



Please ask for: Mrs. W. Rowe
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3 May 2022

PLEASE NOTE: THOSE MEMBERS WHO ARE NOT RE-ELECTED ON 5 MAY 2022 WILL NOT BE ELIGIBLE TO ATTEND THE MEETING AS A MEMBER OF THE COMMITTEE

Dear Councillor,

Planning Control Committee
3:00pm, Wednesday 11 May 2022
Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

The meeting will commence at 3.00pm 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 Location and Description	Start Time
CH/21/0434	'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale	2.30pm

Yours sincerely,

Tim Clegg
Chief Executive

To: Councillors

Muckley, A. (Vice-Chairman)

Beach, A.	Jones, Mrs. V.
*Cartwright, Mrs. S.	Kruskonjic, P.
*Fisher, P.A.	Smith, C.D.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.L.
Hoare, M.W.A.	Wilson, Mrs. L.J.

(* If these Members are not re-elected on 5 May 2022, they will not be eligible to attend the meeting as a Member of the Committee. This also applies to any Members appointed as substitutes for this Committee)

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 20 April 2022 (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.

Details of planning applications can be accessed on the Council's website by visiting www.cannockchasedc.gov.uk/residents/planning and then clicking on the square marked 'Planning Applications'.

Site Visit Application

	Application Number	Application Location and Description	Item Number
1.	CH/21/0434	'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale	6.1 - 6.74

Planning Applications

	Application Number	Application Location and Description	Item Number
2.	CH/22/0078	1-7 Park Road, Cannock, WS11 1JN Installation of external air conditioning units (re-submission of CH/21/0407)	6.75 - 6.100
3.	CH/22/0002	Field opposite Stafford Brook Farm, Stafford Brook Road, Rugeley, WS15 2TU Proposed stables	6.101 - 6.116
4.	CH/22/0039	264 Stumble Inn, Walsall Road, Cannock, WS11 0JL Change of use on first floor from offices/historical centre to one residential apartment	6.117 - 6.137

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

Held on Wednesday 20 April 2022 at 3:00pm
in the Council Chamber, Civic Centre, Cannock

Part 1

Present:
Councillors

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

Beach, A.	Jones, Mrs. V.
Cartwright, Mrs. S.M.	Kruskonjic, P
Fisher, P.A.	Sutton, Mrs. H.M.
Fitzgerald, Mrs. A.A.	Wilson, Mrs. L.J.
Hoare, M.W.A.	

(The Chairman advised that he had agreed to change to order of the agenda and Application CH/20/381 would be considered as the first item.)

120. Apologies

Apologies for absence were received from Councillors F.W.C. Allen, C.D. Smith, and Mrs. S.M. Thompson.

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

None declared.

122. Disclosure of details of lobbying by Members

All Members present, other than Councillor M.W.A. Hoare, declared they had been lobbied in respect of Application CH/20/381.

Councillor A. Muckley declared she had been lobbied in respect of Application CH/21/0434.

Councillor P.A. Fisher declared he had been lobbied in respect of Application CH/21/0023.

Councillor P. Kruskonjic declared he had been lobbied in respect of Applications CH/21/0023 and CH/22/0009.

123. Minutes

Resolved:

That the Minutes of the meeting held on 6 April 2022 be approved as a correct record.

124. Members requests for Site Visits

None.

125. Application CH/20/381 - Land used as a Pony Paddock, field to north of Rawnsley Road, Cannock, Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure

Following a site visit, consideration was given to the report of the Development Control Manager (Item 6.63 – 6.180).

The Development Control Manager advised the Committee that a petition containing 534 signatures had been received today opposing the development. He then provided an update to the Committee as detailed in Annex A attached to the minutes. The update had been circulated in advance of the meeting.

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

Prior to consideration of the application, representations were made by Councillor Claire Wilkinson (Ward Councillor), objecting to the application. Representations were also made by Dave Williams and Bob Barratt, who were objecting to the application and shared the ten minutes between them. Further representations were made by Jo Noakes, on behalf of the applicant, speaking in support of the application.

The Chairman made reference to some derogatory comments that had been made by residents towards Members during the site visit. He reminded those in the public gallery to be respectful towards Members and anyone acting inappropriately would be asked to leave the meeting.

Resolved:

(A) That the applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990, as amended, to secure:

- (i) A contribution towards the mitigation of recreational pressures on Cannock Chase for that part of the scheme over and above the 20% affordable housing required under policy, equating to (48 dwellings x £290.58 per dwelling) £13,947.48.
- (ii) A contribution of £20,000 towards "Local Nature/Recreation Projects in mitigation of impacts on Hednesford Hills SSSI to be paid on the completion of the 1st dwelling.
- (iii) To provide a 100% affordable housing scheme subject to the Council's standard provisions.

(iv) An obligation to provide each household on the first occupation of a unit annual membership to the Cannock Chase Birches Valley Forest Centre (at a total cost of £3,600 for the 60 homes).

(B) That, on completion of the Agreement, the application be approved subject to the conditions and informatives contained in the report for the reasons stated therein and to the amendments outlined in the officer update (see Annex A below).

(At this point the Committee adjourned for a short comfort break.)

126. Application CH/21/0023 - Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX, Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access

The Development Control Manager advised that a land ownership issue had arisen following an email that had been received from Staffordshire County Council. This email advised that the County Council owned part of the land subject to the application and the applicant had not served the necessary notice. Following a discussion with applicant during the adjournment of the meeting, it had been agreed that the application should be deferred so that this issue could be addressed.

Resolved:

That the application be deferred to allow the applicant to resolve the land ownership issue with Staffordshire County Council and, if necessary, serve the required notice on the County Council.

127. Application CH/22/0089 - The Kings View, Stokes Lane, Cannock, WS12 3JB, Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12

Following a site visit, consideration was given to the report of the Development Control Manager (Item 6.46 – 6.62).

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

A Member sought clarification as to when the kennel/livestock building abutting the south side of the compound would be removed from the site. The Development Control Manager advised that the applicant had indicated that he would be removing it but that he needed some time to re-locate the animals and this was not considered to be unreasonable. However, should the building remain on site after 2 months of any permission being granted, officers would consider taking enforcement action.

Resolved:

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

128. Application CH/21/0434 - 'Parcel I' - land to the west of Pye Green, land west of Pye Green Road, Cannock, Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

The Development Control Manager referred to the update circulated in advance of the meeting as detailed in Annex A to the minutes, advising the following: -

“Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues”.

Resolved:

That the application be deferred to allow the applicant time to resolve the highway issues.

129. Application CH/21/0402 - Cannock Chase Forest Centre, Birches Valley, Rugeley, WS15 2UP, Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing

Consideration was given to the report of the Development Control Manager (Item 6.248 – 6.294).

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

The Development Control Manager provided an update to the Committee as detailed in Annex A attached to the minutes. The update had been circulated in advance of the meeting. In response to the questions raised by Brindley Heath Parish Council he confirmed that the County Highways Department had no objection to the application, the land at Four Oaks Farm had appropriate permission for car parking to support the event and the marshalling plans would be prepared in consultation with County Highways and would be in place prior to the event.

Resolved:

That, Members were minded to approve the application subject to approval by Natural England of the Council's Appropriate Assessment, and that Officers be delegated to confirm Natural England's approval of the Appropriate Assessment under the Habitat Regulations and, following this, the application be approved subject to the conditions contained in the report for the reasons stated therein.

130. Application CH/22/0009 - 32 Attlee Crescent, Rugeley, WS15 1BP, Proposed detached double garage/access

Consideration was given to the report of the Development Control Manager (Item 6.295 – 6.308).

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

Prior to consideration of the application, representations were made by Mr. D. Slater, the applicant, speaking in support of the application.

Resolved:

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

131. Application CH/22/0038 - 7 The Pingle, Slitting Mill, Rugeley, WS15 2UR, Rear ground floor extension

Consideration was given to the report of the Development Control Manager (Item 6.309 - 6.320).

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 closed at 5:35pm.

Chairman

Officer Update Sheet

Application CH/20/0381, Land used as a pony paddock, field to the north of Rawnsley Road, Cannock - Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure

Amendment to the Wording of the Recommendation

Following discussions with Legal and Strategic Housing Officer the recommendation has been amended as follows: -

It is recommended that the application be approved subject to the conditions and informtives set out below and the completion of a Section 106 agreement to secure:

- (i) A contribution towards the mitigation of recreational pressures on Cannock Chase for that part of the scheme over and above the 20% affordable housing required under policy, equating to (48 dwellings x £290.58 per dwelling) £13,947.48.
- (ii) A contribution of £20,000 towards towards "Local Nature/ Recreation Projects in mitigation of impacts on Hednesford Hills SSSI to be paid on the completion of the 1st dwelling.
- (iii) To provide an 100% affordable housing scheme subject to the Council's standard provisions.
- (iv) An obligation to provide each household on the first occupation of a unit annual membership to the Cannock Chase Birch Valley Forest Centre (at a total cost of £3600 for the 60 homes).

Additional Letters of Objection

Following the publication of the Agenda 2 additional letters of objection have been received. These state:

1. These comments are in addition to the comments previously made.

Response to the amendments to the above application

There seems to be too many instances where issues might, or might not, be resolved after a more detailed design process.

Road Safety

The foot paths along Rawnsley Road are narrow and while cutting back some of the undergrowth could add to the width no significant improvement can be made without impacting on the hedgerow.

Beyond the junction of Rawnsley Road with Rugeley Road there is only a foot path on one side of the road, which is also narrow.

Along Rugeley Road, a short distance from its junction with Rawnsley Road there is no foot paths on either side of the road.

The access to the new estate would be half way down a steep hill. The widening of the proposed junction will do little to improve the visibility into that junction for the residents living in close proximity to it. To manoeuvre a car onto Rawnsley Road is difficult enough now, the road is narrow and the traffic comes at speed.

The snowfall, on 27th November last year, saw Rawnsley Road littered with vehicles not able to get up the hill.

Flooding

There are some areas north west of the site which are already subject to flooding. They are recognised as being medium to high risk. With surface water being directed away from the new development and into Bentley Brook to prevent flooding on the estate surely this will increase the risk elsewhere. Highways have already said that to this is unacceptable because of risk of flooding to the road.

Is the site sufficiently large enough to allow the soakaways to be placed 5m from the nearest building as recommended?

With the large number of soakaways and retaining walls required to make building here possible doesn't it prove the topography of the site is unsuitable for development?

It is not clear from the information given if piling will be used, this would be unsuitable in such a biologically sensitive area.

It seems the whole purpose of the exercise is to make it feasible to build, even if the properties are tiny and packed together. There seems to little or no consideration being given to the safety of the present residents.

2. As I mentioned I have grave concern with this application especially as it is my understanding that the application has now applied for all storm and surface water from the new development to flow into Bentley Brooke.

As I highlighted to you during our conversation, I am currently in dispute along with Beau Desert Golf Club about the current Culvert that was built by the council to divert water coming down stream as it is not sufficient to cope with the current water flow and is therefore causing major damage from flooding! Should you need further information on this dispute I would like to refer you to speak with the County Councils solicitor [name Redacted] , Interim Waste and Engineering Manager [Name Redacted] and [Names Redacted] of Stafford County Council as It looking very likely that is debate is heading to court.

Furthermore, as I briefly explained to you the previous works that were carried out by the council to control the flow of water coming down stream to prevent flooding has failed immensely and has caused considerable flooding and damage to my land at Bentley Brooke Stables. This has happened on numerous occasions. Therefore, if more water is to be diverted through the Brook from the proposed housing estate, I'm extremely concerned over the detrimental impact that this will have as the current culvert and Brooke cannot cope with present volume of water that flows! I appreciate and acknowledge that from your planning point of view that previous decisions made by the council cannot be taken into account but I am sure that you will find that within Case Law it very clearly states 'that if water is being discharged onto neighbouring land that the council has a responsibility'. Please correct me if I

am wrong?! I would therefore once again propose to you that we arrange for a site meeting at my land so that I can show you in person the affect the Brooke has on my land and also show you video and photographic evidence the damage it has already caused.

Finally, I would like to request the opportunity to speak at the next meeting regarding the new development. If you could please inform me if this is possible and how I would arrange to do so I would be most grateful.

Officer Response

Officers would respond that the issues of highway safety & capacity, and drainage & flood risk are addressed in the main body of the report and that the Highway Authority and the Lead Local Flood Authority have no objections to the proposal subject to conditions. As such these comments do not alter the officer recommendation to approve.

Amendments to the Schedule of Conditions

Following comments from the applicant the draft conditions are amended as follows [amendments underlined]: -

5. Prior to the development being brought into use, the access road, parking and manoeuvring areas broadly indicated on the submitted Plan '32512-BGL-A1-XX-DR-A-1100-P-16 Proposed Site Plan', shall be completed and surfaced in a porous bound material, unless otherwise agreed with the local planning authority, which shall thereafter be retained for the life of the development.

15. The development hereby approved shall not be commenced until:
 - i) Where the phase 1 report has identified potential contamination, an intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, water and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS/MCERTS accredited methods. The details of this investigation (including all technical data) shall be submitted to the Planning Authority, as a phase 2 report, for approval prior to any site demolition, remediation or construction works.
 - ii) Further site investigations shall be completed in accordance with the recommendations which are set out at section 12 of the Phase 1 and Phase 2 Site Appraisal report by GRM dated September 2019. The results of those further investigations shall be submitted to the Local Planning Authority.
 - iii) 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 this Department for written approval. Any approved proposals shall thereafter, form part of the Remediation Method Statement.
 - iv) The development shall not be occupied until a validation/ phase 3 report has been submitted to and approved in writing by the Local Planning Authority. A Validation Report shall confirm that all remedial works have been completed and validated in accordance with the approved Remediation Method

Statement.

22. No part of the development hereby approved shall commence until the tree and hedgerow protection fencing has been erected in accordance with the specification and locations which are set out in the Focus Environmental Arboricultural Survey and Impact Assessment dated October 2020.

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.

26. The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy including the Levels & Drainage Concept - Drawing Ref AAC5537 RPS XX XX DR C 601 P09. (04/02/2022). Thereafter, the drainage scheme shall be retained and maintained in accordance with section 7.7 of the Flood Risk Assessment and Drainage Strategy (Maintenance and Adoption) by RPS group.

Application CH/21/0434, 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock - Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues.

Application CH/21/0402 Cannock Chase Forest Centre, Rugeley, Birches Valley, WS15 2UP - Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing

Additional Comments Received from Brindley Heath Parish Council

Following compilation of the agenda a representation has been received from Brindley Heath Parish Council stating: -

Thank you for your letter dated 9 March 2022 inviting Brindley Heath Parish Council to make further observations on the above planning application.

The Parish Council has raised the following road safety concerns in respect of the newly created access point from the temporary car park at Four Oaks Farm to the Commonwealth Games event area (via Shooting Butts Road):

- The access is on to a fast national speed limit road (Shooting Butts Road).
- The access is very close – approximately three metres – from the junction with Penkridge Bank Road.
- Blind turning for vehicles into Shooting Butts Road from Penkridge Bank Road, to the new entrance.
- There are no pedestrian walkways or pathways on Penkridge Bank Road or Shooting Butts Road, providing safe passage to the Birches Valley event site.

The Parish Council would like to ask the following questions:

- Has the County Highways Department conducted a risk assessment on pedestrian safety?
- Has the County Highways Department conducted a live experience (feet on the ground) assessment of the access (to and from the new entrance) or has a theoretical assessment been done?
- What are the physical marshalling plans in place for both pedestrians and vehicles on all days that the parking facility is being used?
- How many days will the new entrance be used and what are the start and finish dates?



Application No: CH/21/0434

Location: 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock

Proposal: Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

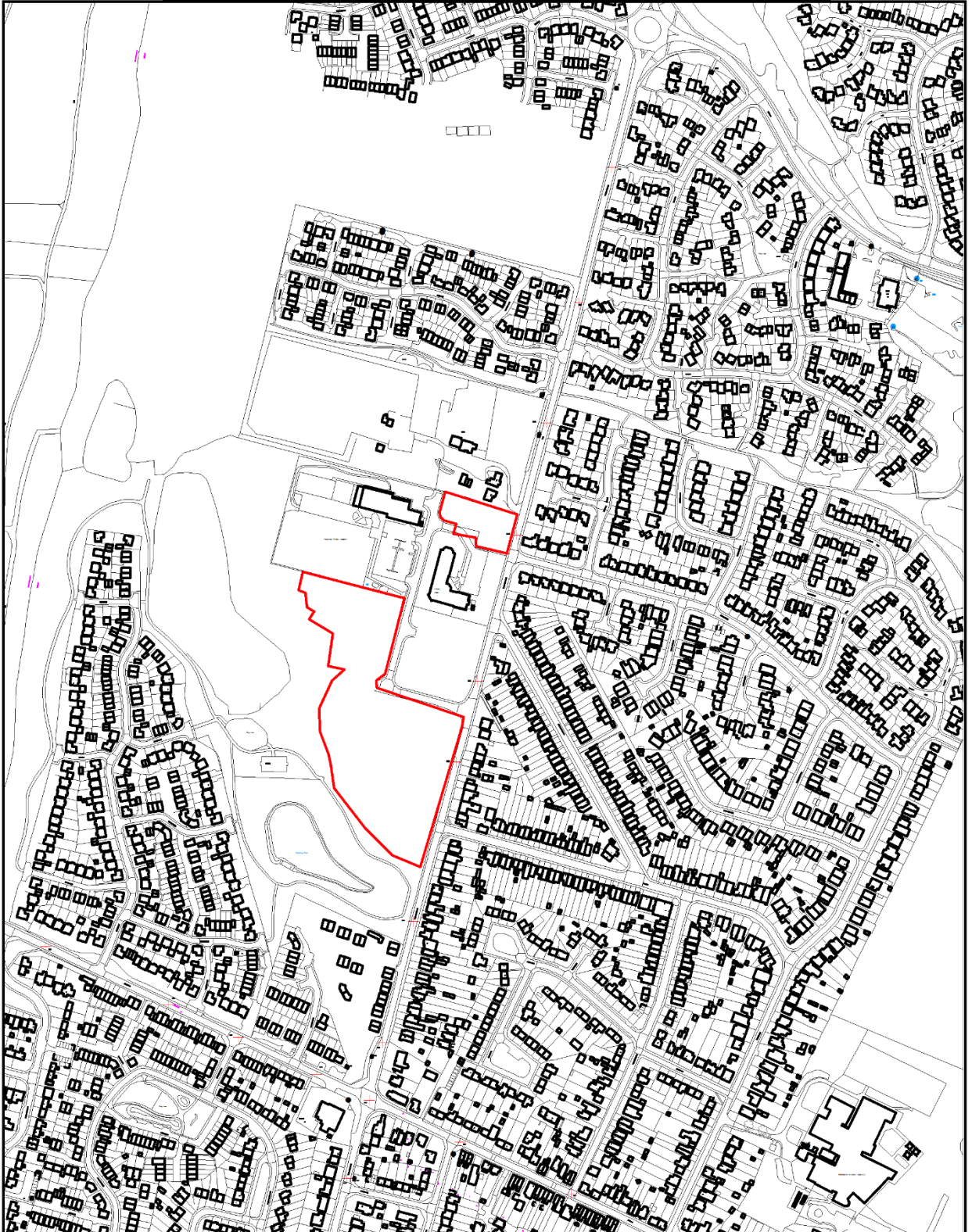
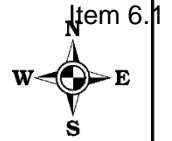




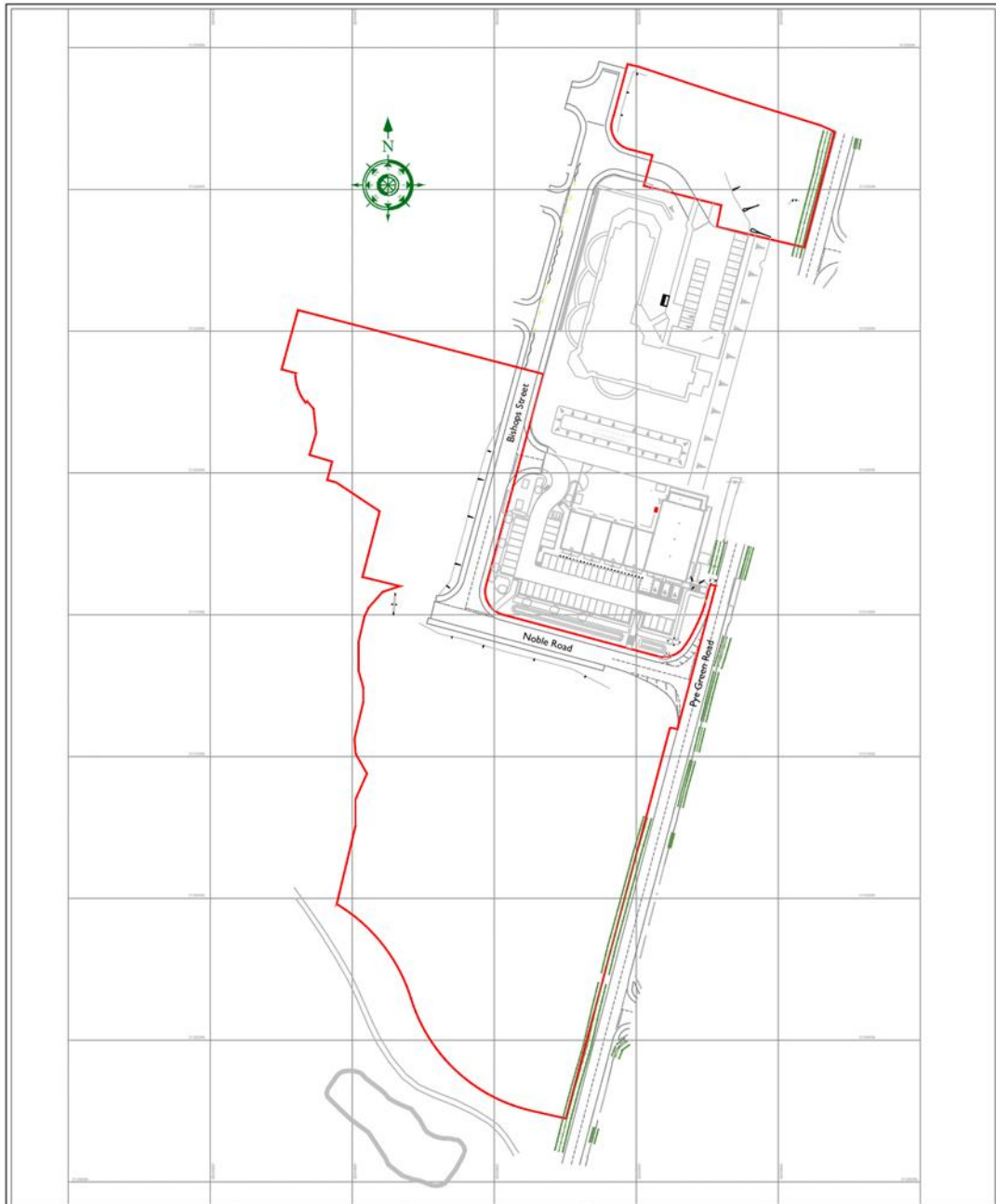
Application No: CH/21/0434

Location: 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock

Proposal: Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale



Location Plan



The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing is to comply in all respects with current Building Regulations-British Standard Specifications, Building Regulations etc., whether or not specifically stated on this drawing.

This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.

This drawing is not intended to show details of foundations, ground conditions or ground contaminants. Each area of ground relied upon to support any structure depicted (including drainage) must be investigated by the Contractor. A suitable method of foundation should be provided allowing for existing ground conditions. Any suspect or fluff ground, contaminants on or within the ground, should be further investigated by a suitable expert. Any extensive contamination shows indicate special areas for guidance only and should be further investigated by a suitable expert.

Where existing trees are shown to be retained they should be subject to a full arboricultural inspection for safety.

All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from drainage and services. A suitable method of foundation is to be provided to accommodate the proposed tree planting.

