



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

29 June 2021

Dear Councillor,

Planning Control Committee
3:00pm, Wednesday 7 July 2021
Council Chamber, Civic Centre, Cannock

The meeting will commence at 3.00pm or at the conclusion of the site visit, whichever is the later. Members are requested to note that the following site visit has been arranged:-

Application Number	Application Description	Start Time
CH/20/0173	268 Bradbury Lane, Hednesford, Cannock, WS12 4EP – Demolition of an existing dwelling and outbuildings, and the erection of 10 dwellings and associated development including access, parking and landscaping	2.30pm

Members wishing to attend the site visit are requested to meet at 268 Bradbury Lane, Hednesford, WS12 4EP at 2.30pm, as indicated on the enclosed plan.

Yours sincerely,

Bob Kean
Interim Managing Director



To: Councillors

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

Agenda

Part 1

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

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

3. **Disclosure of details of lobbying of Members**
4. **Minutes**

To approve the Minutes of the meeting held on 16 June, 2021 (enclosed).

5. **Members' Requests for Site Visits**
6. **Report of the Development Control Manager**

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

Finding information about an application from the website

- On the home page click on planning applications, listed under the 'Planning & Building' tab.
- This takes you to a page headed "view planning applications and make comments". Towards the bottom of this page click on the text [View planning applications. By clicking on the link I agree to the terms, disclaimer and important notice above.](#)

- The next page is headed "Web APAS Land & Property". Click on 'search for a planning application'.
- On the following page insert the reference number of the application you're interested in e.g. CH/11/0001 and then click search in the bottom left hand corner.
- This takes you to a screen with a basic description - click on the reference number.
- Halfway down the next page there are six text boxes - click on the third one - view documents.
- This takes you to a list of all documents associated with the application - click on the ones you wish to read and they will be displayed.

SITE VISIT APPLICATION

Application Number	Application Location and Description	Item Number
1. CH/20/0173	268 Bradbury Lane, Hednesford, Cannock, WS12 4EP – Demolition of an existing dwelling and outbuildings, and the erection of 10 dwellings and associated development including access, parking and landscaping	6.1 – 6.37

PLANNING APPLICATIONS

2. CH/21/0161	246 Cannock Road, Heath Hayes, Cannock, WS12 3HA – Relocation of Garage	6.38 – 6.50
3. CH/21/0081	139A Hill Street, Hednesford, Cannock, WS12 2DQ – Residential development to site to rear (resubmission of CH/20/210)	6.51 – 6.71
4. CH/21/0135	Former Council Depot, Old Hednesford Road, Cannock – Application under Section 73 of the 1990 Town and Country Planning Act to vary conditions 16 (approved plans) and 19 (approved drainage drawings) pursuant to planning permission CH/19/408 to enable changes to the external works to plots 14-17 and revised drainage routes	6.72 – 6.105

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

Held on Wednesday 16 June 2021 at 3:00pm
in the Council Chamber, Civic Centre, Cannock

Part 1

PRESENT:
Councillors

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

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

10. Apologies

No apologies for absence were received.

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

None declared.

12. Disclosure of Lobbying of Members

Nothing disclosed.

13. Minutes

RESOLVED:

That the Minutes of the meeting held on 26 May 2021 be approved as a correct record.

14. Members requests for Site Visits

No site visits were requested. Councillor Mrs. Jones asked for confirmation that there would be a site visit in respect of Application CH/21/0095 – Stumble Inn, 264 Walsall Road, Cannock, WS11 0JL – change of use on ground floor to a nursery. Re-configuration and change of use of first floor from residential apartments and offices/historical centre, as agreed at the previous meeting. The Development Control Manager advised that he had hoped to submit the application to this meeting. However, there had been some difficulty in agreeing plans with the applicant and, therefore, the

application would be submitted to the next meeting on 7 July and he confirmed that a site visit would be undertaken.

15. Application CH/21/0173, Blue Cedars, 29 Beechmere Rise, Etching Hill, Rugeley, WS15 2XR – Retention of brick and panel fence, decking and reed fence, and widening of driveway including associated construction of retaining walls (part retrospective) resubmission of CH/20/075

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.15 of the Official Minutes of the Council).

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

RESOLVED:

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

The meeting finished at 15:16pm.

CHAIRMAN

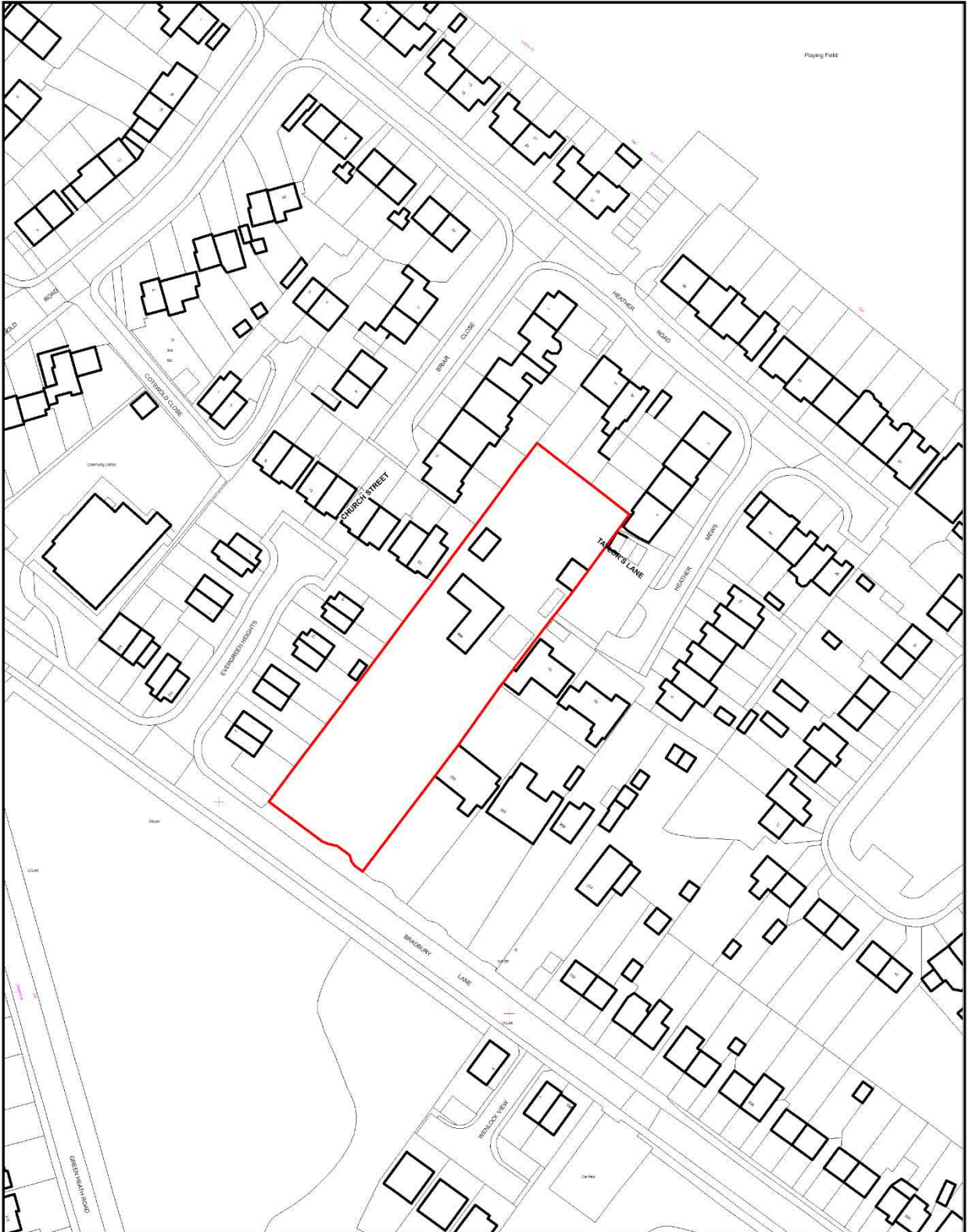


Application No: CH/20/173

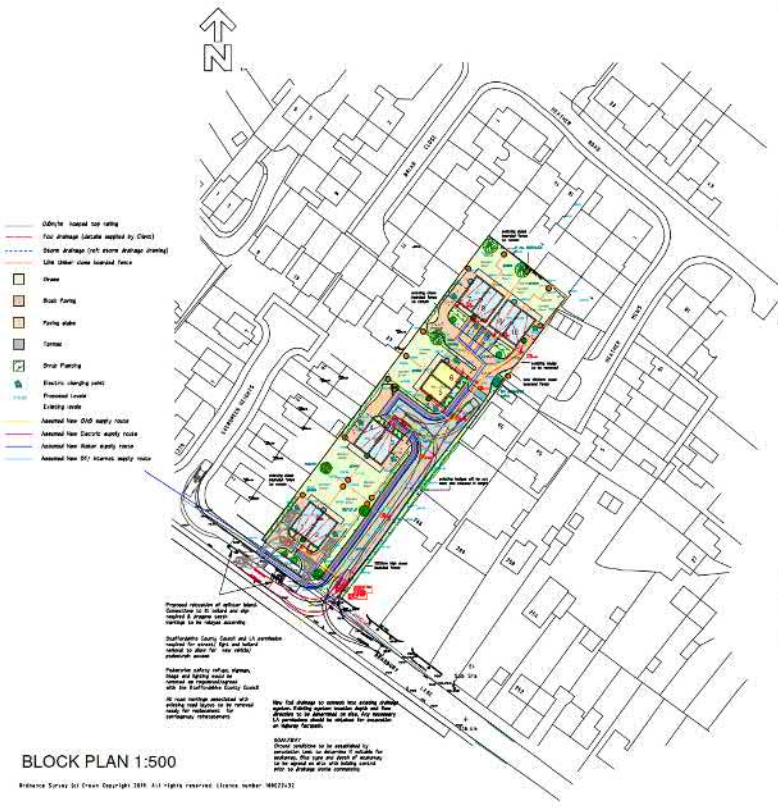
Location: 268, Bradbury Lane, Hednesford, Cannock, WS12 4EP

Proposal: Demolition of an existing dwelling and outbuildings, and the erection of 10 dwellings and associated development including access, parking and landscaping

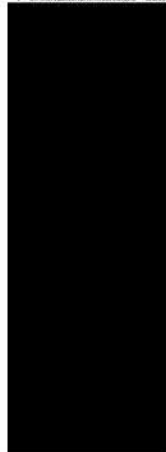
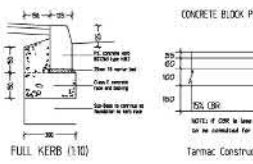
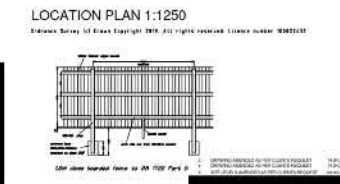
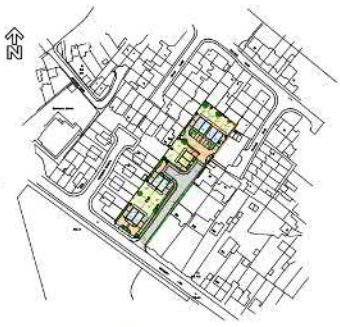
ITEM NO. 6.1



Location and Block Plans



BLOCK PLAN 1:500
 Reference Survey Ltd Crown Copyright 1998. All rights reserved. License number: 100022323



Landscape Plan

APPENDIX A - SITE SCHEDULE

1.0 GENERAL NOTES

1.1 SITE SCHEDULE

1.2 MATERIALS

1.3 FINISHES

1.4 UTILITIES

1.5 LIGHTING

1.6 FENCES

1.7 PLANTING

1.8 HARDSCAPE

1.9 SIGNAGE

1.10 SECURITY

1.11 ACCESSIBILITY

1.12 ENVIRONMENTAL

1.13 OTHER



KEY

- Existing trees and vegetation to be retained
- Existing trees and vegetation to be removed
- Soft Landscape Proposals
- Tree root protection barriers

PLANT SCHEDULE

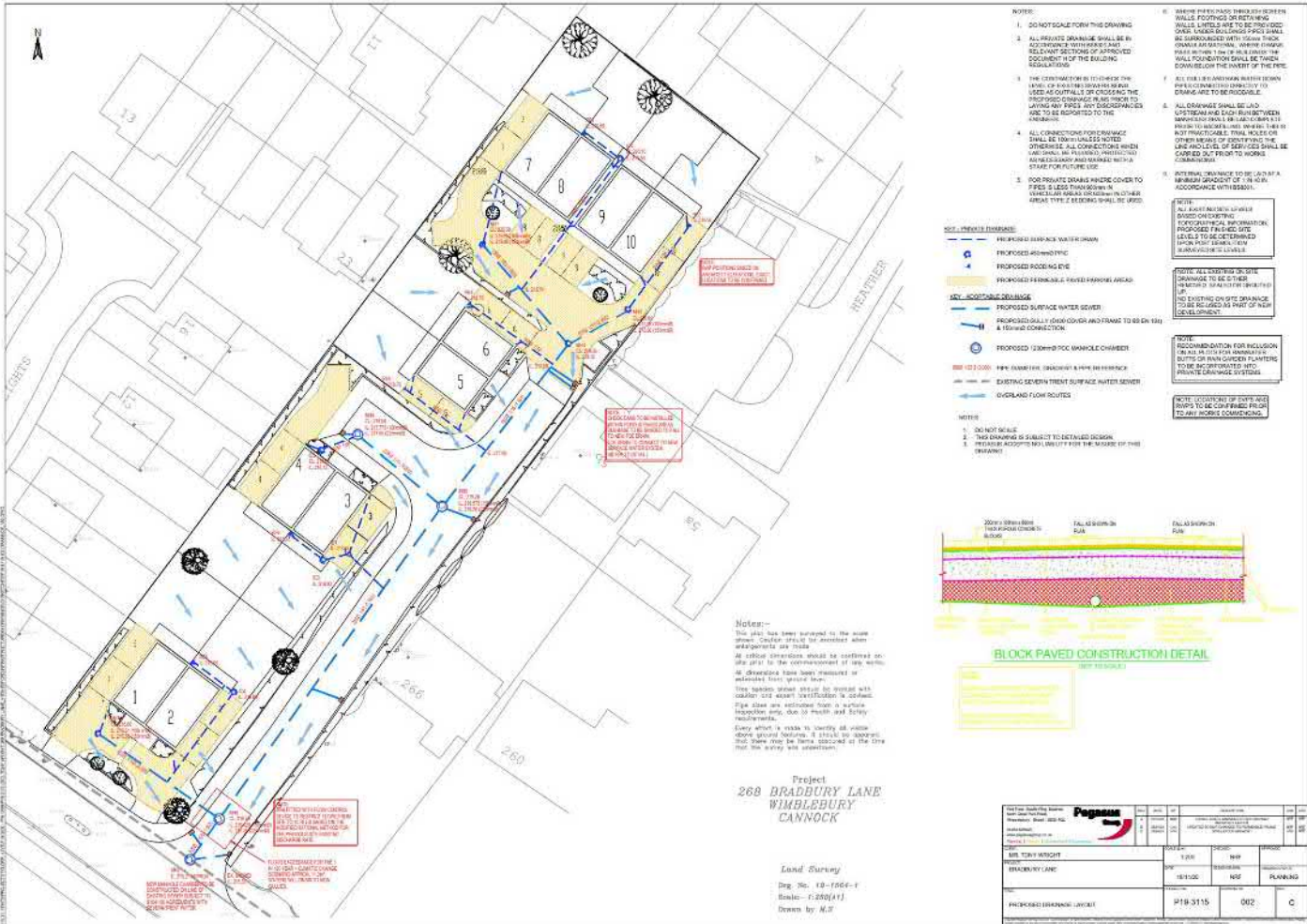
NO.	PLANT	QUANTITY	REMARKS
1	Plum Tree	1	100mm high close boarded fence
2	Plum Tree	1	100mm high close boarded fence
3	Plum Tree	1	100mm high close boarded fence
4	Plum Tree	1	100mm high close boarded fence
5	Plum Tree	1	100mm high close boarded fence
6	Plum Tree	1	100mm high close boarded fence
7	Plum Tree	1	100mm high close boarded fence
8	Plum Tree	1	100mm high close boarded fence
9	Plum Tree	1	100mm high close boarded fence
10	Plum Tree	1	100mm high close boarded fence

HARD LANDSCAPE KEY

- Paving (asph)
- Block paving
- Tarmac/grass

268 Bradbury Lane,
Hoddeston
Detailed Soft Landscape
Proposals
Drawn by: P15-1105-01-0
Client: TOMWRIGHT
Date: 01/02/2018
Drawn by: J.P.
Checked by: J.P.
Scale: 1:1000/1:1

Drainage Plan



Impermeable Areas Plan



EXISTING LAYOUT



PROPOSED LAYOUT

Impermeable Area Calculations

- Approximate Site Boundary = 0.32 Ha = 100%
- Existing Building = 0.027 Ha = 8.4%
- Existing Soft Landscape = 0.072 Ha = 22.5%
- Existing Soft Landscape = 0.226 Ha = 69.7%

Proposed Impermeable Areas

- Proposed Building = 0.038 Ha = 11.9%
- Proposed Soft Landscape = 0.172 Ha = 51.1%
- Total Impermeable Area = 0.210 Ha = 65.6%
- Total Soft Landscape = 0.190 Ha = 59.4%
- Total Area = 0.400 Ha = 100%

Summary

Site will increase impermeable areas by approximately 10.2%.

DATE	BY	APP'D	REV	DESCRIPTION
18/10/20	NSF	NSF	01	ISSUED FOR PERMIT
18/10/20	NSF	NSF	02	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	03	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	04	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	05	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	06	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	07	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	08	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	09	REVISED PERMIT CONDITIONS
18/10/20	NSF	NSF	10	REVISED PERMIT CONDITIONS

PROJECT INFORMATION
 PROJECT NAME: [REDACTED]
 PROJECT NO: [REDACTED]
 PROJECT ADDRESS: [REDACTED]
 PROJECT CONTACT: [REDACTED]
 PROJECT PHONE: [REDACTED]
 PROJECT EMAIL: [REDACTED]

CLIENT INFORMATION
 CLIENT NAME: [REDACTED]
 CLIENT ADDRESS: [REDACTED]
 CLIENT CONTACT: [REDACTED]
 CLIENT PHONE: [REDACTED]
 CLIENT EMAIL: [REDACTED]

DESIGNER INFORMATION
 DESIGNER NAME: [REDACTED]
 DESIGNER ADDRESS: [REDACTED]
 DESIGNER CONTACT: [REDACTED]
 DESIGNER PHONE: [REDACTED]
 DESIGNER EMAIL: [REDACTED]

DATE 18/10/20
SCALE 1:1000
PROJECT NSF PLANNING
REVISIONS P18-3115 001 A

Contact Officer: Audrey Lewis

Telephone No: 01543 464528

Planning Control Committee

7 July 2021

Application No: CH/20/173

Received: 01-Jun-2020

Location: 268, Bradbury Lane, Hednesford, Cannock, WS12 4EP

Parish: Hednesford

Ward: Hednesford North

Description: Demolition of an existing dwelling and outbuildings, and the erection of 10 dwellings and associated development including access, parking and landscaping

Application Type: Full Planning Application Major

Recommendations: Approve subject to conditions

Reason(s) for Recommendation:

Reason for Grant of Permission

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

Conditions (and Reasons for Conditions):

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

Reason

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

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

Reason

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

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

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

Reason

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

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

Reason

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

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

Reason

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

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

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

Reason

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

7. The dwellings shall be completed in accordance with the approved scheme of inbuilt bird and bat boxes. Thereafter, the bird and bat boxes shall be retained for the lifetime of the development.

Reason

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

8. If demolition and refurbishment are to be undertaken between the beginning of March and the end of August in any year, there must first be a check undertaken of the building for nesting birds and if birds are nesting then no work shall be undertaken until the young have fledged.

