



**Please ask for:** Mrs. W. Rowe  
**Extension No:** 4584  
**E-Mail:** [wendyrowe@cannockchasedc.gov.uk](mailto:wendyrowe@cannockchasedc.gov.uk)

5 October 2021

Dear Councillor,

**Planning Control Committee**  
**3:00pm, Wednesday 13 October 2021**  
**Council Chamber, Civic Centre, Cannock**

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

<b>Application Number</b>	<b>Application Description</b>	<b>Start Time</b>
CH/21/0367	<b><i>Gypsy residential site, Stokes Lane, Cannock, WS12 3HJ</i></b> – Non-material amendment to Planning permission no. CH/21/0040 to combine 2 no. proposed utility buildings into 1 no. building	1.45pm
CH/21/0087	<b><i>Land at end of Tower Road and Plantation Road, Pye Green, Cannock, WS12 4LJ</i></b> - Outline application (some matters reserved) – proposed new Scout Hut for 1 <sup>st</sup> Hednesford Scout Group (access/layout/scale)	2.35pm

Members wishing to attend the site visits are requested to meet at the Gypsy residential site, Stokes Lane, Cannock, WS12 3HJ at 1.45pm, as indicated on the enclosed plan.

Yours sincerely,

**Tim Clegg**  
**Chief Executive**

To: Councillors

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

## 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 22 September 2021 (enclosed).

5. **Members' Requests for Site Visits**

6. **Report of the Development Control Manager**

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

#### **Finding information about an application from the website**

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

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

## Site Visit Applications

	Application Number	Application Location and Description	Item Number
1.	CH/21/0367	<b>Gypsy residential site, Stokes Lane, Cannock, WS12 3HJ</b> – Non-material amendment to planning permission no. CH/21/0040 to combine 2 no. proposed utility buildings into 1 no. building	6.1 – 6.12
2.	CH/21/0087	<b>Land at end of Tower Road and Plantation Road, Pye Green, Cannock, WS12 4LJ</b> - Outline application (some matters reserved) – proposed new Scout Hut for 1 <sup>st</sup> Hednesford Scout Group (access/layout/scale)	6.13 – 6.46

## Planning Application

3.	CH/21/0330	<b>9 St. Michaels Road, Rugeley, WS15 1EX</b> – Rear extension to residential dwelling (part two storey) (Resubmission of application no. CH/21/0159)	6.47 – 6.65
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**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Planning Control Committee**

**Held on Wednesday 22 September 2021 at 3:00 pm**  
**in the Council Chamber, Civic Centre, Cannock**

**Part 1**

**Present:**  
**Councillors**

Startin, P.D. (Chairman)

Allen, F.W.C.	Kruskonjic, P.
Beach, A.	Molineux, G.N. (substitute)
Crabtree, S.K. (substitute)	Smith, C.D.
Fitzgerald, Mrs. A.A.	Sutton, Mrs. H.M.
Hoare, M.W.A.	Thompson, Mrs. S.L.
Jones, Mrs. V.	Wilson, Mrs. L.J.

**41. Apologies**

Apologies for absence were received from Councillors A. Muckley (Vice-Chairman), Mrs. S.M. Cartwright and P.A. Fisher.

Councillor G. Molineux was in attendance as substitute for Councillor Fisher and Councillor S. Crabtree was in attendance as substitute for Councillor A. Muckley.

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

None declared.

**43. Disclosure of Lobbying of Members**

Nothing declared.

**44. Minutes**

**Resolved:**

That the Minutes of the meeting held on 18 August 2021 be approved as a correct record.

**45. Members requests for Site Visits**

A Member requested that a site visit be held in respect of Application CH/21/0367, Gypsy residential site, Stokes Lane, Cannock, WS12 3HJ – Non-material amendment to Planning Permission No. CH/21/0040 to combine 2 no. proposed utility buildings into 1 building, which was due to be considered at today's meeting. The Development Control

Manager suggested that Members may wish to receive the presentation first and then decide if a site visit was still required.

**46. Application CH/21/0289 – 154 Dartmouth Avenue, Cannock, WS11 1EJ, Two Storey extension to the side to replace existing garage**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.16 of the Official Minutes of the Council).

The Planning Technical Assistant advised the Committee that an update had been circulated in advance of the meeting. As the objector and applicant could not attend the meeting, he read the update out, as follows:

“Since the publication of the agenda officers have received further correspondence from the applicant’s agent and from the objector. These in turn state: -

**Letter from the Applicant’s Agent**

Dear Mr Sunter

I have been requested by the Applicant to clarify various aspects regarding the proposed extension.

Very few properties use garages these days in fact new developments do not provide garages. The proposal makes for the removal of the existing garage and replace with useful additional accommodation and kitchen and bathroom facilities and still leaves adequate car parking spaces at the front of the property.