Revisions:	Key:
Rev - 0 Red line updated to include access road and context added	06/10/21

Bellway

BELLWAY HOMES WEST MIDLANDS
 1 Cathedral Court, Cathedral Way, Willmote, Tamworth,
 Staffordshire, B77 9WY
 Tel: 01827 255759 Fax: 01827 255766

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Site: Pye Green Road, Hednesford	Date: 04/08/21	Drg. No: PGR-AB-RM A
Drawing: Application Boundary - Reserved Matters	Scale: 1:1250	Drawn By: BMW

Site Layout



Landscape Plan



PLANTING SCHEDULE

Code	Species	Supply Size	Grth	Number
1001	Platanus xandersonii	100mm	100mm	10
1002	Platanus xandersonii	150mm	150mm	5
1003	Platanus xandersonii	200mm	200mm	3
1004	Platanus xandersonii	250mm	250mm	2
1005	Platanus xandersonii	300mm	300mm	1
1006	Platanus xandersonii	350mm	350mm	1
1007	Platanus xandersonii	400mm	400mm	1
1008	Platanus xandersonii	450mm	450mm	1
1009	Platanus xandersonii	500mm	500mm	1
1010	Platanus xandersonii	550mm	550mm	1
1011	Platanus xandersonii	600mm	600mm	1
1012	Platanus xandersonii	650mm	650mm	1
1013	Platanus xandersonii	700mm	700mm	1
1014	Platanus xandersonii	750mm	750mm	1
1015	Platanus xandersonii	800mm	800mm	1
1016	Platanus xandersonii	850mm	850mm	1
1017	Platanus xandersonii	900mm	900mm	1
1018	Platanus xandersonii	950mm	950mm	1
1019	Platanus xandersonii	1000mm	1000mm	1
1020	Platanus xandersonii	1050mm	1050mm	1
1021	Platanus xandersonii	1100mm	1100mm	1
1022	Platanus xandersonii	1150mm	1150mm	1
1023	Platanus xandersonii	1200mm	1200mm	1
1024	Platanus xandersonii	1250mm	1250mm	1
1025	Platanus xandersonii	1300mm	1300mm	1
1026	Platanus xandersonii	1350mm	1350mm	1
1027	Platanus xandersonii	1400mm	1400mm	1
1028	Platanus xandersonii	1450mm	1450mm	1
1029	Platanus xandersonii	1500mm	1500mm	1
1030	Platanus xandersonii	1550mm	1550mm	1
1031	Platanus xandersonii	1600mm	1600mm	1
1032	Platanus xandersonii	1650mm	1650mm	1
1033	Platanus xandersonii	1700mm	1700mm	1
1034	Platanus xandersonii	1750mm	1750mm	1
1035	Platanus xandersonii	1800mm	1800mm	1
1036	Platanus xandersonii	1850mm	1850mm	1
1037	Platanus xandersonii	1900mm	1900mm	1
1038	Platanus xandersonii	1950mm	1950mm	1
1039	Platanus xandersonii	2000mm	2000mm	1
1040	Platanus xandersonii	2050mm	2050mm	1
1041	Platanus xandersonii	2100mm	2100mm	1
1042	Platanus xandersonii	2150mm	2150mm	1
1043	Platanus xandersonii	2200mm	2200mm	1
1044	Platanus xandersonii	2250mm	2250mm	1
1045	Platanus xandersonii	2300mm	2300mm	1
1046	Platanus xandersonii	2350mm	2350mm	1
1047	Platanus xandersonii	2400mm	2400mm	1
1048	Platanus xandersonii	2450mm	2450mm	1
1049	Platanus xandersonii	2500mm	2500mm	1
1050	Platanus xandersonii	2550mm	2550mm	1
1051	Platanus xandersonii	2600mm	2600mm	1
1052	Platanus xandersonii	2650mm	2650mm	1
1053	Platanus xandersonii	2700mm	2700mm	1
1054	Platanus xandersonii	2750mm	2750mm	1
1055	Platanus xandersonii	2800mm	2800mm	1
1056	Platanus xandersonii	2850mm	2850mm	1
1057	Platanus xandersonii	2900mm	2900mm	1
1058	Platanus xandersonii	2950mm	2950mm	1
1059	Platanus xandersonii	3000mm	3000mm	1
1060	Platanus xandersonii	3050mm	3050mm	1
1061	Platanus xandersonii	3100mm	3100mm	1
1062	Platanus xandersonii	3150mm	3150mm	1
1063	Platanus xandersonii	3200mm	3200mm	1
1064	Platanus xandersonii	3250mm	3250mm	1
1065	Platanus xandersonii	3300mm	3300mm	1
1066	Platanus xandersonii	3350mm	3350mm	1
1067	Platanus xandersonii	3400mm	3400mm	1
1068	Platanus xandersonii	3450mm	3450mm	1
1069	Platanus xandersonii	3500mm	3500mm	1
1070	Platanus xandersonii	3550mm	3550mm	1
1071	Platanus xandersonii	3600mm	3600mm	1
1072	Platanus xandersonii	3650mm	3650mm	1
1073	Platanus xandersonii	3700mm	3700mm	1
1074	Platanus xandersonii	3750mm	3750mm	1
1075	Platanus xandersonii	3800mm	3800mm	1
1076	Platanus xandersonii	3850mm	3850mm	1
1077	Platanus xandersonii	3900mm	3900mm	1
1078	Platanus xandersonii	3950mm	3950mm	1
1079	Platanus xandersonii	4000mm	4000mm	1
1080	Platanus xandersonii	4050mm	4050mm	1
1081	Platanus xandersonii	4100mm	4100mm	1
1082	Platanus xandersonii	4150mm	4150mm	1
1083	Platanus xandersonii	4200mm	4200mm	1
1084	Platanus xandersonii	4250mm	4250mm	1
1085	Platanus xandersonii	4300mm	4300mm	1
1086	Platanus xandersonii	4350mm	4350mm	1
1087	Platanus xandersonii	4400mm	4400mm	1
1088	Platanus xandersonii	4450mm	4450mm	1
1089	Platanus xandersonii	4500mm	4500mm	1
1090	Platanus xandersonii	4550mm	4550mm	1
1091	Platanus xandersonii	4600mm	4600mm	1
1092	Platanus xandersonii	4650mm	4650mm	1
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1095	Platanus xandersonii	4800mm	4800mm	1
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1097	Platanus xandersonii	4900mm	4900mm	1
1098	Platanus xandersonii	4950mm	4950mm	1
1099	Platanus xandersonii	5000mm	5000mm	1
1100	Platanus xandersonii	5050mm	5050mm	1
1101	Platanus xandersonii	5100mm	5100mm	1
1102	Platanus xandersonii	5150mm	5150mm	1
1103	Platanus xandersonii	5200mm	5200mm	1
1104	Platanus xandersonii	5250mm	5250mm	1
1105	Platanus xandersonii	5300mm	5300mm	1
1106	Platanus xandersonii	5350mm	5350mm	1
1107	Platanus xandersonii	5400mm	5400mm	1
1108	Platanus xandersonii	5450mm	5450mm	1
1109	Platanus xandersonii	5500mm	5500mm	1
1110	Platanus xandersonii	5550mm	5550mm	1
1111	Platanus xandersonii	5600mm	5600mm	1
1112	Platanus xandersonii	5650mm	5650mm	1
1113	Platanus xandersonii	5700mm	5700mm	1
1114	Platanus xandersonii	5750mm	5750mm	1
1115	Platanus xandersonii	5800mm	5800mm	1
1116	Platanus xandersonii	5850mm	5850mm	1
1117	Platanus xandersonii	5900mm	5900mm	1
1118	Platanus xandersonii	5950mm	5950mm	1
1119	Platanus xandersonii	6000mm	6000mm	1
1120	Platanus xandersonii	6050mm	6050mm	1
1121	Platanus xandersonii	6100mm	6100mm	1
1122	Platanus xandersonii	6150mm	6150mm	1
1123	Platanus xandersonii	6200mm	6200mm	1
1124	Platanus xandersonii	6250mm	6250mm	1
1125	Platanus xandersonii	6300mm	6300mm	1
1126	Platanus xandersonii	6350mm	6350mm	1
1127	Platanus xandersonii	6400mm	6400mm	1
1128	Platanus xandersonii	6450mm	6450mm	1
1129	Platanus xandersonii	6500mm	6500mm	1
1130	Platanus xandersonii	6550mm	6550mm	1
1131	Platanus xandersonii	6600mm	6600mm	1
1132	Platanus xandersonii	6650mm	6650mm	1
1133	Platanus xandersonii	6700mm	6700mm	1
1134	Platanus xandersonii	6750mm	6750mm	1
1135	Platanus xandersonii	6800mm	6800mm	1
1136	Platanus xandersonii	6850mm	6850mm	1
1137	Platanus xandersonii	6900mm	6900mm	1
1138	Platanus xandersonii	6950mm	6950mm	1
1139	Platanus xandersonii	7000mm	7000mm	1
1140	Platanus xandersonii	7050mm	7050mm	1
1141	Platanus xandersonii	7100mm	7100mm	1
1142	Platanus xandersonii	7150mm	7150mm	1
1143	Platanus xandersonii	7200mm	7200mm	1
1144	Platanus xandersonii	7250mm	7250mm	1
1145	Platanus xandersonii	7300mm	7300mm	1
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1151	Platanus xandersonii	7600mm	7600mm	1
1152	Platanus xandersonii	7650mm	7650mm	1
1153	Platanus xandersonii	7700mm	7700mm	1
1154	Platanus xandersonii	7750mm	7750mm	1
1155	Platanus xandersonii	7800mm	7800mm	1
1156	Platanus xandersonii	7850mm	7850mm	1
1157	Platanus xandersonii	7900mm	7900mm	1
1158	Platanus xandersonii	7950mm	7950mm	1
1159	Platanus xandersonii	8000mm	8000mm	1
1160	Platanus xandersonii	8050mm	8050mm	1
1161	Platanus xandersonii	8100mm	8100mm	1
1162	Platanus xandersonii	8150mm	8150mm	1
1163	Platanus xandersonii	8200mm	8200mm	1
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1165	Platanus xandersonii	8300mm	8300mm	1
1166	Platanus xandersonii	8350mm	8350mm	1
1167	Platanus xandersonii	8400mm	8400mm	1
1168	Platanus xandersonii	8450mm	8450mm	1
1169	Platanus xandersonii	8500mm	8500mm	1
1170	Platanus xandersonii	8550mm	8550mm	1
1171	Platanus xandersonii	8600mm	8600mm	1
1172	Platanus xandersonii	8650mm	8650mm	1
1173	Platanus xandersonii	8700mm	8700mm	1
1174	Platanus xandersonii	8750mm	8750mm	1
1175	Platanus xandersonii	8800mm	8800mm	1
1176	Platanus xandersonii	8850mm	8850mm	1
1177	Platanus xandersonii	8900mm	8900mm	1
1178	Platanus xandersonii	8950mm	8950mm	1
1179	Platanus xandersonii	9000mm	9000mm	1
1180	Platanus xandersonii	9050mm	9050mm	1
1181	Platanus xandersonii	9100mm	9100mm	1
1182	Platanus xandersonii	9150mm	9150mm	1
1183	Platanus xandersonii	9200mm	9200mm	1
1184	Platanus xandersonii	9250mm	9250mm	1
1185	Platanus xandersonii	9300mm	9300mm	1
1186	Platanus xandersonii	9350mm	9350mm	1
1187	Platanus xandersonii	9400mm	9400mm	1
1188	Platanus xandersonii	9450mm	9450mm	1
1189	Platanus xandersonii	9500mm	9500mm	1
1190	Platanus xandersonii	9550mm	9550mm	1
1191	Platanus xandersonii	9600mm	9600mm	1
1192	Platanus xandersonii	9650mm	9650mm	1
1193	Platanus xandersonii	9700mm	9700mm	1
1194	Platanus xandersonii	9750mm	9750mm	1
1195	Platanus xandersonii	9800mm	9800mm	1
1196	Platanus xandersonii	9850mm	9850mm	1
1197	Platanus xandersonii	9900mm	9900mm	1
1198	Platanus xandersonii	9950mm	9950mm	1
1199	Platanus xandersonii	10000mm	10000mm	1

Specifications

Shrubs

Native Mix Hedgehog - for grepping up of existing hedgehog

Bedding

KEY

Planting Schedule

Specifications

Shrubs

Native Mix Hedgehog - for grepping up of existing hedgehog

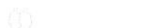
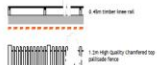
Bedding

Location Map

golby+luck

Visibility Splays

Boundary Treatments



BOUNDARY OWNERSHIP NOTE 01
All boundaries shown on the ownership boundary to be conveyed to the respective plot. These are to be separate and secure from the neighbouring land use and will be the responsibility of the relevant proprietor.

BOUNDARY OWNERSHIP NOTE 02
Visibility under licence, flush concrete edging to be installed along lines of visibility splay shown



Parking Visibility Plots 29, 31 & 46



Vehicle Visibility Plot 38



Parking Visibility Plots 47 & 45



Parking Visibility Plots 57 & 59



Parking Visibility Plot 58

- Rev D 22/04/22 Updated visibility splay key legend inc. highlighted description and added dimensions BWM
- Rev C 19/04/22 Updated visibility splay key legend and highlighted description BWM
- Rev B 19/04/22 Updated visibility splay and layout to Site Plan Rev AE BWM
- Rev A 06/04/22 BCP area moved from rear of plot 61 BWM



Revisions



BELLWAY HOMES WEST MIDLANDS
1 Centurion Court, Centurion Way, Wilnecote, Tamworth, Staffordshire. B77 5PH
Tel: 01827 255765 Fax: 01827 255766

Site:
Pye Green Road, Hednesford

Drawing:
Visibility Splays

Date: 05.04.22 Drg. No:
Scale: 1:250 @ A1 PGR-VIS-01-D
Drawn By: BWM

This drawing is the property of BELLWAY plc and must not be copied or reproduced in any way in whole or in part without the express permission of BELLWAY plc in writing. This drawing is intended as an illustration only and is not to be taken as a representation made on registering tables or as part of contract documents.

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Contact Office: Richard Sunter

Telephone No: 01543 464481

Planning Control Committee

20th April 2022

Application No: CH/21/0434

Received: 10 November 2021

Location: 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock

Parish: Hednesford CP

Ward: Hednesford Green Heath

Description: Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

Application Type Reserved Matters

RECOMMENDATION:

To approve the application subject to conditions contained within this report

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 the National Planning Policy Framework.

Conditions (and Reasons for Conditions):

1. No services, including electricity, gas and water shall be provided to any dwelling until a scheme for servicing the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter service provision to the dwellings shall only be provided in accordance with the approved scheme

Reason

In the interests of reducing conflict between the provision of services and the landscaping within the site in accordance with CP3 of the Cannock Chase Local Plan.

2. Notwithstanding the details of the approved plan no tree shall be planted along the northern boundary of the Plots 1-3.

Reason

For the avoidance of doubt as to what hereby is permitted.

3. No dwelling hereby approved shall be occupied until a specification for the planting of the trees within the approved landscape plans has been submitted to and approved in writing by the Local Planning Authority. The specification shall include details of aeration or irrigation pipes and securing methods. Thereafter the landscape scheme shall be implemented in accordance with the approved scheme.

Reason

In the interest of ensuring that the trees planted will survive and contribute to the amenity of the area in accordance with Policy CP3 of the Cannock Chase Local Plan.

4. No trees or hedges shown as retained on Dwg Nos. GL1478 03E, GL1478 04E and GL1478 05E shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed.

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

Reason

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

5. The approved landscape works shown on Dwg. Nos. GL1478 03J, GL1478 04J and GL1478 05J 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.

6. 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.

7. Prior to the occupation/use of any dwelling or building, a Landscape Management Plan to cover all areas of public open space and or communal areas shall be submitted to and approved by the Local Planning Authority. The plan shall stipulate the future management and maintenance of the proposed and existing landscape features including all trees and hedges within and overhanging the site.

Reason

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

8. No materials shall be used for the external surfaces of the development other than those specified on the application.

Reason

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

9. Notwithstanding the submitted details, no phase of the development shall take place until a revised Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period. The Construction Management Plan shall include:
 - a. Duration of planned works
 - b. Arrangements for the parking of site operatives and visitors (especially while other parts of the wider site, namely Poppyfield Primary Academy, are operational)
 - c. Safe vehicular, pedestrian and cycle routes for existing site users and construction personnel

- d. Loading and unloading of plant and materials
- e. Storage of plant and materials used in constructing the development
- f. Details of the types and dimensions of construction vehicles accessing the site
- g. Construction hours
- h. Delivery routeing and hours
- i. Recorded daily inspections of the private road/ adopted highway leading to the site access
- j. Measures to remove mud or debris carried onto the private road/ adopted highway.

Reason

Condition 1 is requested to understand how the site will be developed, how and when construction materials will be delivered, where site operatives will park and to reduce the likelihood of highway danger.

10. The development hereby permitted shall not be commenced until details of a Traffic Regulation Order to restrict parking at the junction in proximity to Plot 31 have first been submitted to and approved in writing by the Local Planning Authority.

Reason

Condition 2 is requested to control parking at the junction in proximity to Plot 31 to avoid hazards to other road users, namely as remote parking is proposed for this plot which may encourage on-street parking closer to the dwelling entrance.

11. Prior to the commencement of the development, the existing lamp posts located on Noble Road (adjacent to Plots 32 and 36) and Bishops Street (adjacent to Plots 24 and 29) where new accesses are proposed, shall be replaced and repositioned away from the accesses.

Reason

In the interests of highway safety as some of the existing lighting columns would restrict access to driveways (Plots 29, 32 and 36) and the private drive adjacent to Plot 24 in accordance with paragraph 111 of the National Planning Policy Framework

12. Prior to the development being brought into use, the internal road layout, parking and manoeuvring areas broadly indicated on the submitted Plan 'PGR-100-SL-01-AF Site Layout', shall be completed and surfaced in a porous bound material which shall thereafter be retained for the life of the development. Visibility splays shall be provided as shown on submitted Plan 'PGR-100-SL-01-AF Site Layout' and shall thereafter be kept free of all obstructions to visibility over a height of 0.6m above the adjacent carriageway level.

Reason

In the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

13. Prior to the development being brought into use, the new opening in the hedgerow providing access to the northbound bus stop on Pye Green Road, shall be broadly in accordance with the details provided on submitted Plan 'PGR-100-SL-01-AF Site Layout' and shall thereafter be retained for the life of the development.

Reason

In the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework

14. The garages indicated on submitted Plan 'PGR-100-SL-01-AF Site Layout' shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Reason

So that permitted development rights for the garages are removed and that the garages are not allowed to be converted to living accommodation without the prior express permission of the Local Planning Authority; this is to ensure that parking within the site curtilage for cars and cycles remains adequate in the interest of highway safety in accordance with paragraph 111 of the National Planning Policy Framework

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

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Application boundary	PGR-AB-RM-A
Site Layout	PGR-100-SL-01-AF
Materials	PGR-MT-01-C

Boundary Treatments (<i>also shows ecological mitigation such as hedgehog holes and bird boxes</i>)	PGR-BT-01-M
Detailed Landscape Proposals – Sheet 1 of 3	GL1478 03J
Detailed Landscape Proposals – Sheet 2 of 3	GL1478 04J
Detailed Landscape Proposals – Sheet 3 of 3	GL1478 05J
Single Garage	A/218/00/CB/R1/01
Double Garage	A/436/00/CB/R1/01
Joiner House Type	20073-JO-01
Tailor House Type	20073-TA-01
Turner House Type	20073-TU-01
Tenterer House Type	20073-TE-01
Lymner House Type	20073-LY-01
Tanner House Type	20073-TN-01
Mason House Type	20073-MA-01
Reedmaker House Type	20073-RE-01
The Milliner (floorplans)	A/1288/00/AT/01
The Milliner (elevations)	MI-4B-2S-CB-E
Bowyer House Type	20073-BO-01
Stationer Bookbinder House Type	20073- STA_BOO-02
Manciple House Type	20073-MAN-01
Draftsman House Type	20073-DRAFT-01
S04 House Type	20073-S04-01
Turning Head Drop Kerb	PGR-PL-TH-01
Single Garage (Planning)	BWM-PL-SG-01
Visibility Splays	PGR-Vis-01D
Reason	
For the avoidance of doubt and in the interests of proper planning	

Notes to the Developer:Staffordshire County Council Highway Authority

The proposed site access works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council 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 road.adoptions@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place to meet any potential timescales.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

The works required for the proposed internal road network which are to be put forward for highway adoption require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

The works required for the proposed internal road network which are to remain private will also require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary for maintenance/management arrangements for the private internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

This permission requires the relocation of existing lighting columns prior to the development taking place.

Approval will be required from Staffordshire County Council and the applicant will be responsible for all relocation costs. Please contact the following for further information:

lightingforstaffordshire@eonenergy.com

Staffordshire Police

The developer's attention is drawn to the comments made by Staffordshire Police in respect to Secured by Design

Staffordshire Education Service

The developer's attention is drawn to the comments made by Staffordshire County Council in respect to the Primary Education Sum" required for this development.

South Staffordshire Water Plc

The developer's attention is drawn to the comments made by South Staffordshire Water Plc in respect to water mains assets affected by this scheme and that this would need engagement by the developer with South Staffordshire Water Plc to look to divert/ protect this asset if it is affected by construction works.

Consultations and Publicity

Internal Consultations

Planning Policy Manager

The site is a Strategic Housing Site in the adopted Cannock Chase Local Plan 2014 and also has Outline Planning Approval, both of which permit the principal of housing development on the application site.

Please refer to the Planning Policy comments provided on 18.12.2019 for the Outline Application CH/19/421 which set out the Planning Policy context for the site in terms of the adopted plan and other policy documents. It should be noted that the NPPF was updated on the 20.07.21 and that policy references may have changed.

CIL Officer

Thank you for submitting your Community Infrastructure Levy (CIL) additional form in respect of planning application CH/21/0434.

Based on the form submitted, if permission is granted the chargeable amount for this development would be £342,935.24. Please note this figure is index linked and will differ depending on the year permission is granted.

I note that 1082m² of this development is due to be affordable housing. This floorspace would qualify for social housing relief from CIL, the relief granted would be £55,647.26 (this figure is also index linked). You would need to submit the following forms to apply for this relief:

- Form 2 Assumption of liability
- Form 10: Charitable and/or Social Housing Relief Claim Form

This must be done before commencement of development at the latest, as relief cannot be granted post commencement.

Please follow the link below for further guidance on the CIL process:

<http://www.cannockchasedc.gov.uk/residents/planning-building/development-control/5-guide-cil-process>

Parks and Open Spaces Officer

I have the following comments: -

It appears that despite pre consultation [sic] meetings little of the advice given has been incorporated [sic] into the proposals.

The site falls moderately [sic] to the south however no levels information has been provided. This will be essential to determine [sic] how new levels of roads footpath etc are to tie in with the existing/ adjacent land and features.

No details of any service provision has been provided, so am unable to confirm if various aspects of the proposal are achievable or acceptable.

Layout

The proposed site layout does not contribute to forming an entrance way/ welcoming feature to the development area including the estate, school, care home or open space area. Houses basically abut the main access road with little space for suitable landscaping ie tree planting.

The long strip of frontage parking on Bishops Street creates a very hard and poor visual appearance especially with being on the road to the school/care home and adjacent the local centre.

There needs to be pedestrian access between the drive of 24 and parking area 25 otherwise occupiers of 25 and 26 will be accessing over 24s drive.

Plots 1-13 forms a basic terrace dominated by extensive parking areas to the front which create a very hard visual appearance and pays little respect to the adjacent uses.

Plots 1-13 require revision to the access arrangements and thus landscaping to the care home. Revised details of these need to be provided. How?

Connection to adjacent approved landscape areas -

There is a large area of 'white' land identified on the site layout plan, to the SW of the residential area that has not been included within the SANGS Phase 1 approved scheme. How is this to be dealt with and be landscaped appropriately and not just left derelict?

Refer also to footpath linkages below.

Issue with relationship to allotment area – see below

Footpath linkages

Whilst a footpath connection has been created rear of hedge to Pye Green Road, there is no linkage to the footpath network within the adjacent open space southwards to the south. How is this to be achieved?

Plots 71-73. There needs to be some form of physical separation between the footpath and private access drive i.e., hedge & temp fencing. Plots 39-41 indicate a narrow space only but no details. Essential to have a clear and solid boundary to prevent trespass issues. Move path closer to the hedge (note latter needs bringing back into management inc reducing width wise) o There needs to be a footpath linkage westward from the site than links to the footpath from the eastern side of the play areas. This needs to connect to adopted highway either adjacent the allotment access road/end of Noble Road or via the strip of open space fronting plots 3.

Boundaries

Types of fencing appear appropriate. Construction details spec would be beneficial. Do any utilise concrete gravel boards?

The boundaries plan fails to show any boundaries to rear gardens of plots 2-13, 14-18-20, 21-23, 28-30, 66-69, 73. These needs to be a solid and secure fence especially in relation to the school (Privacy) and open space areas.

All boundaries between any private/sharded drives etc and public open space needs to be separated by hedges that incorporate temporary post and 3 wire fence centrally to the hedge.

Any boundary to the allotment site needs to be needs to be separate and secure from the latter and by the responsibility of the relevant properties.

Party boundaries would not be acceptable to areas of adoptable open space or the allotments.

Boundaries between adopted highway and open space areas – need to incorporate features to prevent unauthorised vehicle access but also cater for maintenance access. The use of bollards (recycled plastic) set within concrete mowing strip and within the highway ownership boundary would be recommended.

The allotment layout is subject to major revision as its layout and features are not presently acceptable.

The boundary/ layout arrangements adjacent plots 20 and 21 needs to be revised as previously discussed with all parties. The suggested layout/landscape appears to create areas of open space accessible to all site users. The layout wastes space and

creates contorted boundaries plus imposing large maintenance liabilities on future plot owners.

Landscaping

Reference needs to be made to the various points above

No details of paving material supplied; the materials plan only relates to buildings.

Lack of appropriate landscaping to site entrance way and also to break up and soften the expanse of frontage parking areas.

Treatment of boundaries between private drives and open space areas – refer to boundary notes above.

Existing hedgerow to Pye Green Road, noted as between 2-4m tall and 2-3m wide and unmanaged for some time. The notes state that it should be maintained as such however as its unmanaged it needs bringing back into a good managed state to suit the site. Recommend max 2.0m tall and 1.5m wide plus the bulking up as noted.

The above is key to improving the site access where the new instant hedge needs bringing round to meet up with the new footpath but keeping at a lower height of 1-1.2m

The addition of hedgerow trees would also be recommended to improve the overall habitat but also street scene. These should be set back from the from the hedge to allow clear maintenance of the latter.

Tree species

Generally acceptable.

Would not recommend planting anything above 12-14cms girth on open space areas especially in the forms stated – will not get the necessary maintenance to ensure establishment. If essential to use larger stock, then 14-16cms but use container grown stock.

Specification – no mention of how planted, aeration or irrigation pipes or securing methods.

Shrub planting – generally acceptable

Hedging – generally acceptable

Tree planting should be incorporated in rear gardens via offering purchases a choice from a select list of 6 or so species and that can then be planted at the appropriate

time. This would help to increase site habitat value and aid mitigation for climate change. Such planting would also help to establish veiled screening between properties.

Plots 1-5 frontage landscape & boundary to care home consists of a solid fence. Would benefit from hedge along solid fence line so soften the visual impact for the new residents.

Plots 20-21 -see comments above re layout/allotments

Plot 30- recommend hedge planting extended along all boundary adjacent highway up to allotment site and rear garden fence.

Establishment, management & maintenance
No details provided.

Details of how the proposed landscaping is to establishment will be required.

A management plan will be required to cover all areas of public open space and or communal areas. This should detail the long-term management objectives as well as the regular maintenance. Details of who will carry out the work and how this will be funded, will also be required.

Site biodiversity/habitat value

The provision of just 12 nest boxes within a site of 73 buildings is totally insufficient. All properties need to include inbuilt bird and bat boxes and not attached to building exteriors.

Proposed units on fence lines need to have vegetation adjacent to provide shelter/screening for birds. Thus, their inclusion in rear gardens is not practical as part of the development.

Hedgehog access points noted but how are these incorporated where and if fences utilise concrete gravel boards. Ref to boundary fencing query.

Both bird boxes and hedgehog access points would need to be conditioned for retention and maintenance for the life of the development.

Protective fencing will be required to be installed along the line of the existing hedge to Pye Green Road. This should be installed prior to any site enabling works but after any remedial works to the hedge as noted above. Details of fence type, location and hedge works need to be supplied prior to commencement of any site works, to ensure retention and protection of the hedge, which is a key feature of the street scene of Pye

Green Road.

Summary

A holding objection is made until the above issues, especially the relationship to & with the allotment site are dealt with and or details supplied as appropriate.

Environmental Health

I have no adverse comments to make.

Strategic Housing Officer

I can confirm that the 15 affordable units proposed for this site is policy compliant (20%) and the tenure and bed size mix stated is acceptable.

External Consultations

Staffordshire County Council Highway Authority

The Highway Authority was consulted on the outline planning application and, in addition to a condition requesting a Construction Vehicle Management Plan, the following informative notes were provided on the formal Form X document issued on 03/01/2020:

As part of the reserved matters the application will need to show connection details to the existing bus stops on Pye Green Road.

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 (or S219 Exemption) of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. The developer is advised that at the reserved matters stage the following issues will be required to be demonstrated:

- Street layout and character
- Parking provision
- Pedestrian connectivity
- Clear delineation of roads and footways to be offered for adoption
- Provision of parking, turning and servicing within the site curtilage.

The application site forms part of the wider Land to the West of Pye Green Road development (Application No. CH/11/0395) granted outline planning consent on 24/06/2014. The particulars of the development were:

Mixed use development involving – erection of up to 700 dwellings; local centre consisting of retail/ commercial (A1, A2, A3, A4, A5), and use class D1; a primary

school; formal and informal open space, equipped play areas and allotments; new highway infrastructure onto Pye Green Road and Lime Pit Lane; and associated engineering, ground modelling works and drainage infrastructure (outline including access).

It is understood that the consented residential areas to the north and south of the wider site have been built-out or are currently under development. The primary school (Poppyfield Primary Academy) and a care home (Littleton Lodge) have been built-out with the local centre currently under construction. The primary school, care home and local centre are located in the middle of the wider site and are accessed via two new roads; Noble Road which forms the site access road and connection to the existing adopted highway at Pye Green Road, and Bishops Street which connects to Noble Road and provides access to the local centre, care home and primary school.

Review of Planning Application Documents

This is a reserved matters application for appearance, landscape, layout and scale at 'Parcel I' – Land to the West of Pye Green Road, Cannock. The proposed development comprises 4no. one-bedroom flats, 16No. two-bedroom dwellings, 45No. three-bedroom dwellings and 9No. four-bedroom dwellings, totalling 74 residential units. The application site is formed of two land parcels, a smaller land parcel located to the east of Bishops Street and north of Littleton Lodge care home (comprising Plots 1 to 13) and a larger land parcel to south of Poppyfield Primary Academy, west of Bishops Street and south of Noble Road (comprising Plots 14 to 74).

