics:
 - Unlike the majority of parking schemes, the restrictions will only come into effect on certain days when football matches are taking place at the Keys Park Stadium.
 - The TRO would place waiting restrictions on the estate roads - "1 hour and no return within 2 hours during matchdays."
 - Parking restriction signage will be used at the entrance to the development, off Keys Park Road and on the estate roads through the agreement of the TRO.
 - Each household will be issued with one on-street parking permit, free of charge plus a visitor scratchcard. The finer details of this system will be agreed with Clear Streets Team at Staffordshire County Council.
 - Only cars displaying a resident permit or visitor scratchcard will be allowed to park on the estate roads and any cars parked illegally may face financial penalties.
 - Each household will be issued with an annual matchday calendar so they are aware, in advance, of the dates of the Football Club's matchdays.

Keys Park Travel Plan

14. A Travel Plan has been prepared for the proposed development with the objective to reduce the use of single occupancy cars and includes incentives to be offered to each household upon occupation to encourage the use of sustainable modes of travel such as walking, cycling, public transport and car sharing as an alternative to single occupancy car use.
15. Within the local vicinity of the proposed development site there are good levels of pedestrian and cycle infrastructure providing a safe and convenient route to public transport services. The nearest bus stops to the development site are located approximately 200m east and are served by buses providing connections to Hednesford town centre, Cannock town centre, Lichfield city centre and Stafford town centre which would enable users to interchange with the wider public transport network, providing connections throughout Staffordshire and travel destinations further afield.
16. Taylor Wimpey West Midlands will appoint a Travel Plan Coordinator (TPC) prior to first occupation will have overall responsibility for the development, implementation and management of the Travel Plan strategy. The TPC will aim to work with the Football Club to promote the Travel Plan to minimise the number of cars associated with matchdays.
17. It is proposed that a close working partnership between the Football Club and the TPC will be engendered to facilitate effective communication. The TPC will work with the Football Club to ensure that the TRO and Residents Permit Scheme is clearly detailed on their website and that consideration is given to the revision of the website to provide more detailed and up to date information on the sustainable travel options for travelling to the Club. In addition, it is suggested that the Club's existing communication channels be used, including:
 - Club website, social media, blogs;
 - Club publications (e.g. newsletters, posters, notices, hand flyers);
 - Via the Supporters' Club and associated websites and social media; and
 - Local media and newspapers.
18. The following Travel Plan measures will be used to advertise the TMP to the residents of the development:
 - **Travel Information Website** - A bespoke travel information website will be set up for the development as a means to provide residents with up to date travel information and will include details of the TRO and Residents Permit Scheme.
 - **Travel Information Leaflet** - A travel information leaflet will be prepared; this will provide a summary of the range of travel options available to residents, and will signpost residents to more detailed online information.

19. In addition, the Football Club will be encouraged to promote the following 'car based' Travel Plan measures :

- **Car Sharing** - Staffordshire County Council has established its own car share scheme 'Staffordshire Share-a-Lift' in partnership with Jambusters. The Scheme can be accessed at <http://share-a-lift.co.uk> and is available to anyone in Staffordshire.
- **Use of a Car Club** - Car Clubs give people access to a car whenever they need one and from a fleet of vehicles parked in their local neighbourhood. In the local area of Cannock the proposed development site the car club 'CarPlus' is in operation.
- **Kiss and Drop Zone** – a 'Kiss and Drop' zone would allow for drop off and pick up to be made by private car or taxi and remove the need for car parking.

20. The TPC also will work with the Football Club, Staffordshire County Council and Cannock Chase District Council to review any potential opportunities to work with the industrial estates located to the north on Keys Park Road to provide additional parking on match days.

Summary of Proposals

21. To summarise, the key aim of this Briefing Note is to address concerns regarding car parking on the estate roads of the proposed development during Hednesford Town Football Club's matchdays. The actions proposed to alleviate such concerns are summarised below:

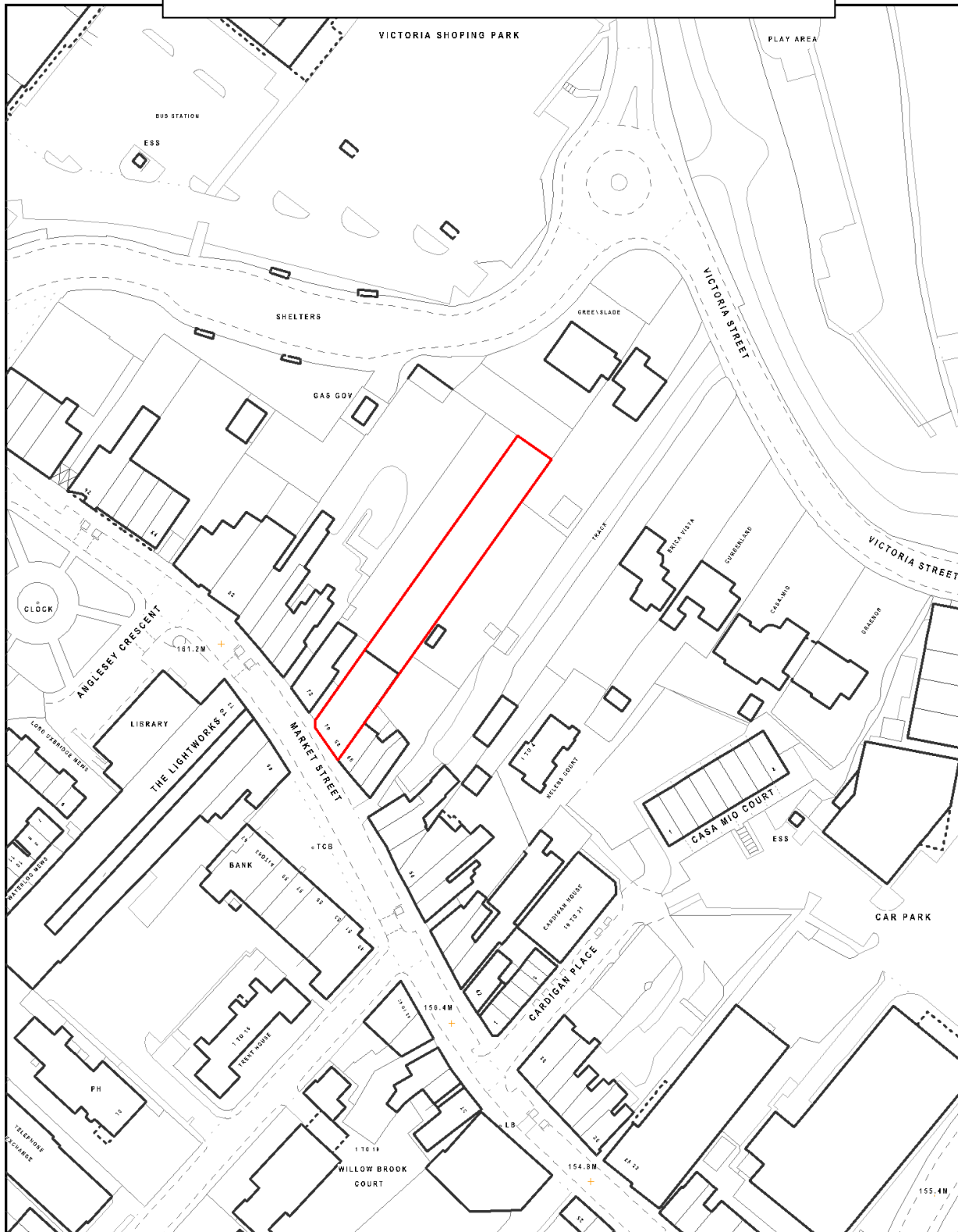
- The preparation of a Traffic Management Plan which will consist of the implementation of a Traffic Regulation Order in tandem with a Residents Permit Scheme on the development's estate roads.
- The Traffic Management Plan will be prepared in conjunction with Hednesford Football Club, Cannock Chase District Council and Staffordshire County Council.
- A developer contribution will be paid by Taylor Wimpey West Midlands to cover the cost of the implementation and ongoing management of the Traffic Regulation Order and the Residents Permit Scheme.
- It is proposed that the Traffic Regulation Order and the Residents Permit Scheme will be agreed with the Clear Streets Team at Staffordshire County Council and the developer contribution will cover the enforcement of the restrictions.
- The Keys Park Travel Plan, prepared to support the planning application, will be used to make residents aware of the Traffic Regulation Order and Residents Permit Scheme.
- The Travel Plan Coordinator will work, on behalf of Taylor Wimpey West Midlands, with Hednesford Town Football Club to put measures in place to encourage Football Club staff and visitors are encouraged to travel by sustainable modes of travel as an alternative to the private car.

22. It is anticipated that by undertaking each of the actions detailed above the concern regarding car parking problems associated with the proposed development can be alleviated.