The footprint for the proposal is similar to the existing within the curtilage of the existing property.

The whole scheme has been designed in accordance with the Authorities design and Supplementary Planning Document April 2016.

I would be obliged if the above could be brought to the attention of the Planning Committee.

Yours sincerely

Alan Morton (Agent for the above Application).

**Letter from the Objector**

Dear members of the Committee

My name is Peter Spiers and my wife and I own and live at 152 Dartmouth Ave, Cannock. We have lived at this property for 38 years and have no plans to leave our forever home.

I am 65 and my wife is 72. My wife and I are extremely disappointed that we are not able to attend this planning meeting for personal reasons that have been made available to Mr Sunter in an email dated 16th September.

Our main concerns are contained in my letter dated 20 July 2021 and emailed to Mr Everton at the Council on that date. I don’t want to take up the Committee’s time by

reiterating those details but would appreciate that the 20 July letter be read out if any of the Committee are unsure of its contents.

As mentioned, my wife and I are in our 60's and 70's and I understand that it is well documented that people's need for sunlight is often greater as you get older. I would add further regarding the appearance of the extension that whilst there are a few other properties in the area that look to be a similar size to the proposal for 154 Dartmouth Ave they each have an integral garage therefore do look like residential properties rather than commercial ones.

I thank the Committee for their time reviewing my and my wife's concerns."

Further to this, for the benefit of Members, the Officer then read out the letter dated 20 July received from the objector, as referred to in the update.

Officers then 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 and to the following additional condition:

"That, notwithstanding the details of the approved plan, the wall on the side elevation facing 152 Dartmouth Avenue shall be finished in render of the same colour as that on the existing building.

Reason: In the interests of the amenity of the occupier of 152 Dartmouth Avenue".

**47. Application CH/21/0367, Gypsy residential site, Stokes Lane, Cannock, WS12 3HJ – Non-material amendment to Planning Permission No. CH/21/0040 to combine 2 no. proposed utility buildings into 1 building**

Consideration was given to the report of the Development Control Manager (Item 6.17 – 6.27 of the Official Minutes of the Council).

The Development Control Manager advised the Committee that, as part of the update that had been circulated in advance of the meeting, a copy of the layout granted under planning permission CH/21/0040 was included for members information.

The Development Control Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals. He commented that Members should decide whether the presentation had provided the relevant information for Members to determine the application or whether they considered a site visit was required.

Members considered that they could not determine the application based on the information provided and a site visit was necessary in order to decide whether the application to combine the 2 utility buildings into one building was a non-material amendment.

Members also raised concern that the photographs shown by the Officer were out of date as the site looked very different now the larger amenity block had been erected (planning permission CH/21/0040 refers). Further concerns were raised in relation to stables that

had also been erected on the site without the benefit of planning permission. In response to the concerns raised the Development Control Manager advised that he would raise the concern about the stables with the applicant, undertake a visit of the site and advise the applicant of the options available to him. Additionally, he would ask the Enforcement Officer to check that the larger amenity block had been built in accordance with the approved plans and advise Members accordingly.

Members requested that the Officers write to the applicant to ask that he engages greater with both Heath Hayes and Wimblebury Parish Council and Norton Canes Parish Council in the future in order to build better relations.

**Resolved:**

That the application be deferred to enable a site visit to be undertaken to assess whether the application to combine the 2 utility buildings into one building was a non-material amendment.

**48. Public Speaking on Planning Applications, Tree Preservation Orders and Enforcement Cases**

Consideration was given to the Report of the Development Control Manager (Item 6.28 – 6.32 of the Official Minutes of the Council).

**Resolved:**

That Council be recommended to amend the Local Protocol for Planning Decision Making which forms part of the Constitution, so that the time allowed for speakers to address the Planning Control Committee on planning applications, TPO's and enforcement cases be reduced from 10 minutes to 5 minutes.

**49. Discussion Item – Timing of meetings**

The Chairman referred Members to the recent Council meeting where it had been agreed that the start times of Cabinet, Scrutiny Committees, Audit and Governance Committee, and Standards Committee meetings be amended to the later time of 6pm.

He advised that the Head of Governance and Corporate Services would be undertaking a formal consultation process to ascertain whether it was practicable to change the start times of the Planning Control Committee and Licensing and Public Protection Committee. He had therefore included this discussion item on the agenda to seek the Committee's view on this in advance of the consultation.

Members noted that site visits, which were held prior to the meeting, would need to be held in the daylight. It would therefore be difficult, particularly during the winter months, if the meeting moved to 6pm. Members agreed that it was beneficial to hold the meeting soon after the site visits were undertaken so that the details remained fresh in their minds. Several Members commented that consideration should be given to the effect later meeting times would have on Officers. They agreed that there would be an impact on staff who attended the meeting if they were held later. Staff were already being expected to cover the other meetings at 6pm. In addition, as applicants, their agents and objectors may be involved in the Planning Committee a move to a later time may not be suitable for them.