Access to Plots 1 to 13 would be from the northern end of Bishops Street. The existing access road leading to the care home would be realigned with a new adoptable section of road provided in proximity to Plots 7 to 10. This road section would also provide a new access to the care home. Plots 1 to 6 would be served from a private drive at the end of the proposed new section of road. It is understood that the private drive is required to accommodate private drains and therefore would not be put forward for adoption by the Highway Authority. The proposed layout is acceptable in principle; however, it should be noted that that proposed realignment of the care home access may affect the approved plans for the care home (Application Ref. CH/19/316).

Plots 14 to 23 would be accessed via two private drives off Bishops Street with Plots 25 to 29 accessed directly off Bishops Street. Plot 30 is proposed to be accessed directly off Noble Road, this section of road is yet to be built and is located outside of the application red line boundary.

Plots 32 to 38 would be accessed directly from Noble Road. The driveway to Plot 38 is located within 30m of the site access with Pye Green Road; however, the driveway is large enough to enable vehicles to access and egress in forward gear. This plot is proposed to form the sales area during the construction phase.

Plots 31 and 39 to 74 would be accessed via a new estate road off a new extended section of Noble Road. Four private drives would be access from this new estate road.

The carriageway widths within the site generally vary between 5m and 6m. Footways 2m wide are proposed within adoptable areas on both sides of the carriageway, apart

from in proximity to the open space located opposite Plots 31, 47, 46 and 48. Dropped kerb crossings with tactile paving have been indicated at various locations within the site to aid pedestrians with crossing the carriageways.

A new section of footway on the southern side of Noble Road on the approach to its junction with Pye Green Road is proposed which would connect the existing footway along Noble Road with a new footpath link proposed to run parallel to Pye Green Road. At its southern extent, the footpath link would provide the opportunity for future connectivity with the existing pedestrian route in the public open space located to the south-west of the application site. The Boundary Treatments Plan has been updated to show 1m high metal railings would be used to provide some physical separation between the footpath link and the adjacent private drives to reduce the likelihood of pedestrian/ vehicle conflict.

A gap in the hedgerow opposite Plot 59 will be created providing direct access from the proposed footpath link to the existing northbound bus stop on Pye Green Road.

Car parking is proposed in line with local car parking standards. There was concern regarding the proposed dimensions of some car parking spaces, especially where driveways were between two hard boundaries. These concerns have now been resolved and the dimensions of the proposed car parking spaces are acceptable. Garages are sufficiently sized to accommodate a car and storage space for cycles. A cycle store in the rear garden is proposed for all dwellings without garages.

Visibility splays of 2.4m x 25m, in line with a design speed of 20mph, were requested for all internal junctions. Following amendments to the proposed boundary treatments, the Site Layout plan now indicates adequate visibility splays are achievable from all proposed internal junctions.

Swept path analysis using a large refuse collection vehicle (RCV), ideally 11.9m in length, was requested. This length of vehicle is requested to check the proposed internal road layout can adequately accommodate such a vehicle to future proof the highway network. Following initial concerns with the length of the RCV used for the vehicle tracking exercise, and positioning of the vehicle tracks, amended plans were submitted demonstrating that the internal road layout could accommodate a RCV 12m in length which was considered acceptable.

Following a review of the initially submitted application documents, amended plans and additional information, it is not considered that the development proposals would have an adverse impact on the surrounding highway network or on highway safety.

Recommendation:

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:

1. Notwithstanding the submitted details, no phase of the development shall take place until a revised Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction

Management Plan shall be adhered to throughout the construction period. The Construction Management Plan shall include:

- a. Duration of planned works
 - b. Arrangements for the parking of site operatives and visitors (especially while other parts of the wider site, namely Poppyfield Primary Academy, are operational)
 - c. Safe vehicular, pedestrian and cycle routes for existing site users and construction personnel
 - d. Loading and unloading of plant and materials
 - e. Storage of plant and materials used in constructing the development
 - f. Details of the types and dimensions of construction vehicles accessing the site
 - g. Construction hours
 - h. Delivery routeing and hours
 - i. Recorded daily inspections of the private road/ adopted highway leading to the site access
 - j. Measures to remove mud or debris carried onto the private road/ adopted highway.
2. The development hereby permitted shall not be commenced until details of a Traffic Regulation Order to restrict parking at the junction in proximity to Plot 31 have first been submitted to and approved in writing by the Local Planning Authority.
 3. Prior to the commencement of the development, the existing lamp posts located on Noble Road (adjacent to Plots 32 and 36) and Bishops Street (adjacent to Plots 24 and 29) where new accesses are proposed, shall be replaced and repositioned away from the accesses.
 4. Prior to the development being brought into use, the internal road layout, parking and manoeuvring areas broadly indicated on the submitted Plan 'PGR-100-SL-01-AF Site Layout', shall be completed and surfaced in a porous bound material which shall thereafter be retained for the life of the development. Visibility splays shall be provided as shown on submitted Plan 'PGR-100-SL-01-AF Site Layout' and shall thereafter be kept free of all obstructions to visibility over a height of 0.6m above the adjacent carriageway level.
 5. Prior to the development being brought into use, the new opening in the hedgerow providing access to the northbound bus stop on Pye Green Road, shall be broadly in accordance with the details provided on submitted Plan 'PGR-100-SL-01-AF Site Layout' and shall thereafter be retained for the life of the development.

6. The garages indicated on submitted Plan 'PGR-100-SL-01-AF Site Layout' shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Informative Notes to be Included on the Decision Notice:

The proposed site access works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council 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 road.adoptions@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place to meet any potential timescales.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

The works required for the proposed internal road network which are to be put forward for highway adoption require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

The works required for the proposed internal road network which are to remain private will also require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary for maintenance/management arrangements for the private internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

This permission requires the relocation of existing lighting columns prior to the development taking place.

Approval will be required from Staffordshire County Council and the applicant will be responsible for all relocation costs. Please contact the following for further information:

lightingforstaffordshire@eonenergy.com

This Form X has been issued on the assumption that the developer secures a Traffic Regulation Order to control parking at the site access in proximity to Plot 31 to avoid hazards.

Notes to the Planning Officer

Condition 1 is requested to understand how the site will be developed, how and when construction materials will be delivered, where site operatives will park and to reduce the likelihood of highway danger.

Condition 2 is requested to control parking at the junction in proximity to Plot 31 to avoid hazards to other road users, namely as remote parking is proposed for this plot which may encourage on-street parking closer to the dwelling entrance.

Condition 3 is requested as some of the existing lighting columns would restrict access to driveways (Plots 29, 32 and 36) and the private drive adjacent to Plot 24.

Condition 6 is requested so that permitted development rights for the garages are removed and that the garages are not allowed to be converted to living accommodation without the prior express permission of the Local Planning Authority; this is to ensure that parking within the site curtilage for cars and cycles remains adequate.

It is recommended that all new dwellings are provided with Electric Vehicle Charging Points or, as a minimum, the electrical cabling to allow future installation of such facilities.

This Form X supersedes the previous Form X dated 29/03/2022.

In issuing the above recommendation it is assumed that the approved development will be built in line with the conditions and obligations from Outline Planning Permission CH/19/421.

Approved Plans:

890533-RSK-ZZ-XX-DR-C-0003 P04 Fire Tender Vehicle Tracking Drawing Sheet 1

890533-RSK-ZZ-XX-DR-C-0004 P04 Fire Tender Vehicle Tracking Drawing Sheet 2

890533-RSK-ZZ-XX-DR-C-0006 P05 Refuse Vehicle Tracking Drawing Sheet 1

890533-RSK-ZZ-XX-DR-C-0007 P05 Refuse Vehicle Tracking Drawing Sheet 2

A/436/00/CB/R1/01 Double Garage

BWM-PL-SG-01 Single Garage (Planning)

PGR-100-SL-01-AF Site Layout

PGR-AB-RM A Application Boundary - Reserved Matters

PGR-BT-01-M Boundary Treatments

PGR-PL-TH-01 Turning Head Drop Kerb

Staffordshire Fire and Rescue

No comments received.

National Grid

No comments received.

Lead Local Flood Authority

We recommend that the Reserved Matters are not approved at this stage, on the following grounds. If you are minded to approve the Reserved Matters contrary to this advice, we request that you contact again to allow further discussion.

Staffordshire County Council Flood Risk Management position.

In the absence of a satisfactory Drainage Strategy, we recommend that the Reserved Matters are not approved at this stage, for the following reasons:

Infiltration Testing Results

In accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems, (SuDS), development site drainage should be designed in concordance with the hierarchy of surface water discharge receptors. The primary means of disposal of surface water to be considered should be infiltration to ground. A site-specific infiltration testing report – should be provided to either confirm whether infiltration is an appropriate means of surface water management, or not. Please can evidence of infiltration testing in the form of a site-specific report detailing a procedure in accordance with BRE 365 best practice infiltration testing guidance be provided.

Proposed Site Surface Water Discharge Rate

Should discharge to external third-party drainage infrastructure off-site be proposed, please can the LLFA request detail of the specified surface water discharge rate and evidence of how it had been derived, calculated or agreed. This rate should be derived in accordance with the SCC SuDS Handbook standard- aligned with the Non-Statutory Technical Standards for SuDS.

Detailed Drainage Design

In order to approve the Reserved Matters, a satisfactory detailed drainage design in the form of a plan for the proposed development is required in order to evidence the applicant is proposing an acceptable sustainable drainage system.

The drainage design should include the complete network, and should be fully labelled, including pipe numbers, gradients / slopes, diameters, lengths, node labels including manhole references, with all associated cover levels and invert levels, with associated dimensions.

All impermeable areas should also be identified for the proposed drainage system in order to be reviewed.

Hydraulic Modelling Calculations

Please can the LLFA request that the applicant provides a full range of hydraulic modelling calculations (e.g., MicroDrainage), to support the drainage design. These should include a complete range of simulations, including the 1 in 1, 1 in 2, 1 in 30, 1 in 100 and 1 in 100 plus (40%) climate change return period, critical storm duration events, as a minimum.

Discharge Agreements

Should the applicant be proposing the development to utilise discharge of surface water to off-site, third-party infrastructure, evidence of agreement from the third party is required. For example, for discharge into Severn Trent Water assets, a Section 106 Agreement is required as evidence by the LLFA.

Construction Environment Management Plan

In order to ensure that surface water runoff, and water quality are maintained adequately throughout all stages of the development an adequate and complete Construction Environment Management Plan is required by the LLFA to ensure that appropriate standards are upheld.

Surface Water Runoff Quality Management

As a requirement for all major development, implementation of adequate surface water quality management is required. Evidence, for example by demonstration of how the development proposes to implement the CIRIA SuDS Manual Simple Index Approach, is required to ensure off-site and on-site surface water receptors are not polluted.

The above may list of points may not necessarily be exhaustive. The LLFA recommends re-consultation with amended details and information once the above points have been addressed.

Reason

The proposed development may present risks of flooding on-site and/or off-site if surface water run-off or other external flood risk is not effectively managed.

Education Authority

The relevant Outline Application for this site is CH/19/421.

The REM application details a development which is scheduled to provide 73 dwellings of the 78 dwellings expected from the original outline approval.

A Section 106 Agreement was signed when the Outline Application was granted, and the education contribution amount and terms should be calculated in line with this.

In summary those triggered through this REM are:

Primary Contribution

“the Primary Education Sum” means £526,946.16 Index Linked based on a development of 78 Dwellings provided that the Primary Education Contribution shall be recalculated and increased or decreased by the County in accordance with the current approved policies of the County in place at the date of this Agreement in accordance with the number of Dwellings approved pursuant to the Reserved Matters Approval in the event that the number of Dwellings increases or decreases from 78 (such recalculation to be based on a figure of £6,755.72 per Dwelling) and any such recalculated Primary Education Contribution shall be Index Linked.

“First Instalment of the Primary Education Contribution” to be paid on or before commencement of the development and means a sum equal to 50% of the Primary Education Contribution.

“Second Instalment of the Primary Education Contribution” to be paid on or before commencement of the dwelling that represents 50% of the total number of dwellings and means a sum equal to 50% of the Primary Education Contribution

If you have any queries please do not hesitate to contact us, by e-mail, at the address given below.

Staffordshire Police

The proposal has been reviewed with particular reference to Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention Through Environmental Design.

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

- Under the heading Promoting Safe and Healthy Communities, Para 8 (92 b) of the NPPF states “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.”
- Under the heading Achieving Well-Designed Places, Para 12 (130 f) of the NPPF 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.”
- Under the heading Planning Should Address Crime Prevention, Design Para 10 of the NPPG states “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 reasonably can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998;
- (Where these proposals require a Design And Access Statement to accompany the application) The 2006 CABE 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."

It is important that I take this opportunity to provide the following guidance and recommendations aimed at reducing opportunities for crime and ensuring that high level of physical security is incorporated in this development.

Attention must be paid to reducing opportunities for unwanted access and 'Bogus Official' crime through appropriate location of gates and meters between dwellings and promoting natural surveillance over footpaths and from dwelling gables.

1. Design Concerns.

It is important that a high level of physical security is incorporated in these proposals, and that this development conforms to the minimum standard of security outlined within these recommendations.

Location of Meters.

Secured By Design (Section 26.1) recommends that Utility Meters should be located outside the dwelling at the front or as close to the front of the building line as possible. This is necessary to ensure they are visible in order to deter vandalism, to reduce the opportunities for theft by bogus officials by preventing the need for an official to enter the building or access gates to read a meter.

This requirement includes 'Smart Meters', as the service providers will require open access to meters.

Meters should only be located to the side of a dwelling, where they can be accessed within an in-curtilage parking area or where the orientation of dwellings provides a large amount of space and natural surveillance between dwellings. They must be as near to the front of the building line as possible and to the front of any fencing or gates (care should be taken not to provide a climbing aid).

1.1 Footpath Design.

Secured By Design. Homes 2019, Section 8. Layout of roads and footpaths.

Footpath design.

Section 8.8 Routes for pedestrians, cyclists and vehicles should be integrated and assist easy, intuitive wayfinding through the application of inclusive design

by increasing activity and therefore natural surveillance, a proven deterrent to crime and anti-social behaviour.

Section 8.9 Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings as these have been proven to generate crime.

Section 8.10 Where a segregated footpath is unavoidable, for example a public right of way, an ancient field path or heritage route, designers should consider making the footpath a focus of the development and ensure that they are:

- as straight as possible;
- wide;
- well lit (see Secured By Design. Homes 2019. paragraphs 8.19 to 8.21);
- devoid of potential hiding places;
- overlooked by surrounding buildings and activities;
- well maintained so as to enable natural surveillance along the path and its borders.

I support the intention to promote the footpath link alongside Pye Green Road and the orientation of Dwellings so that they offer immediate natural surveillance from Dwelling frontages. Wherever possible, views to and from Dwelling frontages should not be hindered by dense landscaping.

Section 8.11 Physical barriers may also have to be put in place where 'desire' lines (unsanctioned direct routes) place users in danger, such as at busy road junctions. It is important that the user has good visibility along the route of the footpath. The footpath should be as much 'designed' as the buildings.

Section 8.12 Where isolated footpaths are unavoidable, and where space permits, they should be at least 3 metres wide (to allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles). If footpaths are designated as an emergency access route they must be wide enough to allow the passage of emergency and service vehicles and have lockable barriers.

Planting next to a footpath.

Section 8.14 In general, planting next to a footpath should be arranged with the lowest growing specimens adjacent to the path, and larger shrubs and trees planted towards the rear. Planting immediately abutting the path should be avoided as shrubs and trees may grow over the path, creating pinch points, places of concealment and unnecessary maintenance.

Section 8.15 Think carefully when selecting tree species to be used adjacent to a footpath or verge, and consider their whole-life growth characteristics. Many trees will

grow tall, dense canopies as they reach maturity. If unmaintained, this broad canopy will spread many metres from the trunk of the tree, and overhang paths and may create difficulties in maintaining a clear, accessible route, in addition to creating a sense of enclosure for path users. Routes with overhanging branches can also be a particular issue for people with sight loss. A large canopy may also block natural light and restrict the effectiveness of street lighting.

Section 8.16 Trees with slender or fastigate forms naturally grow a narrow, tall canopy, and are less likely to over-hang paths regardless of their maturity. Similarly, pleached trees have been trained to produce a narrow canopy above a very straight, clear stem. A variety of species are available with similar growth forms, which provide height and structure without the issue associated with large canopies.

Section 8.17 Where footpaths run next to buildings or roads, the path should be open to view. This does not prevent planting, but will influence the choice of species and the density of planting. Public footpaths should not run immediately next to doors and windows, therefore defensive space should be created to separate a path from a building elevation. This is particularly important in areas with a known graffiti or anti-social behaviour problem.

Lighting of footpaths.

Section 8.19 If a footpath is to be used 24 hours a day it should have all the required attributes as listed at paragraph 8.10 (Above) and be lit in accordance with BS 5489-1:2013. If the footpath does not have these attributes then its use should be deterred during the hours of darkness by not installing lighting.

Section 8.20 It is important that the landscape architect and lighting designers coordinate their plans to avoid conflict between lighting and tree canopies. It is advisable that trees are planted at least 5 metres away from any light source.

Section 8.21 Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources.

Moreover the Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of fluorescent lighting which is environmentally unsustainable for a variety of reasons (Note 59.5). Further information is available at: www.securedbydesign.com

Note: Wherever possible the layout and orientation of dwellings should be aimed at ensuring that all footpath links run alongside vehicle access routes. Pedestrian routes should be clearly overlooked and not hindered by dense landscaping etc.

Secured By Design. Homes 2019

Through-roads and cul-de-sacs.

Section 8.3 There are advantages in some road layout patterns over others especially where the pattern frustrates the searching behaviour of the criminal and his need to

escape. Whilst it is accepted that through routes will be included within development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings, or by providing too many or unnecessary segregated footpaths (Note 8.3).

Developments that promote intuitive wayfinding and enhance the passive surveillance of the street by residents within their homes and high levels of street activity are desirable as they have both been proven to deter criminal behaviour, but they are no guarantee of lower crime, which evidence proves is achieved primarily through the control and limitation of permeability.

Note 8.3: The Design Council's/ CABE's Case Study 6 of 2012 states that: "Permeability can be achieved in a scheme without creating separate movement paths" and notes that "paths and pavements run as part of the street to the front of dwellings reinforces movement in the right places to keep streets animated and does not open up rear access to properties".

Section 8.4 A review of available research in this area concluded that: "Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across studies: more permeability, more crime. Several studies across several decades link neighbourhood property crime rates with permeability versus inaccessibility of neighbourhood layout. Neighbourhoods with smaller streets or more one-way streets, or fewer entrance streets or with more turnings have lower property crime rates..." Source: Taylor R B 2002 "Crime Prevention Through Environmental Design (CPTED): Yes, No, Maybe, Unknowable, and all of the above" in Bechtel RB (ed) "Handbook of Environmental Psychology", John Wiley, New York, Pages 413 – 426. Cited by Professor Ted Kitchen Sheffield Hallam University 2007.

Section 8.5 Cul-de-sacs that are short in length and not linked by footpaths can be very safe environments in which residents benefit from lower crime.

Section 8.6 However, research shows that the benefit of a cul-de-sac can be compromised if one or more of the following undesirable features exists:

- backing onto open land, railway lines, canal towpaths etc.
- are very deep (long)
- linked to one another by footpaths (leaks cul-de-sacs);
- poorly lit

Section 8.7 Cul-de-sacs that connect by footpaths to other parts of a development, often referred to as 'leaky cul-de-sacs', experienced the highest levels of crime when compared to crime levels within a true cul-de-sac. Crime in this kind of design can be 110% higher than crime in a true cul-de-sac and therefore should be avoided.

1.2 Boundaries.

Secured By Design. Homes 2019. Section 10. Dwelling Boundaries.

Front boundaries.

Section 10.1 It is important that the boundary between public and private areas is clearly indicated. For the majority of housing developments, it will be desirable for dwelling frontages to be open to view, so walls, fences and hedges will need to be kept low or alternatively feature a combination of wall (maximum height 1 metre) and railings or timber picket fence if a more substantial front boundary is required.

Section 10.2 Front garden planting of feature shrubs and suitable trees (e.g. open branched or light foliage or columnar fastigiated habit, etc.) will also be acceptable provided they are set back from paths and placed to avoid obstructing visibility of doors, windows and access gates to the rear of the property. Similarly, planting which allows a clear line of sight to the pavement and road is preferable.

Section 10.3 Plant specimens may be used to discourage access to specific areas of the house frontage. For example, a specimen with thorns may be used to deter access to the base of a window.

Secured By Design. Homes 2019.

Access gates to rear gardens.

Section 10.4 Gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed, be the same height as the fence (minimum height 1.8m) and be capable of being locked (operable by key from both sides of the gate). Such gates must be located on or as near to the front of the building line as possible.

Section 13. Rear access footpaths.

Section 13.1 Research studying the distribution of burglary in terraced housing with open rear access footpaths has shown that up to 85% of entries occurred at the back of the house.

Section 13.2 It is preferable that footpaths are not placed to the back of properties. If they are essential to give access to the rear of properties they must be gated. The gates must be placed at the entrance to the footpath, as near to the front building line as possible, so that attempts to climb them will be in full view of the street.

Where possible the street lighting scheme should be designed to ensure that the gates are well illuminated. The gates must have a key operated lock. The gates must not be easy to climb or remove from their hinges and serve the minimum number of homes, usually four or less.

Section 13.3 Gates will generally be constructed of timber when allowing access to the rear of a small number of dwellings. However in larger developments where the rear footpath provides access to a large number of properties then a gate constructed

of steel may be required by the DOCO. Substantial purpose made gates meeting LPS 1175 SR 1 or Sold Secure Silver (minimum) standard are available and may be required by the DOCO. Any gate providing access to the rear of dwellings must be designed to resist climbing, forced entry and allow a high degree of surveillance of the footpath from the street.

Note: Where there is access proposed to the rear of 1 or more dwellings, then an initial lockable gate should be erected as described above. The location of boundaries and gates between dwellings must be considered alongside the location of services, to ensure that gates are recessed no more than 600mm and that services are to the front of dwellings and easily overlooked.

Note: This is necessary to reduce the opportunities for theft by bogus officials and unwanted (unobserved) access to property. In addition, this reduces the opportunity and need for an official to enter the building or access gates to read a meter.

Examples of areas that require attention include:

- Between the Dwellings to Plots 3 and 4, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 3. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 10 and 11, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between Plot 14 and the site boundary (providing access to the rear of Plots 14, 15 and 16), where this gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 16 and 17, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 18 and the boundary to the rear of Plot 16, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 18. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling. This gate must include a closing mechanism and be openable by key from both sides.

- Between the Dwellings to Plots 19 and 20, where this boundary must be recessed no more than 600mm from the front elevation of the Dwelling to Plot 19. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwellings to Plots 27 and 28, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 53 and 54, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 65 and the boundary to the rear of Plot 52, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 65. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling.

Note: These details are repeated throughout these proposals. Where these is likely to be a high level of use (more than 2 dwellings etc.), it may be beneficial to provide a metal gate that promotes natural surveillance.

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Side and rear boundaries.

Section 10.5 Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. Trellis topped fencing can be useful in such circumstances.

Note: Particular attention must be paid to side and rear boundaries that are easily accessible from public open space and footpaths. Please consider using trellis topping to bring these boundaries to 2m in height.

Additional deterrent features such as increasing the height of fencing or planting thorny shrubs may be considered as an alternative. A wide range of specimens can be planted along the boundary of a property, which offer attractive planting characteristics of colour and form, whilst containing sharp thorns to dissuade intruders. Many species are available which may be trained to any shape, size or height.

From within a garden, specimens such as Hawthorn may be trained to provide an additional physical barrier above the height of the fence with minimal impact on the garden below. Alternatively, ornamental specimens such as rose may be attached to a fence to deter climbing.

Section 10.6 It is expected that developers will install fencing to a high standard to ensure the security and longevity of the boundary.

10.6.5 Fencing panels or railings mounted on a wall should be located as close to the outer (external) face of the wall as possible to eliminate climbing opportunities or use as informal seating.

10.6.6 Fence heights should be of a minimum 1.8m overall and be capable of raking/stepping to maintain height over different terrain.

10.6.7 Pedestrian gates should be of a framed design and employ galvanised adjustable hinges and fixings mounted behind the attack face. On outward opening gates, where the hinges/brace is mounted on the attack face, fixings should be of a galvanised coach bolt design. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the fence post or wall. Gates should be capable of being locked (operable by key from both sides of the gate). The gate construction should have the same design and construction attributes as the fence.

10.6.8 Where entrance/driveway gates are required they should ideally be inward opening, of substantial framed construction and employ galvanised adjustable hinges and fixings mounted behind the attack face. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the adjoining fence post or wall. Gates should be fitted with a galvanised drop bolts and facility for dedicated gate locking systems, padlocking (manual gates) or electro-mechanical locking (automated gates) and employ mechanical/electromechanical devices as applicable to hold gate leaves in the open position.

10.6.9 The gate construction should have the same design and construction attributes as the fence.

Refuse Collection.

Recent developments provided with rear access routes to store and move bins for collection have resulted in these bins being left constantly to the front of dwellings. These bins are often misused including use as climbing aids. I recommend accessible bin stores or a dedicated store area be located to the front of Dwellings or to the end of a row.

1.3 Gable End Walls.

Note: Glazing providing unobscured natural surveillance is necessary where a gable is easily accessed (end of Block etc.), and where adjacent garages, parked vehicles and rear access (gates and boundaries) are not immediately overlooked.

The proposed house types that are of greatest concern are semi-detached and terraced houses with no glazing to the gables. Where privacy requirements allow, these Dwellings should include glazing to either kitchens staircases, hallways or

landings. This is necessary to provide natural surveillance over parked vehicles or rear boundary access.

Examples of Dwellings requiring attention include:

- House Type S04-01, to Plot 6. Where privacy restrictions allow, this Dwelling should include additional glazing to the Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.
- House Type TE-01, to Plot 21. Where privacy restrictions allow, this Dwelling should include additional glazing to the Kitchen or Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.
- House Type MAN-01, to Plot 23. Where privacy restrictions allow, this Dwelling should include additional glazing to the Staircase, Landing or Hallway, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of this Plot.
- House Type TN-01, to Plots 46, 47 and 57. Where privacy restrictions allow, this Dwelling should include additional glazing to the Living Room, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of Plots.

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Section 12. Gable end walls.

Section 12.1 It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces; this type of elevation, commonly at the end of a terrace, tends to attract graffiti, inappropriate loitering and ball games.

The provision of at least one window above ground floor level, where possible, will offer additional surveillance over the public area.

Section 12.2 Where blank gable walls are unavoidable, one of the following methods should be used to protect them;

12.2.1 Provide a 1m buffer zone using either a 1.2 – 1.4m railing (with an access gate) or a 1m mature height hedge with high thorn content. Hedging will have to be protected with a fence until it becomes established.

The hedge shall be contained within the boundary of the adjacent building to increase the likelihood that it will be maintained.

12.2.2 Where there is insufficient room to create defensible space between public and private space, an appropriate (non-destructive) climbing plant should be planted adjacent to the wall, or a finish applied to the wall that will allow easy removal of graffiti.

Note: 'Handing' of the proposed dwellings may be necessary, so that unobscured glazing to staircases, or landings and hallways can be provided. Where privacy

distance restrictions apply, then unobscured glazing will still help to reduce misuse of gables and provide some natural surveillance.

1.4 Design Features and Climbing Aids.

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Section 15. Climbing aids.

Section 15.1 Boundary walls, bins and fuel stores, street furniture, trees, low flat roofs, car ports or balconies should be designed to remove climbing aids to gain access into the property.

1.5 Car Parking and Vehicle Security.

In-curtilage car parking arrangements are preferred. Where it is not possible to park within an owner's direct view, this can lead to obstruction of footpaths and highways and damage to landscaping etc.

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Section 8. Layout of roads and footpaths.