Reason

In the interests of conserving habitats and biodiversity in accordance with Policy CP12 of the Local Plan and paragraphs 170, 175, 177, 179 of the NPPF.

9. The boundary treatment scheme to allow the passage of hedgehogs shall be implemented in accordance with the approved details. The boundary treatment shall thereafter be retained for the lifetime of the development.

Reason

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

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

Reason

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

11. No development shall begin until details of the management company responsible for the maintenance of the surface water drainage system in accordance with the approved O&M Manual 'P19-3115-O&M Manual-NF-26.04.21' have been submitted to and approved by the Local Planning Authority.

Reason

To reduce the risk of surface water flooding to the development and properties downstream and to ensure the surface water drainage system is adequately maintained for the lifetime of the development.

12. The development hereby permitted shall not be brought into use until the approved drainage scheme shown in the following documents has been implemented:

- P19-3115 - SW Network V03
- P19-3115-002-Proposed Drainage Layout C

Thereafter, the drainage scheme shall be retained and maintained in accordance with the following document:

- P19-3115-O&M Manual-NF-26.04.21.

Reason

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

13. Notwithstanding any details shown on submitted 'Landscape & Location Plan' no development shall be commenced until revised access details indicating the following have been submitted to and approved in writing by the Local Planning Authority:

- Visibility splays of 2.4m x 43m in both directions from the centre of Plot 1 & 2's driveway onto Bradbury Lane.

Reason

In order to comply with Paras.108-110 of the NPPF 2019 and in the interest of highway safety.

14. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided in accordance with

the approved plans.

Reason

In order to comply with Paras.108-110 of the NPPF 2019 and in the interest of highway safety.

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

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

Reason

In order to comply with Paras.108-110 of the NPPF 2019 and in the interest of highway safety.

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

Reason

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

17.Construction hours and deliveries to the site shall not take place outside of the hours 07:30-18:00 (Mon-Fri) and 07:30-13:00 (Sat) and at no time on Sundays or Bank Holidays.

Reason

To protect neighbour amenity, in accordance with the objectives of Paragraph 108 of the NPPF 2019 and Policy CP3 of the Local Plan.

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

Drg Nos.
 Site & location plan Drg No. 2363.04Z
 Tree Survey Plan
 Tree Constraints Plan
 Arboricultural Method Statement Rev 02
 Arboricultural Survey & Impact Assessment Rev 03
 Bat survey
 Daylight & Sunlight assessment
 Detailed soft landscaping proposals Drg No. P19-3115 01E
 Drainage & Operation Maintenance Manua (26.4.21)
 Drainage Layout Drg No. P19-3115 002C
 Ecological suvey
 Ground investigation letter
 House Type A amended
 House Type B
 Impermeable Area Plan Drg No. P19-3115 001A
 P19-3155 SW attenuation calculations
 P19-3155 SW calculations 1in100
 P19-3155 SW calculations
 Percolation Testing letter 9.10.20
 Planning Statement
 Transport Statement

Reason

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

19. Prior to occupation of the development taking place the relocation of the splitter island shall be completed within the limits of the highway.

Reason

In order to comply with Paras.108-110 of the NPPF 2019 and in the interest of highway safety.'

Notes to the Developer:

The demolition of the existing building should be undertaken under the usual controlled provisions afforded by The Building Act 1984 with the appropriate specialist attention being paid should the construction of same incorporate any asbestos containing materials.

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. The developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

The relocation of the splitter island will require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form.

Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales. <https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>

Please note that prior to the accesses being constructed 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 crossing 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 Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) <https://www.staffordshire.gov.uk/Highways/licences/Vehicle-access/VehicleAccessCrossings.aspx>

Severn Trent Informative

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Coal Informative

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during

development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

External Consultations -

Hednesford Town Council

This is a well prepared proposal by an established developer providing affordable, suitably sized housing which is in keeping with the area. One concern we do have is that aside from the two allocated vehicle spaces for each dwelling there is very limited space for any additional parking which could mean extra cars or visitors had to park in Bradbury Lane which is a busy road.

Crime Prevention Officer

The following comments should be considered in the light of the following:

- The National Planning Policy Framework states “Planning policies and decisions should ensure that developments ... create places that are safe ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”;
- National Planning Practice Guidance which states that “Designing out crime and designing in community safety should be central to the planning and delivery of new development”;
- The statutory obligation placed on local authorities to do all they can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998;
- The 2006 CABI document entitled ‘Design and Access Statements: How to Write, Read and Use Them’, which states “Statements should demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime.”

The site greatly benefits in terms of crime prevention from the fact that it is surrounded by existing housing and has some well-established boundary treatments, notably hedging, which are to be retained. The site is self-contained and the absence of any through route should substantially reduce the justification for non-residents to enter the site, which should inherently make it more secure. The inclusion of a sizeable section entitled Access within the Design and Access Statements relating to crime prevention is welcomed. Albeit the Safer Places document referenced has unfortunately been cancelled, its contents are wholly apposite, being in line with the NPPG quote cited above.

The fact that crime prevention has been considered is fairly well borne out in the layout. Parking will be in curtilage and natural surveillance throughout should be reasonable. Street lighting will need to maximise natural surveillance opportunities. Fencing and lockable gating should prevent unauthorised access from the front of the properties to the private rear gardens. Overall, the development should be one perceived to be under the ownership and control of its residents, which will clearly be advantageous in terms of deterring negative interaction with the site, and reducing criminal and anti-social opportunity.

That is not to say that the applicant could not consider a number of alterations to further address crime prevention:

While parking will be in-curtilage, residents should be afforded the opportunity to observe their parked vehicles from their property. Currently this will not be the case for those with parking adjacent to the units, as the only side elevation window will be an opaque bathroom window - there are no windows from ground floor habitable rooms from which residents could observe their vehicle/s. The provision of such windows should be considered. This accords with Secured by Design best practice advice.

The side garden boundaries of plots 2/3 will face the internal access road, be poorly overlooked and close to the site entrance thus potentially more vulnerable. Defensive planting/hedging can be a very effective and attractive means of protecting rear garden boundaries which are more exposed/abut public space as will be the case here. Furthermore, such planting can soften the appearance of fencing/walls as well as having a range of ecological benefits and therefore it should be considered by the applicant.

The installation of widely-available, third party certified attack-resistant external doors and ground floor windows in line with the minimum recommended physical security standards and guidance contained within the Secured by Design Homes 2019 design guide document would enhance the burglary resistance of the properties. This would be one further significant way in which the applicant could seek to design out criminal opportunity for the long term benefit of the future residents. The much less satisfactory alternative would be to rely upon products which have no such appropriate third party security certification and hence an unquantifiable and indemonstrable attack-resistance capability.

The design guide cited above also contains a raft of other information appertaining to layout and physical security considerations, of which the applicant should be aware.

Severn Trent Water Ltd

I can confirm that we have no objections to the proposals subject to condition for disposal of foul and surface water flows.

South Staffordshire Water Plc

I have viewed the application and from our existing asset records we appear to have no water mains assets affected by this scheme so would look to install new water assets to supply the development through the normal application for new connections process.

Please note that we do not keep records of individual water services so this site may well require the existing water service to be disconnected prior to the development being undertaken.

Environment Agency

No comments received.

School Organisation

I would advise that the above planning application would not result in an education contribution and is therefore acceptable from an education perspective.

The response is based on the information contained within the planning application and should the number and/or mix of dwellings change we would wish to be consulted so that a revised contribution can be calculated.

The majority of Staffordshire schools include residence in the school's catchment area as a high priority within their admission arrangements. Even where this is not the case schools still give high priority to children who live in the local area.

The location of a housing development in relation to schools in the local area is taken into consideration when assessing the mitigation required for education provision.

Based on the location of the proposed development we have considered the impact on school places at the following school(s):

Pye Green Academy
The Staffordshire University Academy

To understand the impact of this development on education infrastructure analysis has been undertaken using:

- Pupil Number on Roll;
- Net capacity/funding agreement of the schools;
- Pupil projections which include committed developments

In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that 10 dwellings would require 2 primary school places and that 10 dwellings would require 1 secondary place. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 7 year groups for Primary, 5 for secondary and 1 for Post 16 places. Where appropriate all 1 bedroom dwellings have

been deducted from the dwellings numbers and at secondary level only, all RSL dwellings have also been deducted in line with our Education Planning Obligations Policy.

There are projected to be a sufficient number of school places to mitigate the impact of this development at both primary and secondary phases of education.

Internal Consultations

Environmental Health

A ground investigation report has been provided, which concludes that there no exceedences of the relevant assessment criteria for ground contaminants, and that ground gas investigations conclude that no gas protective measures are required. I am happy to accept these conclusions.

Due to the close proximity to adjacent residential properties, I would recommend that a Construction Environment Management Plan is required, to ensure amenity during the construction phase of the development, and that construction hours restricted.

Parks & Open Spaces

No objections subject to imposition of suitable conditions.

Waste and Engineering Services

Cannock Chase Council does not routinely allow its refuse collection vehicles to travel on private roads / property in order to access waste containers.

All waste collection points must therefore be positioned within 10m of an adopted metalled highway and at the same level.

If the roadway is to be un-adopted the bin collection points will be required adjacent to the metalled (adopted) highway; in accordance with the above requirement.

The proposed drawing would suggest that waste containers (bins) could be placed at the side of the metalled highway on the day of collection by occupiers however this would mean up to 20 bins being left at the kerbside. This is considered to be an excessive amount given the space available on Bradbury Lane.

Bin collection points should be within 25m of the property they are designed to serve which cannot be achieved for some parts of the development, given the above.

Bin collection points should also be designated for a minimum of two 240ltr. wheeled bins per property. They should be constructed to a sufficient size and quality for the number of bins required and consideration given to their proper environmental screening.

Council Ecologist

No comments received.

Strategic Housing

On sites of 10-14 units a financial contribution is required based on the following formula contained in the Developer Contributions and Housing Choices Supplementary Planning Document:

- a. The total gross development value of each dwelling to be constructed;
- b. Multiply by the residual land value percentage identified in the Adams Integra 2013 “Economic Assessment of Future Development of Affordable Housing in Cannock Chase” of 18%;
- c. Add 15% to the result of a x b above to reflect an estimate of the costs of acquisition/preparation/servicing of the Land;
- d. Apply to the relevant dwelling number and types, and to the equivalent affordable housing policy proportion – 20%
- e. Multiply by no. of units
- f. Financial contribution payable

An idea of the contribution payable at this point in time can be given by our Principal Property Services Officer but as the calculation is based on the open market value of a property a final figure would be calculated prior to commencement.

Planning Policy Officer

The site is in the Hednesford urban area and it is not protected for a specific use on the Local Plan (Part 1) Policies Map.

The Cannock Chase Local Plan (part 1) 2014 policy CP1 supports sustainable development.

Policy CP3 advocates appropriate design and cohesion with adjacent uses in new development, including the protection of amenity. The Design SPD provides additional guidance.

The Cannock Chase Local Plan (Part 1) 2014 was adopted more than five years ago; it is therefore the subject of a review. This review is at an early stage in the process with consultation on ‘Issues and Options’ being undertaken May-July 2019. Therefore limited weight can be afforded to it. The starting point for the determination of planning applications remains the adopted development plan (Local Plan (Part 1)).

It should be noted that the application site is within Hednesford Neighbourhood Area. The Hednesford Neighbourhood Plan was adopted by Cannock Chase Council on 28th

November 2018 and the policies in the document should be taken into account when making planning decisions.

The site is listed as reference C237 in the Strategic housing Land Availability Assessment (SHLAA) 2018, noting that the site previously had a now expired outline planning permission for 13 dwellings under CH/07/0409.

If it is a market housing residential development scheme the proposal may be CIL liable. If a net increase in dwellings is proposed the development may need to mitigate its impacts upon the Cannock Chase SAC (Local Plan Part 1 Policy CP13). Should the development be liable to pay CIL charges then this will satisfy the mitigation requirements, as per Local Plan Part 1 Policy CP13, the Developer Contributions SPD (2015) and the Council's Guidance to Mitigate Impacts upon Cannock Chase SAC (2017). However, should full exemption from CIL be sought then a Unilateral Undertaking would be required to address impacts upon the Cannock Chase SAC in accordance with the Council's policy/guidance. Any site specific requirements may be addressed via a Section 106/278 if required, in accordance with the Developer Contributions and Housing Choices SPD (2015) and the Council's most up to CIL Infrastructure list.

CIL Officer

In respect of the above planning application, based on the additional information form and plans submitted, the CIL chargeable amount for this development would be £30,019.56 (subject to annual uplifts).

County Flood Risk Management (SUDS)

No objection subject to condition.

Travel Management and Safety

No objection subject to conditions.

Response to Publicity

The application has been advertised by site notice and neighbour letter. Five objectors have responded on the following grounds.

- I am still extremely disappointed and unhappy with the proposed development and these latest plans do not alter my feelings. In particular that they still ignore the condition restricting this site to a maximum of 5 dwellings. I have already explained previously my objections but am further annoyed with the note regarding cutting of the hedgerow at the rear of my bungalow. It has already been extensively cut back for fencing alongside my boundary without my approval. The hedge is within my boundary and as such will only be cut by my gardener when and who I see fit in future. I was not consulted prior to the fencing which is now preventing proper access to the side of my property for

any future maintenance. After discussion with the new owner of 268 it was agreed that it would be made with removable panels at the side of my property but has not been built this way. I am disgusted and insist Planning Committee visit the site to fully appreciate the impact of this proposed development to my quality of living. I do not want to live next to an housing estate, these plans are completely unacceptable and out of character for the surrounding area.

- The amended plans do not alter my Mother's or my objections to the proposed development. The Planning Committee needs to remind the applicant of the condition imposed on this site for a maximum of 5 dwellings and I attach copy of Council Leader George Adamsons email confirming this for your reference. The design and layout of the houses are completely out of character for the area and location of the access road unacceptable due to it's close proximity to my Mother's bungalow. A noise survey does not appear to have been undertaken for this proposed development which is absolutely necessary.
- The proposals are not acceptable, an overcrowded site with disregard to the negative impact on surrounding neighbours, road safety or the environment. Mother's property bungalow, her home for 54 years would suffer most from these plans.
- Completed forms dated 22nd June 2020 were delivered by hand requesting a site visit and to speak at any forthcoming committee meeting. Any decision on this application should be deferred until it is possible to undertake a site visit so Councillors can fully understand and appreciate the impact it would have on privacy and quality of it now and in the future.
- All the new buildings will be sideways on to existing neighbours except for 14 and 16 Heather Road. New house number 7 will be at the bottom of our garden. The back of the house with 2 bedroom windows will overlook our property.
- For 40 years The property 268 Bradbury Lane has had mature trees at the back of the property but suddenly once the property was sold all the trees were cut down leaving a gap. The plans say that existing trees will remain and a fence put in front of them. This has not happened as the trees were felled before the fence was put up. The trees were home to a variety of birds that nested year after year including 2 pairs of Jays, Blackbirds and wood pigeons.
- On The plan 2363-4 it shows that various trees will be planted but there are none planned to cover the garden of number 7. What if anything will be put in place to protect our privacy.
- The other issue we have is water pressure. When new bungalows were built in Heather Mews our water pressure dropped considerably. Will these 10 new builds have a greater drain on the existing pressure?
- There is a tranche of land between my boundary Fence at 12, Evergreen Heights and the fence constructed by the developers. This unattended tranche of land is populated by a hedge extending the length of the land being developed. Can you inform me who owns this tranche of land and who is

responsible for the maintenance of the hedge. The hedge is very invasive towards the rear of my property and requires constant attention in order to prevent damage to my shed, which I have to currently maintain myself as no-one is taking responsibility.

- In addition to this concern, I have checked the development plans on line and it appears that there will be a development on the other side of my fence at the bottom of my garden. My concern is how the new build will affect my privacy, and the amount of natural sunlight that will be lost to my garden. Presently I get natural sunlight to the rear of my property until late afternoon, but with a new build adjacent to my fence I am concerned that this will cast a shadow on my garden and I will lose all natural sunlight. This will have a detrimental impact to myself and my well-being, as I rely on my garden for growing my own vegetables and flowers and to use the area for relaxation. This will not be possible with a building at the bottom of my garden.
- The site should be developed for bungalows for the ageing population and to avoid overlooking the surrounding dwellings.
- There should be storage provision for bikes as there are no garages proposed, in help reduce congestion.
- Noise nuisance to existing residents from additional vehicular traffic accessing the new dwellings.
- Detriment to highway and pedestrian safety.
- Proposal would cause overcrowding of the site, to the detriment of open plan character of the area.
- Overlooking and loss of privacy.

Relevant Planning History

1. CH/07/0409 Residential development - Two storey dwellings (illustrative layout) (outline) Outline-Approval with conditions - 19/12/2007
2. CH/10/0213 Extension of time limit to CH/07/0409 - residential development Outline - Approval with conditions 22/09/2010
3. CH/13/0305 Residential development:- Extension of time limit to CH/10/0213. Withdrawn - 04/02/2020

1 Site and Surroundings

- 1.1 The application site comprises a residential plot 0.3ha. in area, situated on the north eastern side of Bradbury Lane approximately 100m from the junction with Green Heath Road.
- 1.2 The site is relatively level and within the plot is a single detached bungalow, garage and 2 No. outbuildings. The property is set back approximately 60m from Bradbury Lane and has residential properties on three sides, the majority being semi-detached and terraced dwellings with rear gardens.
- 1.3 On the south eastern side of the site are two bungalows, one in line with the existing dwelling, and one, no.266 positioned 20m in front of it. The land opposite the application site is allocated as part of the Green Space Network and is undeveloped.
- 1.4 The boundaries of the site are delineated with a variety of hard and soft boundary treatments, including 2m high walls, closed board fencing, mature hedgerows and trees.
- 1.5 The existing access to the site is sited approximately 3m from the boundary with the neighbouring property, No 266 and leads in a straight line to the garage which is located on the boundary adjacent to No.5B, Heather Mews.
- 1.6 The application site is undesignated within the Cannock Chase Local Plan, but is allocated within the Strategic Housing Land Availability Assessment (SHLAA) 2018, noting that the site previously had a now expired outline planning permission for 13 dwellings under CH/07/0409. It is located within Forest of Mercia, Mineral Safeguarding Area, Coal Authority Low Risk Boundary, Env Agency Historic Landfill Boundary, Site Investigation Boundary. The Hednesford Neighbourhood Area Plan has been adopted for the area.

2 Proposal

- 2.1 The applicant is seeking consent for demolition of an existing dwelling and outbuildings, and the erection of 10 dwellings and associated development including access, parking and landscaping.
- 2.2 The proposal is for 2 No. two bed houses and 8 No. three bed houses with private rear garden areas. The dwellings would be two storey and modern in design comprising brick, tiles and weatherboards. Windows would be finished in dark gray.
- 2.3 The layout creates a single main vehicle access (to be adopted highway) and 2 No. parking spaces for each dwelling sited within the curtilage of each dwelling.
- 2.4 Six trees and hedgerows would be removed to include a cherry laurel and firethorns hedge (H1), hawthorn, ash and elder hedge (H2), hawthorn hedge (H4),

a Lawson cypress (T5) and two magnolias (T6 and T7). A landscaping scheme is proposed to include shrubs, trees, new fencing and railings.

2.5 The application is accompanied with:

Design & Access Statement & Planning Statement

Tree Survey Plan

Tree Constraints Plan

Arboricultural Method Statement

Arboricultural Survey & Impact Assessment

Bat survey

Daylight & Sunlight assessment

Detailed soft landscaping proposals

Drainage & Operation Maintenance Manual

Drainage Layout

Ecological survey

Ground investigation letter

Impermeable Area Plan

Storm water calculations

Percolation Testing

Transport Statement

3 Planning Policy

3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).