Members agreed that the Planning Control Committee should continue to be held at 3pm.

The Chairman noted the Committee's view on the timing of meetings and advised that this would be fed back to the Head of Governance and Corporate Services prior to the formal consultation process.

The meeting closed at 4:47pm.

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CHAIRMAN

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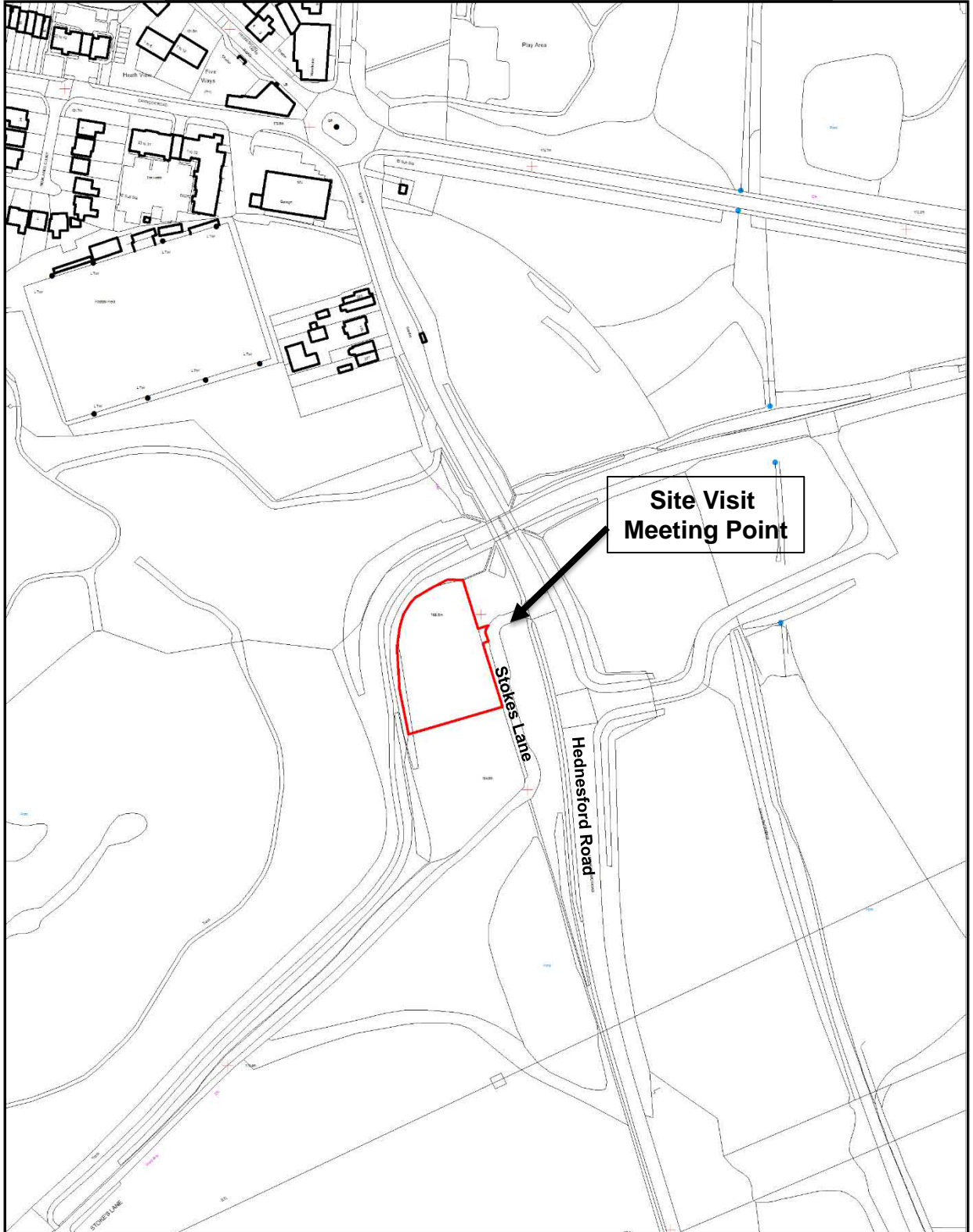


**Application No:** CH/21/0367

**Location:** Gypsy residential site, Stokes Lane, Norton Canes, WS12 3HJ

**Proposal:** Non-material Amendment to Planning Permission No. CH/21/0040 to combine 2 No. proposed utility buildings into 1. No building