Section 8.1 Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space of neighbourhoods.

Design features can help to identify the acceptable routes through a development, thereby encouraging their use, and in doing so enhance the feeling of safety. Where it is desirable to limit access/use to residents and their legitimate visitors, features such as rumble strips, change of road surface (by colour or texture), pillars, brick piers or narrowing of the carriageway may be used. This helps to define the defensible space, psychologically giving the impression that the area beyond is private.

I support the intention to provide changes in road surfaces, as this helps to create defensible space and to define an area as being private.

Section 8.2 Defensible space has the simple aim of designing the physical environment in a way which enables the resident to control the areas around their home. This is achieved by organising all space in such a way that residents may exercise a degree of control over the activities that take place there.

Landscaping Adjacent to Parking Bays.

I recommend that any planting adjacent to parking bays should preferably be berberis or thorny and should have a mature or maintained growth height of 500mm to help prevent people from hiding in those areas.

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Section 16. Vehicle Parking.

Section 16.5 Where dedicated garages are provided within the curtilage of the dwelling the entrance should be easily observed from the street and neighbouring dwellings.

Section 16.6 Where parking is designed to be adjacent to or between units, a gable end window should be considered to allow residents an unrestricted view over their vehicles.

Lighting To Parking Areas and Facilities.

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Section 55. Car Parking.

Section 55.2 Lighting must be at the levels recommended by BS 5489-1:2013.

Section 16. Vehicle Parking.

Section 16.7 Communal parking facilities must be lit to the relevant levels as recommended by BS 5489-1:2013.

Section 16.9 Lighting is required to meet 'Street Lighting' standards.

Luminaires should be vandal resistant and not mounted below 2.5 metres from the ground and out of reach for those wishing to cause interference.

Bollard lighting is not appropriate as it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

1.6 Planting and Landscaping.

Landscaping must not impeded natural surveillance and must not create potential hiding places for intruders, especially where it is adjacent to footpaths, public open space or where it may obscure views of and from doors and windows. This is valuable in helping to maintain a clear field of vision around a site, and in reducing fear of crime and opportunities for crime

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Section 17. Planting in new developments.

Section 17.1 The planting of trees and shrubs in new developments to create attractive residential environments will be supported provided that:

17.1.1 The layout provides sufficient space to accommodate specimens once they have reached maturity, clear of access routes and required circulation areas;

17.1.2 Future maintenance requirements and budgets are considered at the planting design stage and management programmes are put in place to ensure the landscape fulfils the aims of the original design;

17.1.3 The planting design takes full account of all other opportunities for crime.

1.7 Street Lighting.

Street lighting should be carefully designed to cover all vulnerable areas without creating shadows. This can significantly reduce potential danger spots and reduce the fear of crime. Landscaping, tree planting and lighting schemes must not be in conflict with each other.

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Section 18. Street lighting.

Section 18.1 All street lighting for adopted highways and footpaths, private estate roads and footpaths and car parks must comply with BS 5489-1:2013.

Section 18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.

Section 18.4 Trees may restrict the performance of street lighting by blocking light or causing damage through collision with branches and should not be located within 5 metres of a lighting source.

Section 18.6 Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources.

Moreover the Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of fluorescent lighting which is environmentally unsustainable for a variety of reasons

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Section 59. Private External lighting and dwelling lighting.

Private external lighting to common areas.

Section 59.1 Where possible the lighting requirements within BS 5489-1:2013 should be applied.

Section 59.2 SBD requires that only luminaires with suitable photometry serving to reduce light spill and light pollution may be used. Reducing light spill from inefficient luminaires into areas where lighting is not required is extremely important

Section 59.3 External public lighting must be switched using a photo electric cell (dusk to dawn).

Dwelling lighting.

Section 59.4 Lighting is required to illuminate all elevations containing a doorset, car parking and garage areas and footpaths leading to dwellings and blocks of flats.

Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

2. Further Information and Guidance.

Further help and information can be gained from the following web sites:

- www.securedbydesign.com

(The official Police Security Initiative and Police Preferred Specified security product scheme).

- www.bsi-global.com

(Standards, Training, Testing, Assessment and Certification).

- www.bregroup.com

(Offer quality of performance and protection certification for fire, security and environmental products and services).

If I can be of any further assistance, please do not hesitate to contact me on doco@staffordshire.pnn.police.uk.

The Secured by Design Website (www.securedbydesign.com) provides valuable information regarding police and home office recognised standards and licensed component manufacturers.

Crime prevention design advice is given free without the intention of creating a contract. The Police Service and the Home Office does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

Severn Trent Water

No comments received.

Environment Agency

No comments received.

South Staffordshire Water Plc

I have viewed the application and from our existing asset records we appear to have a water mains assets affected by this scheme, this would need engagement by the developer with ourselves to look to divert/ protect this asset if it is affected by construction works.

Additionally we would look to install any 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.

Staffordshire County Council Archaeology Service

I note that an archaeological evaluation was required as a condition of the outline application CH/19/421. I have previously reviewed the submitted Written Scheme of Investigation (WSI) as part of discharge of condition request CH/19/421, however I will take this opportunity to remind the applicant that the archaeological works outlined in the WSI should be satisfactorily carried out in advance of any enabling or construction commencing.

Hednesford Town Council

HTC objects to the approval of this application. The layout now proposed fails to preserve as agreed access from the green space serving the new estates to the school and services centre. As a result of less pedestrian access, congestion will be caused by vehicles accessing the school and the shops area - which is already a traffic pressure point.

It has previously been confirmed to us that construction of pedestrian pathways on the new estates would ensure that residents could access the school without crossing busy roads. Pedestrian access from the new estates should therefore be preserved. Preserving and maintaining pedestrian access amounts to a safer and healthier environment - as opposed to encouraging more vehicular traffic.

Response to Publicity

The application has been advertised by site notice and neighbour letter. 10 letters of representation have been received. These have raised the following issues: -

There is no path being built between the existing Limes estate and the shops and school through this new estate. It's dangerous to go along Pye Green Road with small children and hard to cross roads on lime pit lane as not even a bath on both sides or a safe crossing point.

It's a 17min walk when it could be 5 from my house and significantly safer for our children. I expect a lot of parents would rather drive that due to time constraints and safety concerns which could so easily be avoided though a change in planning.

I would like to raise concerns regarding the lack of foot path from The Limes estate to access the school and shops on Noble Street and Bishop Street. I am hoping to send my children to Poppyfields and seeing this has made me question the safety aspects of walking my children to school. Surely we're not expected to walk along Limepit lane crossing the busy road with no crossing then crossing back over at the public house to cross again on to busy Pye Green Road due to being no foot path on the one side, then crossing again opposite Noble Street? This would be quite a challenge with small children and I don't agree that I should have to drive them to school each day. There

is surely a safety issue. I also object to walking across a wet muddy field so they arrive at school with dirty clothes and shoes. The obvious thing to do would be to create a path from the Limes estate to Noble Street/ Bishop Street. This would be safe and sensible for everyone. Unless a path was included in the plans I would strongly object to this.

There needs to be a pathway from The Limes estate through to the co-op and the school. This was promised by Barratt Homes upon house purchase and makes absolutely no sense to not put a pathway in place. If not put in place, a way through will be created and will not an easy access route for families with pushchairs trying to access the school, it needs dealing with in the correct manner.

The submitted plans show the northern end of the development site extending over my boundary fence onto my land. This will not be possible. This has not been corrected in the amended plans.

The plans show two trees planted on the northern edge boundary which when grown would substantially overhang on to my back garden causing unacceptable shading. At least one of these trees is within 3.8m of the house at 521. I believe the minimum distance should be 5m.

The development contains 13 affordable rented units, all of which are located on the small area at a density of over 20 per acre.. This area is totally isolated from the main development and is clearly in contravention of the National Policy Guidelines which stress inclusivity and promoting social interaction in the location of affordable housing creating an isolated enclave of affordable rented properties which will most likely have a much higher turnover of residents when compared with owner occupied houses is a return to some of the bad housing practices of the 1950s. In my view this is very bad planning and is a serious example of stigmatising social housing and disregard of the community and social effects of planning.

The current boundary between my garden and the development is one metre high fence. As far as I can see the application does not give any indication of landscaping or fencing. No indication given of fencing.

I have serious concerns regarding the amount of overlooking from the proposed development onto my front and back gardens. Even if a 6ft fence or wall was erected along my boundary there would still be about 17 first floor windows overlooking my house and gardens. Some of this could be improved by an improved layout and design.

If the housing plot was rotated by 90 degrees, most of the over looking problems could be avoided whilst retaining the same number of housing. See above.

I note that each housing unit has a garden shed/ building located at the end of the garden and accessed by footpaths which are ungated and locked. If these units are used for storing cycles, lawnmowers or other valuable items they will soon become easy targets for thieves and lead to an increase in crime. Garages and garden shed

s located away from a house frequently become vandalised and a source of anti-social behaviour. This is a prime example of this on the older estate off Limepit Lane.

The plan proposes to fill in the gaps in the hedgerow along Pye Gren Road. Most people living in affordable housing are likely to make use of the good bus service along this road. For people living on the northern plot there is a bus stop within 150m by going through the hedge. Walking via Noble Road is a walk of 750m. Why not make a pedestrian entrance via the hedge. No attempt to improve access to public transport

A further link to the footpath network to the west has been indicated on the layout drawing, however its alignment doesn't make physical sense based on existing ground levels and doesn't run through the identified area of Public Open Space. The existing link that is currently in place near the play area has a length already constructed to enable the footpath to be extended to provide a link, orientated in the direction of the proposed Plots 51 – 52. It makes sense to utilise this length already constructed for this purpose and provide a link via the POS to the access road, in the vicinity of Plot 48.

A footpath link from the western edge of Noble Road has been indicated but runs through the proposed allotment area (and crossed by the allotment access road). How will this work in practical sense, noting many allotments are secured areas? What will be the design of the allotments and who Some further observations I have noted are as follows:

A further link to the footpath network to the west has been indicated on the layout drawing, however its alignment doesn't make physical sense based on existing ground levels and doesn't run through the identified area of Public Open Space. The existing link that is currently in place near the play area has a length already constructed to enable the footpath to be extended to provide a link, orientated in the direction of the proposed Plots 51 – 52. It makes sense to utilise this length already constructed for this purpose and provide a link via the POS to the access road, in the vicinity of Plot 48.

A footpath link from the western edge of Noble Road has been indicated but runs through the proposed allotment area (and crossed by the allotment access road). How will this work in practical sense, noting many allotments are secured areas? What will be the design of the allotments and who is responsible?

The Public Open Space is described as being 'by others'. Who is designing this? Who is responsible for its implementation and also ongoing management (i.e. costs), noting that local residents of the Limes Estate already pay a yearly management charge for their areas of open space and will not be accepting to these areas being added. Confirmation is required of the method of funding and the legal responsibilities of residents to 'Plot I' for paying management fees.

The current scheme is designed in isolation and the key element here is the requirement for joined up thinking between the existing situation on the ground (i.e.

what has already been built) and the proposed development, enabling a considered and practical footpath network to be in place – otherwise residents will use cars to take children to the local schools. In addition, confirmation that Bellway Homes will implement these footpath links as an element of this development, and for them to not be left as unconsidered elements. As a local resident of The Limes, we have had almost 6 years of being in a situation of poor or non-existent management on the open spaces that surround our Site (and the highways) and feel that the current lack of co-ordination and/or methods to ensure these works are implemented in accordance, will lead to these issues continuing.

Thank you for this opportunity to review the revised layout that has been submitted in support of this application, and to provide further comments/observations on the revised layout (Drg. PGR-100-SL-01-T).

Layout

Despite previous observations, the developer has still retained a high-density layout to maximise the build space. Whilst this approach is understood, this does not reflect the locality and proximity to the Cannock Chase AONB, where a more 'spacious' development layout would be more suited, providing a transition from the developed areas to the east of Pye Green Road to the open space to the west. Across the proposals, plots and parking are shoe-horned in at every opportunity and landscaping reduced to incidental areas.

The north-east corner of the layout shows an area of housing, presumably social housing, that is accessed via the access road to the care home. The proposed layout does not tie in with the form or orientation of the housing to the north and would appear at odds with the street scene. I reiterate my previous comments that housing in this area surrounding by either school or care home facilities, is inappropriate with space better suited meeting the needs of the school / care home.

The developer is relying on the landscaping provided by the Local Centre to create a sense of arrival which isn't sufficient. Noble Road provides access to the school, care home, local centre and also the proposed allotments (in addition to the proposed residential development) and therefore a higher degree of treatments needs to be considered in this location. Plots are circa 4m back from the back of footpath providing insufficient room to plant even a small tree under the NHBC guidance. This should be a tree lined avenue that clearly demonstrates this Site's transitional location between urban and rural areas (inc. of the AONB).

A footpath link has been shown connecting the proposed footpath alongside Pye Green Road (the development side of retained hedgerow) to the footpath that is located to the south around the balancing

pond. The layout states 'Potential for connection to existing footpath network (by others).' This doesn't make practical sense as the footpath is either proposed or not – and the developer should provide this footpath link as an element of their development,

not leave 'to others'. If this link is not provided by the developer, it will never be installed and the 'footpath link' proposed to run parallel with Pye Green Road is useless as it provides no connection with existing footpath networks.

No footpath connection is proposed that links with the footpath network already installed in the POS to the west – with particular reference to the section of footpath that has already been installed to aid the linkage, to the east of the games court. This is a fundamental connection to provide formal access between developments, to the local school. The developer needs to provide this as an element of this proposed development, noting similar issue of not providing as outlined in Point 4. This layout as proposed does not therefore show any formal links between this Site and other areas, contradicting the layouts as initially proposed in the Outline Approval for the entire development on this land. Several annotations on the drawings state 'Potential for connection to proposed footpath (by others)' but this does not provide a guarantee these links will be provided and if they are, who will pay for them? This developer needs to provide these links in full, not rely on 'others' otherwise footpaths will not be provided.

The blue line to the rear of plots 24-30 appears to indicate the boundary of the allotments, yet the development extends into this area – indicating that there will be a loss in allotment area. Is this the case? Surely the developer can't 'massage' boundaries to facilitate more developable area for themselves?

This needs clarifying.

The over-use of tandem parking is becoming an issue on new housing developments, with homeowners leaving vehicles parked on the main access roads. This is evident on nearby developments such as 'The Limes' where primary roads have numerous vehicles parked along their length that restrict visibility and access and provide safety concerns and issues for refuse services gaining access. This same issue will exist on this development – noting tandem parking provision is proposed along the main access road (Noble Road). A further example of this are Plots 46-47 where a single vehicle parked on this road will cause an obstruction in the key visibility splay lines and force vehicles into the middle road on a bend without clear visibility. The developer needs to review their design to eliminate all these issues as far as feasibly possible.

Landscaping

No updated landscape proposals have been provided to reflect the changes in the layout. There were a number of observations previously noted – including the lack of provision of street trees and space within the development to incorporate these key elements;

The landscape treatment of the western edge of the development is of concern to nearby residents, and a soft landscape approach is required in these locations to provide a degree of visual screening, with particular reference to rear garden fences adjacent the existing footpath network.

This location is on the edge of the Cannock Chase AONB, and therefore more effort is needed to provide tree planting as an element of the proposals, particularly to access roads and the perimeter of the development. This is one of the main failures of the Bilberry Chase, Dear's Rise and The Limes developments where little tree planting has been provided and the developments are harsh and do not reflect their location adjacent the AONB.

Relevant Planning History

CH/19/421: Residential development up to 78 dwellings, open space landscaping & associated infrastructure, access (All other matters reserved). Outline Planning Permission Approved 30-Sep-2021 subject to a section 106 agreement to secure: -

- The provision of 20% affordable housing.
- The provision of an Education Contribution.
- The provision of funding for the implementation of the Travel Plan.
- Provision of a Bus shelter and extension of footpath to connect with the bus shelter.
- Provision of cycle parking at Hednesford Train Station.

CH/19/421B: Discharge of Condition Application No 11 (Archaeological Evaluation). Not yet determined.

Ch/21/0426: - Delivery of vehicle access to adjacent allotments and dropped kerb crossing. Not yet determined.

In respect to the planning history for the wider Land West of Pye Green Road, site.

CH/11/0395: - Mixed use development. Outline-Approval With Conditions 06/24/2014.

CH/11/0395/A: - Partial discharge of condition 11: Ground Risk

CH/11/0395/B: - Discharge of Condition 21: Ecology and nature conservation mitigation measures. Discharge of Conditions - Full Approval 11/27/2015.

CH/11/0395/C: - Discharge of Conditions 2 (Site Details), 4 (Landscaping), 6 (off-site Highway Works)

CH/17/262 : - Application for reserved matters approval for outline planning permission CH/11/ Res Mat - Approved with Conditions 12/05/2017.

CH/18/080: - Reserved Matters application for phases 2 and 3 comprising 481 dwellings with as Full - Approval with Conditions 09/13/2018.

CH/19/224: - Non Material Amendment to Reserved Matters consent (CH/18/080) for alteration of Approved 07/23/2019

CH/19/304: - Suitable Accessible Natural Greens Space (SANGS) Phase 2 for development of site. Not yet determined.

[Members should note that it is the plans under application CH/19/304 that will provide the link between the application site and the Limes that has been raised as an issue of concern by members of the community.]

1.0 Site and Surroundings

- 1.1 The application site is comprised of a vacant plot of land and an existing vehicular/ pedestrian access road on a wider area of land situated west of Pye Green Road and north of Limepit Lane that is allocated as a 'Strategic Housing Site' in the Cannock Chase Local Plan Part 1 (2014) and which is subject to a Development Brief (March 2011).
- 1.2 The wider site West of Pye Green Road benefits from outline planning permission for a 'mixed use development involving the erection of up to 700 dwellings; local centre consisting of retail/ commercial (A1, A2, A3, A4, A5), and use class D1; a primary school; formal and informal open space, equipped play areas and allotments; new highway infrastructure onto Pye Green Road and Limepit Lane; and associated engineering, ground modelling works and drainage infrastructure.
- 1.3 Access to the site would be provided by the new vehicular access serving Poppyfields School, a local service centre (nearing completion) and a 66 bed care home which has been recently constructed.
- 1.4 To the east the site bounds Pye Green Road across which is a residential area and the area designated as a local service centre and the care home. To the north the site borders Fuschia World Garden Centre and a dwelling, and to the west the site borders Poppyfields School, and an area set aside for allotments and an area set aside for public open space.
- 1.5 This area approximately corresponds to Phase 2 of the housing development as shown on the original masterplan to the outline planning permission for the wider area. However, the exact boundaries have been amended to take into account the presence of fissures that were found to exist following the grant of the outline consent.
- 1.6 The application is located within the Forest of Mercia, a Mineral Safe Guarding Area and is located in an area covered by the Hednesford Neighbourhood Plan.

2.0 Proposal

- 2.1 The Applicant is seeking consent for the approval of the reserved matters of Appearance, Landscape, Layout, Scale following outline approval (CH/19/421).
- 2.2. Outline approval granted consent for a residential development of up to 78 dwellings, open space landscaping & associated infrastructure and the means of access. That consent was subject to conditions in respect to the provision of a Construction Environmental and Traffic Management Plan, drainage plans for the disposal of foul and surface water flows, electric charging points for electric vehicles , a scheme of intrusive site investigations in respect to the fissures on the site and archaeology. Furthermore, it was subject to a section 106 agreement which provided a mechanism to deal with the provision of 20% affordable housing an education Contribution, funding for the implementation of the Travel Plan, provision of a bus shelter and cycle parking at Hednesford Train Station. As such it is not necessary to revisit these elements within the context of this application.
- 2.3 The applicant is proposing a residential development comprising 74 dwellings, comprising a mix of 1 bed, 2 bed, 3 bed and 4 bed units of which 59 would be Open Market its, 13 would be Affordable Rent and 2 would be for Affordable Housing-Shared Ownership.
- 2.4 The main entrance into the site would be taken from Noble Road and Bishop Street, which also serve the local centre and Poppyfields School. The main spine roads would then serve several cul-de-sacs in the form of private drives.
- 2.5 It is proposed that Noble Road would be extended to form an access into the public open space area, across which a series of footpaths would provide a pedestrian link to the estate known as 'The Limes', which would enable those residents a pedestrian access to Poppyfields School and the Local Centre. Similarly, a footpath link would be provided along the frontage of the site running parallel to Pye Gren Road. This path would stop at the southern boundary of the site but would enable the site to be linked up to other footpaths on the public open space beyond.

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 Part 1 (2014), the Hednesford Neighbourhood Plan and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan Part 1

- 3.3 Relevant policies within the Local Plan include: -

CP1: -	Strategy – the Strategic Approach
CP3: -	Chase Shaping – Design
CP10: -	Sustainable Transport

Minerals Local Plan for Staffordshire

3.4 Relevant Policies within the Minerals Plan Include: -

Policy 3: -	Safeguarding Minerals of Local and National Importance and Important Infrastructure
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Neighbourhood Plan

3.5 Relevant policies within the Hednesford Neighbourhood Plan include: -

Policy ROW 1:	Rights of Way
H1:	Support for Bungalows

National Planning Policy Framework

3.6 The NPPF (2021) 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 (2021) 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
92, 98, 100:	Promoting healthy and safe communities
111, 112:	Highway Safety and Capacity
119, 124, 125:	Making effective use of land
126, 130, 132, 134:	Achieving Well-Designed Places
218, 219	Implementation

3.9 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.

- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets
- (iv) Land West of Pye Green Road Development Brief (March 2011)
- (v) Developer Contributions and Housing Choices SPD

4.0 Determining Issues

4.1 Principle of the Development

4.2.1 The principle of housing on this site was firmly established under planning permission CH/19/421 which granted outline permission with access for up to 78 dwellings and the means of access.

4.2.2 Issues, such as, affordable housing, impacts on the local highway network, education, drainage and flood risk, contamination and cumulative air quality impacts and archaeology were considered at the outline stage.

4.2.3 Therefore all issues relating to the principle of the development and the consented quantum of development (that is up to 78 dwellings) have already been approved and are not for consideration in the determination of this application.

4.2.4 Therefore the only matters that are for consideration are the proposed layout, appearance, scale and landscaping of the development and any material consideration in so far as it relates to those reserved matters.

4.3 Layout

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

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

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132 and 134. Paragraph 126 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 130 of the NPPF 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 134 states

‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.’

4.3.5 In addition to the above Appendix B of the Design SPD sets out clear expectations and guidance in respect to space about dwellings in order to achieve a high standard of amenity.

4.3.6 The layout of a development can also have important role to play in promoting sustainable modes of travel, social inclusion and access to open space and recreational facilities. The specific policies on these issues will be set out below under their respective topic areas.

4.3.7 Having had regard to the above it is considered that the main issues in respect to layout are: -

- (i) Layout, parking and highway safety and capacity within the proposed estate, improving access to public open space and promoting sustainable modes of travel.
- (ii) Layout and standard of amenity of existing and future occupiers in respect of space about dwellings.
- (iii) Layout and impact on nature conservation interests.
- (iv) Layout and impact on drainage.
- (vi) Layout and designing out crime.
- (vii) Layout and the provision of affordable housing.

Layout, Parking and Highway Safety and Capacity within the Proposed Estate.

4.3.8 Paragraph 111 of the NPPF states ‘development should only be prevented or refused on highways 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 112: -

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.

4.3.9 The layout of a development has a role to play in creating healthy communities by encouraging walking through the provision of attractive and accessible environments. In this respect paragraph 92 of the NPPF states: -

‘Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- (a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
- (b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
- (c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

4.3.10 Finally paragraphs 98 go on to state: -

‘Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change’;

whilst paragraph 100 states: -

‘Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.’

4.3.11 As stated previously the access to the site and impacts arising from the quantum of development were considered and approved under the outline consent. Therefore, the only consideration in respect to the determination of this reserved matters application in relation to highway considerations is whether the parking provision and estate roads are adequate in respect to their

intended function and would allow the serving of the estate by refuse vehicle and emergency vehicles; and whether the lay out would promote sustainable modes of travel.

4.3.12 In respect to the layout and traffic and transport considerations it is noted that the accesses would be gained from Pye Green Road via Noble Street and Bishop Street, both of which have been constructed to serve Poppyfields School, the care home, the local service centre and this Phase of residential development, whilst providing vehicular access to the proposed allotments to the west of the application site. In order to demonstrate that the estate roads can accommodate large service vehicles the applicant has submitted 'Refuse Vehicle' and 'Fire Tender Vehicle' Tracking plans. These plans have been forwarded to Highway Authority and it is anticipated that the Highway Authority will accept these plans. Members will be updated at the meeting of Planning Committee on the response from the Highway Authority.

4.3.13 In respect to parking provision guidance is provided in the Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport (2005). This provides guidance for the maximum number of car parking spaces (which is an out dated approach) and states that for dwelling where all parking is provided within the curtilage, including garages there should be

Two and three bedroom dwellings	2 spaces per dwelling
Four and more bedrooms	3 spaces per dwelling
And where there is Communal Parking	
Three bedrooms	2 spaces per dwelling
One and two bedrooms	1.5spaces per dwelling

4.3.14 It is confirmed that the proposal meets the Council's guidance for parking and that the parking provision within the site is considered acceptable.

4.3.15 In respect to the layout and the promotion of sustainable modes of transport it is noted that the layout makes provision for safe pedestrian access to Pye Green Road and to the western and southern boundaries of the site. The comments made by local residents in respect to the pedestrian links to The Limes are noted. However, it is crucial to note that this a reserved matters application and therefore can only make provision for access within the confines of the application site. The pedestrian links to the west across the public open space would be dealt with under separate planning applications, namely CH/21/0426 which is for the delivery of vehicle access to adjacent allotments and dropped kerb crossing and CH/19/304 for the provision of Suitable Accessible Natural Greens Space (SANGS) Phase 2. It is under the provisions

of the latter application where the footpath linking the current application site to the Limes will be considered. However, it can be confirmed that the current application makes provision for those links within the confines of the application site and therefore does not prejudice the delivery of the overall footpath scheme across the wider site.

- 4.3.16 In addition to the above it is noted that the site is immediately adjacent to a school and a local centre (bearing completion) and therefore a variety of local services are within walking distance. Furthermore, there is a bus stop just north of the entrance of the site which is in easy walking distance from all dwellings on the estate, including the affordable units situated in the northern portion of the site.
- 4.3.17 It has been stated that a hole should be cut in the hedgerow in the vicinity of the affordable housing units to allow them quicker access to the bus stop. However, there is pavement along the western side at this point of Pye Green Road and no pedestrian crossing. As such it would in effect be promoting an unsafe route and is not supported by officers.
- 4.3.18 Having had regard to all the above it is considered that subject to no objections being received from the Highway Authority, and subject to any conditions that Highway Authority recommend the proposal would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network would be severe. Furthermore, the proposal would promote sustainable modes of transport and healthy lifestyles and as such would accord with the thrust of Policy CP10 and paragraphs 92, 98, 100, 111 and 112 of the National Planning Policy Framework.

Layout and Standard of Amenity of Existing and Future Occupiers

- 4.3.19 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.
- 4.3.20 Paragraph 130(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.
- 4.3.21 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.

4.3.22 However, the Design Guide recognises that the distances set out are in the nature of guidance and that 'variations to the recommended minimum distance will be considered dependent upon the particular circumstances and type of development'.

4.3.23 In this respect it is noted that the layout in general meets the recommended distances for space about dwellings and outdoor amenity areas, and in some cases exceeds the guidelines. However, there are several instances where the layout does not achieve some part of the space about dwellings guidelines. Of particular note is the relationships between units 42-45 and those opposite at 53-56 which is 19m rather than the 21.3m set out in the Residential Design Guide. Notwithstanding this, the illustrative cross section contained within the Adopted Development Brief (March 2011) indicate that a separation distance of 14m across secondary roads within the site could be acceptable. It is therefore considered that this marginal deficiency in respect to the above units would not result in a poor standard of amenity.