3.3 Relevant Policies within the Local Plan Include:

- CP1: - Strategy
- CP2: - Developer Contributions
- CP3: - Shaping Design
- CP5: - Social Inclusion and Healthy Living
- CP6: - Housing Land
- CP7: - Housing Choice
- CP10: - Sustainable Transport
- CP16: - Climate Change

3.4 The relevant policy in the Minerals Plan is: -

Policy 3.2: - Minerals Safeguarding.

- 3.5 National Planning Policy Framework
- 3.6 The NPPF (2019) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.
- 3.7 The NPPF (2019) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.8 Relevant paragraphs within the NPPF include paragraphs: -
- | | |
|----------------------------|---|
| 11-14: | The Presumption in favour of Sustainable Development. |
| 47-50: | Determining Applications. |
| 59, 64: | Delivering a Sufficient Supply of Homes. |
| 91, 92, 94, 96, 97, 97 -98 | Promoting Healthy and Safe Communities
Open Space and Recreation |
| 100, 101 | Local Green Space Networks |
| 108, 109, 110: | Promoting Sustainable Travel |
| 117, 118: | Making Effective Use of Land |
| 124, 127, 128, 130: | Achieving Well-Designed Places |
| 148, 150, 155, 163, 165: | Climate Change and Flood Risk |
| 170, 175 | Biodiversity |
| 178, 179, 180 | Ground Condition and Pollution |
| 212, 213 | Implementation |
- 3.9 Other relevant documents include: -
- Design Supplementary Planning Document, April 2016.
- Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contribution
- Hednesford Neighbourhood Area Plan

4 Determining Issues

- 4.1 The determining issues for the proposed development include: -
- i) Principle of development
 - ii) Design and impact on the character and form of the area.
 - iii) Impact on residential amenity.
 - iv) Impact on highway safety.

- v) Impact on nature conservation.
- vi) Drainage and flood risk.
- vii) Education.
- viii) Air quality
- ix) Mineral safeguarding.
- x) Waste and recycling facilities.
- xi) Ground conditions and contamination.
- xii) Affordable Housing.

4.2 Principle of the Development

4.2.1 Both the NPPF and Cannock Chase Local Plan 2014 Policy CP1 advocate a presumption in favour of sustainable development.

4.2.2 The NPPF at paragraph 11 includes a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up to date development plan without delay.
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless
 - (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

With regard to Habitats Sites, such as the Cannock Chase SAC and SSSI, the presumption does not apply where the project is likely to have a significant effect either alone or in combination with other plans or projects, unless an appropriate assessment has concluded that the proposal will not adversely affect the integrity of the habitats site.

4.2.3 In this case it is confirmed that an appropriate assessment has been undertaken and it has concluded that subject to mitigation in the form of a payment through CIL, or a section 106 agreement the proposal will not adversely affect the integrity of Cannock Chase SAC. As such it is concluded that the 'presumption in favour of sustainable development' applies to this proposal.

4.2.4 The previous outline approval CH/07/0409 indicative layout for 13 No. houses has firmly established the principle of residential development and quantum of

development for this site. There was also renewal of the permission under CH/13/0305 and as such the proposal would be considered acceptable.

4.2.6 However, although a proposal may be considered to be acceptable in principle it is still required to meet the provisions within the development plan in respect to matters of detail. The next part of this report will go to consider the proposal in this respect.

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

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

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

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

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

Planning policies and decisions should ensure that developments:

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

4.3.4 Finally Paragraph 130 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into

account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.

4.3.5 In this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to space around dwellings.

4.3.6 Having taken all of the above into account it is considered that the main issues in respect to design and the impact on the character and form of the area are: -

- (i) Overall layout
- (ii) Density
- (iii) Materials, scale and external appearance of the dwellings
- (iii) Landscaping

4.3.7 There have been objections received from local residents regarding the impact of the development on the character of the area. The proposed dwellings are two storey and the number of bedrooms range from two-three. The design would be modern and similar to the range of dwellings found within the wider Hednesford area. 3D modelling elevations have been provided which also demonstrates that the dwellings would appear in keeping with the character of the area in terms of size and scale.

4.3.8 In general, the layout meets the guidance for space around dwellings as set out in the Council's Design SPD, providing rear amenity areas in accordance with the minimum requirements.

4.3.9 The scheme proposes hard landscaping and soft replacement landscaping comprising new tree and shrub planting to assimilate the development into the surrounding area, which is subject to the imposition of conditions.

4.3.10 As such, it is considered that the proposal, subject to the attached conditions would be in accordance with Policy CP3 of the Local Plan and paragraph 127 of the NPPF.

4.4. Impact on Residential Amenity

4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

- 4.4.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 In general the Design SPD sets out guidance for space about dwellings, stating that for normal two storey to two storey relationships there should be a minimum distance of 21.3m between principal elevations (front to front and rear to rear) and 12m between principal elevations and side elevations. Furthermore, the Design SPD sets out minimum rear garden areas, recommending 40-44sqm for 1 or 2 bed dwellings, 65sqm for 3 bed dwellings and 80sqm for 4 bed dwellings.
- 4.4.4 However, it should always be taken into account that these distances are in the nature of guidance. When applying such guidance consideration should be given to the angle of views, off-sets and changes in levels.
- 4.4.5 There have been objections received from local residents regarding the impact of the development on privacy and amenity.
- 4.4.6 Officers can confirm that the proposal meets the guidance set out within the Design SPD for space about dwellings and therefore the proposal is considered acceptable in respect to any additional levels of overlooking and, or overshadowing that would occur.
- 4.4.7 There have also been objections received from local residents regarding removal and management of existing trees and hedges. New trees and shrubs would replace hedges and trees to be removed by the landscaping scheme. Subject to the imposition of suitable conditions, it is considered the proposal would assimilate well with the surrounding landscape features.
- 4.4.8 Given the above it is considered that subject to the attached conditions, a high standard of residential amenity would be achieved for all existing and future occupiers of the development and the neighbouring properties and the proposal is considered in accordance with Policy CP3 and paragraph 127(f) of the NPPF.

4.5 Impact on Highway Safety

- 4.5.1 Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe adding at paragraph 110: -

Within this context, applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second so far as possible to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport

services, and appropriate facilities that encourage public transport use;

- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

4.5.2 The objections raised on the grounds of increased traffic congestion, access and lack of parking are noted. However, the County Highways Authority has raised no objections to the proposal, subject to the imposition of the attached conditions. It is also noted that the proposal meets the Council's standards for parking provision.

4.5.3 It is therefore considered that the proposal would not have an unacceptable impact on highway safety and that its residual cumulative impacts on the road network would not be severe, in accordance with paragraph 109 of the NPPF.

4.6 Impact on Nature Conservation Interests

4.6.1 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 170 and 174 of the NPPF.

4.6.2 Policy CP12 of the Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced via

'the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national and local status. Development will not be permitted where significant harm from development cannot be avoided, adequately mitigated or compensated for;

- support for the protection, conservation and enhancement of existing green infrastructure to facilitate robust wildlife habitats and corridors at a local and regional scale (particularly to complement Policy CP16);

- supporting and promoting initiatives for the restoration and creation of priority habitats and recovery of priority species and the provision of new spaces and networks to extend existing green infrastructure;
- supporting development proposals that assist the delivery of national, regional and local Biodiversity and geodiversity Action plan (LBAP/GAP) targets by the appropriate protection, incorporation and management of natural features and priority species;
- the promotion of effective stewardship and management across the district to contribute to ecological and geological enhancements.'

4.6.3 Paragraph 170 of the NPPF states [amongst other things] that

- 'Planning policies and decisions should contribute to and enhance the natural and local environment by:
- protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); [and]
- minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

4.6.4 Paragraph 174 goes on to state

When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity 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;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

On –Site nature Conservation Issues

- 4.6.5 The application site does not support any rare or protected habitats or species given special protection. It is recommended that clearance of site should take place outside of bird breeding season.
- 4.6.6 In addition to the above it is recommended that conditions are attached to any permission granted to ensure that a proportion of the dwellings are fitted with inbuilt bird and bat boxes and that boundary treatment of the site allows for the free passage of hedgehogs.
- 4.6.7 Subject to the imposition of suitable conditions, it is therefore considered that the proposal would not have an adverse impact upon ecological interests and would provide opportunities to provide benefits to biodiversity in the form of bird/ bat boxes and landscaping improvements.

Impact on Cannock Chase SAC

- 4.6.8 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. The proposal would lead to a net increase in dwellings and therefore is required to mitigate its adverse impact on the SAC. Such mitigation would be in the form of a contribution towards the cost of works on the SAC and this is provided via CIL, as the scheme is for a net increase in 9 No. dwellings and therefore would not require a S106 contribution.

4.7 Drainage and Flood Risk

- 4.7.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps, and therefore is in the zone least at risk of flooding.

- 4.7.2 In this respect it is noted that paragraph 155 of the NPPF states 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)' adding 'where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'.
- 4.7.3 In addition to the above it is paragraph 165 of the NPPF states 'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;
 - b) have appropriate proposed minimum operational standards;
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development;
- 4.7.4 The LLFA, South Staffordshire Water and Severn Trent have no objections subject to the imposition of suitable conditions.
- 4.7.6 Subject to the attached conditions, it is considered that the proposal would be acceptable with regard to drainage and flood-risk, in accordance with the requirements of the NPPF and Policy CP16 of the Local Plan.
- 4.8 Education
- 4.8.1 Policy CP2 states that all housing development will be required to contribute towards providing the infrastructure necessary for delivery of the Local Plan informed by viability assessment. It goes on to state that contributions will be secured primarily via (i) rates set out in a community Infrastructure Levy (CIL) charging schedule and (ii) Section 106 planning obligations.
- 4.8.2 In addition to the above paragraph 94 of the NPPF states: -

'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- (a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications;
and
- (b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before application are submitted.'

4.8.3 In determining whether there is a need for the developer to mitigate the impact of this development the school organisation officer was consulted and advised that the above planning application would not result in an education contribution and is therefore acceptable from an education perspective.

4.9 Air Quality

4.9.1 The proposal by its very nature together with the traffic that it would generate has the potential to impact on air quality. In this respect it should be noted that Paragraph 181 of the NPPF states

'Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.'

4.9.2 The Environmental Protection Officer has no objection subject to the imposition of suitable conditions, in addition to the inclusion of charging points and cycle storage facilities for each dwelling. Whilst the condition for electric vehicle charging points is accepted it is considered that requiring each property to have cycle storage facilities is disproportionate. It is also noted that each property has sufficient space to incorporate such facilities should the occupier wish to have them.

4.9.3 As such, subject to the imposition of conditions, it is considered that the proposal would be acceptable in respect of air quality and meets the requirements of Policy CP16 of the Local Plan and paragraph 181 of the NPPF.

4.10 Mineral Safeguarding

4.10.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.10.2 Policy 3.2 of the new Minerals Local Plan states that:

Within a Mineral Safeguarding Area, non-mineral development except for those types of development set out in Appendix 6, should not be permitted until the

prospective developer has produced evidence prior to determination of the planning application to demonstrate:

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

4.10.3 The proposal is in accordance with the development plan and located within an urban area. It would not sterilise any mineral deposits and therefore falls within the criteria of Table 7: Exemptions Criteria for Mineral Safeguarding of the Minerals Local Plan for Staffordshire.

4.11 Waste and Recycling Facilities

4.11.1 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).

4.11.2 The developer has now confirmed that the proposed access road would be constructed to adoptable highway standards. The Waste and Recycling Officer has no objections to the proposed scheme, since confirmation of the status of the proposed road into the site.

4.12.2 Ground Conditions and Contamination

4.12.1 The site is located in a general area in which coal mining has been a significant factor and therefore there are potential issues in respect to land stability.

4.12.2 In this respect paragraph 170 of the NPPF states: -

'Planning policies and decisions should contribute to and enhance the natural and local environment by [amongst other things]:

- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

4.12.3 In addition to the above paragraph 178 of the NPPF states: -

Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

4.12.4 Finally paragraph 179 of the NPPF makes it clear that where 'a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'.

4.12.5 The Environmental Protection Officer has no objections to the scheme and is satisfied that the evidence provided demonstrates that there is no requirement for gas protection measures to be installed within the development scheme.

4.12.6 It is therefore considered that subject to the attached conditions, the proposal is acceptable in respect to the requirements of paragraphs 179 and 178 of the NPPF.

4.13 Affordable Housing

4.13.1 Under Policy CP2 the proposal would be required to provide a contribution towards affordable housing. However, as the scheme would result in demolition of an existing dwelling with a net increase of 9 No. dwellings the development is considered to be compliant with policy requirements without a contribution to affordable housing.

5 Human Rights Act 1998 and Equalities Act 2010

Human Rights Act 1998

5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve the application accords

with the adopted policies in the Development Plan which aims to secure the proper planning of the area in the public interest.

Equalities Act 2010

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

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

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

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

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

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

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equalities Act.

6 Conclusion

- 6.1 In conclusion, it is considered that the proposal is of a high quality design and will enhance the area by making good use of currently underused land. The dwellings are of an appropriate design, size and scale given their surroundings and setting within the wider street scene.
- 6.2 The proposed development will not have an adverse impact upon neighbouring dwellings and complies with the amenity standards outlined in the Design Guide.
- 6.3 It is therefore recommended that the application be approved subject to the attached conditions.

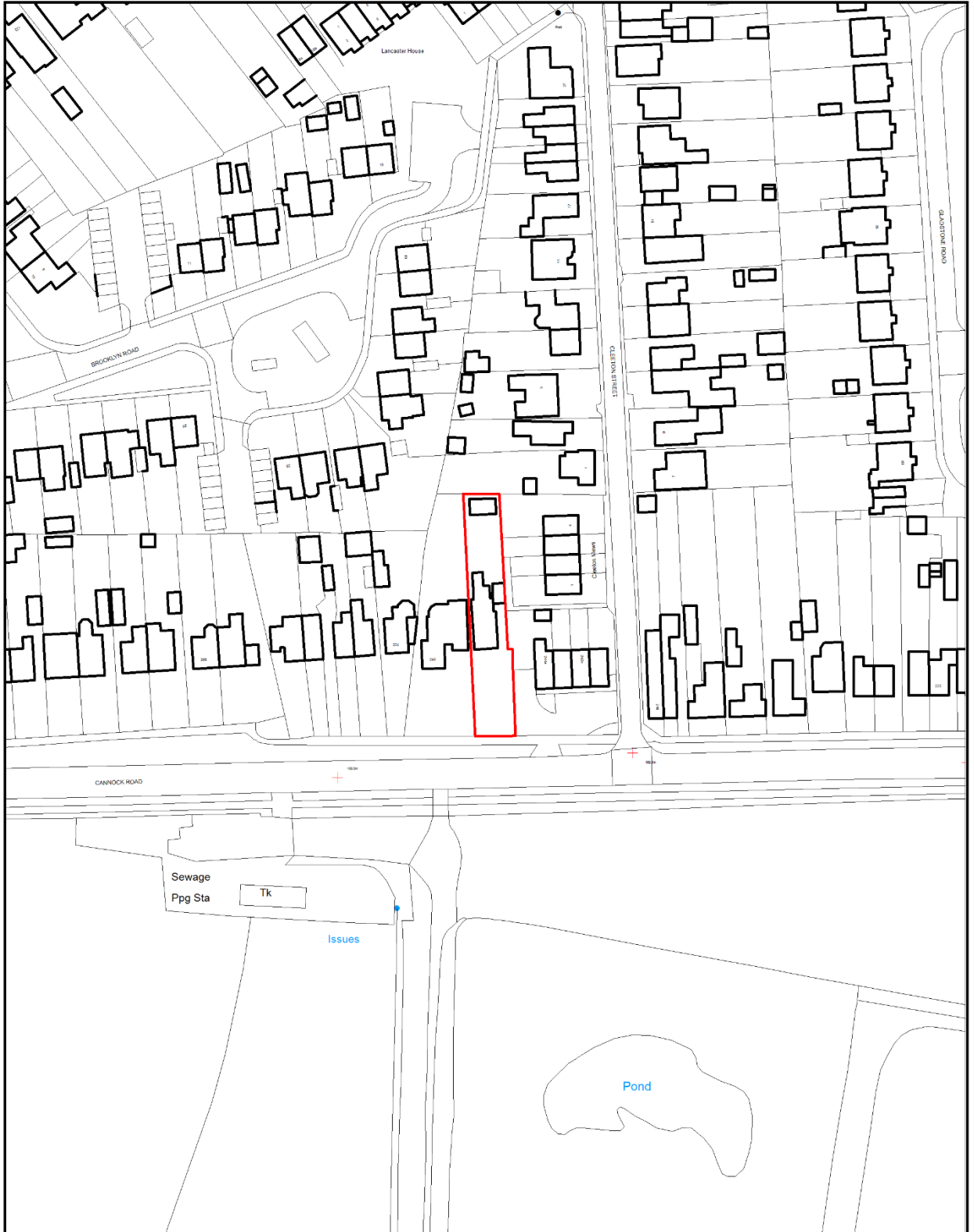
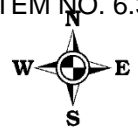


Application No: CH/21/0161

Location: 246 Cannock Road, Heath Hayes, Cannock, WS12 3HA

Proposal: Relocation of garage

ITEM NO. 6.38



Location and Site Plans



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**JOHN
REYNOLDS &
ASSOCIATES**

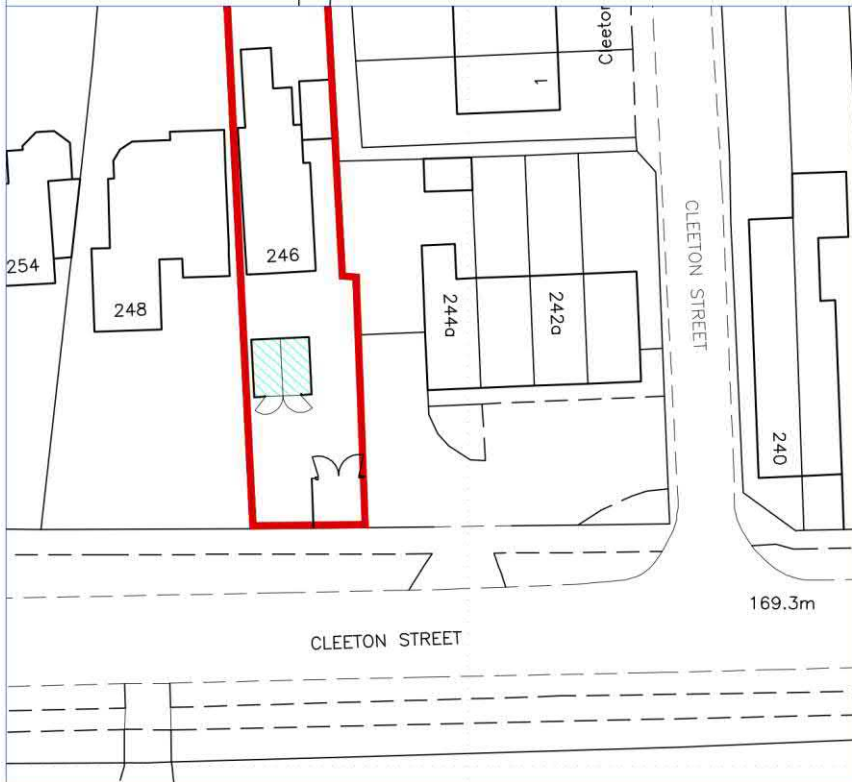
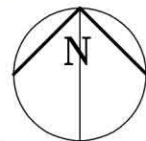
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location plan 1:1250



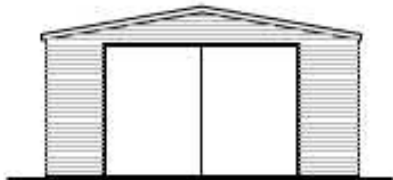
site plan 1:500
Plotted at A4

REV A
Garage repositioned

CLIENT
MR.A.GREENWOOD
246 Cannock Road
Heath Hayes
Cannock
WS12 3HA

APRIL 2021

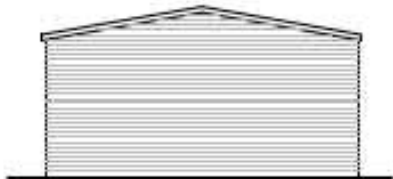
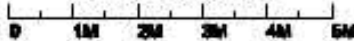
Plans and Elevations



FRONT ELEVATION 1:100



SIDE ELEVATION 1:100

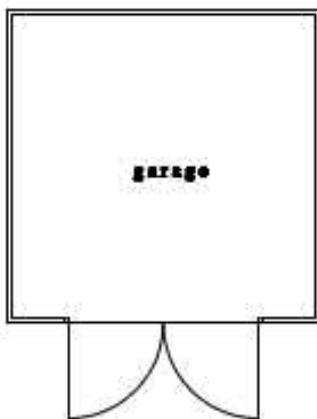


REAR ELEVATION 1:100

Extg building to have roof tiling and walls lined with facing brickwork all to match existing house.