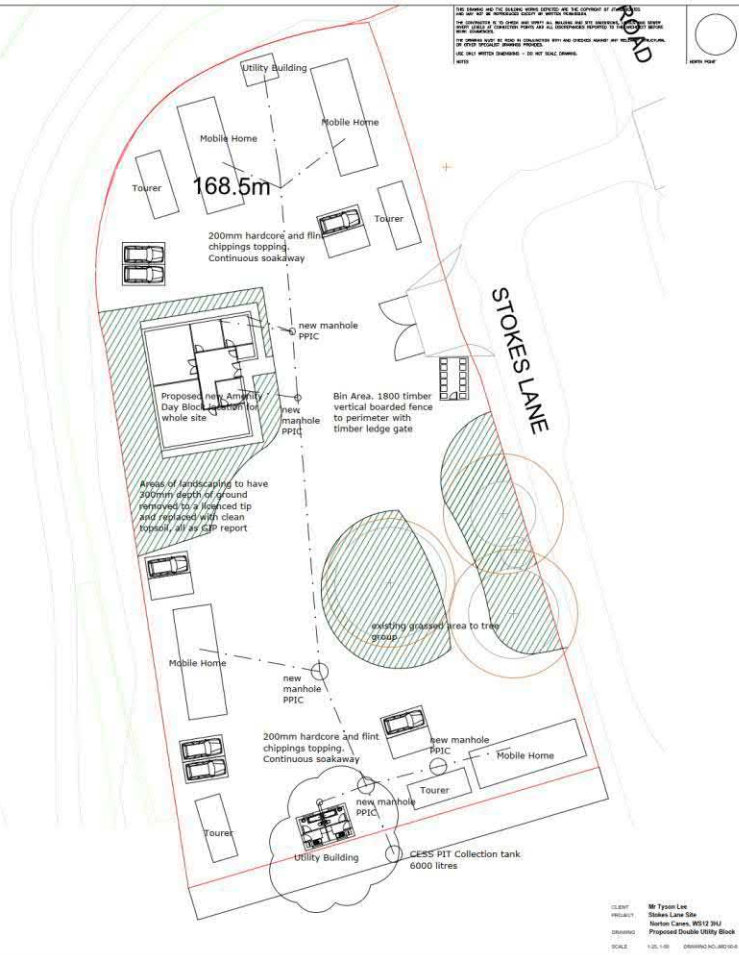
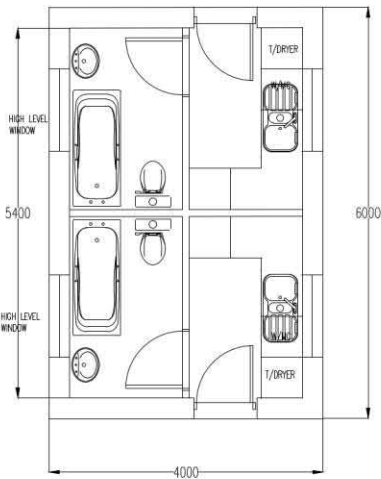
**Item No. 6.1**



# Location Plan



# Site Plan and Elevations



# Layout Plan granted under planning permission CH/21/0040



Site Plan Layout 1-250 scale A2 sheet

CLIENT: Mr. Tyson Lee  
 PROJECT: Stokes Lane Site  
 DRAWING: Norton Gates, WS12 3HJ  
 SCALE: Block Plan  
 DRAWINGS NO: JMD 60-9A

Rev A Day room layout added to landscape plan

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<b>Contact Officer:</b>	<b>Richard Sunter</b>
<b>Telephone No:</b>	<b>01543 464481</b>

<p><b>Planning Control Committee</b></p> <p><b>13 October 2021</b></p>
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<b>Application No:</b>	CH/21/0367
<b>Received:</b>	2 September 2021
<b>Location:</b>	Gypsy residential site Stokes Lane, Cannock, WS12 3HJ
<b>Parish:</b>	Heath Hayes / Norton Canes
<b>Ward:</b>	Heath Hayes East and Wimblebury Ward/ Norton Canes Ward
<b>Description:</b>	Non-material Amendment to Planning Permission No. CH/21/0040 to combine 2 No. proposed utility buildings into 1. No building
<b>Application Type:</b>	Non-Material Amendment

**Background:**

This application was presented to Planning Committee on 22 September 2021 when it was resolved to defer the application to allow for a members' site visit. The original report is attached below along with the officer update sheet showing the previously consented scheme.

**Recommendation:**

Approve

**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.

**Notes to the Developer:**

As this is a non-material amendment approved under Section 96A of the Town and Country Planning Act all conditions relating to planning permission CH/21/0040 will continue to be in force with equal affect subject to the specific non-material amendments hereby permitted.



## Consultations and Publicity

### External Consultations

None.

### Internal Consultations

None.