4.3.24 Objections have been raised in respect to the relationship between the dwellings at units 13 at the northern edge of the site and the dwelling at 251 and in particular the level of overlooking. Officers can confirm that the proposed dwellings would be set back 11m from the common boundary with No251 Pye Green Road. This is the standard distance for the length of a rear garden and is considered sufficient in planning terms to protect the amenity of the occupiers of No 251 and to maintain a high standard of residential amenity.

4.3.25 On balance it is considered that the proposal layout, by virtue of the space about dwellings, would provide a good standard of residential amenity for all future and existing occupiers of properties within the site and abutting it. Therefore, having had regard to Policy CP3 of the Local Plan, the NPPF and the Design Guide the layout of the proposal is considered acceptable in this respect.

Layout and Impact on Nature Conservation Interests

Cannock Chase SAC

4.3.26 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. Proposals which would lead to a net increase in dwellings are therefore required to

mitigate their adverse impact on the SAC, which is normally in the form of a payment as part of the Community Infrastructure Levy or if CIL .

4.3.27 As the proposal is CIL liable, the SAC element would be topped slice and as such this would ensure that impacts on the SAC would be adequately mitigated.

Nature Conservation Interest on Site

4.3.28 Policy in respect of impacts on biodiversity is provided by Policy CP12 of the Local Plan and Section 15 of the NPPF.

4.3.29 Policy CP12 states (amongst other things) 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)."

4.3.30 In addition to the above Paragraph 174 of the NPPF states (amongst other things) when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles

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

- (a) 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);
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

4.3.31 In addition to the above paragraph 180 of the NPPF 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 improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gain

4.3.32 In respect to the impact of the proposed development on local nature conservation interests it is noted that currently the site comprises an area of open ground, which was formerly used for agriculture. It does not support any rare or vulnerable habitats and the only feature of interest is the hedgerow along the frontage which where practicable will be retained and brought back under appropriate management. As rough, open ground the site has the potential to support breeding skylark. Indeed, during the officer site visit skylark could be heard singing in the close vicinity but it is not known whether it was attempting to breed on the site. The issue of breeding skylark could be adequately dealt with by way of an informative attached to any permission granted bringing the matter to the applicant's attention and informing them that under the provisions of the 1981 Wildlife and Countryside Act (as amended) the disturbance of breeding birds and the destruction of nests, when occupied, or eggs is an offence.

4.3.33 Although the loss of Skylark habitat cannot be compensated for within the scheme, the proposal does provide an opportunity to enhance the provision of breeding habitat of other species of common British birds. To this end the applicant is proposing 4 No Swift nest boxes, 4 No Starling Nest Boxes and 4 No House sparrow nest boxes. The boundary treatments also have provision for hedgehog access holes to enable this species to move between gardens and forage.

4.3.34 Having had regard to the above it is considered that the proposal, subject to the attached conditions, would be in accordance with Policy CP12 and paragraphs 174 and 180 of the NPPF.

Layout and Impact on Drainage

4.3.35 Drainage is not a reserved matter and was therefore dealt with at outline stage where it was made subject to conditions requiring a scheme to be submitted.

4.3.36 The Local Lead Flood Authority and Severn Trent Water Authority were consulted on this application. Whilst Severn Trent have not responded that the LLFA has requested further information required to discharge the drainage condition before they are willing to comment. However, given that the proposed layout in respect to the provision of POS and roads has not significantly changed from the indicative scheme that informed the outline stage and which enabled the imposition of the drainage condition it is considered that the current layout should not prejudice the delivery of the drainage scheme.

4.3.37 It is therefore considered that the proposal would not compromise the drainage of the site and that it is consequently acceptable in respect to Policy CP16 (1) (g) and (2) (e) of the Local Plan and the NPPF.

Layout and Designing out Crime

4.3.38 Legislation, policy and guidance in respect of crime and the fear of crime is provided by Section 17 of the Crime and Disorder Act 1998, paragraph 92(b) and 130(f) of the NPPF and Policy CP3 of the Local Plan. In this respect the comments made by Staffordshire Police are noted. However, much of the content either reiterates generic policy and guidance, or provides guidance that fall outside of the scope of planning controls (e.g. street lighting which falls under highway controls) rather than assesses details of the proposal that is for consideration.

4.3.39 In respect to footpath design it is noted that the only footpath proposed that does not follow a highway is the one to the front which would be overlooked by the front elevations of the building fronting onto Pye Green Road and which would be straight thus conforming to design guidance. Indeed, the Police have stated that they support the 'intention to promote the footpath link alongside Pye Green Road and the orientation of Dwellings so that they offer immediate natural surveillance from Dwelling frontages. It is also clear looking at the Landscape Plans that views of this footpath from the dwellings would not be obscured by tall dense vegetation. The proposed footpath would also be 3m wide and therefore would allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles). In respect to lighting it is noted that for much of its length the footpath runs parallel

with an estate road that would be adopted by the County Highway Authority and subject to its lighting requirements.

4.3.40 Staffordshire police have advised that

'There are advantages in some road layout patterns over others especially where the pattern frustrates the searching behaviour of the criminal and his need to escape. Whilst it is accepted that through routes will be included within development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings, or by providing too many or unnecessary segregated

Developments that promote intuitive wayfinding and enhance the passive surveillance of the street by residents within their homes and high levels of street activity are desirable as they have both been proven to deter criminal behaviour, but they are no guarantee of lower crime, which evidence proves is achieved primarily through the control and limitation of permeability'.

4.3.41 In the main the proposed development would be in the form of a series of cul-de-sacs which would have good natural surveillance. Where there is a through route for example on Noble Road, this road would be subject to frequent activity with people visiting the school, care home and the local centre, providing a vibrancy and level of activity which would deter criminality and anti-social behaviour.

4.3.42 Comments have been made of the poor design of the affordable housing units and a suggestion has been received that the units should be turned round by 90 degrees to reduce overlooking of No251 and that a footpath should be created through the hedge to enable people to access the bus stop. However, the properties have been aligned in such way to provide an active frontage to the highway so as to provide high degree of natural surveillance. It is also considered inappropriate that the proposal be amended to provide a pedestrian access to Pye Green Road at this point as this would create an easy escape to persons involved in criminality.

4.3.43 In respect to the boundaries the comments made by the police in respect to hinges and locks fall outside of the scope of planning controls. However, it is proper that the height and locations of fencing and walls is given proper consideration. In this respect it is noted that the applicant has indicated that the rear garden of several properties throughout the estate are to be separated by 0.9m high timber post and rail fencing. This is not considered acceptable and that a fence with a minimum height of 0.8m should be erected. This amendment to the design could be controlled through an adequately worded condition attached to any permission granted.

4.3.44 The Police have advised that 'gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed, be the same height as the fence (minimum height 1.8m) and be capable of being locked (operable by key from both sides of the gate). Such gates must be located on or as near to the front of the building line as possible'. The police go on to state that 'Examples of areas that require attention include:

- Between the Dwellings to Plots 3 and 4, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 3. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 10 and 11, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between Plot 14 and the site boundary (providing access to the rear of Plots 14, 15 and 16), where this gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 16 and 17, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 18 and the boundary to the rear of Plot 16, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 18. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling. This gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 19 and 20, where this boundary must be recessed no more than 600mm from the front elevation of the Dwelling to Plot 19. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwellings to Plots 27 and 28, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing

mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.

- Between the Dwellings to Plots 53 and 54, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 65 and the boundary to the rear of Plot 52, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 65. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling.

4.3.45 Officers would report that following discussions with the applicant the location of the gates have been designed so to allow the fitting of meters to their front in accordance with the guidance of the Police. The position of the meters is dictated by the internal arrangement of the dwellings. As such the applicant has conformed to the guidance of the police as far as it is practicable to do so.

4.3.46 Staffordshire Police have stated that 'Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. Trellis topped fencing can be useful in such circumstances' adding 'Particular attention must be paid to side and rear boundaries that are easily accessible from public open space and footpaths. Please consider using trellis topping to bring these boundaries to 2m in height.' Officers can confirm that the Boundary treatment Plan shows fencing and walling of 1.8m high to joint boundaries with the areas of public open space to the west and south of the application site. Whilst the detailing of the fence in respect to materials and construction is considered acceptable it is note that these do not conform to the 2m height requirement recommended by Staffordshire Police. Similarly, the Boundary Treatment Plans often show rear gardens between plots separated by 0.9m high timber and post rail fencing. Offices can report that the comments made by Staffordshire Police have been taken on board such that fences to the public open space are now shown to be at 2.0m height, boundaries between rear gardens are now shown at 1.8m high and gates have been positioned as far as it is practicable to do so to the front elevation of the dwellings.

4.3.47 As to the construction of the gates in terms of hinges and bolt design this detail falls outside of the scope of planning controls. It is therefore recommended that the most appropriate way of dealing with this issue is to bring to the developer's attention the comments of the Police by way of placing an informative on any permission granted.

4.3.48 Staffordshire Police have commented that 'glazing providing unobscured natural surveillance is necessary where a gable is easily accessed (end of

Block etc.), and where adjacent garages, parked vehicles and rear access (gates and boundaries) are not immediately overlooked..... The proposed house types that are of greatest concern are semi-detached and terraced houses with no glazing to the gables. Where privacy requirements allow, these Dwellings should include glazing to either kitchens staircases, hallways or landings. This is necessary to provide natural surveillance over parked vehicles or rear boundary access. The Police response then goes on to mention various examples where additional fenestration is desirable. These are as follows: -

- House Type S04-01, to Plot 6. Where privacy restrictions allow, this Dwelling should include additional glazing to the Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.

Officers would comment that the dining room is to the rear of the property overlooking the private garden. It does not overlook the car parking area which is to the front. To the side of the house there would be a pedestrian access which would be gated. The passageway would be used not only by the occupiers of Plot 6 but also by the occupiers of Plot 7. The insertion of a window to the dining room would allow the occupiers of Plot 7 to look directly into the dining room of Plot 6. Therefore, any additional window in this elevation would not be acceptable on protection of privacy grounds

- House Type TE-01, to Plot 21. Where privacy restrictions allow, this Dwelling should include additional glazing to the Kitchen or Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.

Officers would comment that this dwelling is at the end of a cul-de-sac and the car parking of Plot 21 would be directly overlooked from the properties at Plots 19 and 20. As such there would be sufficient natural surveillance and it is not considered necessary to have a window in the side elevation.

- House Type MAN-01, to Plot 23. Where privacy restrictions allow, this Dwelling should include additional glazing to the Staircase, Landing or Hallway, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of this Plot.

Officers would comment that this dwelling is within a cul-de-sac and the car parking of Plot 23 would be directly overlooked from the property at Plot 17. As such there would be sufficient natural surveillance and it is not considered necessary to have a window in the side elevation.

- House Type TN-01, to Plots 46, 47 and 57. Where privacy restrictions allow, this Dwelling should include additional glazing to the Living Room,

to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of Plots.

Officers would comment that the parking associated with these plots and that of the neighbouring dwellings would allow the neighbours to have clear views into the habitable rooms of those plots should they be fitted with windows in the side elevations. As such any additional windows in these side elevations would not be acceptable on protection of privacy grounds.

4.3.48 In respect to street lighting members are advised that this would be controlled through the street adoption process and therefore be a matter for the Highway Authority to determine.

4.3.49 In conclusion having had regard to the provisions of the Crime and Disorder Act 1998, paragraph 92(b) and 130(f) of the NPPF and Policy CP3 of the Local Plan it is considered that, subject to the attached conditions, the layout of the proposal, on balance, would create a place which is safe and accessible, so that crime and disorder, and the fear of crime, would not undermine the quality of life or community cohesion

Layout and the Provision of Affordable Housing

4.3.50 Affordable housing provision was looked at and incorporated into the section 106 agreement attached to the outline consent. However, it is still pertinent to assess whether the layout of the affordable housing units is acceptable.

4.3.51 The Council's Developer Contributions and Housing Choices Supplementary Planning Document (July 2015) states

'The Council will expect 80% of the 20% affordable housing requirement to be social rented housing and the remaining 20% to be intermediate housing.

The Council will require the following size mix of new affordable housing on each development site, rounded to the nearest whole number of units. The preferred housing mix has been determined by Cannock Chase Council's Housing Management Team and is based on information on the needs of applicants from the Cannock Chase Homes Lettings Data.

1 bed = 10%

2 bed = 60%

3 bed = 25%

4 bed = 5%

The affordable housing provision should be pepper-potted throughout the development and be indistinguishable from the market housing.'

4.3.51 The applicant has submitted a plan showing the proposed distribution of affordable housing which would be located in the north eastern portion of the site (plots 1- 13. The proposed mix is as follows: -

Affordable Housing-Rent

<u>House Type</u>	<u>No. of Beds</u>	<u>No of units</u>
Stationer	1	2
Bookbinder	1	2
Manciple	2	6
Draftsman	3	2
S04	4	1

Affordable Housing-Shared Ownership

<u>House Type</u>	<u>No. of Beds</u>	<u>No of units</u>
Manciple	2	2

4.3.52 The Strategic Housing Officer has confirmed that the 15 affordable units proposed for this site is policy compliant (20%) and the tenure and bed size mix stated is acceptable.

4.3.53 However, the concentration of affordable housing in the north eastern corner of the site is contrary to guidance within the Council's Developer Contributions and Housing Choices Supplementary Planning Document. Notwithstanding this Registered Providers do prefer to have their portfolio in on place rather than spread about an estate. Furthermore, the wider layout around the local service centre and the proximity of the school would allow and promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.

4.3.54 As such the location of the affordable housing units in the north east corner of the site is considered insufficient to warrant refusal of the application.

4.4 Appearance

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

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale, appearance, landscaping and materials;

4.4.2 However, Paragraph 127 of the NPPF states: -

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;

4.4.3 The proposal includes the provision of 74 dwellings which would be of traditional design using a mix of facing brick and render under tiled pitch roofs and with decorative cills and headers to windows and typically 8.5m in height. They would be constructed from Terca Tuscan and Terca Caldera facing brick under Russell Galloway Slate Grey tiles.

4.4.4 In this respect they would be similar to other dwellings that have been constructed to date at the other phases of the development a cross the wider site. In addition, they would lie adjacent to an established area of mid to late C20th housing developments typically found in sub urban areas across the country.

4.4.5 Comments have been received that the housing density of the proposal is too high, the site is irregularly shaped and the development disjointed. However, in respect to density it should be noted that paragraph 4.7.8 of the Adopted Development Brief (March 2011) for the wider site states

'The transitional nature of the site from the more 'urban' existing settlement edges on Pye Green Road and Limepit Lane to the more 'rural' woodland edges to the north and west require a response in the proposed built form. Across the development as a whole, an average indicative residential density of 30 dwellings per hectare is achieved as indicated on the illustrative Masterplan. This area includes a range of densities across the site as stated below and incorporates children's play areas. In essence, higher densities and building heights (up to three storeys maximum for focal buildings and short terraces) will be located around the central mixed use centre and towards the southeast of the development area, avoiding three storey along Pye Green Road and Limepit lane frontages. Higher densities along the main street and around the local centre will also ensure a higher proportion of the residents live within very close walking distance of the communal facilities. Lower densities and building heights (predominantly two

storey detached and semi-detached) will be located towards the western and northern edges of the scheme.'

- 4.4.6 Officers can confirm that the proposed layout and density reflects the aspirations of the Design Brief with the higher density areas fronting onto the main spine road immediately adjacent to the local centre or near to the school in respect to the affordable housing provision. This would help in some small way in reducing the reliance on the private car as a range of facilities and goods and services would be within walking distance.
- 4.4.7 It should also be taken into consideration that the layout of the site is heavily constrained by the presence of fissures that run through site and hence need to be avoided by buildings.
- 4.4.8 In addition it should also be taken into account, that paragraph 119 of the NPPF, states 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' whilst paragraph 124 goes on to state

'Planning policies and decisions should support development that makes efficient use of land, taking into account:

- (a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- (b) local market conditions and viability;
- (c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- (d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
- (e) the importance of securing well-designed, attractive and healthy places.'

- 4.4.9 It is officer opinion that the proposal conforms to the requirements of both the Design and Guide and paragraphs 119 and 124 of the NPPF in promoting efficient use of land by making use of appropriate densities across the site whilst providing a variety of house types and promoting sustainable travel modes that limit future car use
- 4.4.10As such it is considered that the proposal by virtue of the appearance of the dwellings, including design and materials and the density of the layout would be well-related to existing buildings in the wider area and as such would be in

accordance with Policy CP3 of the Local Plan and the design section of the NPPF.

4.5 Scale

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

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

4.5.2 Having had regard to the above it is noted that the scale of the development in respect to the number of dwellings (74 dwellings) was accepted at the outline stage. The only other matter in respect to scale is the size of the proposed dwellings. There are a range of dwelling types on the Site, ranging from 2 bed flats to 4 bedroom houses. These are standard house types that are found on a variety of developments built out by volume house-builders.

4.5.3 Officers can confirm that these heights are fairly standard in nature and reflect the range of house types typically found within the wider area, which also incorporates flats and large sized modern commercial units. As such it is considered that the scale of the proposed dwellings would be well-related to existing buildings and their surroundings and therefore in accordance with Policy CP3 and the NPPF.

4.6 Landscaping

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

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

4.6.2 The applicant has submitted detailed landscaping plans which have been reviewed by the Landscape officer and commented upon by members of the public.

4.6.3 Turning to the issues raised Officers can confirm that the services (gas, water etc) to the dwellings could be controlled through the use of an adequately

worded condition. This would ensure that they would not significantly conflict with the landscaping of the site.

- 4.6.4 In respect to the layout not contributing to the forming of an entrance way/ welcoming feature to the development area including the estate, school, care home or open space area it should be taken into consideration that the entrance already exists and is built out. With the local service centre nearing completion. The entrance is considered acceptable as proposed and the lack of further embellishment would not be of sufficient reason to warrant refusal.
- 4.6.5 As to the long strip of frontage parking on Bishops Street and Units 1-13 creating a very hard and poor visual appearance it has also to be taken into account that the higher density at this location was envisaged in the Design Brief. Furthermore, it is a feature that can be found throughout the wider development. As such any perceived harm to visual amenity is outweighed by the need to make efficient use of land and to promote accessibility and reduce the reliance on the private car.
- 4.6.6 As to large area of 'white' land identified on the site layout plan, to the SW of the residential area that has not been included within the SANGS [Sustainable Alternative Natural Green Space] Phase 1 approved scheme it is considered that the management of this site could be adequately dealt with by its inclusion in a maintenance and management schedule, which would then be maintained by a management company. This would not preclude its incorporation into the wider SANGS site if that is required.
- 4.6.7 Revised plans have been submitted that show the provision of a 1m high metal estate fencing painted black to separate the footpath running along the sites eastern edge and the private access drive to Plots 71-73. Furthermore, revised plans have been submitted showing timber close boarded fencing to the boundaries at plots 2-13, 14-18-20, 21-23, 28-30, 66-69, 73.
- 4.6.8 Revised plans show that the boundary to the allotment site would be separate and secure from the latter.
- 4.6.9 The issue of party boundaries areas of adoptable open space or the allotments would be a private civil matter. However, the revised plans indicate that any such fence erected proposed would be on land owned by the applicant and presumably transferred with the title deeds to any new owner.
- 4.6.10 Although the allotment layout may be subject to major revision this is on land outside of the application site and subject to separate planning obligations attached to the outline permission for the wider site.

4.6.11 The applicant has confirmed that the materials for the paving and car parking areas would be as follows: -

Private Car parking & non-adoptable roads: Asphalt or similar road surface;
Colour Grey

Private Car parking & non-adoptable roads: Permeable block paving laid herringbone pattern; Colour red Brindle (where shown on drawing roads to front 62 – 69; 48 – 52; 18 – 24 & 14 – 17)

Footpaths within plots : 600 x 600 mm paving flags,
Colour Grey

These details are considered acceptable.

4.6.12 Details as to how trees would be planted, including aeration or irrigation pipes or securing methods and subsequent establishment, management & maintenance and a management plan to cover all areas of public open space and or communal areas can be controlled by condition.

4.6.13 Officers consider that tree planting in rear gardens is a matter of personal choice for the respective owner and should not be imposed on future owners.

4.6.14 The owner of 251 Pye Green Road has objected to the planning of two trees along the northern boundary of the site represented by shaded circles on the submitted plans, as he considers that they will affect light to his garden. However, on inspection of the Landscape Plan it does not appear that the shaded circles represent trees to be planted. The applicant has confirmed that the circles have resulted from the topographical survey and represent existing trees that would be retained. For the purposes of clarity, it is considered necessary to attach a condition stating that no tree planting should take place along the northern boundary of Plots 1-13. This would remedy the issue.

4.6.15 Having had regard to the above it is considered that subject to the attached conditions the proposed landscaping scheme is acceptable and in conformity with Policy CP3 of the Local Plan.

4.7 Other Issues Raised by Objectors

4.7.1 The majority of issues raised by objectors have been dealt with in the main body of the officer report. However, the following issues have not and will be dealt with here

4.7.2 The owner of 251 Pye Green Road has stated that the red line boundary includes land within his ownership and that he would not allow encroachment. This matter has been raised by officers with the applicant who has clarified that

they have reviewed their proposals against the boundaries of both the outline permission and the Title for the land acquired from St Modwen and they can confirm that their proposals are wholly within these boundaries and do not encroach onto any 3rd party land. Officers can also confirm that it is not for a local planning authority to adjudicate in matter of land ownership.

5.0 Human Rights Act 1998 and Equality Act 2010

Human Rights Act 1998

- 5.1 The proposals set out in this report are 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.

Equality 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 Equality Act.

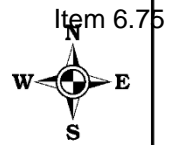
6.0 Conclusion

- 6.1 The principle of up to 78 dwellings on this site, as well as the means of access, was determined to be acceptable on the granting of the outline planning permission. This current application is only for the determination of the reserved matters namely, the layout, appearance, scale and landscape of the proposal. Only considerations related to these reserved matters should be taken into account.

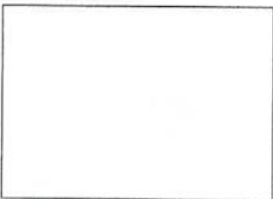
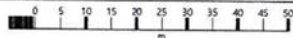
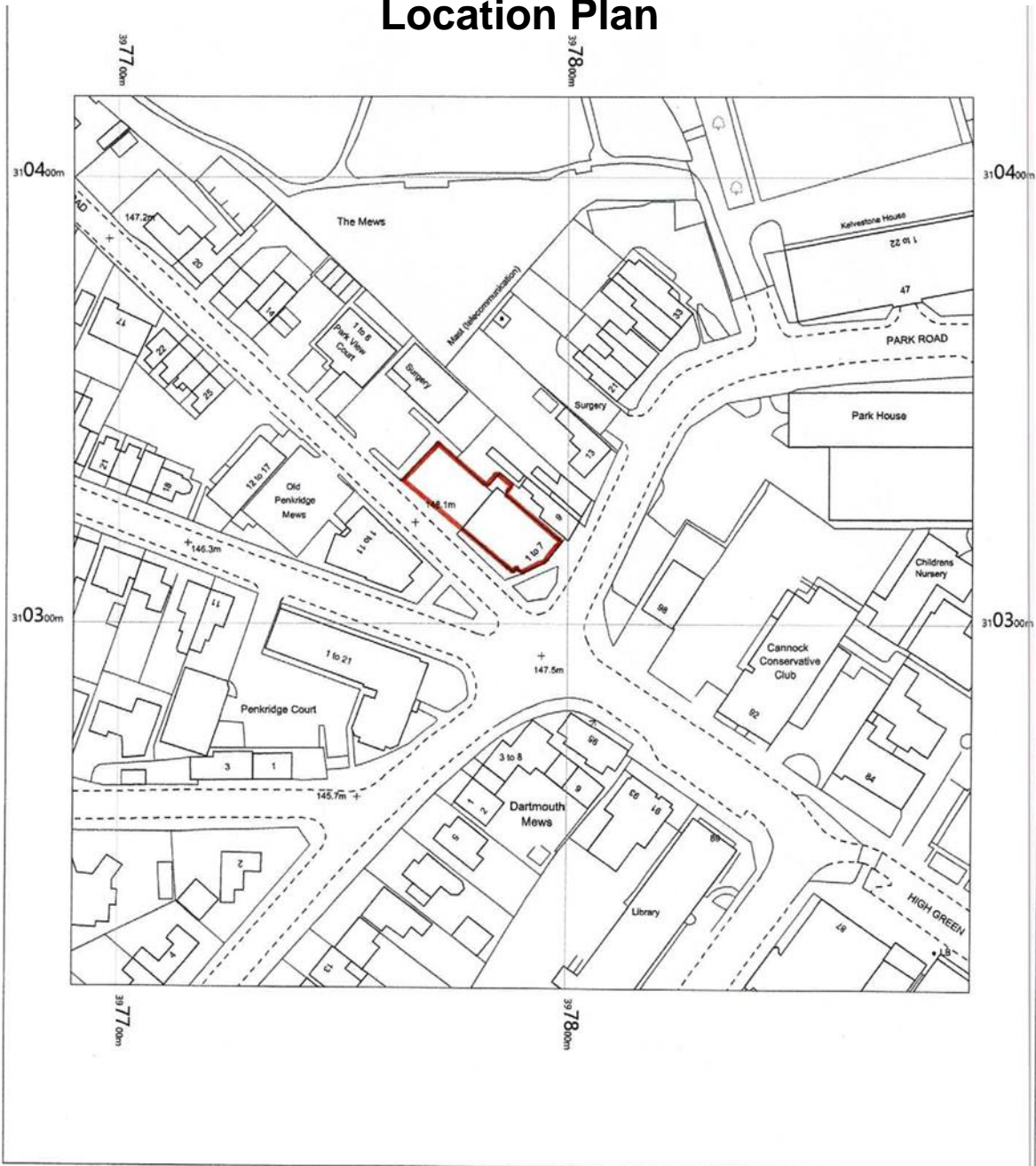
- 6.2 Issues in respect of the quantum of development, wider traffic issues, educations etc. were dealt with at the outline stage. Issues about the connectivity of the site to the Limes is subject to another planning application.
- 6.3 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions, the proposal is considered, on balance, to be acceptable.
- 6.4 The proposal would deliver 20% affordable housing which is subject to the provisions set out in the section 106 agreement attached to the outline consent and is considered acceptable at this stage.
- 6.5 Impacts on the Cannock Chase SAC would be mitigated through top slicing the CIL contribution.
- 6.6 As such it is concluded that any adverse impact of granting planning permission would be significantly and demonstrably outweighed the benefits of the proposal, when assessed against the policies in the National Planning Policy Framework, taken as whole.
- 6.7 It is therefore recommended that the application be approved subject to the attached conditions.