SIDE ELEVATION 1:100



garage

REV A
Extg garage building to be faced with materials to match extg house

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CLIENT
MR. A. GREENWOOD
248 Cannock Road
Heath Hayes
Cannock
WS12 3HA

CONTRACT
DETACHED GARAGE

APRIL 2021

dr no

2021:02:05A

1:100
floor plan + elevations

Contact Officer: Claire Faulkner

Telephone No: 01543 464337

Planning Control Committee

7th July 2021

Application No: CH/21/0161
Received: 06-Apr-2021
Location: 246 Cannock Road, Heath Hayes, Cannock, WS12 3HA
Parish: Heath Hayes
Ward: Heath Hayes East and Wimblebury Ward
Description: Relocation of garage
Application Type: Full Planning Application

Recommendations: Refuse for the following reason: -

The garage, in the position proposed, would appear as an incongruous and discordant structure in this prominent location. The garage would be unrelated to the established linear and open pattern of development on this specific length of Cannock Road and as such, would detract from the character and appearance of the area. As such, the development as constructed is in conflict with Local Plan Policy CP3 and Paragraph 127 (a)(b) & (c) of the National Planning Policy Framework.

Reason(s) for Recommendation:

In accordance with paragraph (38) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development. However, in this instance the proposal fails to accord with the Local Plan and the National Planning Policy Framework.

Update to Members

The application was presented to Members at the Development Control Committee meeting on 26th May wherein the application was deferred to enable the applicant to amend the application so that the materials of the garage were more in keeping with the area.

The applicant has since provided amended details for the materials proposed to finish the detached garage. The applicant now proposes the use of solid brick panels to line the elevations and adhesive bitumen roofing sheets to the roof. The materials would reflect those used on the main dwelling.

In line with the above the report has been updated.

Consultations and Publicity

External Consultations

Heath Hayes & Wimblebury Parish Council

No Objection

Staffordshire County Highway Authority

No objection

Current records show that there were no personal injury collisions on Cannock Road within 50 metres either side of the property accesses for the previous five years.

The application is for the erection of a detached garage in the front garden of No. 246 Cannock Road. Cannock Road is an A classified 40mph 7m wide road which benefits from street lighting. It lies approximately 2 miles east of Cannock town centre in the Heath Hayes area.

It is noted that the proposed garage is under the recommended internal dimensions for a single garage (6m x 3m as stated within Manual for Streets) the driveway does however have sufficient parking spaces for several vehicles therefore the Highway Authority have no objection to the proposal.

Internal Consultations

None undertaken

Response to Publicity

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

Relevant Planning History

CH/21/0038: Retention of detached garage. Refused for the following reason:-

The garage, as constructed, appears as an incongruous and discordant structure in this prominent location. The garage is unrelated to the established linear and

open pattern of development on this specific length of Cannock Road and as such, detracts from the character and appearance of the area. As such, the development as constructed is in conflict with Local Plan Policy CP3 and Paragraph 127 (a)(b) & (c) of the National Planning Policy Framework.

1 Site and Surroundings

- 1.1 The application site is located adjacent Cannock Road, a main highway between Lichfield / Norton Canes and Cannock. There is linear residential development to the northern side of the highway and open fields within the South Staffordshire Green Belt to the south.
- 1.2 The application site relates to a detached garage constructed to the front of No. 246 Cannock Road which comprises a detached two storey dwelling with frontage parking and a private rear garden.
- 1.3 The frontage of the property comprises a width of 10m and has a depth of 20m. The access into the site is well established and is located in the south east corner. The front boundary comprises of a low brick wall and the side boundaries comprise a combination of high and low fencing and landscaping.
- 1.4 Cannock Road is a long road that can be visually separated into smaller sections. The application property is one of a row of residential properties of various designs that run from 318 to 244 Cannock Road and are set back from the pavement a roughly comparable distance. Their large front gardens create a sense of openness on this sizeable length of the road that is not undermined to any appreciable degree by the landscaping and boundary treatments. It is noted that the properties to the west do get nearer to the highway the further west you travel along Cannock Road however this is gradual and there are no large detached structures within the frontages of any of these dwellings. The properties to the immediate east (244) form a row of 4 modern terraces with shared parking to the frontage however they remain approx 12m from the rear of the highway.
- 1.5 The properties to the east, after Cleeton Street, are sited nearer to the highway than the host dwelling, set behind short frontages and closely spaced and as such appear in a visually different context to the dwellings to the west, including the application site.
- 1.6 The application site is unallocated and undesignated within the Cannock Chase Local Plan (Part 1). The application site is located within a Mineral Safeguarding Area and is also within the Coal Authority Low Risk Boundary.

2 Proposal

- 2.1 The application seeks consent for the relocation of the detached garage currently sited (without the benefit of planning permission) within the front curtilage of the application site.
- 2.2 The garage as constructed comprises of a wooden ship-lap structure with a felt roof. However, if approved, it is proposed to be finished with panels of facing brickwork to the elevations and sheets of bitumen roofing shingles to the roof, to reflect the main dwelling.
- 2.3 The structure as constructed, measures 4.6m x 4.6m and is orientated with doors opening into the site. The garage has a maximum height of 2.6m to the ridge. This current proposal to relocate the garage would not alter these dimensions.
- 2.4 The garage would be moved to a new location within the site, approx. 10m from the front boundary. The garage would be orientated with the doors opening towards the highway. There is a row of conifer trees newly planted along the front boundary of the site.

3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).
- 3.3 Relevant Policies within the Local Plan Include:
 - CP1 - Strategy – the Strategic Approach
 - CP2 - Developer contributions for Infrastructure
 - CP3 - Chase Shaping – Design
- 3.4 The relevant policies within the Minerals Plan are

3.2 Mineral Safeguarding.

3.5 National Planning Policy Framework

- 3.6 The NPPF (2019) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in

economic, social and environmental terms, and it states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking

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

3.8 Relevant paragraphs within the NPPF include paragraphs: -

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
124, 127, 128, 130:	Achieving Well-Designed Places
212, 213	Implementation

4.9 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.

4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Drainage & Flood Risk
- v) Mineral Safeguarding
- vi) Ground Conditions
- vii) Impacts on Highway Safety

4.2 Principle of the Development

4.2.1 The proposal is for the extension of an existing residential property that is located within an established residential area located within a built-up location in Heath Hayes. The site is not allocated or designated within the Local Plan. It is considered that the principle of development is acceptable, subject to the considerations below.

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

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

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) Successfully integrate with trees, hedgerows and landscape features of amenity value.

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

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

Planning policies and decisions should ensure that developments:

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

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

4.3.5 In this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to extensions to dwellings.

- 4.3.6 This part of Cannock Road is predominantly characterised by dwellings set back behind deep frontages with the exception of the more recent dwellings to the immediate east (Nos 242-244) which comprise a different design, style and layout as the dwellings to the west.
- 4.3.7 The garage that has been constructed relates to a relatively substantial building that would be repositioned within the site and would remain approx.10m from the front boundary of the site.
- 4.3.8 Your Officers note the newly planted row of conifer plants to the front of the site and also the mature planting adjacent the western boundary of the site. Whilst this planting may conceal the garage to some degree when travelling westwards, it would still be apparent from a significant length of the road travelling eastwards along the side boundary which has limited planting. As such it would do little to screen the mass of the garage.
- 4.3.9 It is noted that since the last meeting of Planning Committee the applicant has proposed to finish the detached garage in materials more in keeping with the host dwelling. However, it is noted that it would still remain the case that there are no other substantial sized, detached structures located within the front gardens of nearby neighbours. Whilst the garage would be in line with the adjacent building (No. 244a) this relates to a dwelling and not an outbuilding. As such, the design and siting of the garage would remain an incongruous and discordant addition to the dwelling in this prominent location.
- 4.3.10 If Members are minded to approve the application, it is recommended that a condition ensuring the proposed materials (matching brickwork panels are used to complete the garage within 3 months of the date of the decision and that thereafter they are retained for the lifetime of the development
- 4.3.11 The NPPF advocates that development should respond to its local character. The 'local character' of a site need not necessarily extend to a very large area. As Cannock Road is a long road lined by housing that has been developed incrementally over time it does not have a consistent or uniform character or appearance but rather one that changes from one stretch to another. From No. 240 Cannock Road eastwards there are a number of properties that are set much nearer to the road than No 246 and its neighbours to the west. These are separated from the application site and its adjacent neighbours by Cleeton Street. This layout has a significant effect on the character of that stretch of the road, and as such is visually different from the row of houses containing the application site.
- 4.3.12 For the reasons above, the garage, despite the proposed materials, set in the position proposed, would form an incongruous and discordant structure that would be unrelated to the pattern of development on this specific length of Cannock Road and which would detract unacceptably from the character and appearance

of the area in conflict with Local Plan Policy CP3 and Paragraph 127 (a)(b) & (c) of the NPPF.

4.2 Impact on Residential Amenity

4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

4.4.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

4.4.3 In terms of the neighbouring properties, the proposed position of the garage within the site would be approx.5m from the front elevation of the host dwelling. The neighbouring dwelling is sited in line with the host dwelling and approx. 1m to the west. It is noted however that there is a group of mature tree / hedgerow planting within the front curtilage of No. 248 that would screen the garage in the proposed location to the front. As such, the proposal would not result in an adverse impact to the adjacent dwellings.

4.4.4 As such, the garage accords with the requirements of Policy CP3 of the Cannock Chase Local Plan and they meet the requirements of the Council's Design SPD.

4.5 Drainage and Flood Risk

4.5.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps. In this instance, the host dwelling already exists with the development constructed within the front curtilage. As such, the proposal would not create additional flood risk over and above the current situation.

4.6 Mineral Safeguarding

4.6.1 The site falls within a Mineral Safeguarding Area (MSAs) for Coal and Fireclay. Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 The application site is located within a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.

4.6.3 As such, the proposal would not prejudice the aims of the Minerals Local Plan.

4.7. Ground Conditions and Contamination

4.7.1 The site is located in a general area in which Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application.

4.8. Impact on Highway Safety

4.8.1 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.8.2 In this respect, the garage as constructed is substandard in dimension for a single garage as stated within Manual for Streets, however there is adequate room on the frontage for the parking of vehicles as associated with the host dwelling. The Highway Authority was consulted on the application and raised no objections in terms of highway safety.

4.8.3 Given the above, the proposal would not result an unacceptable impact on highway safety in accordance with paragraph 109 of the NPPF.

5 Human Rights Act 1998 and Equalities Act 2010

Human Rights Act 1998

5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to refuse accords with the policies of the adopted Local Plan and the applicant has the right of appeal against this decision.

Equalities Act 2010

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

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

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

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

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

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

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equalities Act.

6 Conclusion

- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the development would result in significant harm to acknowledged interests and is therefore considered to be in contrary to the Development Plan.
- 6.2 It is therefore recommended that the application be refused for the following reason:

The garage, in the position proposed, would appear as an incongruous and discordant structure in this prominent location. The garage would be unrelated to the established linear and open pattern of development on this specific length of Cannock Road and as such, would detract from the character and appearance of the area. As such, the development as constructed is in conflict with Local Plan Policy CP3 and Paragraph 127 (a)(b) & (c) of the National Planning Policy Framework.



Application No: CH/21/0081

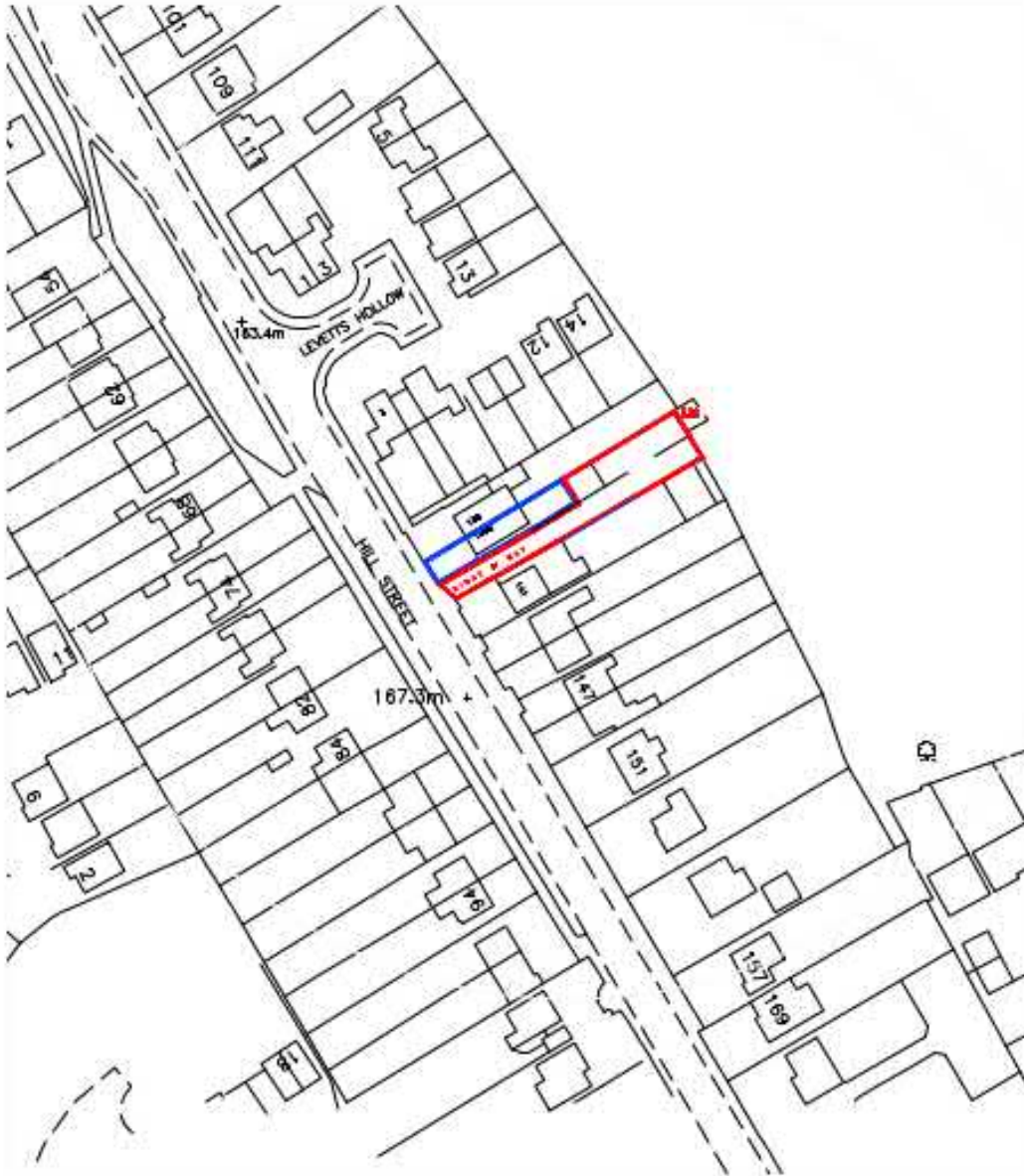
Location: 139A, Hill Street, Hednesford, Cannock, WS12 2DW

Proposal: Residential development to site to rear (resubmission of CH/20/210).

ITEM NO. 6.51



Location Plan

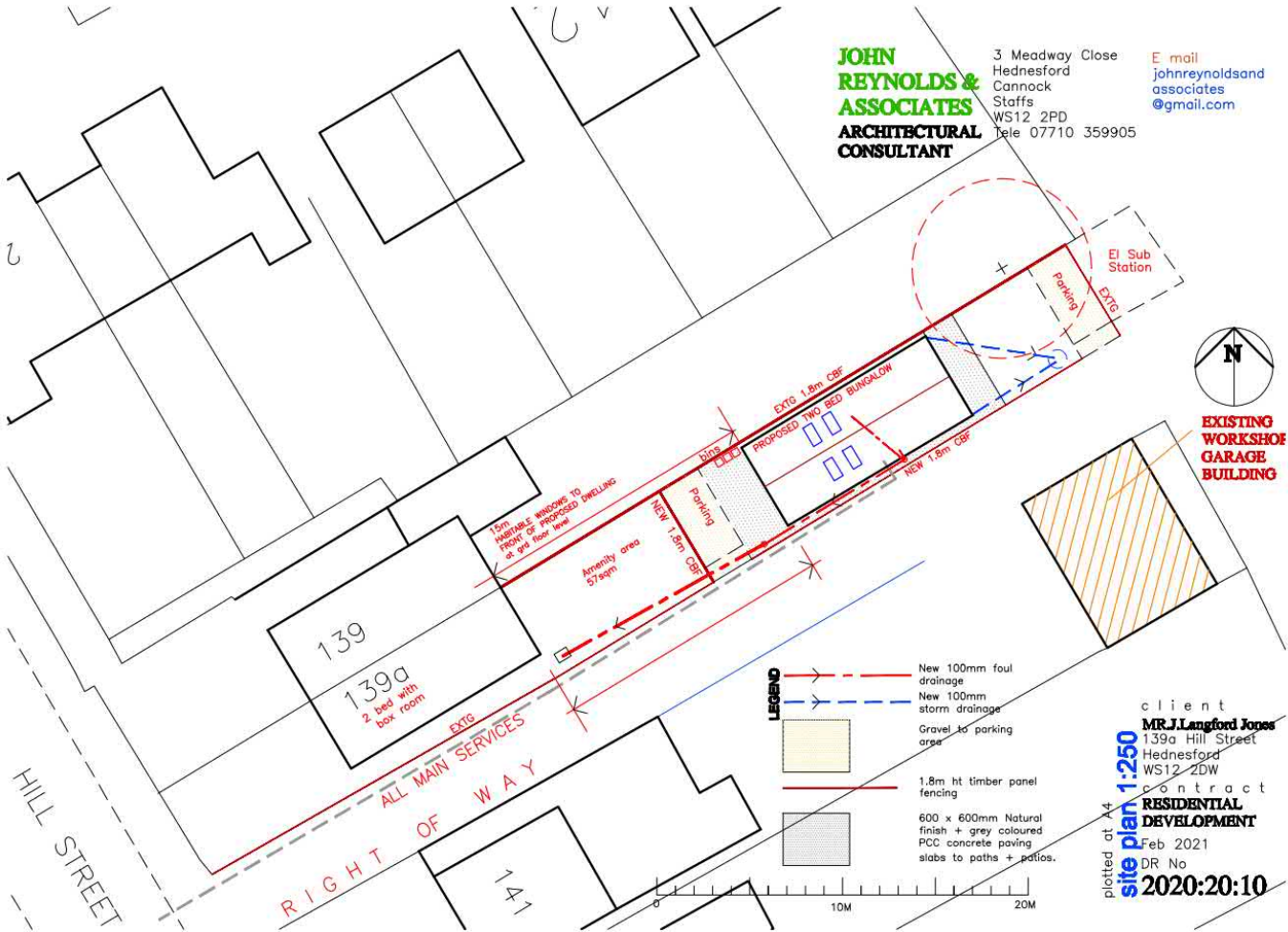


location plan
1:1250
plotted A4

client
MR JJ Langford Jones
139a Hill Street
Hednesford
WS12 2DW
contract
**RESIDENTIAL
DEVELOPMENT**