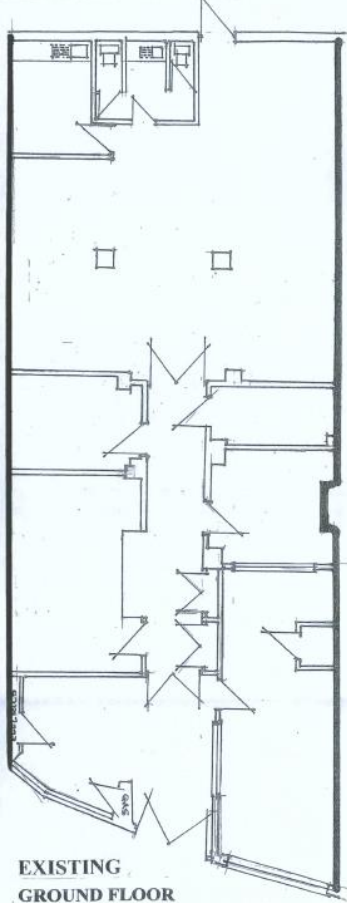
CH/17/385
68-70, Market Street, Hednesford, Cannock, WS121AG
Change of use from furniture store to restaurant and takeaway

ITEM NO. 6.110

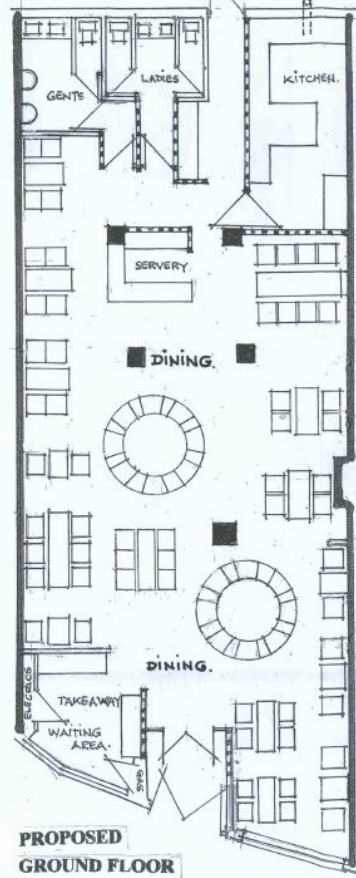


Plans

PLANS — SCALE 1:100



FLUE INSTALLATION & SPEC.
ALL AS AGREED WITH ENV. HEALTH DEPT.



BLOCK/SITE PLAN
SCALE 1:500



LOCATION PLAN
SCALE 1:250

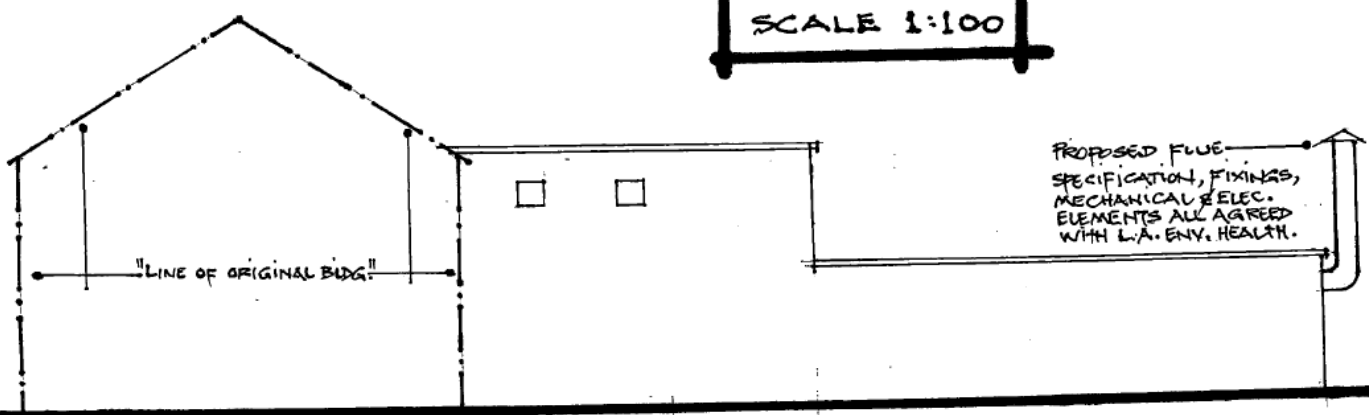


68/70 MARKET ST.,
HEDNESFORD,
WS12 1AG.