Application No: CH/22/0078
Location: 1-7, Park Road, Cannock, WS11 1JN
Proposal: Installation of external air conditioning units
(re-submission of CH/21/0407)



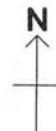
Location Plan



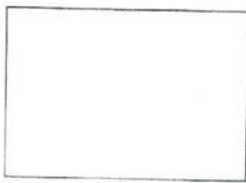
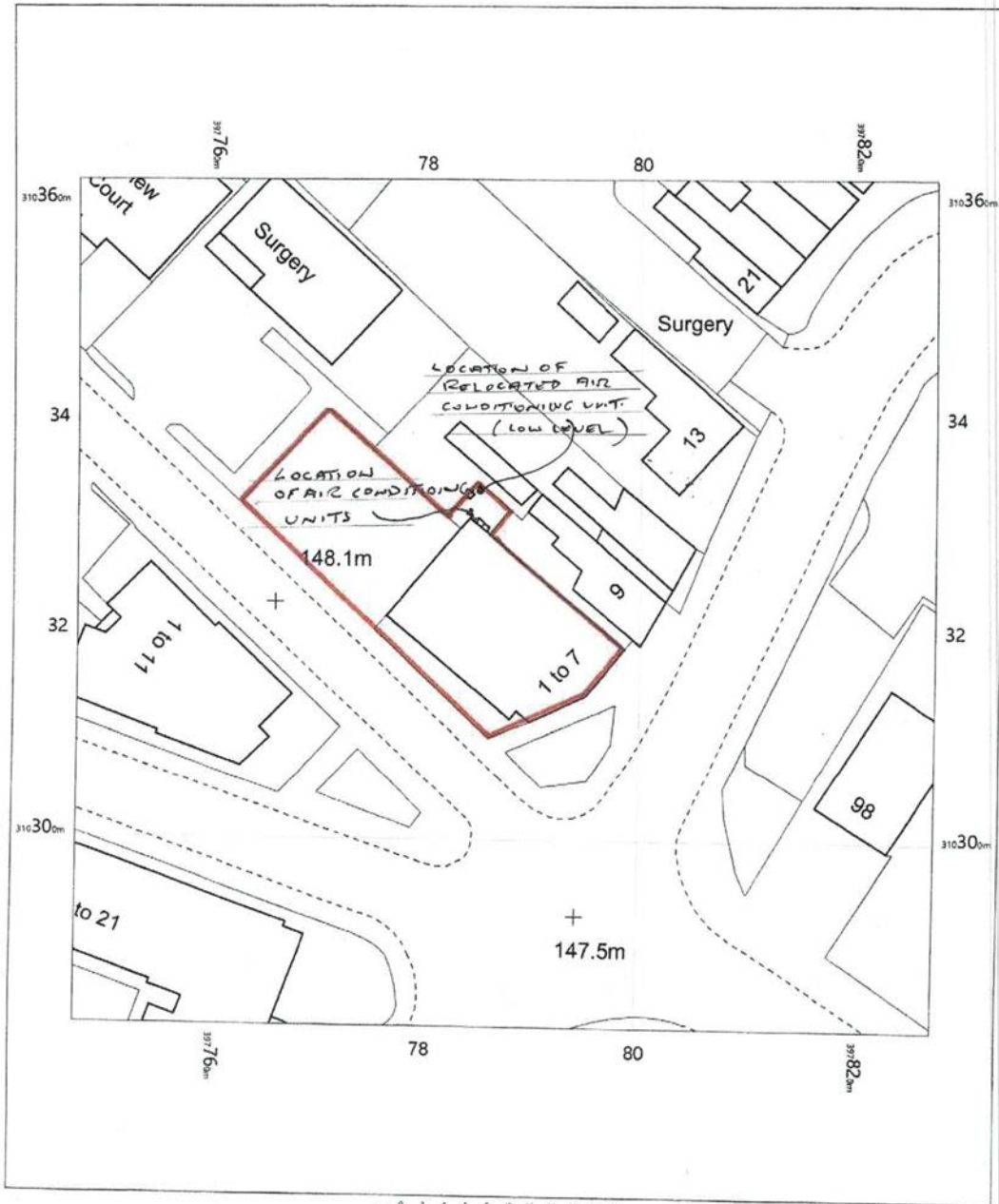
OS MasterMap 1250/2500/10000 scale
Thursday, September 23, 2021, ID: CM-00992247
www.centremapslive.co.uk

1:1250 scale print at A4, Centre: 397790 E, 310318 N

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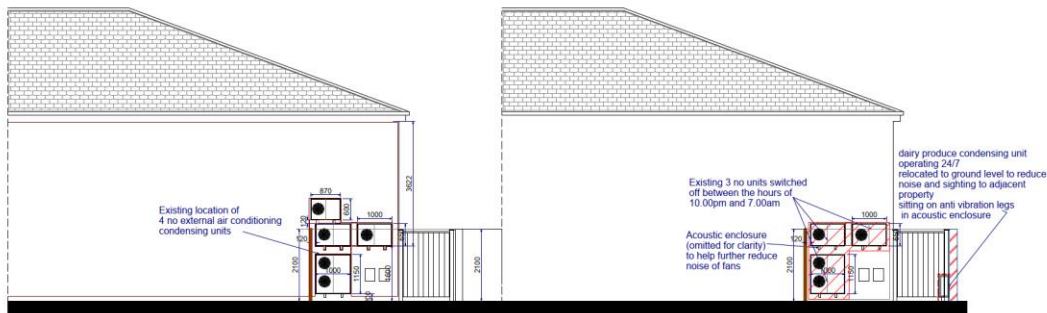
Block Plan



OS MasterMap 1250/2500/10000 scale
Monday, September 27, 2021, ID: CM-00992851
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1:500 scale print at A4, Centre: 397788 E, 310322 N
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Plans and Elevations



Part Existing Side Elevation

Proposed Side Elevation

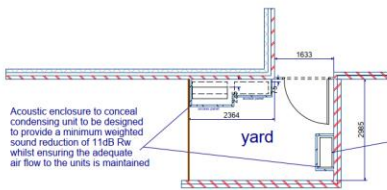
Notes



Example of acoustic enclosure for air conditioning condensing units



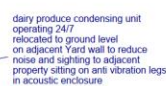
Site photographs of existing Air conditioning units and relationship to adjacent building



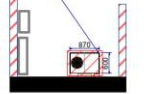
Existing yard area showing amended location of air conditioning units condensers and acoustic housing



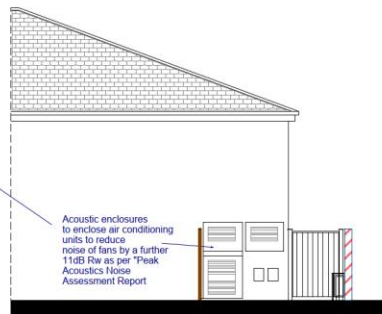
Yard wall elevation showing relocated condensing unit enclosed by acoustic unit



dairy produce condensing unit operating 24/7 relocated to ground level on adjacent Yard wall to reduce noise and sightling to adjacent property sitting on anti vibration legs in acoustic enclosure



Yard wall elevation showing relocated condensing unit



Proposed Side Elevation



Project
Existing and Proposed Elevations
(air conditioning units)

Londis
1-7 Park Road
Cannock
WS11 1JN

Client
Haran Retail Ltd

Drawing No.
DPM838/01 rev B

Date April 2022 Scale 1:100

Page Size - A3



Contact Officer: Samuel Everton

Telephone No: 01543 464514

Planning Control Committee

11th May 2022

Application No: CH/22/0078

Received: 28-Feb-2022

Location: 1-7, Park Road, Cannock, WS11 1JN

Parish: None.

Description: Installation of external air conditioning units (re-submission of CH/21/0407)

Application Type: Full Planning Application

RECOMMENDATION:

Approve Subject to Conditions

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and 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. The development hereby permitted shall be carried in accordance with the following approved plans:

Location Plan
Block Plan
Drawing No. DPM838/01 Rev B

Reason

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

3. Within 21 days of the date of this permission the acoustic enclosures shall be erected around the Air Conditioning Condenser Units. The acoustic enclosures shall thereafter be retained for the lifetime of the permission

Reason

To enable the mitigation measures set out in the submitted Noise Survey Report to be carried out and to ensure that they have achieved the desired reduction in sound levels generated from the Units. This is so as to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - 'Chase Shaping, Design' and the NPPF.

4. This permission shall expire on 6th October 2022. On, or before, that date the Air Conditioning Condenser Units shall be removed unless otherwise agreed in writing by the Local Planning Authority*.

Reason

To enable the mitigation measures set out in the submitted Noise Survey Report be carried out and to ensure that they have achieved the desired reduction in sound levels generated from the Units. This is so as to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping, Design and the NPPF.

5. The 3 No. Air Conditioning Condenser Units on the northern elevation of the building as shown on the approved plans shall not operate outside of the hours between 7.00am and 10.00pm on any day.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - 'Chase Shaping, Design' and the NPPF.

Notes to the Developer

* A new application for planning permission to the Council will be required for the installation of the Air Conditioning Units hereby approved beyond this period. The applicant is therefore advised to use this period to undertake robust surveying of the noise generated by the units and the mitigating impact of the acoustic enclosure

Update

This case was reported to Planning Control Committee on 6th April 2022 when it was resolved: -:

(A) That the application be deferred to enable the applicant to submit a proposal for the design and fitting of the acoustic enclosures and to demonstrate that the mitigation measures would be possible and could be achieved within the suggested timescales.

(B) That the application be brought back to the Planning Control Committee on 11 May 2022 and, if the applicant had not submitted the scheme and timeframe, the application would be determined on its merits.

The applicant has submitted a scheme which is shown in the drawing accompanying the agenda pack (Drawing Ref No. DPM838/01 Rev B) and will be shown at the meeting.

The applicant's agent has also stated in an email to officer's: -

'The anticipated time scale for the acoustic units to be installed approx. 6 weeks (subject to manufacturer's confirmation) from order confirmed following receipt of planning approval'.

Representations Received

Two letters of representation and one follow up letter have been received raising the following comments: -

1. Thank you for your email and I confirm I will be commenting on the amended plans before 28 April 2022.

However, I refer you to section A of your email below, which requires the applicant to submit 'a proposal for the design and fitting of the acoustic enclosures to demonstrate that the mitigation measures would be possible'.

(A) That the application be deferred to enable the applicant to submit a proposal for the design and fitting of the acoustic enclosures and to

demonstrate that the mitigation measures would be possible and could be achieved within the suggested timescales.

I am requesting that the precise specifications of the acoustic enclosures, are provided as Were required by the Planning Committee on 6 April 2022. Without the actual measurements it is not possible for me (or the planning committee) to make an informed judgement whether the acoustic enclosures will fit around the units which currently are located right up to my boundary with no spare capacity. A photo of what they 'could' look like is irrelevant without the specifications.

Therefore, I reserve the right to comment further when you have provided me with relevant information.

2. Having studied the amended plan for the above application I continue to object for the following reasons.

The application was deferred by the planning committee on 6 April 2022.

One of the reasons for deferment (section A below) specifically requested that a proposal be submitted for detailed design and fitting of the acoustic enclosures.

'That the application be deferred to enable the applicant to submit a proposal for the design and fitting of the acoustic enclosures and to demonstrate that the mitigation measures would be possible and could be achieved within the suggested timescale'.

The amended plan does not provide any specifications or measurements in relation to the proximity of the acoustic enclosures to the boundary fence manufacturers typically specify one metre. The air conditioning units are already in very close proximity (almost touching) to the boundary fence and it is impossible to ascertain whether there is sufficient space for an acoustic enclosure on the information provided. Who is the manufacturer and where are the manufacturers specifications? It is my understanding that provision must be made for air to circulate around the units. How can this be achieved when the units are already almost touching the fence.

The photo provided is not of the actual proposed unit, merely 'something like this' In reality it could be a completely different design and totally unsuitable for the location. For example in the 'photo' there are ventilation louvres on the sides, one of the units will be raised above the fence, it is inevitable that circulating air will bellow out to the patio below.

Pollution Control Officer

The Pollution Officer report is dated 11 March 2022 and refers to the units operating with the hours of 0700 to 2200. The amended plan does not refer to the time constraint on the hours of operation as stated in the previous application.

Alternative Site.

Whilst noting the comments of Planning Officers that the current application is the one being considered, at the last planning meeting the applicant stated with emphasis that the business cannot operate without air conditioning. In view of his comments, I believe that the availability of an alternative site is a valid planning point in this case. Londis are a major company with many outlets and it is most unfortunate that they were not aware planning permission was required for air-conditioning units. That is the responsibility of the management of Londis not mine or my tenant. The Acoustic report states that the units could be re-located at the rear of the shop. The applicant in a statement to the Planning Officer states.

1. 'Relocating to the back wall will result in them in them being immediately below on of the flats above the retail unit - this will breach the Councils Policy'
2. 'Re-locating the units to the back will also result in them being near the block of flats across the road with immediate complaints likely from all the residents in these flats'
3. ' A trellis can be fitted above the dividing fence between our property and 9 park Road , thereby no visibility of the units from the adjacent property'.

In response I make the following comments,

I cannot find this County policy but if it exists then the units are directly below my flat what is the difference? What is the policy the applicant is referring to because if it applies to his property then it also applies to mine. The flats across the road are approximately 40 yards away, the current location of the units is inches away from my tenants amenity space and a few yards from the flat. If the units will disturb residents over 40 yards away how can he justify the units being inches away from my property.

My flat has an amenity space which is much enjoyed by the tenants, any additional height to the fence would block the sunlight to the patio area and is not an option. Furthermore currently the ground floor of my premises is a retail unit, but in the future I may wish to convert this property into living accommodation (which would be consistent with government policy). The units will be directly adjacent to my property and will prejudice any future use.

In conclusion the applicant does not wish to risk disturbing his own tenants or the residents across the road but is quite happy to encroach upon the lifestyle and wellbeing of my current and future tenants. Most companies would have gone to planning before they agreed to lease the property, it is their responsibility to find an acceptable alternative not mine. These plans were refused earlier this year, they were re-submitted with only minimal alterations. My property is not there to facilitate Londis, they have perfectly acceptable alternative to re-locate them on the large car park at the rear as suggested by the Pollution Control Officer, Drawing Number DPM838/01 February 2022.

3. I understand a planning application is being considered for the installation of air conditioning units in an area previously used for the storage of refuse for the shop premises which has flats above.

As a lifelong resident of Old Penkridge Road I remember very well when the plans were approved for the chemist's shop which was built on the garden of the adjacent house. Conditions were placed on the application to protect the amenity of local residents.

I understand that the area currently used for the storage of refuse [sic] etc. has been appropriated to accommodate air conditioning units.

I walk by this shop on a daily basis and quite frankly I am dismayed at the removal of the landscaping the shrubs etc. which were part of the conditions for the original planning consent (which had remained there until Londis took over the premises). Instead of shrubs we now have a mess (see photo) with cages full of cardboard, a large commercial bin and other items. I presume this is the result of the rubbish area being used for other purposes. If the designated bin area is not to be exclusively used for the waste (both commercial and domestic) where is the rubbish going to be stored and why has this not been included in the application and alternative arrangements proposed? This is a residential area, and the storing of rubbish in full view of the public does not comply with Section 130 of NPPF.

I have looked up the conditions placed on the original development in 1989 CH/89/0284. One condition states that "no part of the development hereby approved shall be commenced until a scheme of planting, landscaping and surface treatment for the site has been submitted to and approved by the Local Planning Authority. The scheme shall indicate the number position height of all trees, hedges and shrubs to be planted together with those existing which are to retained and/or removed if appropriate and the surface treatment e.g. seeding, turfing, paving of any unplanted areas. The positions heights of any materials used for any fencing or walls to be erected shall also be described".

Has Londis applied to the Planning Department to have the conditions amended, and although I know loading and unloading is not part of this

application how about the condition that the development should provide loading and unloading facilities. Because currently residents are subjected to a pantechon parking on the pavement unloading on double yellow lines directly on a busy five way mini roundabout. I am including this comment so it can be recorded.

I am enclosing the conditions which were placed on this development, a supermarket has very different requirements to a chemist shop, in respect of waste, loading and unloading. How was it possible to open a supermarket without the conditions being amended to reflect their requirements?

The officer report for the meeting held on 6th April 2022 section 4.7.4 below

‘4.7.4 In response to the neighbour’s comments regarding the displacement of waste bins, officers would advise that the yard area with the proposed AC Units would retain sufficient proportions to house several waste bins. Moreover, there is no requirement in the previous permissions relating to the application property for this area to be retained as waste bin storage’.

Are the Local Planning Authority seriously saying a supermarket which has large amounts of waste is not required to provide details of the storage and disposal of its waste and it ok to just store it on previously landscaped ground in full view of local residents?

Please take my objection into consideration.

Assessment

A copy of the original report to Planning Committee is attached at Appendix 1 of this report. The Officer Update read out to committee on the 6th April is also attached at Appendix 2 of this report.

Whilst the officer recommendation still stands, it is for Planning Control Committee to determine whether the applicant has supplied sufficient, clear and concise information to satisfy the concerns raised by the Committee at the meeting held on 6th April 2022.

Officer’s Response to Additional Comments Raised by Neighbours

In response to comments regarding the specifications and measurements of the proposed acoustic enclosures and the proximity to the boundary fence, officers would advise that the drawings are to scale and therefore measurements can be taken from the drawings.

In response to comments regarding the hours of operation, these are still shown on the proposed elevation drawings on and are also recommended as a condition should permission be granted.

In response to comments regarding a breach of Council policy if the units were moved to the rear. Officers would advise that the application can only be considered on its merits for its proposed siting as shown in the application. It is not clear what policy exactly is being referred to, however, officers would add that the siting of the proposed unit has been assessed against relevant planning policy and other relevant material considerations and has been considered acceptable for the reasons set out in the report below.

In response to comments regarding the proposed units prejudicing any future use of the neighbours ground floor unit should they wish to convert it; officers would advise that the application can only be assessed on the situation as it stands at present and cannot take into account any hypothetical development / land use that may or may not occur in the future.

In response to the neighbour's comments regarding the landscape condition placed on planning permission No. CH/89/0284 and the storing of bins/refuse on the site. Officers would advise that the landscape condition referred to does allow for the removal of landscaping if appropriate. Indeed, whilst the loss of any landscaping and the storage of any bins on the open grassed area would be unfortunate, there is actually no requirement on this permission for the applicant to store bins in the yard area and therefore no means for the Council to be able to enforce this.

In regard to the comments for the Council to require a loading/unloading condition on this application, officers would advise that this application for the AC units only and not for the land use of the shop itself. Officers would add that a chemist and a shop both fall under the same use classification - Class E, and therefore the change between the two business operations does not constitute a material change of use that would require planning permission. This would be why there are no conditions in place or another Council planning permission which relate specifically to the operation of the shop.

Conclusion

Whilst the officer recommendation is not altered in the light of the above it is for Planning Control Committee to determine whether the applicant has supplied sufficient, clear and concise information to satisfy the concerns raised by the Committee at the meeting held on 6th April 2022.

Appendix 1:

Report to Planning Committee dated 6th April 2022

Contact Officer: Samuel Everton

Telephone No: 4514

Planning Control Committee

6th April 2022

Application No: CH/22/0078

Received: 28-Feb-2022

Location: 1-7, Park Road, Cannock, WS11 1JN

Parish: None.

Description: Installation of external air conditioning units (re-submission of CH/21/0407)

Application Type: Full Planning Application

RECOMMENDATION:

Approve Subject to Conditions

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and 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 The development hereby permitted shall be carried in accordance with the following approved plans:

Location Plan
Block Plan
Drawing No. DPM838/01 Rev A

Reason

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

3. Within 21 days of the date of this permission the acoustic enclosures shall be erected around the Air Conditioning Condenser Units. The acoustic enclosures shall thereafter be retained for the lifetime of the permission

Reason

To enable the mitigation measures set out in the submitted Noise Survey Report to be carried out and to ensure that they have achieved the desired reduction in sound levels generated from the Units. This is so as to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - 'Chase Shaping, Design' and the NPPF.

4. This permission shall expire on 6th October 2022. On, or before, that date the Air Conditioning Condenser Units shall be removed unless otherwise agreed in writing by the Local Planning Authority*.

Reason

To enable the mitigation measures set out in the submitted Noise Survey Report be carried out and to ensure that they have achieved the desired reduction in sound levels generated from the Units. This is so as to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping, Design and the NPPF.

5. The 3 No. Air Conditioning Condenser Units on the northern elevation of the building as shown on the approved plans shall not operate outside of the hours between 7.00am and 10.00pm on any day.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - 'Chase Shaping, Design' and the NPPF.

Notes to the Developer

* A new application for planning permission to the Council will be required for the installation of the Air Conditioning Units hereby approved beyond this period. The applicant is therefore advised to use this period to undertake robust surveying of the noise generated by the units and the mitigating impact of the acoustic enclosure.

Consultations and Publicity

Internal Consultations

Environmental Health

Thank you for referring this matter for consideration. No adverse comments are offered in principle. The proposal describes measures to mitigate against the modelled noise impact of existing air conditioning units on local residential receptors. The measures include:

- Relocation of the dairy unit to a ground level location in the courtyard, and provision of acoustic enclosure (11dB Rw). This was described as an alternative mitigation measure in the accompanying noise assessment (if the unit could not be relocated to the rear of the building). Never-the-less, the modelled noise impact is predicted to be NOEL - No Observed Effect Level, and therefore acceptable.

- The three remaining a/c units to be provided with an acoustic enclosure and operated within the hours 0700 to 2200.

External Consultations

None.

Response to Publicity

The application has been advertised by site notice and neighbour letter. One email has been received from a neighbour in objection to the proposal and raises the following concerns: -

- Questions the validity of re-submitting almost identical plans which were refused by the Planning Committee, and why this is being allowed to proceed rather than go through the appeal process

- The relocation of one unit does not adequately address the reasons for refusal, which specifically stated that the noise cannot be mitigated through the fitting of an acoustic enclosure. The remaining units remain in situ directly adjacent to the neighbours boundary, which is next to an amenity space for the occupants of the residential flat. The units are located in the worst possible location, i.e. the brick enclosure directs and reflects sound through a thin fence towards 9 and 9A Park Road.
- Constant noise adjacent to an amenity space during the summer months will affect the quality of life of the residents of the flat by preventing them from quiet enjoyment of their outside space.
- The proposal to turn off the units between the hours of 10pm and 7am, is an acknowledgement that the units will still cause noise and disturbance, yet no consideration has been given to the adjoining amenity space
- The Environmental Health Officers comments are inconsistent with the previous comments made for CH/21/0407 which do not recommend a further Noise Assessment following installation to ensure that the acoustic barriers have worked
- The dimensions and design of the acoustic enclosures have not been provided, therefore it has not been adequately demonstrated how an acoustic enclosure can be installed in the limited space surrounding the units or how effective they will be.
- The one unit to be relocated is stated to be constructed on an anti-vibration mount, yet no mention is made of anti-vibration mounts for the remaining double and two single units (which was recommended in the noise assessment)
- Questions why they are not being located on the rear car park, in a well screened purpose built acoustic enclosure.
- The waste bins will be displaced from the existing designated bin area, which will add to the already unsightly paper and cardboard waste which can be seen by residents of Old Penkridge Road on daily basis

Relevant Planning History

CH/21/0407

Installation of external air conditioning units (retrospective application). Refused 23/02/2022 for the following reasons:

1. The external air conditioning units, by virtue of their stark utilitarian design, their height on the building and their proximity to the boundary with the adjoining property at 9 and 9A Park Road, which contains a residential flat at first floor and its associated outdoor amenity area to the rear, constitute an unsightly and overpowering addition which detracts from the visual amenity of the immediate

area to the detriment of the amenity of the occupiers of that flat contrary to Policy CP3 of the Cannock Chase Local Plan and paragraphs 130(a),(b)and(f) of the National Planning Policy Framework.

2. The external air conditioning units by virtue of the noise that they generate detract from the residential amenity of the occupiers of the residential flat at 9A Park Road contrary to Policy CP3 of the Cannock Chase Local Plan and paragraphs 130(f) and 185 of the National Planning Policy Framework. Furthermore, whilst it may be possible to mitigate this noise by the fitting of an acoustic enclosure around the units, this would add to the overall bulk of the units and therefore further exacerbate the existing harm to visual amenity identified above. As such it is considered that the harm by virtue of noise cannot be satisfactorily mitigated through the fitting of an acoustic enclosure.

1 Site and Surroundings

- 1.1 The application site comprises a two-storey building and associated car park and yard area, used as a 'Londis' shop located on the corner of Park Road and Old Penkridge Road.
- 1.2 The application building comprises a brick construction with a hipped roof, and features recently installed signage on its east, south and western elevations in connection with the shop. There is an existing 2.1m brick wall on the northern boundary of the site and enclosing the yard area.
- 1.5 The application site is located within the Cannock Town Centre boundary, with the area comprised of a mix of retail and other commercial uses associated with the town centre as well as residential uses including two storey dwellings and apartments. To the northeast of the site there is a two-storey building divided into a beauty and massage clinic at ground floor level with a flat at first floor level at No's. 9 and 9A, with the rear area used as a patio for the flat. There is also a dwelling at No. 11 and a row of two storey dwellings further along Park Road and to the northwest there is a doctor's surgery.
- 1.6 The site is also located within a Mineral Conservation Area and a Coal Mining Low Risk area.

2 Proposal

- 2.1 The application seeks retrospective planning permission for the installation of 3 No. Air Conditioning (AC) Units on the northern elevation of the building and relocation of 1 No. unit to the ground within the enclosed yard area (4 No. Units in total).

- 2.2 The AC units comprise a typical design, with the highest unit measuring 2.2m above ground level at its highest point.
- 2.3 The application proposes the use of an acoustic enclosure on the units to reduce the sound level generated when the units are operational.
- 2.4 The application also proposes three of the existing units on the northern elevation to be switched off between the hours of 10.00pm to 7.00am. The unit relocated to the ground would however operate 24 hours a day.

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

Relevant policies within the minerals plan include: -

Policy 3 - Safeguarding Minerals of Local and National Importance and Important Infrastructure

3.3 National Planning Policy Framework

- 3.4 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.
- 3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.6 Relevant paragraphs within the NPPF include paragraphs: -

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
126, 130, 132, 134:	Achieving Well-Designed Places
218, 219:	Implementation

3.7 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

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

Manual for Streets.

4 Determining Issues

4.1 The determining issues for the proposed development include:-

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

4.2 Principle of the Development

4.2.1 The AC units are located on the side of an existing retail premises in connection with the retail land use. As such the development is considered acceptable in principle subject to the considerations outlined below.

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

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

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

biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132 and 134. Paragraph 126 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 130 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 134 states planning permission should be refused for development that is not well designed, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. 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. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an

area, so long as they fit in with the overall form and layout of their surroundings.

- 4.3.5 The AC units are of a typical utilitarian design, comprising a grey metallic box structure with associated black wiring visible against the brickwork. Indeed, the reasons for refusal of the previous application are noted, wherein the Council viewed that the height of the units on the building and proximity to No. 9A Park Road and its amenity area would constitute an unsightly and overpowering addition. However, the unit which is most visible over the neighbours fence is proposed to be relocated to ground level. Therefore, leaving only the very tops of the units visible from the neighbours rear amenity area, even with the additional bulk created by the acoustic enclosures. Thus, greatly reducing the overpowering impact they have at present.
- 4.3.6 Moreover, whilst it is accepted that the units would not present an aesthetically pleasing addition to the host building given their stark and utilitarian design, the units are in an enclosed area and not readily visible from the wider street scene. As such, any impact on visual amenity would be minimal and therefore the proposal would not, on balance, significantly harm the character as viewed from of the wider area.
- 4.3.7 Therefore, having had regard to Policy CP3 of the Local Plan and the above-mentioned paragraphs of the NPPF it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

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 130(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 The material considerations in this case are the potential for noise and disturbance to neighbours.
- 4.4.4 The AC units are located in close proximity to the flat at No. 9A Park Road, which given its residential use would be susceptible to any significant degree of noise generated by the proposed air conditioning units. The rear windows of

the flat would be within 10m of the AC units and the rear amenity space would be directly adjacent to the units. As such, the application is supported by a Noise Survey Report, which found that the units would generate 11dB above the night-time background sound level, therefore indicating a potential for a significant adverse impact on neighbours at No's. 9-11 Park Road. Therefore, the Report makes two recommendations to mitigate this impact, either move the unit to the rear elevation of the shop or house the condenser units within an acoustic enclosure. The application presented proposes to keep the units within the yard area and house the units within acoustic enclosures.