Feb 2021

Site Plan



JOHN REYNOLDS & ASSOCIATES
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EXISTING WORKSHOP GARAGE BUILDING

- LEGEND**
- New 100mm foul drainage
 - New 100mm storm drainage
 - Gravel to parking area
 - 1.8m ht timber panel fencing
 - 600 x 600mm Natural finish + grey coloured PCC concrete paving slabs to paths + patios.

client
MR.J.Langford Jones
 139a Hill Street
 Hednesford
 WS12 2DW
 contract
RESIDENTIAL DEVELOPMENT
 Feb 2021
 DR No
2020:20:10

plotted at A4
site plan 1:250

HILL STREET

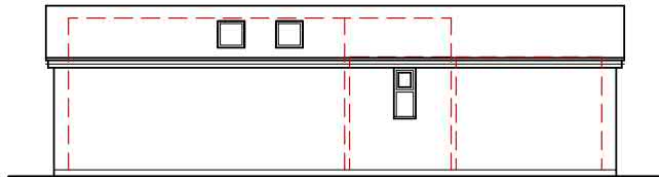
RIGHT OF WAY
 ALL MAIN SERVICES

139
 139a
 2 bed with box room

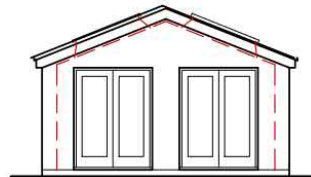
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plotted at A4

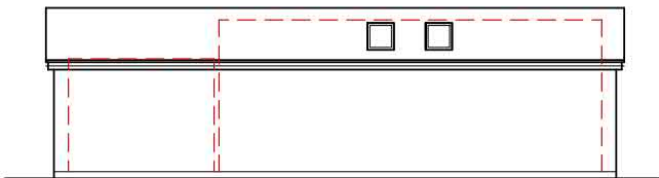
Floor Plan and Elevations



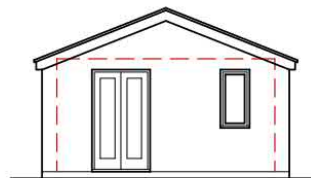
FRONT ELEVATION 1:100



SIDE ELEVATION 1:100



REAR ELEVATION 1:100



SIDE ELEVATION 1:100

Roof tiling, facing brickwork + white upvc doors, windows + rooflights



GROUND FLOOR PLAN 1:50
0 1M 2M 3M 4M 5M

Plotted AT A4
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client **MR.J.Langford Jones**
139a Hill Street Hednesford WS12 2DW
contract **RESIDENTIAL DEVELOPMENT**
Feb 2021
DR No **2020:20:11**

floor plan + elevations 1:100

5M
4M
3M
2M
1M
0

Contact Officer: David Spring**Telephone No:** 01543 464481**Planning Control Committee****7th July 2021**

Application No: CH/21/0081

Received: 16-Feb-2021

Location: 139A, Hill Street, Hednesford, Cannock, WS12 2DW

Parish: Hednesford

Ward: Hednesford South Ward

Description: Residential development to site to rear (resubmission of CH/20/210).

Application Type: Full Planning Application

Recommendations: Refuse for the following reason: -

1. Given the proposal's layout, scale, and design, it is considered that it would result in a crowded and contrived form of development, and a visually incongruous effect within the rear garden environment, and would therefore result in unacceptable harm to the character of the area, contrary to Policy CP3 of the Cannock Chase Local Plan and the guidance contained in the National Planning Policy Framework.
2. The applicant is required to plant two trees in the garden area of 139A, Hill Street in compensation for the loss of two trees that were subject to a Tree Preservation Order and which have been felled. The proposal would subdivide the existing plot and would remove much of the existing garden area and hence would reduce the potential to accommodate the two replacement trees without having a detrimental impact on the long term residential amenity of the occupiers of the existing and proposed dwellings. The applicant has failed to provide sufficient information to allow the Local Planning Authority to make a full and proper assessment of the proposal in terms of the standard of residential amenity and the long term impact on the

character of the area that the replacement trees would have and hence to determine whether the proposal is in compliance with Policy CP3 of the Cannock Chase Local Plan and paragraphs 127 and 130 of the National Planning Policy Framework

Reason(s) for Recommendation:

In accordance with paragraph (38) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development. However, in this instance the proposal fails to accord with the Local Plan and the National Planning Policy Framework.

Notes to the Developer:

None required.

Consultations and Publicity

External Consultations

Hednesford Town Council

No objections.

Severn Trent Water Ltd

No objections.

SCC Highways

No objections subject to the imposition of a condition should permission be granted.

Internal Consultations

Environmental Health

No objections subject to the imposition of a number of conditions should permission be granted.

Pollution Control

No objections.

Development Plans and Policy Unit –

No objections

Tree Officer

Objects to the proposal as there are no tree protection measures or landscape details within the RPA. It may be possible to secure these through a pre-commencement condition if planning considered this approach to be acceptable.

Response to Publicity

The application has been advertised by site notice and neighbour letter. 3 letters of representation have been received. The main reasons for objection are summarised below as:

- The proposal would result in an invasion of privacy as the front of the dwelling will look into a neighbouring back garden which is on lower ground
- There is no visitor parking
- The proposal could block the driveway
- The proposed would be overbearing and is an inappropriate design for the site
- The proposed would be very close to the common boundary. Access to this neighbours property is not considered acceptable even for maintenance of the proposed building.
- The proposed will affect neighbouring amenity in terms of loss of sunlight and noise.

Relevant Planning History

CH/20/210: Residential development to site to rear - 1 no 2-bed dwelling.
Full- Refusal 10/16/2020 for the following reasons: -

1. Given the proposal's layout, scale, and design, it is considered that it would result in a crowded and contrived form of development, and a visually incongruous effect within the rear garden environment, and would therefore result in unacceptable harm to the character of the area, contrary to Policy CP3 of the Cannock Chase Local Plan and the guidance contained in the National Planning Policy Framework.
2. The proposed first-floor dormer window would, given the proposal's siting, scale, design and relationship to neighbouring properties, result in overlooking in relation to the rear garden of No.141 Hill Street, to an extent that would result in an unacceptable loss of privacy and a harmful perception of being overlooked on the part of the occupiers of that property.

As such, the proposal is contrary to Policy CP3 of the Cannock Chase Local Plan.

3. In the absence of information concerning the likely noise and air quality impacts in relation to a commercial use that could occur in a neighbouring building, and any mitigation that might be required as a result, and in the absence of sufficient information concerning the need for and possibility of works to an overhanging tree, it is not possible to determine whether the proposal would result in an acceptable standard of living accommodation for future occupiers, in accordance with Policy CP3 of the Cannock Chase Local Plan.
4. The submitted information is insufficient to determine what the impact of the proposal would be in relation to trees, and therefore whether the proposal would successfully integrate with existing trees of amenity value, in accordance with Policy CP3 of the Cannock Chase Local Plan.

This case is currently at appeal.

CH/04/0783: Residential development. Outline – Withdrawn 12/30/2004

CH/97/0281: Demolition of existing and erection of replacement. Full - Approval with Conditions 07/23/1997.

The applicant is also required to replant two trees in compensation for the loss of two trees that were subject to TPOs.

1 Site and Surroundings

- 1.1 The application site comprises land forming part of the rear curtilage of No.139A Hill Street, in Hednesford, along with an access track running to the northeast from Hill Street. The site area has been separated off from the remainder of the rear garden by fencing and is accessed from the aforementioned track, which runs between Nos. 139A and 141, and also serves a separate vehicle parking area and associated building in commercial use (CH/97/0281), along with an electricity substation.

- 1.2 The area to be developed as a residential property comprises part of the curtilage area of 139a only, and this part of the site is bounded to the northwest by the rear garden of No.139, beyond which are other residential properties; to the southwest by what would remain of No.139's curtilage; to the southeast by the access track; and to the northeast by land associated with the substation. The canopy of a sycamore tree, located within the curtilage of No.139, overhangs the site.

2 Proposal

- 2.1 The Applicant is seeking consent for residential development to the rear.
- 2.2. The proposed would be a detached, single storey dwelling, and the creation of an associated curtilage containing garden areas and two parking spaces, which would be located at opposite ends of the curtilage area from one another.
- 2.3 The proposed would have a pitched roof and bi-folding doors at the front and rear. One window is proposed for the bathroom on the southern elevation. 5 No. roof lights are proposed for the roof.
- 2.4 Proposed materials would be of brickwork and tiling with white upvc doors and windows. 1.8m high timber panel fences are proposed for the perimeter of the site as well as 1.2m high picket fencing. The parking area would consist of gravel.
- 2.5 The differences between this proposal and the previous which was refused and is now at appeal stage are:
- The 2 storey element has been removed. The proposed is now fully single storey with a pitched roof in the same location and occupying the same footprint.

3 Planning Policy

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

CP1 - Strategy – the Strategic Approach
CP3 - Chase Shaping – Design

CP6 – Housing Land
CP7 – Housing Choice

3.3. Relevant Policies within the Minerals Plan Include:

Safeguarding Minerals

3.4 National Planning Policy Framework

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

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

3.7 Relevant paragraphs within the NPPF include paragraphs: -

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
124, 127, 128, 130:	Achieving Well-Designed Places
212, 213	Implementation

3.8 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.

4 **Determining Issues**

4.1 The determining issues for the proposed development include: -

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

- iv) Impact on highway safety.
- v) Impact on nature conservation
- vi) Drainage and flood risk
- ix) Mineral safeguarding
- xi) Waste and recycling facilities
- xii) Ground conditions and contamination

4.2 Principle of the Development

4.2.1 Both the NPPF (2019) and Cannock Chase Local Plan 2014 Policy CP1 advocate a presumption in favour of sustainable development.

4.2.2 The NPPF at paragraph 11 includes a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up to date development plan without delay.
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless
 - (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

4.2.3 The starting point of the assessment is therefore whether the proposal is in accordance with the development Plan and whether that plan is up to date. In that respect it is noted that Policy CP1 of the Local Plan states: -

“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. The urban areas will accommodate most of the District’s new housing and employment development, distributed broadly in proportion to the existing scale of settlement.”

- 4.2.4 Other than the above general strategic approach there are no relevant policies within the Local Plan in respect to the approach to be taken with regard to the development of wind-fall sites. As such the proposal falls to be determined in accordance with the above presumption in favour of development.
- 4.2.5 With that in mind it is noted that the application site is not designated as Green Belt, AONB or SSSI/ SAC site, nor does it contain a listed building or conservation area or is located with flood zones 2 or 3. As such the proposal should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 4.2.6 In respect to the location of the site it is noted that it is located with a main urban area of Cannock-Hednesford with good access to a range of goods and services including public transport to serve day to day needs without reliance on the private car. The use is also compatible with the predominant residential use of the immediate neighbourhood.
- 4.2.7 It is therefore concluded that the proposal is acceptable in principle.
- 4.2.8 However, proposal that are acceptable in principle are still subject to all other policy tests. This report will now go on to consider the proposal in the light of these policy tests.

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

- 4.3.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should be: -
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
 - (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.
- 4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 124, 127, 128 and 130. Paragraph 124 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
- 4.3.3 Paragraph 127 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

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

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

4.3.5 In this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to space about dwellings. Having taken all of the above into account it is considered that the main issues in respect to design and the impact on the character and form of the area are: -

- (i) Overall layout
- (ii) Density
- (iii) Materials, scale and external appearance of the dwellings
- (iv) Landscaping

4.3.6 The Parish Council note that the development is taking place in a relatively confined area but have no objection to the proposal subject to mitigation against any adverse impact on neighbouring properties.

4.3.7 In terms of its siting, the proposal would occupy a narrow plot situated in a 'back-land' location, to the rear of other residential properties. As such, it would mostly only be seen within the rear garden environment and would be largely screened from the public highway. There are other forms of back-land

development in the locality, with the neighbouring commercial-use building located on the opposite side of the access track, and with residential development located to the north, at Levetts Hollow, which sits back from the main road, albeit in a more spacious and formalised way than is being proposed in this case.

- 4.3.8 In terms of its layout, the proposal would be rather constrained, with the dwelling filling the width of the narrow site area and the two parking spaces needing to be located on both sides of it. A neighbouring sycamore tree overhangs what would be the rear garden and parking area to a significant extent. The proposed would have a visually crowded appearance, being squeezed in between the narrow boundaries. Therefore, the proposal would appear to be an overdevelopment of the plot.
- 4.3.9 In terms of its design, the proposed dwelling would be single storey with a pitched roof. As outlined above changes have been made in comparison to the original proposal which are an improvement on the original proposal but it still remains the case that the plot is very narrow.
- 4.3.10 Whilst a back-land form of development is not considered to be harmful to the character of the area in principle, the proposal's appearance, even with the removal of the 1st floor, would serve to create a jarring and incongruous addition within the rear garden environment. Whilst the character of the area is broadly mixed, with a range of house types and styles, the area is characterised by conventional-looking dwellings set within spacious plots. The proposal would be at odds with this.
- 4.3.11 The proposal would potentially have significant implications on the ability of the applicant to undertake his/her duty to plant two trees which are required to be planted in compensation for the removal of trees that were subject to TPOs. This issue is addressed in detail in paragraphs 4.4.14 and 4.4.15 of this report.
- 4.3.12 Given the proposal's layout, scale, and design, it is considered that it would result in unacceptable harm to the character of the area, contrary to Policy CP3 of the Local Plan, and the guidance contained in the NPPF.

4.4 Impact on Residential Amenity

- 4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

- 4.4.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 In general the Design SPD sets out guidance for space about dwellings, stating that for normal two storey to two storey relationships there should be a minimum distance of 21.3m between principal elevations (front to front and rear to rear) and 12m between principal elevations and side elevations. Furthermore, the Design SPD sets out minimum rear garden areas, recommending 40-44sqm for 1 or 2 bed dwellings, 65sqm for 3 bed dwellings and 80sqm for 4 bed dwellings.
- 4.4.4 However, it should always be taken into account that these distances are in the nature of guidance. When applying such guidance consideration should be given to the angle of views, off-sets and changes in levels.
- 4.4.5 Although the Parish Council objected to the previous proposal it does not have an objection to the current proposal. Neighbouring occupiers have raised concerns about a loss of privacy, outlook, and natural light, along with disturbance and pollution as a result of dust and noise. It has also been stated that the proposal could affect the operation of an existing business located close by.
- 4.4.6 In terms of its relationship to neighbouring properties, the proposed dwelling would be located around 26m from those houses located to the northwest and would not directly overlook their garden areas. Given its siting, scale, and design, it is considered that it would not result in harm to the amenities of those properties.
- 4.4.7 The proposal would directly face towards No.139A, with the nearest windows being located around 14m from the rear of that neighbouring property, and 5m from the shared boundary. The distance from the rear elevation of No.139, which is attached to the aforementioned neighbouring property, would be similar. Whilst the proposed dwelling would be located very close to the boundary of No.139's garden, it is noted that the garden of that property is very long. In terms of the more sensitive parts of their garden areas, in addition to the windows of their dwellings, it is considered that the proposal would not result in unacceptable harm to the privacy of their occupiers. Given its siting, scale, and design, it is considered that it would not result in unacceptable harm to their outlook, privacy, or access to natural light.
- 4.4.8 Similar distances would exist to the rear elevation of No.141. It is not believed the proposed would diminish the privacy of that property's occupiers to an unacceptable degree or result in that property being overlooked.

- 4.4.9 In terms of the concerns raised about disturbance, as a result of noise and dust, the proposal's Pollution Control and Environmental Health officers have not raised any objections to the proposal in relation to such effects from the proposal to neighbouring properties, and the modest scale of the development is such that unacceptable harm is not anticipated in terms of pollution and disturbance. However, it is noted that there is an established commercial use only metres from where the proposed dwelling and its curtilage would be located. Planning permission CH/97/0281 gave approval for a vehicle maintenance and repair use within a detached garage building located to the rear of No.141 Hill Street. It is unclear precisely how this building is being used at the current time, however, the planning history shows that it has approval for the aforementioned use.
- 4.4.10 If the neighbouring building is used in this way, then there may be conflict between the commercial use and the proposed residential property. The Council's Pollution Control officer has been consulted and has no objections to the noise and air quality impacts arising from this neighbouring use. It is considered the proposal, in his respect, would not result in an unacceptable standard of living accommodation for future occupiers.
- 4.4.11 It is considered that the proposed dwelling would provide a sufficient amount of internal living accommodation, and external amenity space in terms of area for the enjoyment of future occupiers. The existing dwelling, No.139A, which would be separated from the proposed development plot, would retain sufficient private outdoor space once the plot has been sub-divided.
- 4.4.12 Notwithstanding the above although a proposal may have in theory sufficient amenity space it is also important that the amenity space provided is of sufficient quality to be fit for its intended purpose. This is of particular importance in respect to proposals which would be potentially affected by shade and other potential forms of disamenity arising from trees which would make an outdoor area unsuitable as an amenity space.
- 4.4.13 In this respect there is a sycamore tree which overhangs the existing garden and in particular that part of the garden of the proposed dwelling. This tree is described as having a height of 15m, of fair condition and with a life expectancy of 20 years. The applicant arboricultural report also comments that it has two stems from 2m, a dense crown with compact spread and is a "typical rear garden tree of little aesthetic value.
- 4.4.14 In relation to the proposal's quality of amenity space, given the significant extent to which a neighbouring tree would overhang what would be the rear garden, it is considered that the standard of amenity space would be compromised, being hemmed-in, and likely to suffer from sap and debris dropped from the tree. That said, the sycamore tree is not protected by TPO designation and the proposed

dwelling's future occupiers would be at liberty to prune the tree where it overhangs their land. This would be a continuing maintenance problem that would result in the early demise of the tree. As such it is acknowledged that the sycamore tree is likely to suffer an early demise should the development go ahead. However, this pruning could take place with or without this planning consent and given that the tree is regarded to be of 'little aesthetic value' there is little public interest in protecting the tree. As such it is considered that the proposed works to prune back overhanging branches to protect the amenity of the future occupiers would be acceptable.

4.4.15 However, a more fundamental issue arising in respect to trees which is more pertinent to the proposal. This is the fact that the applicant, who owns No.139A, is required to replace two previously-removed protected trees within the curtilage of No.139A and that these replacements would themselves be protected once in situ. It is therefore pertinent to establish where these trees would be planted, what species they would be and ultimately what potential impact the replacement trees would have on the long term amenity of the occupiers of the existing and proposed dwellings should the application be approved. Clearly most species of trees will occupy some space and cast shade as they mature. Furthermore, the subdivision of the existing site and the development of an additional dwelling would severely reduce the opportunity for replacement planting. It is therefore considered essential that the details of the replacement tree planting are known to allow a full and proper assessment of the application in respect to the ability to undertake the planting and its impact on the amenity of the occupiers of the existing and proposed dwellings.

4.4.15 Given the above it is considered that the applicant has failed to provide sufficient information to allow the local planning authority to make a full assessment of the impacts of the proposal on the long term character of the area and on the standard of residential amenity and to determine whether he proposal in this respect would be in compliance with Policy CP3 of the Local Plan and the paragraphs relating to design in the NPPF.

4.4.16 Given that this issue goes to the heart of the acceptability of the proposal it is considered that it cannot be dealt with by condition.

4.5 Impact on Highway Safety

4.5.1 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.5.2 Both the existing and proposed properties would benefit from an adequate number of parking spaces following the completion of the development, with the existing property having at least two parking spaces to the front, and with

the proposal benefiting from two spaces. It is noted that the access track already provides access, not only to the application site, but also other properties, including the substation. There is no evidence available to suggest that the access track could not cope with the modest amount of traffic that would be generated by the proposed development. The Highway Authority has raised no objections to the proposal, subject to the use of planning conditions, which can be imposed should planning permission be granted.