### Response to Publicity

As this application is for a non-material amendment it has not been advertised.

## Relevant Planning History

- CH/21/0040: Application under Section 73 of the 1990 Town & Country Planning Act to develop the land not in accordance with approved plans but in accordance with plan JMD-60-07. (Larger amenity block). Pursuant to CH/20/198. Approved 24 March 2021.
- CH/20/198: Change of use of land to use as a residential caravan site for 4 gypsy families. Approved 3<sup>rd</sup> September 2020.
- CH/19/093 Proposed Change of Use of land for the keeping/stabling of horses. Approved 21<sup>st</sup> August 2019.

## 1 Site and Surroundings

- 1.1 The application site is comprised of an area of land which is subject to planning application for a change of use of land for as a residential caravan site for 4 gypsy families which was approved 3<sup>rd</sup> September 2020 and subject to a material minor amendment on 24 March 2021. The site has been laid out with areas of hardstanding and is enclosed by a 2m high close boarded wooden fence and caravan stationed it and the amenity block/ day room is under construction.
- 1.2 The site is located off Stokes Lane near its junction with B1454 Hednesford Road, between Heath Hayes and Norton Canes. It is surrounded, in part by semi-mature woodland which helps to screen the site although not entirely.
- 1.3 The site is located within the West Midlands Green Belt, the Forest of Mercia, a Mineral SafeGuarding Area, Coal Authority Low Risk Boundary, Coal Authority High Risk Boundary, near to Env Agency Historic Landfill Boundary, a Landmark Contaminated Land Boundary.
- 1.4 The site is located in the parish of Heath Hayes and Wimblebury but on its boundary with Norton Canes.



## 2 Proposal

- 2.1 The Applicant is seeking consent for a non-material amendment to planning permission CH/21/0040 to combine 2No. utility buildings into 1 No building.

## 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
- CP2: - Developer contributions for Infrastructure
- CP3: - Chase Shaping – Design
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty (AONB)

- 3.3 There are no relevant policies within the Minerals Plan.

### 3.4 National Planning Policy Framework

- 3.5 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.

- 3.6 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.

- 3.7 Relevant paragraphs within the NPPF include: -

- 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

147-150: -	Green Belt
179-182: -	Biodiversity
183, 184: -	Ground Conditions
218, 219	Implementation

3.8 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

### 3.9 Planning Practice Guidance

3.9.1 Paragraph: 001 (Reference ID: 17a-001-20140306) states

‘When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements.

New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under [section 70 of the Town and Country Planning Act 1990](#) will need to be submitted. Where less substantial changes are proposed, there are the following options for amending a proposal that has planning permission:

- [Making a non-material amendment](#)
- [Amending the conditions attached to the planning permission, including seeking to make minor material amendments](#)’.

3.9.2 Paragraph: 002 (Reference ID: 17a-002-20140306) goes on to state: -

‘There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under [section 96A of the Town and Country Planning Act 1990](#).’

3.9.3 Finally, paragraph 005 (Reference ID: 17a-005-20140306) goes on to state: -

‘As an application to make a non-material amendment is not an application for planning permission, the existing [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) provisions relating to statutory consultation and publicity do not apply. Therefore local planning authorities have discretion in whether and how they choose to inform other interested parties or seek their views.

## 4 Determining Issues

- 4.1 The determining issue for the determination of the application is whether the proposed changes are material or non-material in nature. If the decision taker considers that the changes are non-material in nature then they should approve the application as a non-material amendment to planning permission CH/21/0040.
- 4.2 The main issues in the determination of planning permission CH/21/0040 were the impacts on the Green Belt, character of the area, residential amenity of neighbouring properties, highway safety, drainage and biodiversity.
- 4.3 The proposed amendments would not alter the quantum of built-form on the site, and as such would not have any material impact on the openness of the Green Belt or conflict with the purposes of including land within the Green Belt over and above that of the consented scheme.
- 4.4 Further to the above the proposal, by virtue of its nature and location within the existing compound would not result in any additional traffic flows, demonstrable impact on the character of the area, biodiversity or the residential amenity of neighbouring properties over and above that of the consented scheme.
- 4.5 As such it is considered that the proposed amendments are non-material in nature and therefore the application should be approved.

## 5 Human Rights Act 1998 and Equalities Act 2010

### Human Rights Act 1998

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

### Equalities Act 2010

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

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

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

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

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

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

Such consideration has been balanced along with other material planning considerations and applies in this proposal which is being funded through a disabled facility grant. It is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equalities Act.