- 4.4.5 As such, the Report details that the condenser units would need to be housed within acoustic enclosures that achieve a minimum weighted sound reduction of 11dB, so as to reduce the noise levels generated to below the night-time background sound level. According to the findings of the Report, this would then achieve a no observed effect to the nearest noise receptors such as the first floor flat at No. 9A Park Road. The Council's Environmental Health Officer was consulted on the proposal and has not raised any objections to the proposal given the findings of the report. Therefore, based on the information provided it is clear that the noise generated by the units could be reduced to an acceptable level following the installation of the proposed acoustic enclosures.
- 4.4.6 Notwithstanding this, given that the application is partly retrospective and the comments received from neighbours, it is recommended that a temporary permission be granted for 6 months so as to enable the applicant to install the acoustic enclosures and carry out further acoustic testing to confirm that the enclosures have achieved the desired reduction in noise generation. After this period, the permission would expire, and the applicant would need to reapply and support the application with a new noise report outlining the findings of the testing. If it is found that the mitigation measures have not achieved the desired results after this period, the Council would be able to require their removal or to investigate whether there are other options available to resolve the issue.
- 4.4.7 Finally, to further ensure the protection of neighbour's amenity, it is also recommended that a condition be attached on the decision notice should the Council be minded to grant permission to restrict the hours of operation of the 3 No. units on the northern elevation to between 7.00am and 10.00pm as proposed by the applicant.
- 4.4.8 Therefore, having had regard to paragraph 185 of the NPPF, Policy CP3 of the Cannock Chase Local Plan it is considered appropriate in this instance to grant a temporary permission to allow the applicant the opportunity to mitigate potential noise issues and to assess the efficacy of those measures.

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 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.

4.5.2 The AC units do not alter any access arrangements or visibility splays and therefore would not have any significant adverse impact on highways safety and would be in accordance with Paragraph 111 of the NPPF.

4.6 Mineral Safeguarding

4.6.1 Part of the site falls within a Mineral Safeguarding Area (MSAs) for Superficial Sand and Gravel and Coal Fireclay. Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 Policy 3.2 of the 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.

4.6.3 The development would fall under Item 2 within the exemption list as an application development to an existing building and is therefore permitted. As such the proposal is compliant with Policy 3 of the Minerals Local Plan.

4.7 Other Issues

4.7.1 In response to neighbours concerns as to why the application has not gone through the appeal process. Officers would advise that whilst the proposal is an amended scheme over the previous scheme that was refused under application Ref No. CH/21/0407. Therefore, the applicant has the right to submit an amended application to the Council to address the reasons for refusal. The

applicant also has the right to appeal the decision to the Planning inspectorate should they wish to do so.

- 4.7.2 In response to the neighbours comments that the dimensions and design of the acoustic enclosure have not been shown, officers would advise that the submitted drawings do show the outline of the enclosure. The efficacy of the enclosures could be confirmed by requiring further testing to be carried out following the installation of the enclosures as recommended above.
- 4.7.3 In response to the neighbours concerns regard why the units are not proposed to be located within the car park within a purpose built enclosure. Officers would advise that the Council can only consider the proposal presented before it.
- 4.7.4 In response to the neighbours comments regarding the displacement of waste bins, officers would advise that the yard area with the proposed AC Units would retain sufficient proportions to house several waste bins. Moreover, there is no requirement in the previous permissions relating to the application property for this area to be retained as waste bin storage.

5. Human Rights Act 1998 and Equality Act 2010

5.1 Human Rights Act 1998

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

5.2 Equality 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 not conflict with the aim of the Equality 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 proposed mitigation measures, would not result in any significant harm to acknowledged interests and is therefore considered to be in accordance with the Development Plan.

6.2 It is therefore recommended that the application be granted temporary approval for a six-month period, subject to the attached conditions.

Appendix 2:
Officer Update to Planning Committee on 6th April 2022

Following completion of the report, officers received the following comments from the applicant in relation to the siting of the air conditioning units: -

- “Relocating the units to the back wall will result in them being immediately below one of the flats above the retail unit- this will breach Cannock Council's policy.
- Relocating the units to the back wall will also result in them being near the block of flats across the road with immediate complaints likely from all the residents from these flats.
- A trellis can be fitted above the dividing fence between our property and 9 Park Road, thereby no visibility of the units from the adjacent property.

Note, the first two of the above points were already considered prior to fitting the units at the present location”.

In response, officers would advise that the Council can only consider the location of the units as they are shown in this application. Relocating the units to the rear elevation would require a new application which would need to be assessed separately on its own merits.

Officers would also add that details and specification of such a trellis has not been provided, however, a condition requiring details of the trellising to be provided and erected as such could also be included on the decision notice should the committee be minded to grant permission.

The following wording is therefore recommended for the condition: -

Within 21 days of the date of this permission, details of a trellis to be fitted above the fence on the shared south-eastern boundary with No. 9 and 9A Park Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the trellis shall be retained as such for the life of the development.

Reason

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

The applicant has also provided the several photographs showing the site which have been included in the presentation.

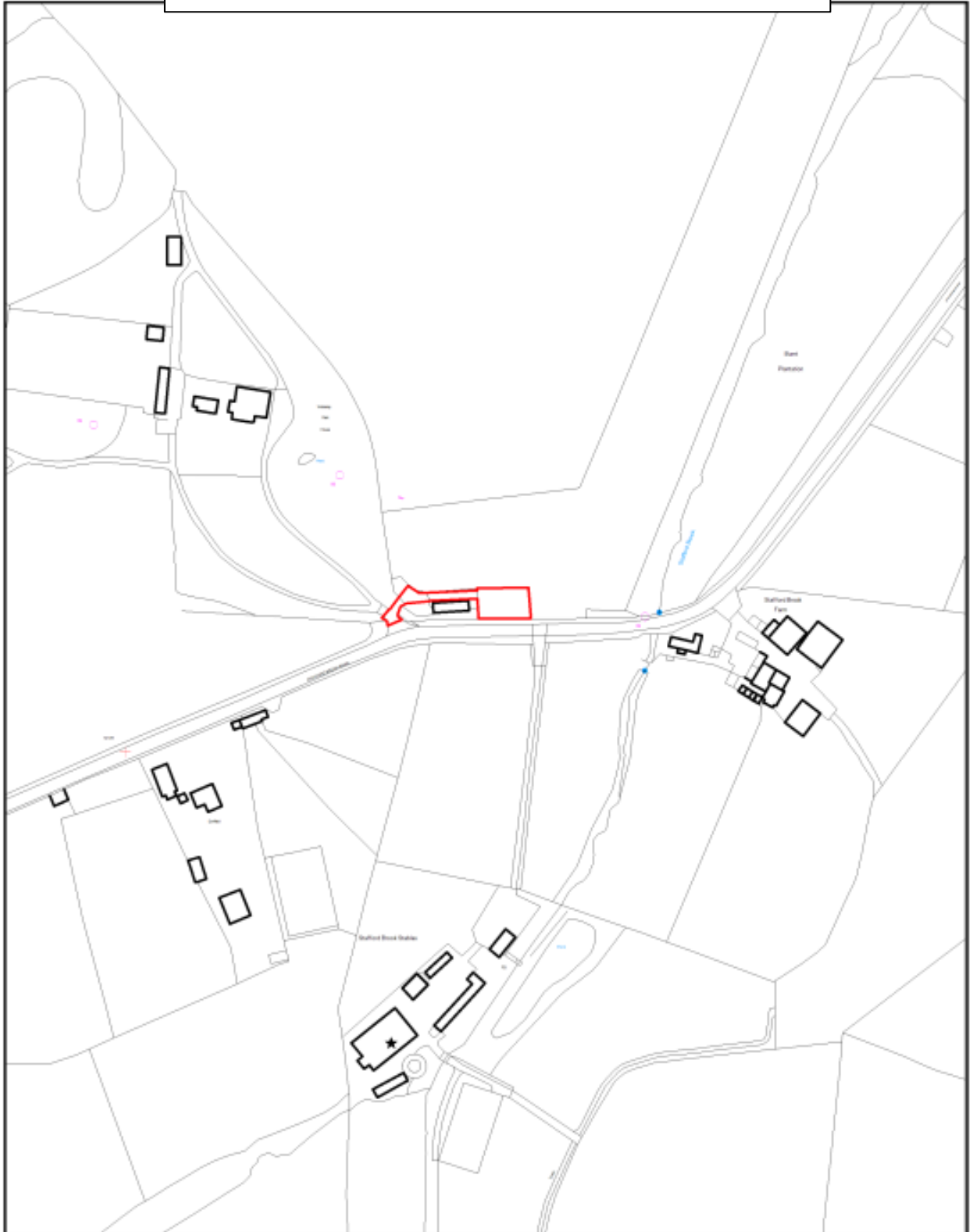


Application No: CH/22/0002

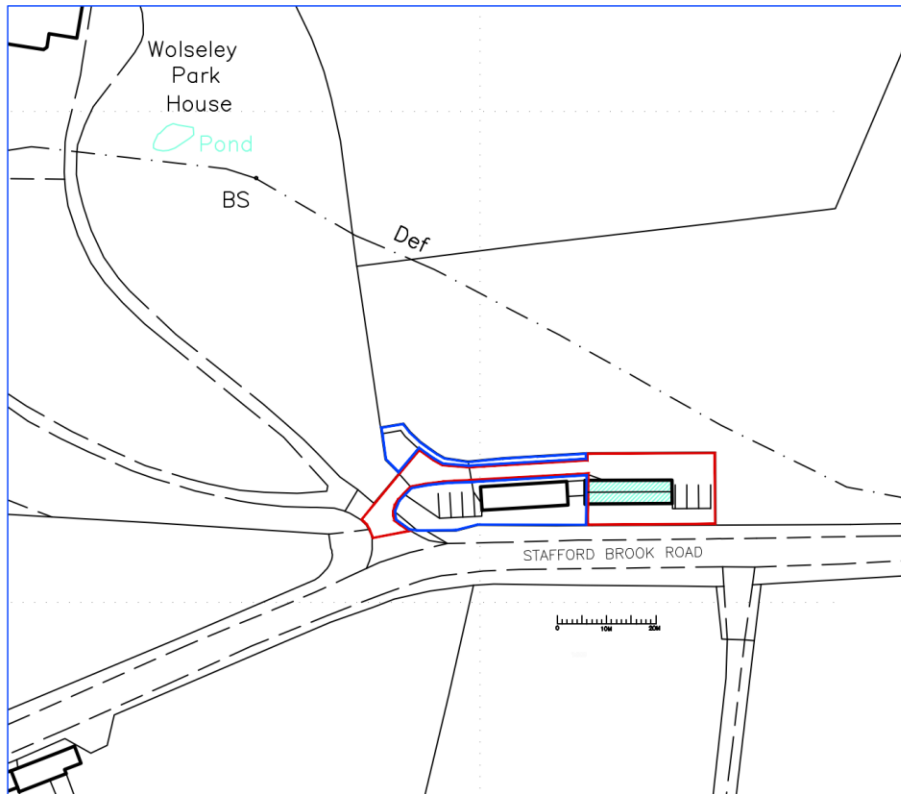
Location: Field Opposite Stafford Brook Farm, Stafford Brook Road, Rugeley, WS15 2TU

Proposal: Proposed stables

Item 6.101



Location Plan and Site Plan



John Heminsley
OBE BA(hons) MRTPI
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Staffs WS15 2EG
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Mob 07973 114627
E mail
ajhemin@aol.com

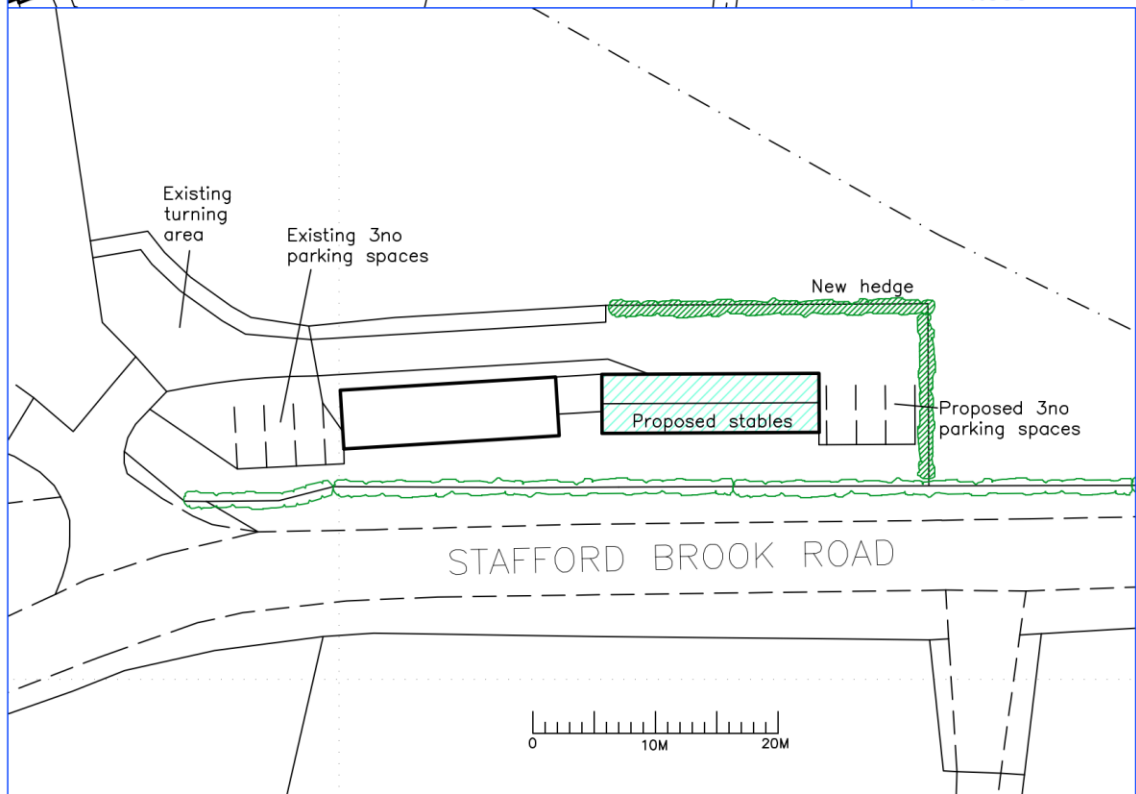
CLIENT
RALPH POOLE
PROJECT
PROPOSED STABLES
FIELD ADJOINING
Wolseley Park House
Stafford Brook Road
Rugeley WS15 2TU
DEC 2021

location plan
1:1250
Plotted at A4

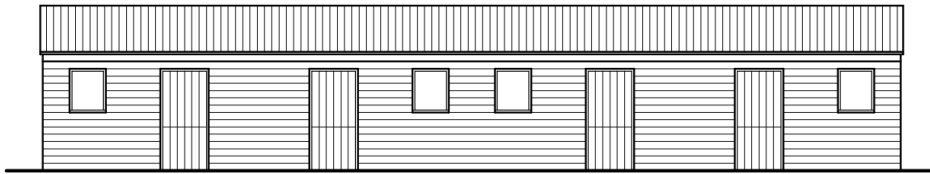


REV A
Proposed + extg car
parking added 01.03.2022

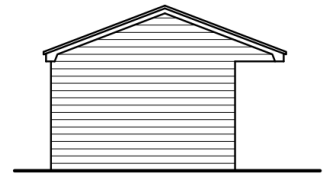
site plan
1:500



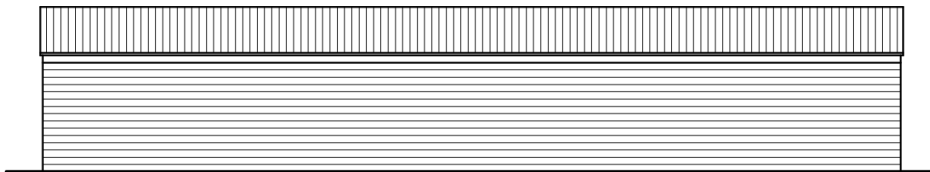
Proposed Floor Plans and Elevations



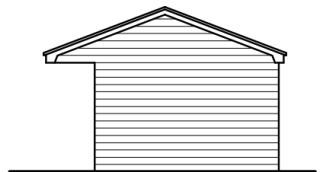
FRONT ELEVATION 1:100
Felt shingles to pitched roof, horizontal timber stained boarding walls, windows and doors



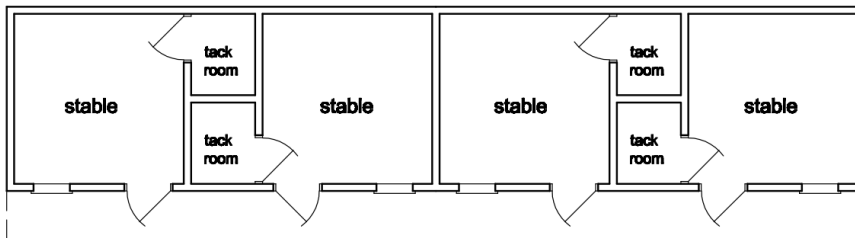
SIDE ELEVATION 1:100



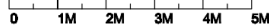
REAR ELEVATION 1:100



SIDE ELEVATION 1:100



FLOOR PLAN 1:100



Plotted at A4
John Heminsley
OBE, BA(hons) MRTPI
Planning Consultant
34 Talbot Street
Rugeley
Staffs WS15 2EG
Tele 01889 586692
Mob 07973 114627
E-mail ajhemin@aol.com
CLIENT
RALPH POOLE
PROJECT
PROPOSED STABLES
FIELD ADJOINING
Wolsley Park House
Stafford Brook Road
Rugeley WS15 2TU
DEC 2021
dr no
2021:151:02

floor plan + elevations 1:100

Contact Officer: Mike Nicholls

Telephone No: 07721 235556

Planning Control Committee

11th May 2022

Application No: CH/22/0002

Received: 06-Jan-2022

Location: Field Opposite stafford brook farm, Stafford brook Road, Rugeley, WS15 2TU

Parish: Brindley Heath CP

Ward: Etching Hill and The Heath

Description: Proposed stables

Application Type: Full Planning Application

RECOMMENDATION:

Approve Subject to Conditions

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location & Site Plans: Revision A
Floor Plan and elevations: 221:151.02

Reason

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

3. The development hereby permitted shall not be brought into use until commence until the parking and turning areas have been provided in accordance with the approved "site plan" and shall thereafter be retained for the lifetime of the development.

Reason

To comply with the objectives and policies contained within the NPPF and in the interests of highway safety.

4. The development hereby approved shall be used solely for the purposes described within the application ie stabling of horses and it shall not be used in conjunction with any events, shows or gymkhanas.

Reason

To ensure that there is adequate parking facilities in the interests of highways safety.

5. No part of the development hereby approved shall commence until a scheme detailing the proposed new native hedging (scheme to include species type, height/ specification and protective fencing) has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented by the end of the first planting season following completion of the development.

Reason

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

6. No materials shall be used for the external surfaces of the development other than those specified on the application. No development shall be commenced until a scheme for the staining of the wooden elements of the stable has been submitted to and approved in writing by the Local Planning Authority. The stables shall not be occupied until the works comprising the approved scheme have been undertaken.

Reason

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

Consultations and Publicity

Internal Consultations

None.

External Consultations

Cannock Chase AONB Unit:

The site lies within the AONB adjacent to Stafford Brook Road. The site is adjacent to an existing timber stable building close to the highway boundary hedge. The site falls within the Landscape Character Type Sandstone Hills and heaths, typified by undulating topography, well wooded with a strong sense of enclosure. The local area is well wooded alongside Stafford Brook to the north, and plantation woodland clothes higher ground to the west. A tall hedge is directly to the south of the site alongside Stafford Brook Road. There are limited rights of way in the area and therefore limited views of the proposal. Bridleway Colwich 2 offers potential views of the site, and the proposal would be seen in association with the existing stables, set in front of tall hedgerow

The proposal is for a timber stables 17.7m x 3.8m, with a pitch height of 3.4 metres, constructed of stained timber boarding walls and felt roof, concrete hardstanding and perimeter fence, adjacent to a similar stable building. New native species hedge is proposed on the eastern and northern site boundaries.

AONB Issues:

The main issues for the AONB: The impact of the proposed development on the landscape and scenic beauty of the AONB

Stafford Brook Road is a gateway into the AONB and therefore this is a sensitive location, however the roadside hedge to the south of the site is higher the existing stables and therefore views from the south are limited by the hedge. The proposal is for a timber stable building; similar in length and height and set apart from the existing block. The horizontal extent of development could be reduced these were located closer together, reducing detrimental effect on the openness of the Green Belt and impacts on the AONB. I recommend the timber is stained in a recessive colour to be agreed via a condition.

The proposed hedge around the area of hardstanding is welcomed. In the long term this should be maintained to a suitable height to help the development be assimilated into the landscape and deliver biodiversity benefits, and the roadside hedge maintained above the height of the stable buildings. Wild privet is not ecologically appropriate in the AONB I therefore suggest Hazel as an alternative.

Subject to the above the AONB has no objection to the application.

Travel Management and Safety

Revised Recommendation Summary: Approval with condition -

“Comments on information submitted; The applicant has submitted a revised plan showing parking for three vehicles and has stated the stables will not be used for events.

Recommendations: There are no objections on Highway grounds to the proposed development subject to the following condition being included on any approval:-

1. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with approved 'site plan' and shall thereafter be retained for the lifetime of the development.

Reasons

To comply with the objectives and policies contained within the NPPF

In the interest of highway safety”

Brindley Heath Parish Council:

“The additional information has been considered by the Parish Council’s Planning Committee, but objections continue to be raised for the following reasons:

1. An additional stable block next to the existing structure will further exacerbate the negative impact on the landscape character of the AONB and the openness of the Green Belt.
2. Two sizable stable blocks, both in close proximity to the road, will be unacceptable in combined mass and scale, creating the appearance of a large industrial operation in the AONB.
3. There are already some six stables along Stafford Brook Road, with a very large establishment across the road.
4. The increased use of the site entrance which is located on an extremely dangerous bend is concerning. Access from the west is hazardous as the driveway from this direction turns back on itself requiring a 45 degree approach. To add to the risk, there is a stable complex located almost opposite the entrance and Stafford Brook Road is a busy lorry route used by very large HGV’s travelling to and from Rugeley Quarry.”

Rugeley Town Council:

“Rugeley Town Council considered this application and have concerns that the proposed development may be the forerunner of future housing application on the site. The Town Council recommends that a site visit be undertaken by the cabinet to satisfy themselves that the development of stables - should it be approved - be tied to that use only and not be able to be converted to housing at a future date.”

Response to Publicity

The application has been advertised by site notice and neighbour letter. No letters of representation have not been received.

Relevant Planning History

- CH/13/0294: Erection of livery stables – Withdrawn. 01/07/2014.
- CH/18/073: Stable building and hardstanding - full approval with Conditions.
05/09/2018

1 **Site and Surroundings**

- 1.1 The application site comprises of an area of land (approx. 270 sqm) that forms part of a grassed open field, adjacent to an existing timber stable building close to Stafford Brook Road (this is also owned/controlled by the applicants). At the boundary of the site there is a substantial hedge next to the highway. The current stable block has parking for 3 vehicles.
- 1.2 The site falls within the Landscape Character Type Sandstone Hills and heaths, typified by undulating topography, well wooded with a strong sense of enclosure. The local area is well wooded alongside Stafford Brook to the north, and plantation woodland clothes higher ground to the west. A tall hedge is directly to the south of the site alongside Stafford Brook Road. There are limited rights of way in the area and therefore limited views of the proposal. Bridleway Colwich 2 offers potential views of the site, and the proposal would be seen in association with the existing stables, set in front of tall hedgerow.
- 1.3 The site falls within an Area of Outstanding Natural Beauty, the Green Belt, a Mineral Consultation Area and a Coal Authority Low Risk Area.

2 **Proposal**

- 2.1 The applicant is seeking permission for a timber stable block measuring 17.7m x 3.8m, with a shallow dual pitched roof, 3.4 metres to ridge. This would provide stabling for 4 horses. It would be constructed of stained timber horizontal boarding walls and felt roof, concrete hardstanding and perimeter fence, adjacent to a similar stable building. New native species hedge is proposed on the eastern and northern site boundaries. Three additional parking spaces are proposed to the east of the site.
- 2.2 The applicant has confirmed the proposed building would only be used for stabling of horse and would not be used in conjunction with events, shows or gymkhanas.

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 Part 1(2014), and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan (Part 1)

Relevant policies within the Local Plan include: -

CP3 - Chase Shaping – Design

Relevant policies within the minerals plan include: -

Policy 3: - Safeguarding Minerals of Local and National Importance and Important Infrastructure

There are no policies relevant to the proposal within the Minerals Plan.

Neighbourhood Plan

There is no adopted Neighbourhood Plan.

3.3 National Planning Policy Framework

- 3.4 The NPPF (2021) sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking.
- 3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.6 Relevant paragraphs within the NPPF include paragraphs: -
- | | |
|---------------------|--|
| 8: | Three dimensions of Sustainable Development |
| 11-14: | The Presumption in favour of Sustainable Development |
| 47-50: | Determining Applications |
| 111: | Highway Safety and Capacity |
| 126, 130, 132, 134: | Achieving Well-Designed Places |

218, 219:	Implementation
174-188:	Conserving & Enhancing the Natural Environment
137-151	The Green Belt

3.7 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets.

4.0 **Determining Issues**

4.1 The determining issues for the proposed development include: -

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

4.2 Principle of the Development

4.2.1 The proposed development is located within land designated as an Area of Outstanding Natural Beauty and Green Belt, wherein the case of the latter, there is a presumption against inappropriate development, which should only be approved in 'very special circumstances'. Paragraph 147 of the NPPF states that the Government attaches great importance to Green Belts, adding that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. As such the essential characteristics of Green Belts are their openness and permanence.

4.2.2 The stages in taking decisions on applications within the Green Belt are as follows.

In the first instance a decision has to be taken as to whether the proposal constitutes appropriate or inappropriate development.

If the proposal constitutes inappropriate development then it should not be allowed unless the applicant has demonstrated that 'very special circumstances' exist which would justify approval.

If the proposal is determined to constitute appropriate development then it should be approved unless it results in significant harm to acknowledged interests.

- 4.2.3 Local Plan Policy CP1 & CP3 require that development proposals at locations within the Green Belt must be considered against the NPPF and Local Plan Policy CP14. Local Plan Policy CP14 relates to landscape character and the AONB rather than to whether a proposal constitutes appropriate or inappropriate development.
- 4.2.4 Whether a proposal constitutes inappropriate development is set out in Paragraphs 149 & 150 of the NPPF. Paragraph 149 relates to new buildings (which is not relevant in this case) whereas Paragraph 150 relates to other forms of development, including the making of material changes of use of land.
- 4.2.5 The NPPF at paragraph 149 states that:
- “A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are [amongst other things]:
- (b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- 4.2.6 The proposals for horse stabling are considered to constitute an appropriate facility for outdoor sport and recreation. By definition, stabling is connected to fields/ pasture and are common features within many Green Belts and AONB's. In this instance there is already a stable adjoining the application site and there is a substantial screen of mature trees/hedging on Stafford Brook Road. Given this context it is considered that the proposed stables would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it as required by the NPPF.
- 4.2.7 In light of the NPPF, together with the Development Plan, it is considered that the principal of the development is acceptable in this instance subject to the considerations set out below.
- 4.3 Design and the Impact on the Character and Form of the Area
- 4.3.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should be: -
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132, 134. Paragraph 126 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 130 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 Paragraph 134 states

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

4.3.5 Paragraphs 174 and 176 of the NPPF state:

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

- (a) 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);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues.