Jeff Stewart Design
Planning • Design • Surveys • Refurbishment
27 Attingham Drive, Heath Hayes, Staffordshire WS11 7YB
Tel: 01543 277653 Mobile: 07979 812212

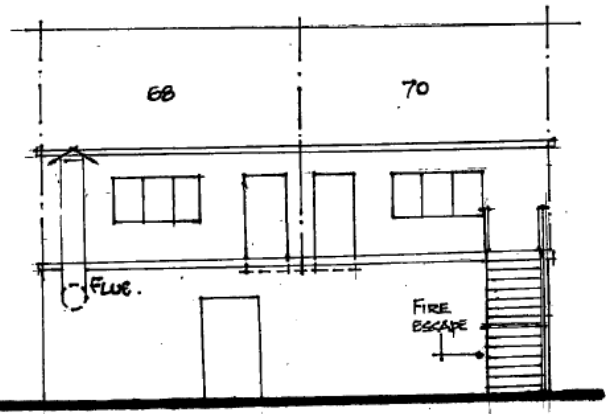
Side Elevation

SCALE 1:100



PROPOSED FLUE
SPECIFICATION, FIXINGS,
MECHANICAL & ELEC.
ELEMENTS ALL AGREED
WITH L.A. ENV. HEALTH.

"SIDE ELEVATION AS VIEWED FROM EAST"



ELEVATIONAL SKETCHES IN ADDITION
TO INFORMATION ALREADY SUBMITTED
WITH 'CHANGE OF USE' APPLICATION
FOR :- 68/70 MARKET STREET,
HEDNESFORD.

 **Jeff Stewart Design**
Planning • Design • Surveys • Refurbishment

27 Attingham Drive, Heath Hayes, Staffordshire WS11 7YB
Tel: 01543 277653 Mobile: 07979 812212

Application No: CH/17/385

Received:06-October 2017

Location: 68-70 Market Street, Hednesford, Cannock, WS12 1AG

Parish: Hednesford

Ward: Hednesford North Ward

Description: Change of Use from furniture store to restaurant and takeaway.

Application Type: Full Planning Application

RECOMMENDATION: Refuse for the following reasons: -

- 1) The proposal would give rise to unacceptable levels of noise arising from mechanical services/plant/ food preparation, as well as intrusion from noise created by patrons, contrary to the detriment of the amenity of the occupiers of the residential flats above the restaurant and therefore would fail to retain a good standard of amenity for those occupiers contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 17 of the National Planning Policy Framework.
- 2) The proposed extraction flue, by virtue of its height and location would give rise to odours to the detriment of the amenity of the occupiers of the residential flats above contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 17 of the National Planning Policy Framework.
- 3) The proposed trading hours for Friday and Saturday nights until 02:00hrs would give rise to unacceptable noise and general disturbance to the occupiers of the of the flats above and thereby would fail to retain a good standard of residential amenity contrary to paragraph 17 of the National Planning Policy Framework.

EXTERNAL CONSULTATIONS

Hednesford Town Council

Expressed concerns on two issues: -

Arrangements for deliveries, as Market Street is regularly grid-locked by HGV's making deliveries to commercial properties.

Due to close proximity of residential properties the Town Council would oppose the proposed opening hours of 4pm – 2am on Friday and Saturdays and consider it should be not later than midnight in line with the opening hours proposed for other days.

Staffordshire County Highways

No objection.

Staffordshire Police

No objection

INTERNAL COMMENTS

Environmental Protection

Serious concerns that the proposal would impact detrimentally on the residential amenity of the occupiers residing in the flats located directly above the premises. In particular, it is foreseeable that their amenity would be affected by noise and odour generated by the proposed restaurant/takeaway. Noise would arise from mechanical services/plant, food preparation, cooking processes and washing up facilities as well as intrusion from noise created by patrons and their footfall entering and leaving the premises and the possible use of music.

Whilst it may be possible to control some of these elements by conditions, it is not considered that overarching control would be possible to achieve and the net result would be detrimental to amenity. It is understood that the town centre has become a thriving busy night time location and there will be impacts from other sources of noise generated externally. Generally occupiers are likely to tolerate anonymous noise such as that from road traffic, mixed commercial uses and people passing by rather than that from specific sources such as a restaurant directly below their homes which has a direct impact.