## **6 Conclusion**

- 6.1 6.1 The Applicant is seeking consent for a non-material amendment to CH/21/0040 to combine two individual utility buildings into one semi-detached building.
- 6.2 The determining issue for the determination of the application is whether the proposed changes are material or non-material in nature.
- 6.3 There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another.
- 6.4 Given that the amendments sought would not alter the quantum of built-form on the site it would not have any material impact on the openness of the Green Belt or conflict with the purposes of including land within the Green Belt over and above that of the consented scheme.
- 6.5 Further to the above the proposal, by virtue of its nature and location within the existing compound would not result in any additional traffic flows, demonstrable impact on the character of the area, biodiversity or the residential amenity of neighbouring properties over and above that of the consented scheme.
- 6.6 It is recommended that the application be approved as a non-material amendment to planning permission CH/21/0040.

Extract of Officer Update Sheet for Planning Committee on 22<sup>nd</sup> September

Cannock Chase District Council

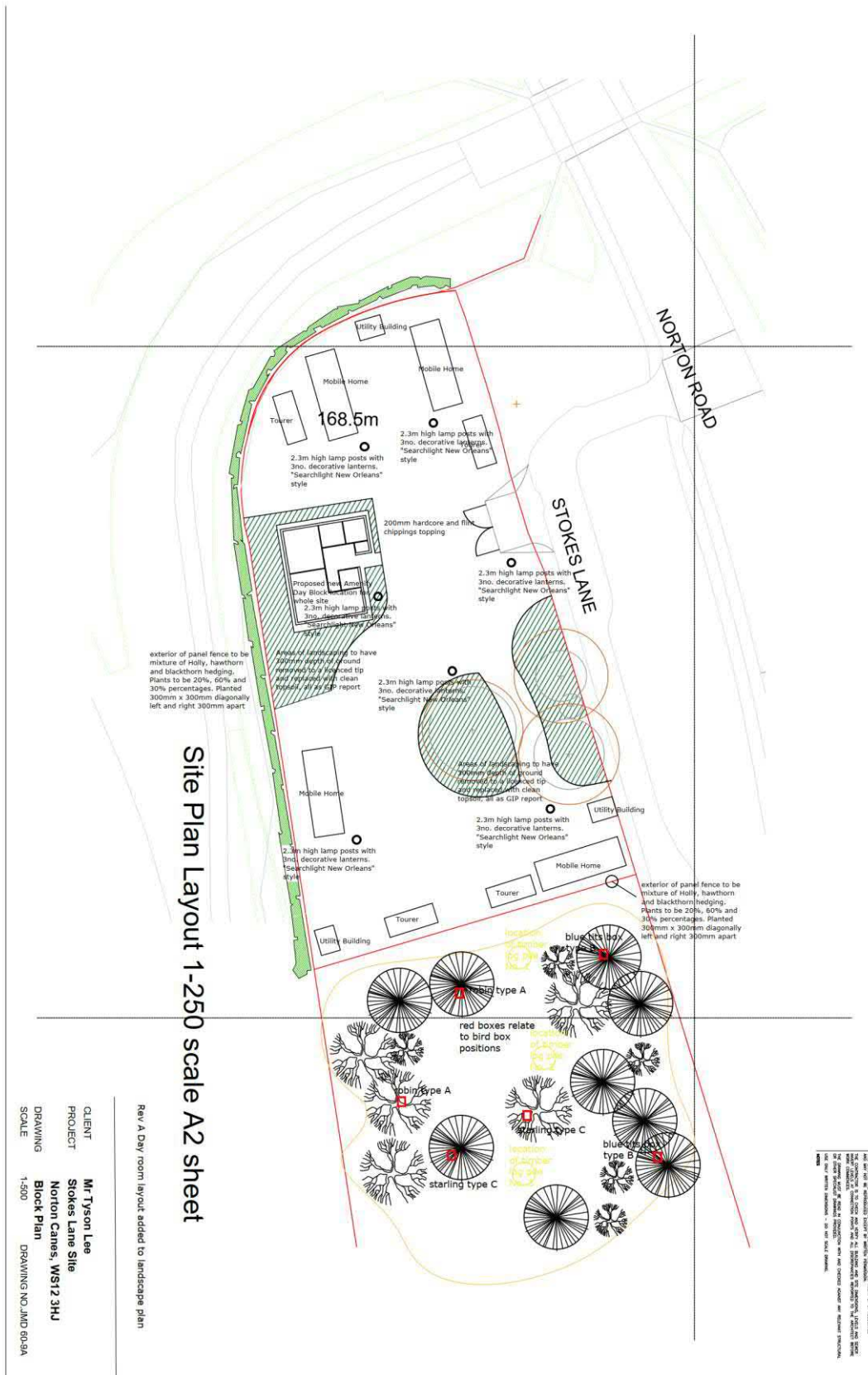
Planning Control Committee

22<sup>nd</sup> September 2021

Officer Update Sheet

<b>Application No:</b>	CH/21/0367
<b>Location:</b>	Gypsy residential site Stokes Lane, Cannock, WS12 3HJ
<b>Description:</b>	Non-material Amendment to Planning Permission No. CH/21/0040 to combine 2 No. proposed utility buildings into 1. No building

A copy of the layout granted under planning permission CH/21/0040 is attached for members information.