4.5.4 In terms of its impacts on highway safety, the proposal is considered to be acceptable and in accordance with the guidance contained in the NPPF.

4.6 Impact on Nature Conservation Interests

4.6.1 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. There is a net increase in dwellings of one, such that SAC mitigation contributions are required. Such contributions are normally secured by CIL where applicable to the development. In this case, the proposal would be CIL-liable and the required CIL contribution would be £3,753.59. The site is not otherwise in a condition that would indicate that the proposal could result in harm to protected species and, in this regard, it is in accordance with Policies CP3, CP12, and CP13 of the Local Plan, and the guidance contained in the NPPF.

4.7 Drainage and Flood Risk

4.7.1 Paragraph 155 of the NPPF states that 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)' adding 'where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'.

4.7.2 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps. As was the case in relation to the previously approved scheme, the site is located within a built up area which is served by drainage, and the proposal would result in any significant change in the amount of hardstanding at the site. The Flood Risk Management Team has raised no objections to the proposal. The submitted information states that foul drainage would be to the mains sewer, and that surface water would be managed using soakaways. As such, a condition can be imposed to ensure satisfactory drainage arrangements for the disposal of surface water are approved by the Local Planning Authority.

4.7.3 It is considered that the proposal would be acceptable with regard to drainage and flood-risk and would not exacerbate any existing problems in accordance with paragraph 155 of the NPPF.

4.8 Mineral Safeguarding

4.8.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.8.2 Policy 3.2 of the new Minerals Local Plan states that:

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

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

4.8.3 The application site is located within an area identified within the Local Plan as a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.

4.9 Waste and Recycling Facilities

4.9.1 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).

4.9.2 The proposed dwelling would be sited within close proximity to existing dwellings and off a residential street located where bins are already collected by the Local

Authority. The Council's Waste Management team have been consulted about the proposal, but have not commented. A condition can be imposed to secure an acceptable scheme of waste storage.

4.10. Ground Conditions and Contamination

4.10.1 The Council's Pollution Control Officer has considered the proposal and raised no objections, subject to the use of a condition to ensure adequate controls in relation to ground contamination.

4.11 Other Issues Raised by Objectors

The above summarised objections have been dealt with in the body of the report.

5 Human Rights Act 1998 and Equalities Act 2010

Human Rights Act 1998

5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to refuse accords with the policies of the adopted Local Plan and the applicant has the right of appeal against this decision.

Equalities Act 2010

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

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

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

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

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

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

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equalities Act.

6 Conclusion

- 6.1 Given the proposal's impact on the character of the area; it is considered to be unacceptable, having regard to the Development Plan, and all other material considerations.

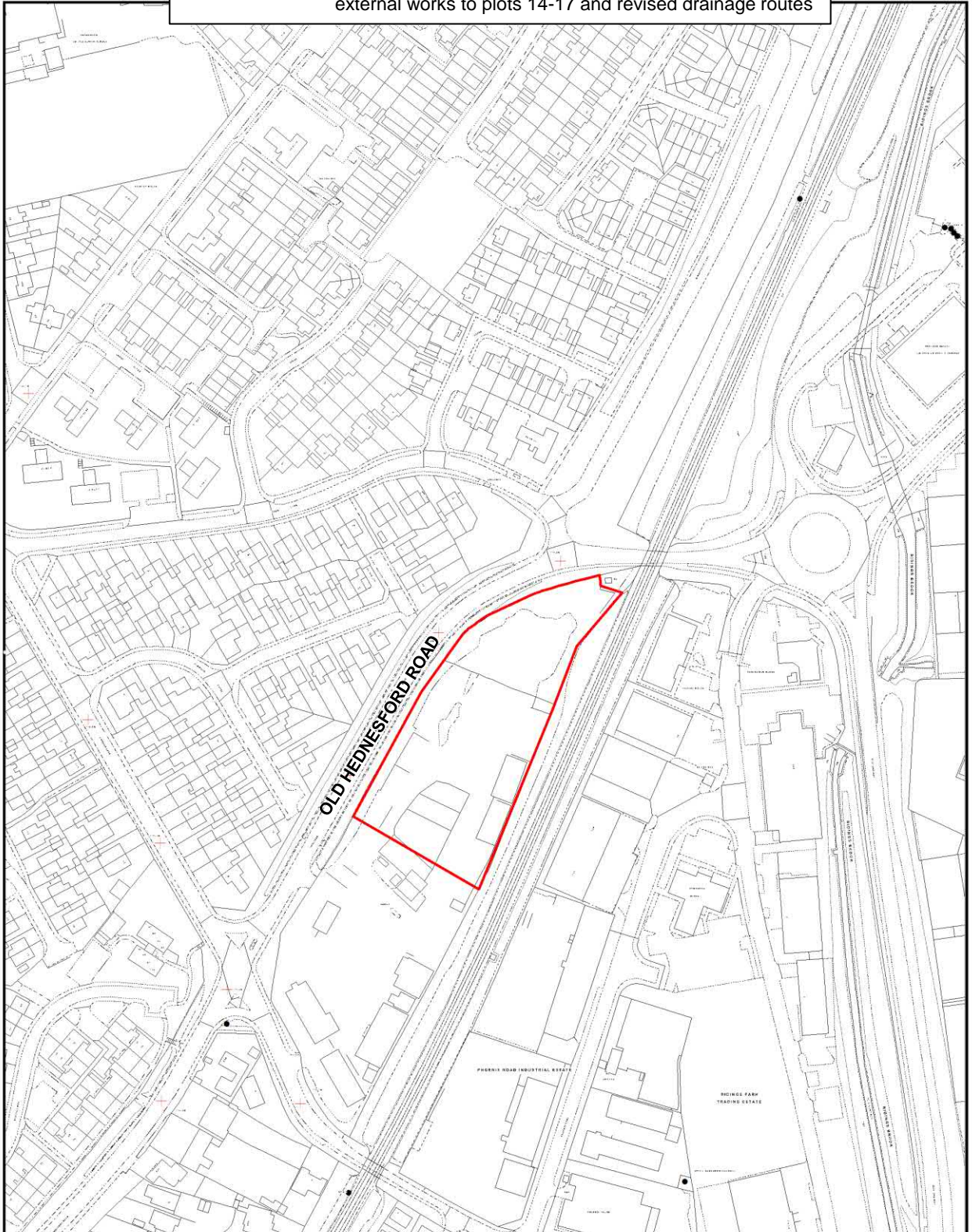


Application No: CH/21/0135

Location: Former Council Depot, Old Hednesford Road, Cannock

Proposal: Application under Section 73 of the 1990 Town and Country Planning Act to vary conditions 16 (approved plans) and 19 (approved drainage drawings) pursuant to planning permission CH/19/408 to enable changes to the external works to plots 14-17 and revised drainage routes

ITEM NO. 6.72



Site Plan

ITEM NO. 6.73



SITE AREA 0.89 Hectares	
ACCOMMODATION	
8 no 1B 2P Flats (Plots 14 to 17 & 25 to 28)	
6 no 1B 2P Houses (Plots 18,19,39, 40, 41 and 42)	
20 no 2B 4P Houses (Plots 1, 4 to 13, 20,29,32,34-38, and 43)	
10 no 3B 5P Houses (Plots 2,3,21 to 24, 30,31,33,44)	
TENURE	
Market Housing	
Plots 1-13, 20-24 and 29-32	
Social Housing	
Plots 14-19, 25-28 and 33-44	
H BN STORE POSITION AND LAYOUT AMENDED	21/06/21
G UPDATED IN LINE WITH SITE LAYOUT PLAN	01/03/21
F FURTHER ADJUSTMENTS TO LANDSCAPING	16/1/20
E ADJUSTMENTS TO LANDSCAPING	19/12/19
D REVISIONS TO PLOTS 1-4 & 41-44	12/12/19
C SITE AREA AND TENURE ADDED	31/10/19
B PLOTS 14-17 FOOTPRINT REVISED	14/09/19
A TURNING HEAD AND PLOTS 1-6 AND 29-32 FFLS ADJUSTED	9/8/19
REVISIONS	DATE


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CANNOCK CHASE COUNCIL/JESSUP			
OLD HEDNESFORD ROAD			
HAWKS GREEN			
SITE PLAN			
scale@A3	date	drawn	drawing
1:500	MAY 19	SPF	17029/2H

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External Works Plan



EXISTING SETTING OUT POINTS

REF POINT	EASTING/NO	NORTHING/NO
EX1	39058.431	31174.400
EX2	39276.519	31128.055

SETTING OUT POINTS

POINT	EASTING/NO	NORTHING/NO
SO1	39058.433	31128.251
SO2	39058.566	31134.380
SO3	39058.640	31130.041
SO4	39058.231	31134.489
SO5	39057.843	31131.180
SO6	39057.584	31137.488
SO7	39057.252	31133.883
SO8	39057.000	31139.107
SO9	39057.631	31123.658
SO10	39057.975	31123.241
SO11	39058.096	31123.224
SO12	39057.209	31129.445
SO13	39058.831	31133.480
SO14	39058.984	31132.780
SO15	39058.836	31134.407

LOTS 14-17

LOT	EASTING/NO	NORTHING/NO
14	39059.000	31128.397
15	39059.000	31128.397
16	39059.000	31128.397
17	39059.000	31128.397

LOTS 18-19

LOT	EASTING/NO	NORTHING/NO
18	39059.000	31128.397
19	39059.000	31128.397

LOTS 20-24

LOT	EASTING/NO	NORTHING/NO
20	39059.000	31128.397
21	39059.000	31128.397
22	39059.000	31128.397
23	39059.000	31128.397
24	39059.000	31128.397

LOTS 25-28

LOT	EASTING/NO	NORTHING/NO
25	39059.000	31128.397
26	39059.000	31128.397
27	39059.000	31128.397
28	39059.000	31128.397

LOTS 33-44

LOT	EASTING/NO	NORTHING/NO
33	39059.000	31128.397
34	39059.000	31128.397
35	39059.000	31128.397
36	39059.000	31128.397
37	39059.000	31128.397
38	39059.000	31128.397
39	39059.000	31128.397
40	39059.000	31128.397
41	39059.000	31128.397
42	39059.000	31128.397
43	39059.000	31128.397
44	39059.000	31128.397

ENCLOSURE ELEVATIONS 1:50

EXTERNAL WORKS LEGEND

ENCLOSURES

- 1. 100 MM HIGH BLACK PAINTED GALVANISED STEEL WALL TOP COLOURED GALVANISED
- 2. 100 MM HIGH BLACK PAINTED GALVANISED STEEL WALL TOP COLOURED GALVANISED
- 3. 100 MM HIGH BLACK PAINTED GALVANISED STEEL WALL TOP COLOURED GALVANISED

PLANTING SCHEDULE

- 1. 100 MM HIGH BLACK PAINTED GALVANISED STEEL WALL TOP COLOURED GALVANISED
- 2. 100 MM HIGH BLACK PAINTED GALVANISED STEEL WALL TOP COLOURED GALVANISED
- 3. 100 MM HIGH BLACK PAINTED GALVANISED STEEL WALL TOP COLOURED GALVANISED

ROAD SETTING OUT

POINT	EASTING/NO	NORTHING/NO
SO1	39059.000	31128.397
SO2	39059.000	31128.397
SO3	39059.000	31128.397
SO4	39059.000	31128.397
SO5	39059.000	31128.397
SO6	39059.000	31128.397
SO7	39059.000	31128.397
SO8	39059.000	31128.397
SO9	39059.000	31128.397
SO10	39059.000	31128.397
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SO12	39059.000	31128.397
SO13	39059.000	31128.397
SO14	39059.000	31128.397
SO15	39059.000	31128.397
SO16	39059.000	31128.397
SO17	39059.000	31128.397
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SO19	39059.000	31128.397
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SO41	39059.000	31128.397
SO42	39059.000	31128.397
SO43	39059.000	31128.397
SO44	39059.000	31128.397
SO45	39059.000	31128.397
SO46	39059.000	31128.397
SO47	39059.000	31128.397
SO48	39059.000	31128.397
SO49	39059.000	31128.397
SO50	39059.000	31128.397

ELECTRIC VEHICLE CHARGING POINT

ES&P CONSULTANTS

Site Plan

Scale 1:50

Drainage Plan



- SLEDS MAINTENANCE**
- SURFACE WATER PONDING AND INFILTRATION CAUSING DAMAGE TO BUILDINGS SHOULD BE REPORTED IMMEDIATELY AND AFTER EVERY RAINFALL EVENT.
 - SURFACE WATER MAINS AND DRAINAGE PIPES SHOULD BE INSPECTED EVERY 12 MONTHS OR AFTER EVERY RAINFALL EVENT.
 - POOL INSPECTION CHAMBERS AND DRAINAGE MANHOLES SHOULD BE INSPECTED MONTHLY TO ENSURE THAT THEY ARE NOT FULL OF DEBRIS OR BLOCKED.
 - SURFACE WATER MAINS, DRAIN DRAINAGE CHAMBERS, DRAINAGE PIPES AND CHIMNEYS SHOULD BE INSPECTED EVERY 12 MONTHS AND AFTER EVERY RAINFALL EVENT. THEY SHOULD BE CLEARED OF ANY DEBRIS THAT MAY CAUSE BLOCKAGES. DRAINAGE PIPES SHOULD BE INSPECTED MONTHLY TO ENSURE THAT THEY ARE NOT FULL OF DEBRIS OR BLOCKED.
 - INSPECTION CHAMBERS SHOULD BE INSPECTED MONTHLY AND AFTER EVERY RAINFALL EVENT. THE CHIMNEYS OF THE BUILDINGS SHOULD BE INSPECTED AT EACH INSPECTION AND IF DEBRIS IS FOUND IT SHOULD BE REMOVED.
 - SURFACE WATER ATTENTION FACILITY TO BE INSPECTED MONTHLY AND AFTER EVERY RAINFALL EVENT. ANY DEBRIS COLLECTED IN THE DRAINAGE NETWORK SHOULD BE REMOVED IMMEDIATELY. THE ATTENTION FACILITY SHOULD BE INSPECTED TO ENSURE THAT THE DEBRIS IS REMOVED FROM THE SHARP AND FROM THE INSIDE ABOVE.
- THE ABOVE MAINTENANCE AND INSPECTION REQUIREMENTS FOR SURFACE WATER MAINS, DRAINAGE CHAMBERS, DRAINAGE PIPES, CHIMNEYS, PIPES AND ATTENTION FACILITY ARE RESPONSIBILITIES OF THE DEVELOPER AND SHOULD BE REPORTED IMMEDIATELY TO THE DEVELOPER AND THE LOCAL AUTHORITY.
- NOTES**
- THE VEHICLE SITE TO BE LITTER FREE AT ALL TIMES. LITTER SHOULD BE REMOVED IMMEDIATELY FROM THE SITE. THE DEVELOPER AND THE LOCAL AUTHORITY SHOULD BE REPORTED IMMEDIATELY TO THE DEVELOPER AND THE LOCAL AUTHORITY.
- EVERY 2 YEARS MINIMUM THE SITE DRAINAGE NETWORK SHOULD BE PRESSURE TESTED BY A REGISTERED CONTRACTOR IN ACCORDANCE WITH BS 5911:1992.

Drainage network maintenance to be in accordance with the notes above and as displayed on the drawing

Maintenance responsibilities will be shared between the local authority and a private management company (to be determined)

Rev	Exc	By	Date
JESSUP BROTHERS LIMITED			
RESIDENTIAL DEVELOPMENT OLD HEDNESFORD ROAD			
MAINTENANCE PLAN SHEET 1 OF 2			
ISS	DATE	BY	CHKD BY
	10/12/2019	JESSUP	POS
1:250			
10787-108 POS			
The Old Coach House 100, New Road Hednesford Staffordshire ST15 4PP Email: info@jessupbrothers.co.uk			

Maintenance Plan



SUDS MAINTENANCE

- 

PERVAZED WATER FOLLOWING INITIAL INSPECTION WORKS SHOULD BE MONITORED EVERY 24 HOURS AND AT 72 HOURS AFTER INITIAL CHECK.
- 

SURFACE WATER VENTHOLES AND OVERFLOW PIPES SHOULD BE INSPECTED EVERY 12 MONTHS AND AT LEAST EVERY SECOND YEAR.
- 

ROLL INSPECTION CHAMBERS AND OVERFLOW PIPES SHOULD BE INSPECTED EVERY 12 MONTHS AND AT LEAST EVERY SECOND YEAR.
- 

SOAK AWAY PITS SHOULD BE INSPECTED EVERY 12 MONTHS AND AT LEAST EVERY SECOND YEAR. THE PITS SHOULD BE CHECKED FOR ANY BLOCKAGE AND CLEANED IF NECESSARY. THE PITS SHOULD BE CHECKED FOR ANY BLOCKAGE AND CLEANED IF NECESSARY.
- 

PERVAZED FRAME BLOCKS SHOULD BE INSPECTED MONTHLY AND AFTER EVERY PERVAZED RAINFALL EVENT. THE SURFACE OF THE PERVAZED FRAME SHOULD BE CHECKED AT EACH INSPECTION AND ANY DEFECTS, SUCH AS BLOCKAGES, SHOULD BE REPAIRED.
- SURFACE WATER ATTENUATION FACILITY TO BE APPROVED MONTHLY AND AFTER EVERY PERVAZED RAINFALL EVENT. THE FACILITY SHOULD BE INSPECTED MONTHLY AND AFTER EVERY PERVAZED RAINFALL EVENT. THE FACILITY SHOULD BE INSPECTED MONTHLY AND AFTER EVERY PERVAZED RAINFALL EVENT. THE FACILITY SHOULD BE INSPECTED MONTHLY AND AFTER EVERY PERVAZED RAINFALL EVENT.

DRAINAGE NETWORK MAINTENANCE TO BE IN ACCORDANCE WITH THE NOTES ABOVE AND AS DISPLAYED ON THE DRAWING

MAINTENANCE RESPONSIBILITIES WILL BE SHARED BETWEEN THE LOCAL AUTHORITY AND A PRIVATE MANAGEMENT COMPANY (TO BE DETERMINED)

NO.	DATE	DESCRIPTION	REVISION
1	10/12/2019	ISSUED FOR TENDER	
2	10/12/2019	ISSUED FOR TENDER	
3	10/12/2019	ISSUED FOR TENDER	
4	10/12/2019	ISSUED FOR TENDER	
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97	10/12/2019	ISSUED FOR TENDER	
98	10/12/2019	ISSUED FOR TENDER	
99	10/12/2019	ISSUED FOR TENDER	
100	10/12/2019	ISSUED FOR TENDER	

JESSUP BROTHERS LIMITED

RESIDENTIAL DEVELOPMENT
OLD HEDNESFORD ROAD
SHEET 2 OF 2

1:250 (1787-309) P04

CE CONSULTING ENGINEERS LTD
100, The Old Coach Works, New Lane, New Road, Birmingham, B3 7YU, UK
Tel: 0121 717 1000
Email: info@ceconsulting.co.uk

Impermeable Areas Plan



Manhole No.	Pipe No.	HW FLOW	IMPERMEABLE AREA (m ²)
EW1	HW FLOW	0.000	0.000
S2	0.000	0.000	0.000
S3	1.001	0.000	0.000
S7	1.002	0.000	0.000
S8	1.003	0.000	0.000
S8	2.011	0.000	0.000
AREA TO OPEN UP BY 10% CREEP			800

THE IMPERMEABLE AREA WITH 10% URBAN CREEP ADDED TO THE BUILDINGS IS 472m²

NOTES:

- 1. ALL IMPERMEABLE AREAS SHALL BE IDENTIFIED WITH A COLOR CODE.
- 2. ALL IMPERMEABLE AREAS SHALL BE IDENTIFIED WITH A COLOR CODE.
- 3. ALL IMPERMEABLE AREAS SHALL BE IDENTIFIED WITH A COLOR CODE.
- 4. ALL IMPERMEABLE AREAS SHALL BE IDENTIFIED WITH A COLOR CODE.
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- 9. ALL IMPERMEABLE AREAS SHALL BE IDENTIFIED WITH A COLOR CODE.
- 10. ALL IMPERMEABLE AREAS SHALL BE IDENTIFIED WITH A COLOR CODE.