In terms of odour control the layout of the premises will necessitate a low level discharge of emissions from the kitchen extraction system. This will impact directly on the rooftop of the rear single storey extension which serves both as an access and external amenity area to the first floor flats. The theme of the restaurant proposed is for Asian food and the cooking fumes will have a high odour concentration and a high grease content which necessitates a significant degree of abatement. It may be possible to approve the submission of a scheme for odour control but the implementation and/or ongoing maintenance may be poor and given the level of discharge it is foreseeable that objectionable or offensive effects would be the result as these can occur where odorous components are present in very low concentrations. Additionally the proposed trading hours for Friday and Saturday nights until 2am are considered to be unreasonable given the juxtaposition of the flats above.

To summarise, in view of the sensitive nature of these proposals and the occupation of flats independent of the proposed use, permission should not be granted as the protection of residential amenity would not be achieved.'

Policy Officer

No objections, the proposed use is appropriate to a town centre and is in accordance with the NPPF and Local Plan Part 1.

Trees, Landscape & Countryside

No comment at the time of writing report.

RESPONSE TO PUBLICITY

There was one neighbour objection received from a resident in Victoria Street on the following grounds:

Ventilation system would give rise to smells and waste.

Insufficient car parking facilities, as there are not enough for the existing pubs and takeaways in Hednesford.

The type of takeaway food, there are enough unhealthy options to eat in Hednesford.

RELEVANT PLANNING HISTORY

CH/01/0167: – Proposed shop front and two flats at first floor approved subject to conditions in 2001.

1.0 SITE AND SURROUNDINGS

- 1.1 The application site comprises a mid terrace commercial premises, a vacant furniture shop (formerly 'Kents') that is set within a rectangular shaped site measuring 85m long x 10m wide. The ground floor of the unit comprises a long single storey rear projecting element measuring 26m deep and 10m wide. The internal floor space of the ground floor of the building is 230m².
- 1.2 The site has a roller shuttered shop frontage with two residential flats above. The flats above are accessed from the rear via a metal staircase attached to the rear end of the ground floor element and over the extensive flat roof of the structure below. These flats have rear facing habitable room windows.
- 1.3 There is a rear parking area, which is accessed from a narrow side access (approx. 2.5m wide), which is located adjacent to No 62 Market Street, via 2.5m high framed gates. Beyond the parking area there is a rear grassed and fenced amenity area.
- 1.4 The adjacent terrace of shops comprises a mixture of uses; the immediate adjacent uses - No.72 a charity shop and No.66 a barbers shop. There is also a public house on the opposite side of the road and a pizza takeaway nearby.
- 1.5 The application site is located in Market Street within Hednesford Town Centre boundary.

2.0 PROPOSAL

- 2.1 The proposal is for change of use from furniture store to restaurant and takeaway.
- 2.2 The majority of internal walls of the ground floor would be removed to form a large open dining space, a small takeaway with waiting area would be formed at the front of the building. The kitchen and toilet areas would be located to the rear of the building.
- 2.3 A new extractor flue would be located at the rear of the building, adjacent to the kitchen area. It would be 5.2m high with a cap covering the top of the flue. There would be no other alterations to the external appearance of the building.

- 2.4 The proposal would operate with 6 full time staff and 6 part time staff.
- 2.5 The proposed hours of operation would be 16:00hrs to midnight Monday to Thursday, 16:00hrs to 02:00hrs Friday to Saturday and 12:00hrs (noon) to midnight Sundays and Bank Holidays.
- 2.6 Cooking oils would be disposed of via a re-cycling contractor.
- 2.7 The parking statement states that the site is within a shopping area - parking is available within public car parks, some on-street and off-street parking is also available. In addition there is a nearby railway station and the site is within walking distance of customer base.
- 2.8 Agent provided further information (received 15 September) stating that the technical matters of the flue extraction would be provided by condition.
- 2.9 Agent confirmed by telephone conversation following a telephone update about Hednesford Town Council objection, that deliveries to the proposed restaurant/ takeaway would be to the rear of the building. He also confirmed that the operating hours could be limited to midnight on Friday and Saturdays.
- 3.0 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.
- 3.4 Cannock Chase Local Plan (2014)
- CP1: – Strategy
 CP3: - Chase Shaping – Design
 CP4: - Neighbourhood-Led Planning
 CP11: – Centres Hierarchy
- 3.5 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 emphasises a “presumption in favour of sustainable development”.