Site Plan Layout 1-250 scale A2 sheet

Rev A Day room layout added to landscape plan

CLIENT: M. Tyson Lee  
 PROJECT: Stokes Lane Site  
 DRAWING: Norton Cames, WS12 3HJ  
 SCALE: 1:500  
 DRAWING NO: JMD 60.9A

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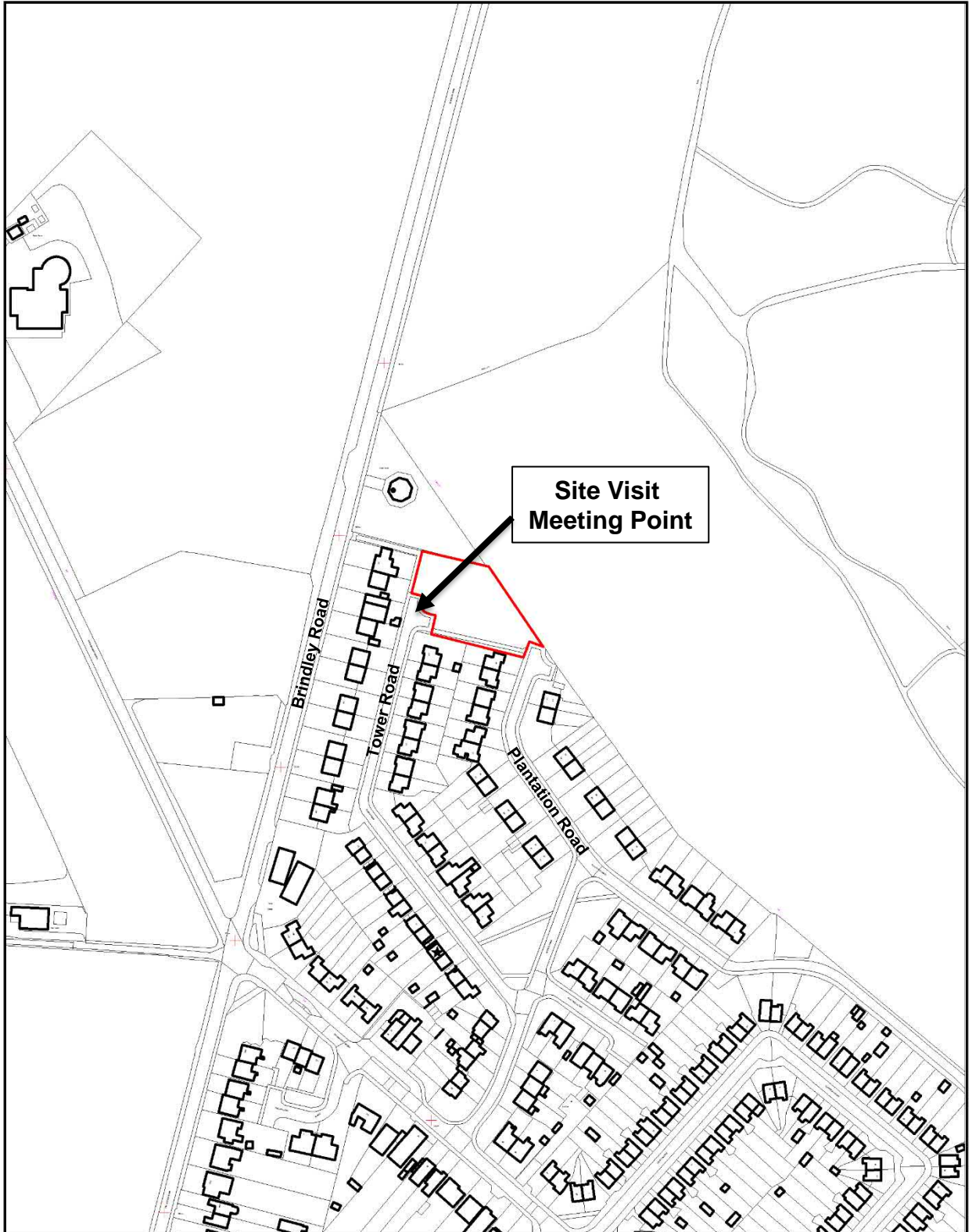
**Application No:** CH/21/0087

**Item No. 6.13**

**Location:** Land at end of Tower Road & Plantation Road, Pye Green, Cannock



**Proposal:** Outline application (some matters reserved) - Proposed new Scout Hut for 1st Hedgesford Scout Group. Access/Layout/Scale