- POB 22.06.21 UPDATED DATE: 22.06.21
- POB 22.06.21 UPDATED DATE: 22.06.21
- POB 22.06.21 UPDATED DATE: 22.06.21
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- POB 22.06.21 UPDATED DATE: 22.06.21

Date	Description
22.06.21	UPDATED DATE: 22.06.21
22.06.21	UPDATED DATE: 22.06.21
22.06.21	UPDATED DATE: 22.06.21
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22.06.21	UPDATED DATE: 22.06.21

JESSUP BROTHERS LIMITED

RESIDENTIAL DEVELOPMENT
OLD HEDNESFORD ROAD

IMPERMEABLE AREAS PLAN

DATE: 22/06/2021

SCALE: 1:250

PROJECT: K787-101

POB: POB

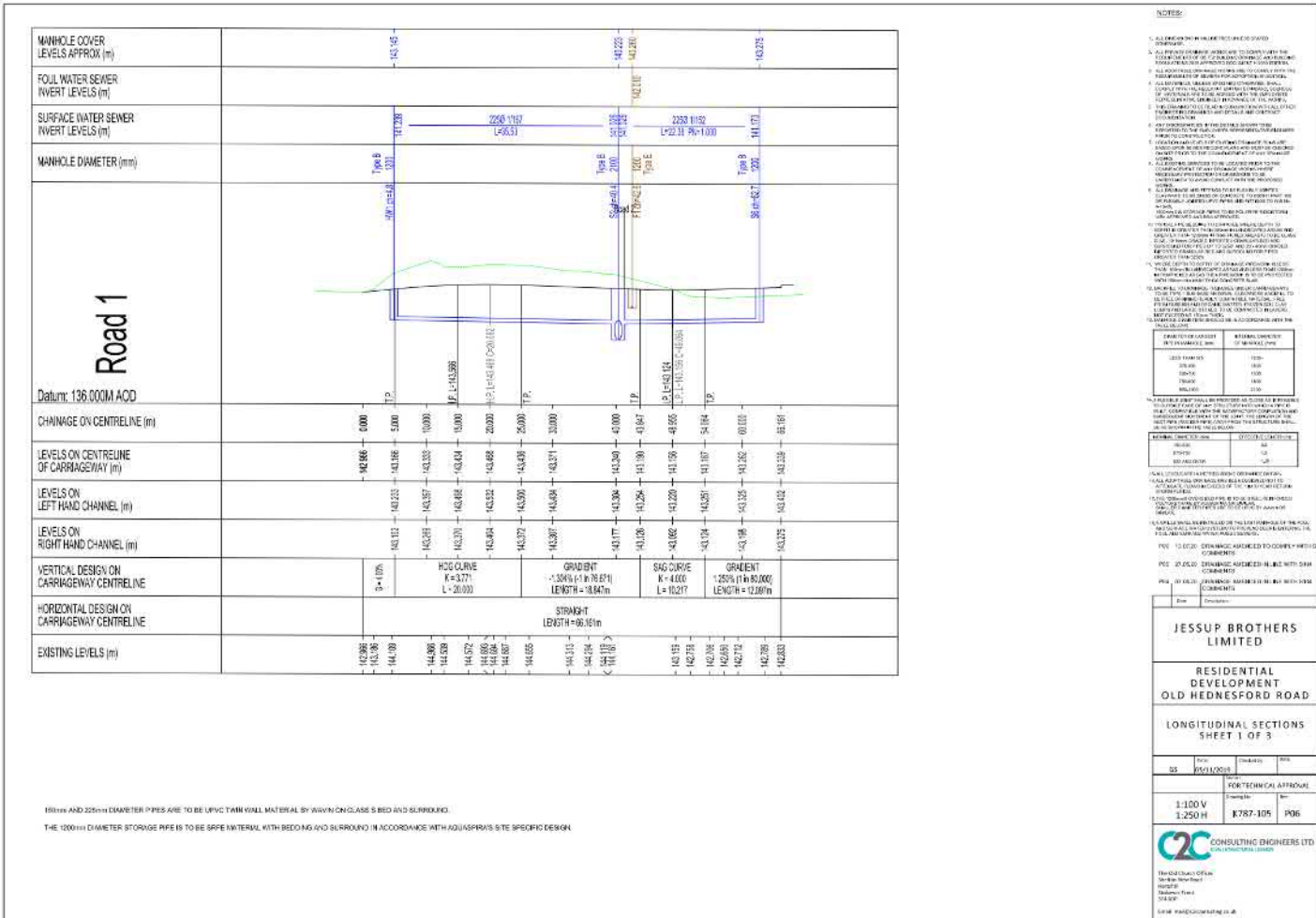
CQC CONSULTING ENGINEERS LTD
 CONSULTING ENGINEERS LTD
 100 Westgate Road
 Westgate
 Birmingham B40 1EJ
 UK
 Email: info@cqc-engineers.co.uk

Sewers Plan



REV	DATE	DESCRIPTION
01	15/11/2023	FOR SECTION 7 APPROOF
1:250	K787-100	P07
THE C2C GROUP OFFICE 100/102, 104/106 BRISTOL ROAD BRISTOL, AVON BS1 3YD		

Section Drawings



NOTES:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE CIVIL ENGINEERS BOARD.
- ALL MATERIALS AND METHODS TO BE USED SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE CIVIL ENGINEERS BOARD.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE CIVIL ENGINEERS BOARD.
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- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE CIVIL ENGINEERS BOARD.

ITEM NO.	DESCRIPTION	UNIT	QUANTITY
1	MANHOLE	NO.	1
2	PIPE	M	100
3	WORK	M ²	100
4	GRAVEL	M ³	100

DESIGNED BY: JESSUP BROTHERS LIMITED
DRAWN BY: JESSUP BROTHERS LIMITED
CHECKED BY: JESSUP BROTHERS LIMITED
DATE: 15/08/2010

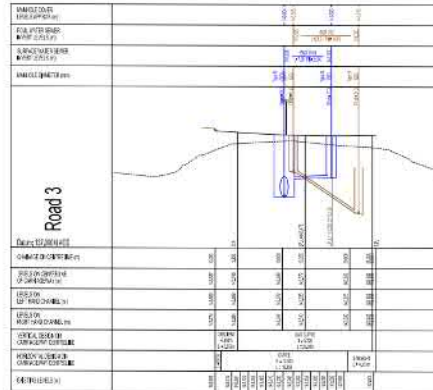
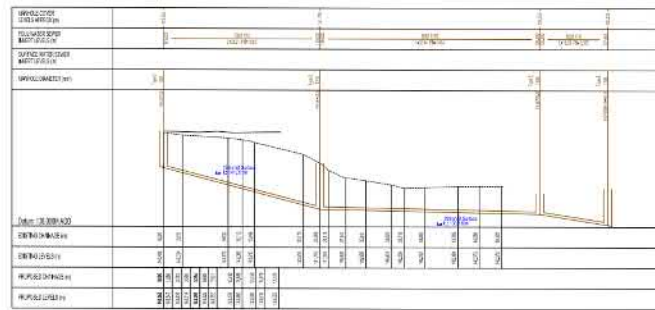
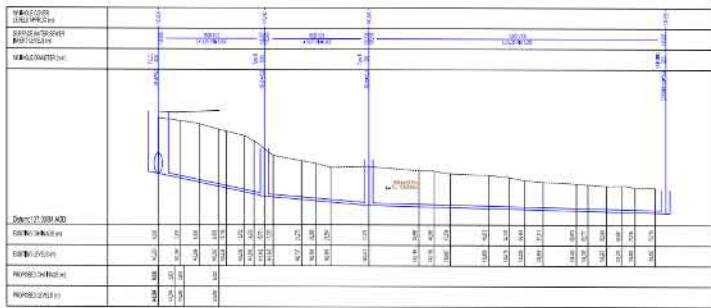
JESSUP BROTHERS LIMITED
RESIDENTIAL DEVELOPMENT
OLD HEDNESFORD ROAD
LONGITUDINAL SECTIONS
SHEET 1 OF 3

Scale: 1:100
Drawing No: K787-105
POB

C2 CONSULTING ENGINEERS LTD
SHEPHERD WALK, LONDON, E1 6BN
Tel: 020 7993 9100
Email: info@c2ce.com

100mm AND 225mm DIAMETER PIPES ARE TO BE UPVC RIBBON WALL MATERIAL BY ARRYN CONCRETE S BED AND SURROUND.
THE 1000mm DIAMETER STORAGE PIPE IS TO BE BRP EXTERNAL WITH BEDDING AND SURROUND IN ACCORDANCE WITH AQUASPRAY SITE SPECIFIC DESIGN.

Section Drawings

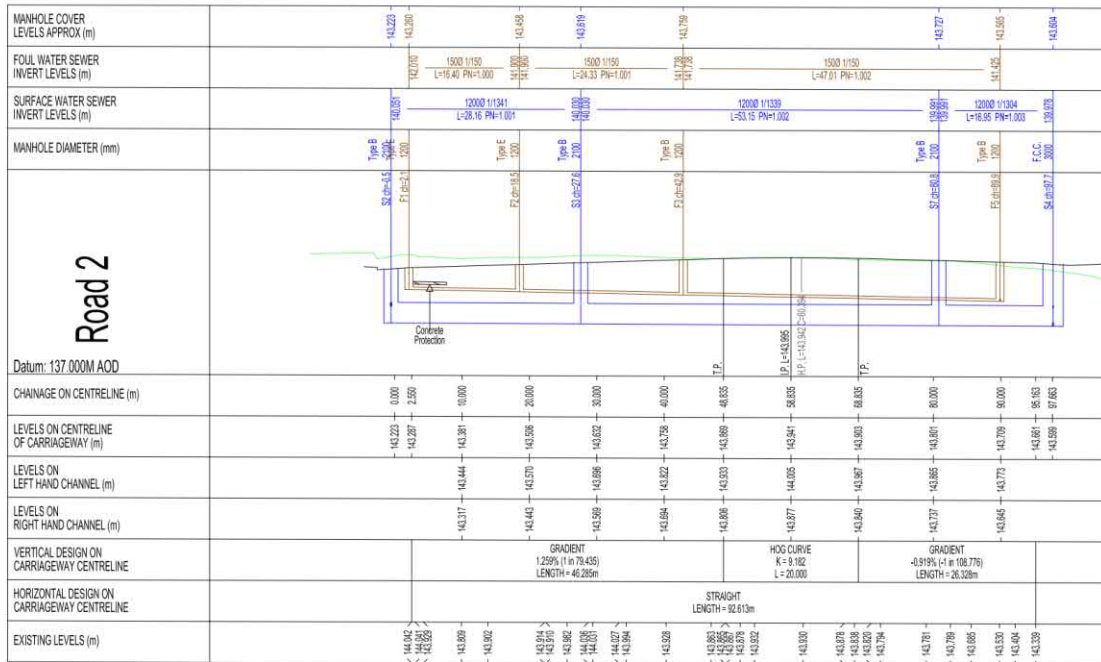


- NOTES**
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
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 50. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

100mm AND 225mm DIAMETER PIPES ARE TO BE UPVC TWN WALL MATERIAL BY SWAN OR CLASS 5 SED AND SURROUND.
 THE 1000mm DIAMETER STORAGE PIPE IS TO BE 6RPE MATERIAL WITH BEDDING AND SURROUND IN ACCORDANCE WITH ADUMSRA SITE SPECIFIC DESIGN.

Drawn	Checked	Rev
JESSUP BROTHERS LIMITED		
RESIDENTIAL DEVELOPMENT OLD HEDNESFORD ROAD		
LONGITUDINAL SECTIONS SHEET 3 OF 3		
Scale	Drawing No	Rev
1:100 V 1:250 H	6787-307	PO6
FOR TECHNICAL APPROVAL		
		
Head Office: 100, The Quadrant, Birmingham, B15 2TG Tel: 0121 717 1000 Fax: 0121 717 1001 Email: info@csengineering.co.uk		

Section Drawings

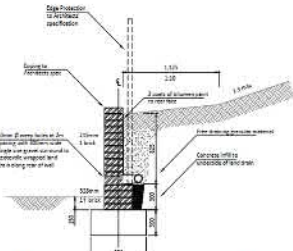


- NOTES**
1. ALL CONDUITS AND MANHOLES SHALL BE SIZED ACCORDING TO THE TABLES GIVEN IN THE PROVISIONAL BILL OF MATERIALS FOR THE ROAD AND SANITARY WORKS.
 2. ALL PIPEWORK SHALL BE SIZED TO COMPLY WITH THE REQUIREMENTS OF BS EN 12052 FOR MANHOLES AND BS EN 12051 FOR PIPES.
 3. ALL MANHOLES SHALL BE SIZED TO COMPLY WITH THE REQUIREMENTS OF BS EN 12052.
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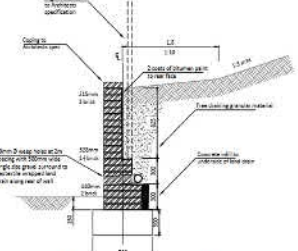
150mm AND 225mm DIAMETER PIPES ARE TO BE UPVC TWIN WALL MATERIAL BY WAVIN ON CLASS 5 BED AND SURROUND.
 THE 1200mm DIAMETER STORAGE PIPE IS TO BE SRPE MATERIAL WITH BEDDING AND SURROUND IN ACCORDANCE WITH ADAS/SP13'S SITE SPECIFIC DESIGN

DATE	08/11/2019
CHECKED BY	
JESSUP BROTHERS LIMITED	
RESIDENTIAL DEVELOPMENT	
OLD HEDNESFORD ROAD	
LONGITUDINAL SECTIONS SHEET 2 OF 3	
DRAWN BY	05
FOR TECHNICAL APPROVAL	
SCALE	1:100 V
PROJECT	K787-106
DATE	06
C2 CONSULTING ENGINEERS LTD	
The Old Church Offices, Dunelm Works Road, Doncaster, South Yorkshire, DN1 1PU. Email: info@c2consulting.co.uk	

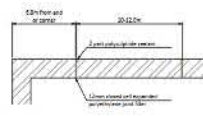
Retaining Section and Details Plots 14-17



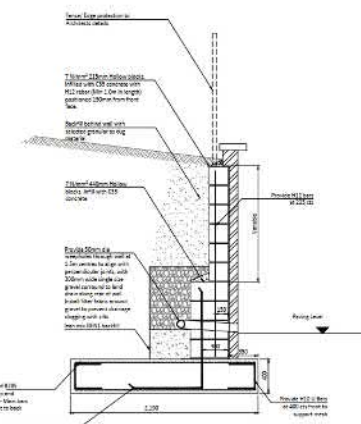
Masonry Retaining Wall up to 1.125m Retained Height (Type A1)
Scale 1:20



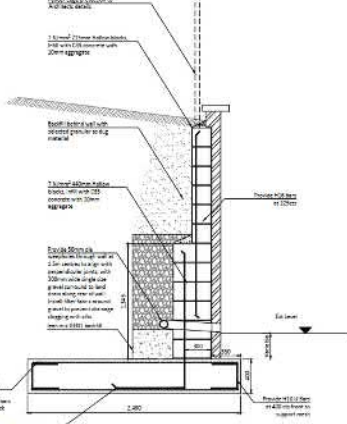
Masonry Retaining Wall up to 1.425m Retained Height (Type A2)
Scale 1:20



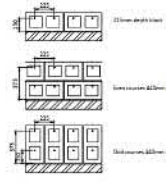
Typical Movement Joint Details
N.T.S.



Section for up to 2.0m Height Brick face retaining Wall (Type B)
Scale 1:20



Section 2.0m - 3.0m Height Brick face retaining Wall (Type C)
Scale 1:20



Plan views of hollow block bonds
scale 1:20

- MASSACHUSETTS REGISTERED PROFESSIONAL ENGINEER
1. Retaining Concrete Face Retention Wall up to 1.125m Retained Height (Type A1) and 1.425m Retained Height (Type A2)
 2. Retaining Concrete Face Retention Wall up to 1.125m Retained Height (Type A1) and 1.425m Retained Height (Type A2)
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 24. Retaining Concrete Face Retention Wall up to 1.125m Retained Height (Type A1) and 1.425m Retained Height (Type A2)
 25. Retaining Concrete Face Retention Wall up to 1.125m Retained Height (Type A1) and 1.425m Retained Height (Type A2)

NO.	DATE	DESCRIPTION
01	01/01/2020	ISSUED FOR PERMIT
02	01/01/2020	ISSUED FOR PERMIT
03	01/01/2020	ISSUED FOR PERMIT
04	01/01/2020	ISSUED FOR PERMIT
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23	01/01/2020	ISSUED FOR PERMIT
24	01/01/2020	ISSUED FOR PERMIT
25	01/01/2020	ISSUED FOR PERMIT

PROJECT NO. 220

220 L308AL (CONSTRUCTION)

220292 40 002

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www.ces-engineers.com

220 L308AL (CONSTRUCTION)

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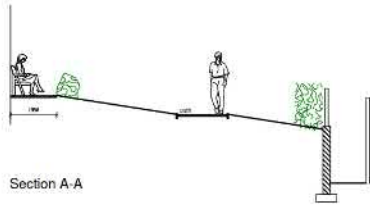
CONSULTING ENGINEERS LTD
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220 L308AL (CONSTRUCTION)

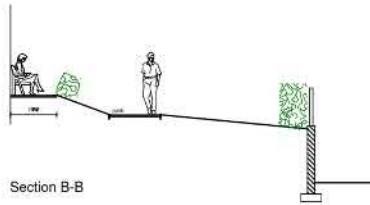
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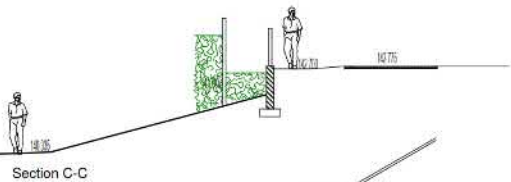
Section Drawings Plots 14 - 17



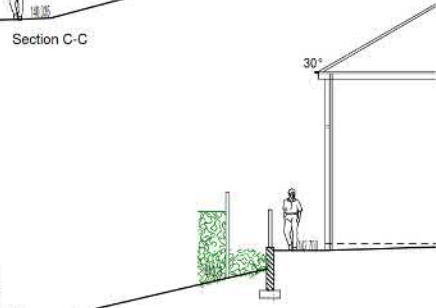
Section A-A



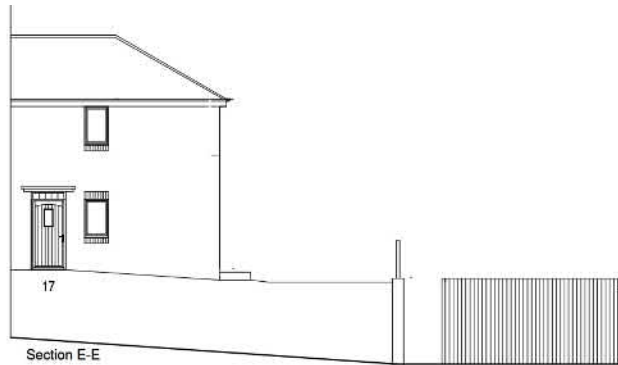
Section B-B



Section C-C



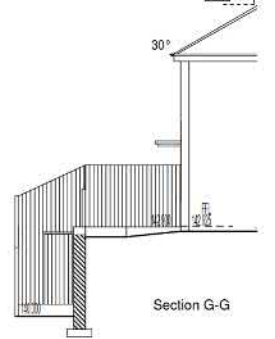
Section D-D



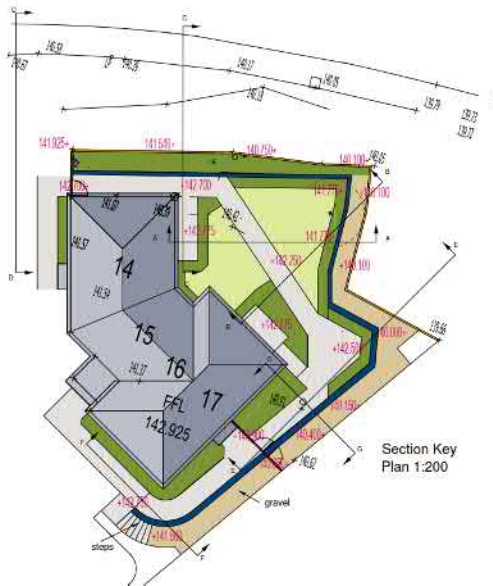
Section E-E



Section F-F



Section G-G



Section Key
Plan 1:200


 1 Station Court
 Gilton Road
 Cannock
 Staffordshire
 WS11 0EJ
 t: 01545 464447
 e: arch@sfaizey.co.uk
 w: www.sfaizey.co.uk
S. P. Faizey
 Chartered Architects

JESSUP/CANNOCK CHASE COUNCIL			
RESIDENTIAL DEVELOPMENT			
OLD HEDNESFORD RD, HARKS GREEN, CANNOCK			
SECTIONS-PLOTS 14-17 TERRACES			
scale	date	drawn	checked
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Copyright of this drawing remains with S. P. Faizey Chartered Architects. This drawing may be scaled if viewed or printed off at the scale and paper size noted with no adjustments.