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

3.7 Relevant paragraphs within the NPPF include paragraphs:-

7, 8 14, 17, 19, 21, 23, 24, 26, 27, 32, 34, 37, 120, 122, 123

3.8 Other relevant documents include: -

Design Supplementary Planning Document April 2016
Cannock Chase Local Development Framework Parking Standards,
Travel Plans and Developer Contributions for Sustainable Transport
Manual for Streets
Draft Hednesford Neighbourhood Plan: -

TC1

TC2

4.0 DETERMINING ISSUES

4.1 The determining issues for the application are: -

- (i) Principle of development
- (ii) Design and Impact upon the character of the area
- (iii) Impact on residential amenity
- (iv) Access and parking

4.2 Principle of Development

4.2.1 Both the NPPF and Cannock Chase Local Plan Policy CP1 advocate a presumption in favour of sustainable development unless material considerations indicate otherwise.

4.2.2 The existing use is vacant and was previously a furniture store that sits within a mixed streetscene, which also includes shops, takeaways, pubs and other uses as well as dwellings.

4.2.3 The NPPF seeks to encourage sustainable development and to promote healthy and competitive town centres. It states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that planning should operate to encourage and not act as an impediment to sustainable growth. In this instance, the application site is in a sustainable location within a well established town centre that is easily accessible by foot, vehicle and public transport.

4.2.4 In addition a restaurant is defined as a 'main town centre' use in the NPPF and as such is acceptable in principle at this location. The proposal would therefore accord with Policy CP1, CP4 and the draft Hednesford

Neighbourhood Plan policy TC2, which supports restaurants as a town centre use.

4.3 Design and Impact upon the Character 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 The change of use proposal for restaurant and takeaway would require the installation of an extraction flue to be located to the rear of the ground floor extension to a height of 5.2m. The height of the existing two storey element at the front of the building is 7.6m, therefore the flue would be screened from the streetscene by the existing buildings. In addition, the long rear garden of the commercial premises means that the neighbouring properties at the rear would not be affected by the addition of the flue, in terms of their immediate outlook.

4.3.4 It is therefore considered that the proposed flue addition would not be detrimental to the visual amenity, or character of the area and would comply with Local Plan Policy CP3 and draft Hednesford Local Neighbourhood Plan Policy TC1.

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.

4.4.2 The main issues in respect of impacts on residential amenity arising from this proposal relate to the generation of noise and general disturbance and the emissions of odours from cooking activities.

4.4.3 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 of life arising 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;”

4.4.4 In respect to the above it is noted that there has been one neighbour objection received on the grounds of adverse impacts upon residential amenity, by reason of food smells and waste.

4.4.5 In addition to this the comments made by the Environmental Protection officer are noted and accepted. It is considered that the proposal by virtue of the intended means of odour extraction and proposed opening hours would result in significant impact on the residential amenities of the occupiers of the flats that are situated on the first floor of the building. Furthermore, it is considered that these impacts could not be wholly reduced by use of conditions to a point where it would make the proposal acceptable.

4.4.6 As such, the proposal would fail to maintain a good standard of amenity contrary to Policy CP3 nor the NPPF and should therefore be refused.

4.5 Access and Parking

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

“Development should only be prevented or refused on transport grounds, where the residual cumulative impacts of development are severe.”

4.5.2 In this respect the objections received from the neighbour and town council on the grounds of insufficient parking provision are noted.

4.5.2 However, the Highways Officer raises no objections on highway safety grounds to the proposal. In addition it should be noted that as a shop (and the former use was at a furniture shop) there would also be customer parking and a need to accommodate deliveries. As such there would be no significant intensity of parking/ deliveries over and above that which could occur under the current lawful use.

4.5.3 As such the proposal is considered acceptable with regards to highway safety and would conform to the requirements of the NPPF.

5.0 Conclusion

- 5.1 The proposal would be unacceptable on the grounds of adverse impacts upon residential amenity for the reasons set out below: -
- 1) The proposal would give rise to unacceptable levels of noise arising from mechanical services/plant/ food preparation, as well as intrusion from noise created by patrons, contrary to the detriment of the amenity of the occupiers of the residential flats above the restaurant and therefore would fail to retain a good standard of amenity for those occupiers contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 17 of the National Planning Policy Framework.
 - 2) The proposed extraction flue, by virtue of its height and location would give rise to odours to the detriment of the amenity of the occupiers of the residential flats above contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 17 of the National Planning Policy Framework.
 - 3) The proposed trading hours for Friday and Saturday nights until 02:00hrs would give rise to unacceptable noise and general disturbance to the occupiers of the of the flats above and thereby would fail to retain a good standard of residential amenity contrary to paragraph 17 of the National Planning Policy Framework.