4.3.6 In this instance the proposed building would be almost identical in size and appearance to the adjacent stable also owned/controlled by the applicant. The height would be modest (3.4m to ridge) and the proposed external materials of horizontal stained boarding with a felt shingle roof are considered appropriate to the rural location in the Green Belt and AONB.

4.3.7 There is an existing mature line of landscaping and hedging fronting Stafford Brook Road and this would mostly screen the site from a public area. The proposed hedge planting to the northern and eastern boundaries is welcome and in the event of approval being granted, it should be a condition of any permission.

4.3.8 Whilst the concerns of the Parish Council are noted in respect of the appearance of the proposed stable, it is noted that subject to conditions the AONB Unit has no objections; and that the appearance of the stables would not be unduly imposing in terms of mass or scale when seen in the context of existing development or that it would not have any significant negative impact on the landscape character of the AONB.

4.3.9 Having regard to the NPPF, the Development Plan and the Design SPD, on balance it is considered that the proposed stables would cause no significant demonstrable harm to the character and form of the AONB.

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 of space about dwellings and garden sizes.

4.4.2 Paragraph 130(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 There are no residential properties in the vicinity of the application site and as such the proposal would be in accordance with Policy CP3 of the Local Plan and paragraph 130(f) of the NPPF.

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.5.2 The objection of the Parish Council to the proposed development on highway grounds is noted, however there are no objections to the proposals from the County Council's Travel Management and Safety Team, subject to a condition requiring the three parking spaces to be provided prior to the proposed stables being brought into use.

4.5.3 In the absence of any quantifiable or demonstrable highway concerns, it is considered that there would be no unacceptable impact on highway safety or the road network, subject to the conditions above.

4.6 Mineral Safeguarding

4.6.1 Part of the site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 Policy 3.2 of the 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.

4.6.3 The development would fall under Item 1 within the exemption list as an application for householder development and is therefore permitted. As such the proposal is compliant with Policy 3 of the Minerals Local Plan.

4.7 Other Issues raised by the Applicant

- 4.7.1 As to “Rugeley Town Council’s concerns that the proposed development may be the forerunner of future housing application on the site it is noted that this application has to be determined on its own merits. Any subsequent proposal for residential development would have to be considered on its own merits at that time. As such no weight should be attributed to the concerns of Rugeley Town Council.

5.0 Human Rights Act 1998 and Equality 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.

Equality 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 Equality Act.

6.0 Conclusion

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

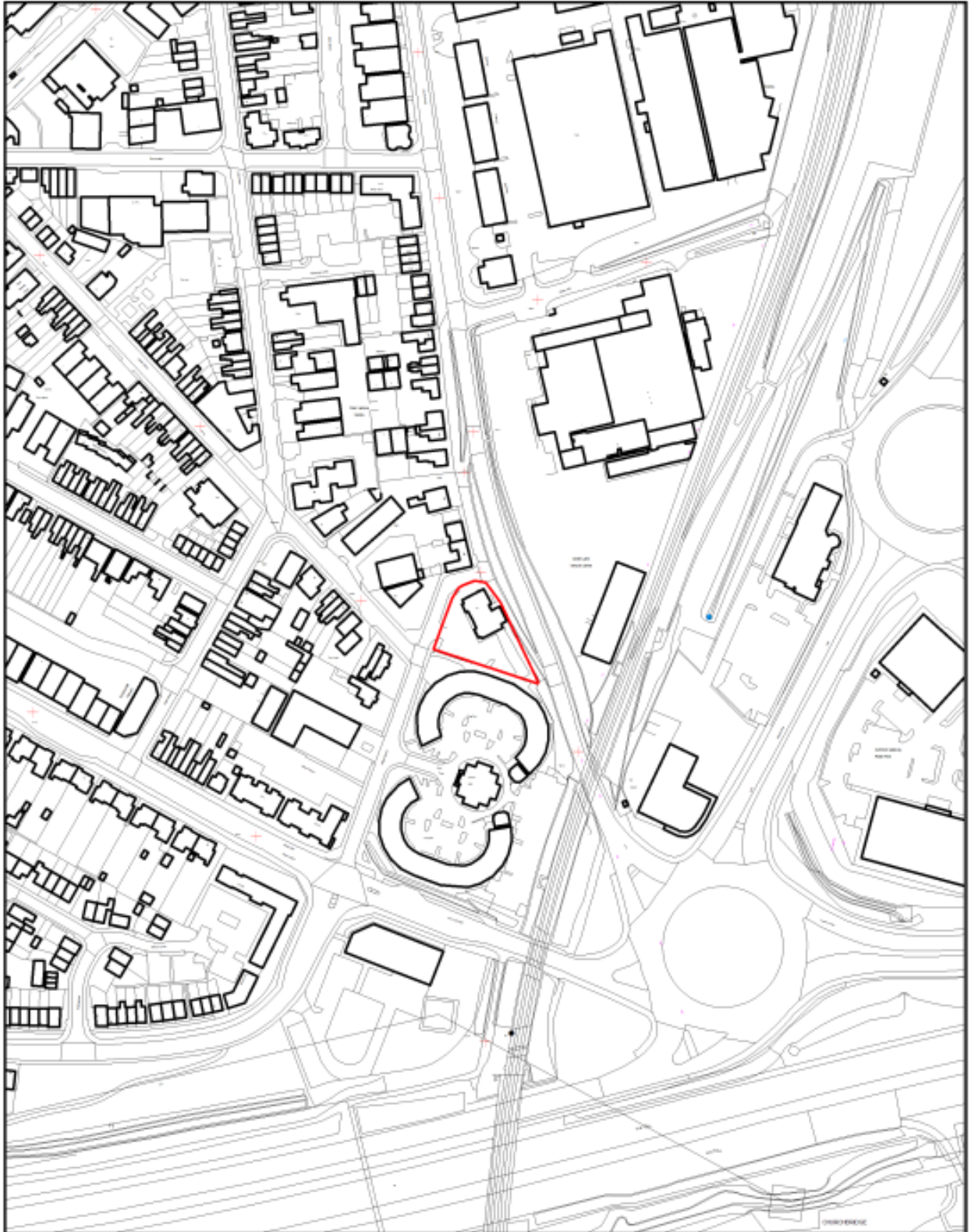


Application No: CH/22/0039

Location: 264, Stumble Inn, Walsall Road, Cannock, WS11 0JL

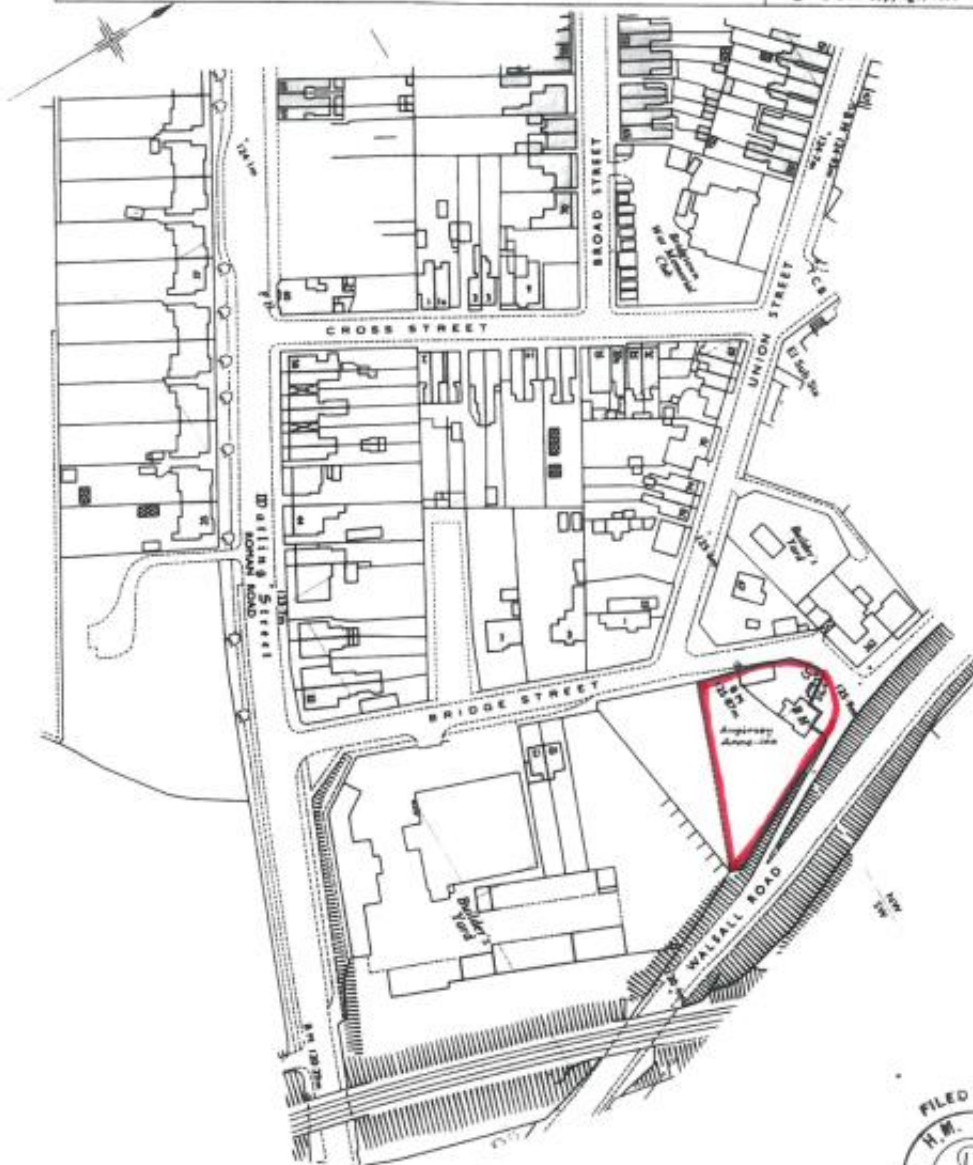
Proposal: Change of use on first floor from offices/historical centre to one residential apartment.

Item 6.117



Location Plan

H.M. LAND REGISTRY		TITLE NUMBER	
		SF 205140	
ORDNANCE SURVEY PLAN REFERENCE	SJ 9808	SECTION E	Scale 1/1250
COUNTY STAFFORDSHIRE	DISTRICT CANNOCK CHASE	© Crown copyright 1977	



Site Plan



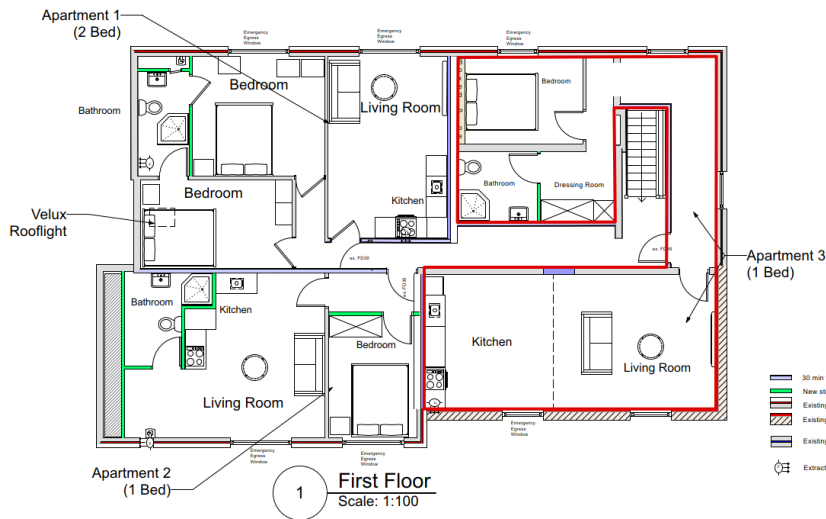
Anglesey House 16-16
Scale: 1:200 @ A3

24/1/2021




PROFESSIONAL SOCIETY OF ARBORICULTURE

Proposed Floor Plans



- 30 min fire protection with sound insulation
- New stud walls
- Existing cavity wall with new cavity wall insulation
- Existing Brick wall with new insulation
- Existing Cavity (Already Filled)
- Extractor Fan

ISSUE	5	DATE	16/12/2021	REVISION	M
NOTE: DO NOT SCALE FROM DRAWING. USE PROVIDED DIMENSIONS ONLY. CHECK ALL DIMENSIONS ON SITE BEFORE ANY MANUFACTURE OR CONSTRUCTION.					
The Stumble					
CLIENT					
Fred Pritchard Real Estate Ltd					
DRAWING					
First Floor					
					
PROJECT #	Stumble			DWG #	REV
DATE	4/10/2021				
SCALE 1:100 (A1)	AS NOTED				
DRAWN	JKP	CMD			
FRED PRITCHARD REAL ESTATE LTD					
T: 01543 228256 W: www.fredpritchard.com E: fpritchard@fredpritchard.com					

Contact Officer: Richard Sunter

Telephone No: 01543 464481

Planning Control Committee

11th May 2022

Application No: CH/22/0039

Received: 01-Feb-2022

Location: 264, Stumble Inn, Walsall Road, Cannock, WS11 0JL

Parish: Bridgtown CP

Ward: Cannock South

Description: Change of use on first floor from offices/historical centre to one residential apartment.

Application Type: Full Planning Application

RECOMMENDATION:

Approval subject to a Unilateral Undertaking to secure mitigation for impact on Cannock Chase SAC and 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. Prior to first use of the apartment the parking areas indicated on the approved site plan shall be completed and surfaced in a porous bound material with the individual parking bays clearly delineated which shall thereafter be retained for its intended purpose for the life of the development.

Reason

In the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

3. Prior to first use of the apartment the secured cycle parking and waste and recycling facilities as shown on the approved plans shall be provided.

Reason

In the interests of highway safety in accordance with paragraphs 111 of the National Planning Policy Framework.

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

Stumble-First Floor Plan Rev M

Site Plan Dated 24/1/2021 showing trees to be replaced.

Reason

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

5. 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.

6. 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.

Notes to Developer:

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

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

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

Consultations and Publicity

Internal Consultations

Environmental Health

Prior to the commencement of works a noise assessment must be submitted to and approved in writing by the Local Planning.

The noise assessment shall consider: -

The cumulative impact of noise (originating from the non- residential unit) on the nearby residential receptors, and details of mitigation measures if they are considered to be required. It is expected that the assessment/ proposed noise control measures shall be suitably appropriate for the expected range of noise generated by that part of the development and

The extent to which the proposed residential use will be impacted by the surrounding area, and the extent to which suitable internal noise levels can be achieved within the proposed use. It is expected that this assessment will inform design criteria for any noise mitigation measures required to achieve appropriate internal noise levels.

CIL Officer

Thank you for submitting your Community Infrastructure Levy (CIL) additional form in respect of planning application CH/22/0039.

Based on the form submitted, as there is no increase in floor space, this development would not be liable to pay CIL.

However, as there is a net increase in dwellings, the applicant will be required to enter into a Section 106 Unilateral Undertaking in order to mitigate the impacts on the Cannock Chase Special Area of Conservation. This fee is £221.00 per dwelling plus legal costs. The assigned Planning Officer for this case will be in contact with the Council's solicitor to arrange this.

Economic Development

Economic Development have no comments or concerns with this proposal.

Private Sector Housing

The above planning application was reviewed by Environmental Health (Housing) and no comments or concerns with the proposal were identified. A no objection response is given to the statutory consultation.

Development Plans and Policy Unit

Thank you for consulting me on the proposed change of use on first floor from offices/historical centre to one residential apartment at 264, Stumble Inn, Cannock. I can advise that the site does not fall within any designated areas shown on the Local Plan Policies Map.

I can also advise that a small portion of the site sits within the Bridgtown Business Area Existing Employment Area (EEA).

National Planning Policy Framework (NPPF) and the presumption in favour of development. In terms of national guidance, the NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies that there are three overarching objectives – economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.

The NPPF advises in Chapter 8; Promoting healthy and safe communities that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) Take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;[...]and
- e) Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.(Paragraph 92).

The NPPF advises in Chapter 11; Making effective use of land, that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 124 of the NPPF identifies that planning policies and decisions should support development that makes efficient use of land.

Of particular relevance to this proposal is, paragraph a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it; paragraph b) local market conditions and viability; and paragraph d) the desirability of maintaining an area's prevailing character and setting

(including residential gardens), or of promoting regeneration and change; and paragraph e) the importance of securing well-designed, attractive and healthy places.

The NPPF advises that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The NPPF at para 127 identifies factors which planning policies and decisions should ensure that developments achieve.

Of particular relevance to this proposal are, paragraph 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; paragraph b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; paragraph 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;) and paragraph f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Development Plan

The development plan comprises the Cannock Chase Local Plan (Part 1) and the Staffordshire County Council Waste and Minerals Local Plan. The views of Staffordshire County Council as the waste and minerals authority should be considered, as necessary.

The Cannock Chase Local Plan (Part 1) was adopted in 2014. Policy CP3 of the Local Plan supports high standards of design, and for development to be well-related to existing buildings and their surroundings, in terms of layout, density, access, scale, appearance, landscaping and materials based upon an understanding of the context of the site and appropriate professional expertise.

Policy CP3 requires development proposals to consider design imaginatively in its context, complementing and enhancing the character and appearance of the local area and reinforcing local distinctiveness, and to protect the amenity enjoyed by existing properties including supporting mixed uses whilst avoiding incompatible ones and have regard to existing uses with potential to generate pollution which could have an unacceptably detrimental effect on proposed development.

Local Plan Policy CP3 also requires development proposals to optimise promotion of 'active design' increasing opportunities for physical activity and community interaction, as well as, preserving and enhancing the landscape, scenic beauty and character of the Area of Outstanding Natural Beauty and its setting through the careful design of new development.

Policy CP5 of the Local Plan states that the Council will work with public, private and third sector partners to ensure that appropriate levels of infrastructure are provided to support social inclusion and healthy living in the District.

With regards to the further detailed design of the scheme, regard should also be paid to Policy CP16, the Design SPD (2016), and the Parking Standards, Travel Plans and Development Contributions for Sustainable Transport SPD (2005) (contains parking standards).

Other Comments

The Highways Authority should also be consulted with regards to the proposed parking provision and access from the highway.

Contributions

As a part residential development scheme the proposal may be CIL liable – advice on liability should be sought from the Planning Obligations Officer.

Given that a net increase in dwellings is proposed the development also needs 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 the 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 exemption from CIL be sought then a Unilateral Undertaking would be required to address impacts upon the Cannock Chase SAC in accordance with the Councils 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 in consultation with the relevant infrastructure provider.

Conclusion

It is noted that the previous application has been implemented and the site is under construction, the offices/historical society (D2 Use Class) proposed for change of use was incorporated for use by the Bridgtown Historical Society; the submitted Design and Access Statement identifies that the proposed room is now too large for the society and surplus to requirements. The prior use class of the applicant site was A4 with a change to D2, C3 and Sui Generis (nursery), the proposed D2 use has not been utilised at this point. We are not aware of a need for further D2 uses in this area and leave further consideration on this matter to the case officer.

No objection is raised in principle to the creation of a further residential unit in this location and re-use of a brownfield site.

External Consultations

Bridgtown Parish Council

Objections, impact on previous traffic survey, concerns on parking issues.

County Highway Authority

Recommendation Summary: Acceptance

Personal Injury Collisions; Current records show that there were no Personal Injury Collisions on Walsall Road within 50 metres either side of the property accesses for the previous five years.

Background; The former Stumble Inn public house is located off a slip road adjacent to the main Walsall Road (A34) which has a mixture of businesses and residential accommodation fronting it. It lies in the Bridgtown area of Cannock approximately 1 mile south of Cannock town centre, 3 miles north east of M6 Toll and 1 minutes' drive from A5. The property's main access is on Bridge Street which is an unclassified 30 mph road and benefits from street lighting.

Comments on Information Submitted; The application is for the change of use of the first floor offices/historical centre to 1no residential apartment. The building was previously granted planning permission (CH/21/0095) for a ground floor nursery and the reconfiguration and change of use of first floor from residential to 2no residential apartments and offices/historical centre. There is more than sufficient parking to accommodate the nursery and this additional residential apartment.

Recommendations: There are no objections on Highway grounds to the proposed development

Response to Publicity

The application has been advertised by site notice and neighbour letter. No letters of representation have/have not been received

Relevant Planning History

CH/07/0261:	Canopy to front elevation. Full - Approval with Conditions. 06/20/2007
CH/21/0095:	Change of use on ground floor to a nursery. Re-configuration & change of use of. Full - Approval with Conditions. 10/26/2021.
CH/93/0133	Extension. Full - Approval with Conditions. 04/28/1993.
CH/94/0315	Single storey extension. Full - Approval with conditions. 07/27/1994

1 Site and Surroundings

- 1.1 The application site is comprised of a traditional public house, currently not in use, on the edge of Bridgtown with a frontage to the junction of Bridge Street

and Walsall Road but at a higher level. There is a car park off Bridge Street to the rear.

- 1.2 The main part of the property is early Victorian with other later additions. It is of brick walls and tiled roof construction typical of the Victorian period and sits on a large plot of land.
- 1.3 The former public house (vacant since August 2019) consists of commercial on the ground floor with residential and part commercial on the 1st floor.
- 1.4 The proposed is within 500m of the local centre in Bridgetown and is also close to the A5 and M6 toll.
- 1.5 The site is located within a Mineral Consultation Zone for Coal Fireclay, a Coal Authority Low Risk Area and an Employment Area, and with influence of an Historic Landfill Site.
- 1.6 In 2021 planning permission was granted for the change of use on ground floor to a nursery and reconfiguration & change of use of first floor from residential to 2 residential apartments and offices/ historical centre.

2 Proposal

- 2.1 The applicant is seeking consent for change of use on first floor from offices/ historical centre to one residential apartment.
- 2.2 The proposal would not require any significant alterations to the external appearance of the building to facilitate the proposed nursery.
- 2.3 In support of the application the applicant has stated: -

'This application is in respect of the Historical centre only. It was anticipated that The Bridgtown & District Historical Society Heritage Centre would occupy the centre and the design was based around the Society's needs at the time. Although the society was formed early in 2009 by a group of people who were keen to keep alive the spirit of the village of Bridgtown over recent years the group has lacked younger members. When planning permission was granted a further drive for younger members was made but this was unfruitful. A lot of the people are now quite elderly and in the last few years a number of its biggest supporters have died. In early December its main historian died and despite great efforts to try and interest the younger generation in being involved there has been little or no interest. The Society have now decided that the Historical Centre would be too big for them and difficult to justify financially in their operation. The Society will be offered alternative free accommodation by the Applicant to store their records

and will continue to operate for larger meetings from the Bethel Church in Bridgtown.

The Society's proposed use of the premises was very unique and it is not anticipated that any similar use would work in the building. For this reason it is proposed to add a further one bedroomed flat in the area proposed to be occupied by the Society. This will dovetail well with the existing use on the ground and first floor.

It will also satisfy the enormous demand for rental residential property in the Cannock area. The apartment will have a shared entrance with the other apartments which will remain separate from the Nursery, it will have its own allocated parking place.'

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 Part 1(2014), and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan (Part 1)

Relevant policies within the Local Plan include: -

CP1 - Strategy – the Strategic Approach

CP3 - Chase Shaping – Design

Minerals Local Plan for Staffordshire (2015 – 2030)

Relevant policies within the minerals plan include: -

Policy 3: - Safeguarding Minerals of Local and National Importance and Important Infrastructure

3.3 National Planning Policy Framework

- 3.4 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.
- 3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.6 Relevant paragraphs within the NPPF include paragraphs: -

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
111:	Highway Safety and Capacity
126, 130, 132, 134:	Achieving Well-Designed Places
218, 219	Implementation

3.7 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets.

4.0 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) Mineral Conservation
- vi) Nature Conservation

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. In this respect it is noted that the loss of the public house and the principle of residential development at first floor level at this property as firmly established under planning permission CH/21/0095.

4.2.2 Although the proposal is 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 those matters of detail.

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 126, 130, 132, 134. Paragraph 126 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 130 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 134 states: -

‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally

in an area, so long as they fit in with the overall form and layout of their surroundings.’

4.3.5 As the works to enable the development will be internal there would be no significant impact on the character of the area. Since the previous approval the condition of the trees on the site has been reassessed in liaison with the Council’s Tree Officer with a view to complying with conditions (in respect to agreeing works to the trees) attached to the previous consent. It has been determined that the trees are not of sufficient quality to warrant retention and that they should therefore be felled and replaced by new stock. Subject to condition attached to this permission to ensure that the new trees are planted it is considered that the proposal would be in accordance with Policy CP3 of the Local plan and the design policies 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 130(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 Given that there would be no change to the external appearance, or extension to the building the proposal would not result in any greater degree of overshadowing than what currently exists. Furthermore, given that the flat would look over the car park area it would also meet the guidance for space about dwellings and would not result in a any significant additional degree of overlooking

4.4.4 Furthermore, a small area of amenity space would be provided along with a secure cycle store.

4.4.5 It is noted that the Environmental Protection Officer has requested a condition requiring a noise survey and potentially acoustic protection. However, it is noted that no such request was made by the Environmental Health Officer in the previous application and that no justification has been given as to why it would be necessary in this instance. The application of conditions has to meet certain statutory tests, including that they should be necessary (rather than just desirable). In this case the Environmental Health Officer has not demonstrated why in this case it would be necessary, especially when it was not deemed so in the previous application. As such it is recommended that the condition is not attached to any permission granted.

4.4.6 Given the above it is concluded that the proposal would result in a high standard of amenity for future occupiers and for the occupiers of surrounding neighbouring properties in accordance with Policy CP3 of the Local Plan and paragraph 130(f) of the NPPF.

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 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 Although objections have been received from the parish council in respect to the 'impact on previous traffic survey, concerns on parking issues' the highway Authority has no objections to the proposal as they consider there is 'more than sufficient parking to accommodate the nursery and this additional residential apartment'. The comments made by the Highway Authority are accepted and it is concluded that the proposal would not lead to an unacceptable impact on highway safety. As such the proposal is considered to be in accordance with paragraph 111 of the NPPF.

4.6 Mineral Safeguarding

4.6.1 Part of the site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 Policy 3.2 of the 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.

4.6.3 The development falls under Item 1 within the exemption list as an application for householder development and is therefore permitted. As such the proposal is compliant with Policy 3 of the Minerals Local Plan.

4.7 Nature Conservation Issues

4.7.1 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 174, and 180 of the NPPF.

4.7.2 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.'

4.7.3 Paragraph 174 of the NPPF states [amongst other things] that

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) 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);
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

4.7.4 Paragraph 180 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'.

Site Specific Impacts on Ecology

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

Impacts of Cannock Chase Special Area of Conservation

- 4.7.7 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, 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 normally be in the form of a contribution towards the cost of works on the SAC and this is provided through CIL. However, given that the proposal would not lead to any increase floor area, and no CIL will need to be paid, the SAC contribution will need to be secured through a Unilateral Undertaking under Section 106 of the 1990 Planning Act.

4.7.8 It is therefore concluded that subject to such an undertaken being signed the proposal would not have any significant impact on Cannock Chase SAC.

4.8 Waste and Recycling Facilities

4.8.1 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).

4.8.2 The proposed would be sited within proximity to existing dwellings and off a residential street located where bins are already collected by the Local Authority. The submitted plans shows an area for storing waste within the site and this is considered adequate.

5.0 **Human Rights Act 1998 and Equality 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.

Equality 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 Equality Act.

6.0 Conclusion

- 6.1 The principle of residential development at this site was firmly established under the previous permission. In respect to matters of detail the proposal, subject to a Unilateral Undertaking and the attached conditions would not cause any significant harm to acknowledged interests.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions and the unilateral undertaking.