Contact Officer:**Richard Sunter****Telephone No:****01543 464481****Planning Control Committee**7th July 2021

Application No: CH/21/0135

Received: 25-Mar-2021

Location: Former Council Depot, Old Hednesford Road, Cannock

Parish: Non Parish Area

Ward: Cannock East Ward

Description: Application under Section 73 of the 1990 Town and Country Planning Act to vary conditions 16 (approved plans) and 19 (approved drainage drawings) pursuant to planning permission CH/19/408 to enable changes to the external works to plots 14-17 and revised drainage routes.

Application Type: Minor Material Amendment

Recommendations:

Approve subject to the attached conditions

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions):

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

Reason

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

2. In dealing with land contamination, the developer shall have regard to the submitted reports relating to the development site: Phase 1 Site Appraisal, Old Hednesford Road, Hawks Green, Cannock. Ref. B19205, dated September 2019, authored by Patrick Parsons; and Phase 2 Site Appraisal, Old Hednesford Road, Hawks Green, Cannock. Ref. B19205, dated November 2019, authored by Patrick Parsons.

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 off-site receptors in accordance with Paragraph 178 of the National Planning Policy Framework.

3. The development shall be carried out in accordance with the Final Gas Risk Assessment, Old Hednesford Road, Hawks Green, Cannock, REF JPB/B19205FGRA, dated 25th February 2020 and authored by Patrick Parsons namd approved by letter dated 14th April 2020 in respect of discharge of condition application CH/19/408/A. No dwelling shall be occupied until the installation of the gas protection membrane serving that dwelling has been verified by an independent third party in order to confirm it meets the required standard and details of that verification have been submitted in writing to the Local Planning Authority.

Reason

To ensure that risks from ground gas to the future users of the land are minimised, in accordance with Paragraph 178 of the National Planning Policy Framework.

4. The development shall be carried out in accordance with the the Remediation Method Statement, Old Hednesford Road, Hawks Green, Cannock, Ref TH/B19205/Rev 1, dated February 2020, and authored by Patrick Parsons and approved by letter dated 14th April 2020 in respect of discharge of condition application CH/19/408/A.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

5. In those cases where the phase 2 report has confirmed the presence of contamination, a Remediation Method Statement shall be submitted to the Local Planning Authority (for approval prior to works) detailing the exact manner in which mitigation works are to be carried out (at time of writing, imported topsoil and ground gas protection). The Statement shall also include details of validation testing that will be carried out once works have been completed.

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 178 of the National Planning Policy Framework.

6. If during remediation works, any contamination is identified that has not been considered within the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall, thereafter, form part of the Remediation Method Statement.

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 178 of the National Planning Policy Framework.

7. The development hereby approved shall be carried out in accordance with the recommendations for the use of specified glazing and ventilation requirements outlined in the submitted noise assessment (Hawks Green Depot Site, Environmental Noise Assessment, Cannock Chase Council, ref. 1021634-RPT-AS001, dated 21st June 2019, authored by Cundall Johnston & Partners LLP) and the Noise Attenuation Statement (Old Hednesford Road, Hawks Green, Cannock, S.P. Faizey, 17029, dated 8th November 2019), Glazing and ventilation of equivalent acoustic performance may be utilized, as required, subject to the written prior approval of the Local Planning Authority. The noise mitigation works shall be fully implemented in accordance with the approved scheme, prior to occupation of the proposed development.

Reason

In the interest of securing a high standard of residential amenity in accordance with Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 127(f) of the National Planning Policy Framework.

8. The development hereby approved shall be carried out in accordance with the Construction Management Plan Revision 01, dated Nov 2019.

Reason

In order to comply with Paragraphs 109 and 127(f) of the National Planning Policy Framework.

9. No dwelling hereby approved, shown to be served by an electric vehicle charging point on Drawing 17029/5J, shall be occupied until an EV ready 13amp external socket mode 2 electric vehicle charging point has been fitted to that dwelling. The electric vehicle charging point shall thereafter be retained for the lifetime of the development.

Reason

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

10. No means of external illumination shall be used unless it is in accordance with the Drawings 0165-01 "Proposed Lighting Layout" and 17029/5E "Site layout approved by letter on 29th June 2020.

Reason

In the interest of ensuring that the means of external illumination will not negatively impact on the foraging behaviour of bats in accordance with Policy CP12 of the Local Plan and paragraph 175 of the National Planning Policy Framework.

11. The dwellings hereby approved shall be constructed in accordance with the approved scheme, for the provision of bat and bird boxes, shown in Drawing 17029/5E "Site layout. The bat and bird boxes shall thereafter be retained for the lifetime of the development.

Reason

In the interests of compensating for the loss of bird breeding habitat as a result of the development and ensuring a net biodiversity gain in accordance with Policy CP12 of the Local Plan and paragraphs 175 of the NPPF.

12. Any fencing, or other form of boundary treatment, shall be erected in accordance with Drawing 17029/5J so to allow the passage of hedgehogs through the site. The boundary treatments shall thereafter be retained for the lifetime of the development.

Reason

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

13. The external materials to be used in the dwellings hereby approved shall be as shown in the Old Hednesford Road, Hawks Green, Cannock, Schedule of Materials Reference 17029 Materials and dated 6/9/19 unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of visual amenity and to ensure compliance with Policy CP3 of the Cannock Chase Local Plan and the National Planning Policy Framework and to provide a degree of flexibility as developers are experiencing difficulties in procuring hard materials.

14. The affordable housing scheme, shown on the approved plans shall be provided in accordance with the Affordable Housing Statement and Drawing No 17029/2F Site Plan, showing the location of the affordable housing units as approved by letter dated 14th April 2020 in respect to discharge of condition application CH/19/408/A.

Reason

In the interests of creating mixed and balanced communities and promoting housing choice in accordance with Policy CP7 of the Cannock Chase Local Plan and the National Planning Policy Framework.

15. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided in accordance with approved Drawing 'Site Layout' No.17029/5J and surfaced in a bound and porous material and shall thereafter be retained for the lifetime of the development.

Reason

In the interests of highway safety in accordance with paragraph 109 of the National Planning Policy Framework.

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

17029/1A Location Plan
17029/2H Site Plan
17029/5J Site Layout
17029/6 Plans Plots 1-4
17029/7 Plans Plots 5 and 6
17029/8 Plans Plots 7 and 8
17029/9 Plans Plots 9 and 10
17029/10 Plans Plots 11-13
17029/11 Plans Plots 14-17
17029/12 Plans Plots 18 and 19
17029/13 Plans Plots 20-24
17029/14 Plans Plots 25-28
17029/15 Plans Plots 29-32
17029/16 Plans Plots 33 and 34
17029/17A Plans Plots 35-38
17029/18A Plans Plots 39-42
17029/19 Plans Plots 43 and 44
17029/20 Elevations Plots 1-4
17029/21 Elevations Plots 5 and 6
17029/22 Elevations Plots 7 and 8
17029/23 Elevations Plots 9 and 10
17029/24 Elevations Plots 11-13
17029/25 Elevations Plots 14-17
17029/26 Elevations Plots 18 & 19
17029/27 Elevations Plots 20-24
17029/28 Elevations Plots 25-28
17029/29 Elevations Plots 29-32
17029/30 Elevations Plots 33-34
17029/31A Elevations Plots 35-38
17029/32A Elevations Plots 39-42
17029/33 Elevations Plots 43-44
17029/36 Bin Collection Points
17029 Materials 6/9/19 Schedule of Materials
Post Mounted Electric Vehicle Charging Point
ADL283 Rev C Landscaping
ADL 283 PLANTING SCHEDULE C
DWG-01 RevB 11.9m Refuse Vehicle Swept Path Analysis
K787-100 P08 Proposed Levels
K787-101 P07 Impermeable Areas Plan
K787-105 Longitudinal Sections 1 of 3
K787-106 Longitudinal Sections 2 of 3
K787-107 Longitudinal Sections 3 of 3
K787-108 RevP05 Maintenance Plan Sheet 1 of 2
K787-109 Rev 04 Maintenance Plan Sheet 2 of 2

K787-123-P07 Strategic Drainage Plan Sheet 1 of 2
K787-124-P06 Strategic Drainage Plan Sheet 2 of 2

Landscape Schedule Received 20/01/2020
 Micro-Drainage Calculations Received 02/01/2020
 Construction Management Plan Rev 012 Dated Nov 2019
 Design and Access Statement 17029 Design, dated 4/11/19
 1021634-RPT-AS001 Environmental Noise Assessment. Dated 21 June 2019
 Noise Attenuation Statement 17029 dated 08/11/19
 THL-R19-55 Rev2, Arboricultural Report, dated 13 December 2019
 Phase 1 Preliminary Ecological Appraisal
 Transport Statement, dated September 2019
 Stage 1 Road Safety Audit
 Dust Procedure
 Phase 1 Site Appraisal, B19205, dated September 2019
 Phase II Site Appraisal B19205, dated November 2019
 17029/CGIS/35 CGI's
 17029/34A Street Scenes
 K7878-104 Contoured Layout

Reason

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

17. The development shall take place in accordance with

THL-0761-1- Tree constraints plan
 THL-0761-6- Arboricultural impact assessment
 THL-0761-7- Tree protection plan
 THL-0761-8- Root barrier position

as approved by letter dated 14th April 2020 in respect to discharge of condition application CH/19/408/A.

Reason

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

18. The approved landscape works shown on Dwg. No. ADL283 Rev C Landscaping shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

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

19. No dwelling hereby permitted shall be brought into use until the approved drainage scheme shown in drawings K787-123-P07 Strategic Drainage Plan Sheet 1 of 2 and K787-124-P06 Strategic Drainage Plan Sheet 2 of 2 has been implemented. Thereafter the drainage scheme shall be retained and maintained in accordance with drawings K787-108 Rev P05 'Maintenance Plan' Sheet 1 of 2 and K787-109 Rev P04 'Maintenance Plan' Sheet 2 of 2 for the lifetime of the development.

Reason

In the interest of providing proper drainage to the area and ensuring such drainage complements the landscaping of the site.

Notes to the Developer:

Staffordshire County Council Highway Authority

The County Council Highway Authority has advised: -

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. The developer should be advised to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

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

Cadent

Considerations in relation to gas pipeline/s identified on site:

Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588.

Please note this response and any attached map(s) are valid for 28 days.

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified. Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action.

Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are

carried out to ensure the apparatus is not affected by any of the proposed works.

Your Responsibilities and Obligations

The "Assessment" Section below outlines the detailed requirements that must be followed when planning or undertaking your scheduled activities at this location.

It is your responsibility to ensure that the information you have submitted is accurate and that all relevant documents including links are provided to all persons (either direct labour or contractors) working for you near Cadent and/or National Grid's apparatus, e.g. as contained within the Construction (Design and Management) Regulations.

This assessment solely relates to Cadent Gas Limited, National Grid Electricity Transmission plc (NGET) and National Grid Gas Transmission plc (NGGT) and apparatus. This assessment does NOT include:

Cadent and/or National Grid's legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent and/or National Grid's assets in private land. You must obtain details of any such restrictions from the landowner in the first instance and if in doubt contact Plant Protection.

Gas service pipes and related apparatus

Recently installed apparatus

Apparatus owned by other organisations, e.g. other gas distribution operators, local electricity companies, other utilities, etc.

It is YOUR responsibility to take into account whether the items listed above may be present and if they could be affected by your proposed activities. Further "Essential Guidance" in respect of these items can be found on either the National Grid or Cadent website.

This communication does not constitute any formal agreement or consent for any proposed development work; either generally or with regard to Cadent and/or National Grid's easements or wayleaves nor any planning or building regulations applications.

Cadent Gas Limited, NGGT and NGET or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation),

breach of statutory duty or otherwise. This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you require further assistance please contact the Plant Protection team via e-mail ([click here](#)) or via the contact details at the top of this response.

Staffordshire Fire and Rescue

Please note that Staffordshire Fire and Rescue have advised as follows: -

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

I would remind you that roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of taking the weight of a Staffordshire firefighting appliance (G.V.W of 167800kg).

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

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

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

Further information can be found at www.bafsa.org.uk - the website of the British Automatic Fire Sprinklers Association Ltd.

South Staffordshire Water Plc

South Staffordshire Water Plc has advised that it should be noted that they have a large diameter trunk water main asset within very close proximity to the site boundary so would need careful discussions with ourselves to ensure that this asset is protected during construction works and any consents to work in this location are provided prior to works commencing.

Please note that South Staffordshire Water Plc do not keep records of individual

water services so this site may well require the existing water service to be disconnected prior to the development being undertaken.

Consultations and Publicity

External Consultations

County Flood Risk Management (SUDS)

No comments received.

Severn Trent Water Ltd

No objection.

County Highway Authority

There are no objections on Highway grounds to this proposal.

This acceptance relates to condition 16 only.

Drainage details (Condition 19) will be confirmed at a later technical check by the Highway Authority once a Highway Works Agreement has been submitted.

Internal Consultations

Waste and Engineering Services

No comments received.

Landscape

No objections.

Response to Publicity

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

Relevant Planning History

- | | |
|--------------|---|
| CH/19/408: | Construction of 44 dwellings. Full - Approval with Conditions on 02/05/2020. |
| CH/19/408/A: | Application to Discharge Conditions 3,4,5,14 & 17 (ground gas, remediation strategy. Discharge of Conditions - Full Approval 04/14/2020 |

CH/19/408/B: Application to discharge conditions 10 & 11 (streetlighting, bird/bat boxes) Pur Discharge of Conditions - Full Approval 06/29/2020.

CH/21/0127: Non Material Amendment to Planning Permission CH/19/408 - Amendments to internal. Approved 04/13/2021.

1.0 Site and Surroundings

- 1.1 The application site comprises the northern half of the Cannock Chase District Council Depot, off Hednesford Old Road, Cannock which is currently been developed pursuant to planning permission CH/19/408 for the cConstruction of 44 dwellings. The site is bounded to the north-west by the A460 Hednesford Old Road, to the south-east by the Rugeley-Cannock railway line and to the south west by the remaining part of the depot.
- 1.2 The railway to the south east is raised above the level of the application site. However, its embankment benefits from tree cover which provides a partial screen, especially during the summer months.
- 1.3 Similarly along the north eastern boundary there is a native hedge with scattered trees which, along with the roadside embankment acts as a screen to the site, at least form the highway.
- 1.4 The site is unallocated for any planning purpose and lies within the main urban area of Cannock. It is however designated as contaminated land and within a Mineral Conservation Area for coal and fireclay.
- 1.5 There is a bus route along the A460 served by the 25 and 60 bus services with bus stops just outside of the depot.

2.0 Proposal

- 2.1 The proposal seeks approval under Section 73 of the 1990 Town and Country Planning Act to vary conditions 16 (approved drawings) & 19 (approved drainage drawings) pursuant to planning permission CH/19/408 to take into account proposed changes to external works to plots 14-17 & revised drainage routes
- 2.2 The drainage route would be amended so that it outfalls to the north of the site rather than the south of the site.
- 2.3 The external works to plots 14-17 largely entails changes to levels to provide a more useable garden area.

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) and the Minerals Local Plan for Staffordshire (2015-2030). Relevant policies within the Local Plan include

CP1: - Strategy – the Strategic Approach

CP3: - Design

3.3 National Planning Policy Framework

3.3.1 The NPPF (2018) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be a "presumption in favour of sustainable development" and sets out what this means for decision taking.

3.3.2 The NPPF (2018) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.3.3 Relevant paragraphs within the NPPF include paragraphs: -

8: Three dimensions of Sustainable Development

11-14: The Presumption in favour of Sustainable Development

47-50: Determining Applications

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

212, 213 Implementation

3.4 Other relevant documents include: -

The Design Supplementary Planning Document

4 **Determining Issues**

4.1 When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements. However, new issues may arise after planning

permission has been granted, which require modification of the approved proposals. Where these modifications are not fundamental or substantial, but still material in nature, a developer may seek to obtain approval for the changes through the provision of Section 73 of the 1990 Town and Country Planning Act.

4.2 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a Section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied (Paragraph: reference ID: 17a—013-20140306 of the Planning Practice Guidance).

4.3 Section 73(2) of the 1990 Act states: —

On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

4.4 Although often referred as “variation of condition” applications, an approval of an application submitted under Section 73 results in the granting of a new permission which will sit side by side with the original consent. As such it is pertinent to ensure that an appropriate schedule of conditions and the appropriate obligations are attached to any permission granted. The starting point for the drafting of the new schedule of conditions is the original schedule but this would need amending to reflect that part of the conditions which have already been discharged (that is the required schemes have been submitted and approved and, or the works pursuant to those approved schemes have been implemented).

4.5 The sole determining issue for the proposal is whether the proposal would be acceptable in respect to its impact on the character of the area and in respect to drainage and flood risk.

4.6 Impact on the Character of the Area

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

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

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

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

Planning policies and decisions should ensure that developments:

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

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

4.6.5 The main alterations around Plots 14-17 largely entails changes to levels to provide a more useable garden area. The original proposed garden area would have had a pronounced slope which would have had an impact on its useability. This has been amended to provide amore level area with the incorporation of retaining walls. The change sin site levels could potentially have an impact on surrounding trees but the Parks and Open Spaces Officer has no objections on these grounds.

4.6.6 It is therefore concluded that the proposed amendments would successfully integrate with existing trees, be visually attractive as a result of good layout and appropriate and effective landscaping and hence be in accordance with Policy CP3 and paragraphs 124, 127 and 128 of the NPPF.

4.7 Impact on Drainage and Flood Risk

4.7.1 The proposal would not materially alter the wider site layout or the area of impermeable surfaces and so would not affect the rate of discharge. It would in effect only alter the line of the drainage pipes so that they would discharge to an existing sewer to the north of the site rather than to the south. Although the Local Lead Flood Authority have not commented on the proposal Severn Trent and the Highway Authority (the proposal would require works in the highway to make the connection) have no objections to the proposal.

4.7.2 It is therefore concluded that the proposal would be acceptable in respect to drainage and flood-risk and I accordance with the NPPF.

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

Human Rights Act 1998

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

Equalities Act 2010

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

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

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

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

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

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

5.2.4 Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would make a neutral contribution towards the aim of the Equalities Act.

6 Conclusion

6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the attached conditions, would not result in any significant harm to the character of the area, would be acceptable in respect to drainage and flood risk and is therefore considered to be in accordance with the Development Plan and the NPPF.

6.2 It is therefore recommended that the application be approved subject to the revised schedule of conditions.