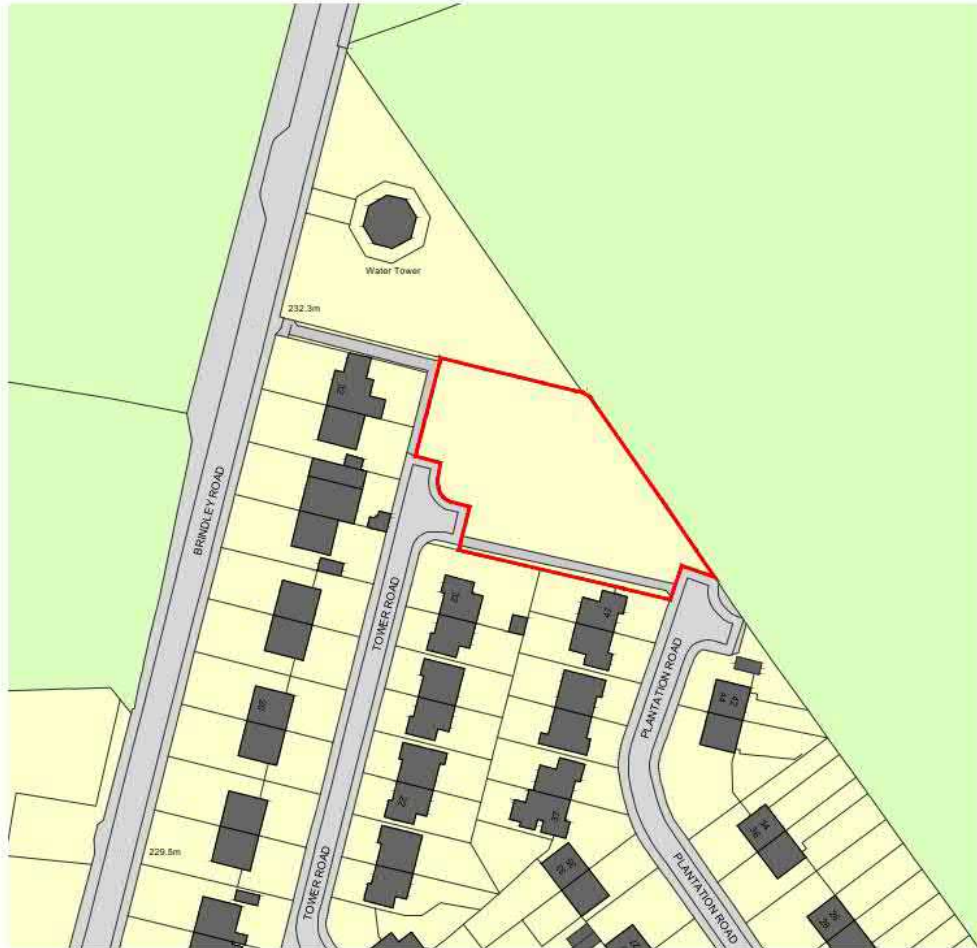




# Location Plan

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## Site Location Plan

1:1250@A4

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Rev.	Amendment	Date	By	Chk.
A	Updated to clients requirements	05.02.21	SB	SB

	<b>Site:</b> Proposed New Scout Hut at Land Off Tower Road, Hednesford, W511
<b>Client:</b> 1st Hednesford Scouts Group	
<b>Title:</b> Site Location Plan	
<b>Date:</b> January 2021	<b>Drawn By:</b> DB
<b>Scale:</b> 1:1250	<b>Paper Size:</b> A4
<b>Draw No:</b> 20008-01	<b>Rev:</b> A



Scale 1:1250@A4



e| adjustarchitecture@hotmail.com



# Existing Site Plan



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## Existing Site Plan

1:500@A3

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Project Name: Proposed New Scout Hut at Land Off Tower Road, Haddenham, W3.1  
Client: 1st Haddenham Scouts Group  
Drawing Title: Existing Site Plan  
Date: January 2021  
Scale: 1:500  
Drawing No: 20008-02  
Revision: A

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# Indicative Block Plan



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NO.	DATE	DESCRIPTION
01	01/01/2021	Issue for Planning
02	01/01/2021	Issue for Planning
03	01/01/2021	Issue for Planning
04	01/01/2021	Issue for Planning
05	01/01/2021	Issue for Planning
06	01/01/2021	Issue for Planning
07	01/01/2021	Issue for Planning
08	01/01/2021	Issue for Planning
09	01/01/2021	Issue for Planning
10	01/01/2021	Issue for Planning

Proposed New Scout Hut at  
131 Hednesford, Hednesford, Walsley  
1st Hednesford Scout Group  
Indicative Block Plan  
January 2021  
1:500  
20008-03 B

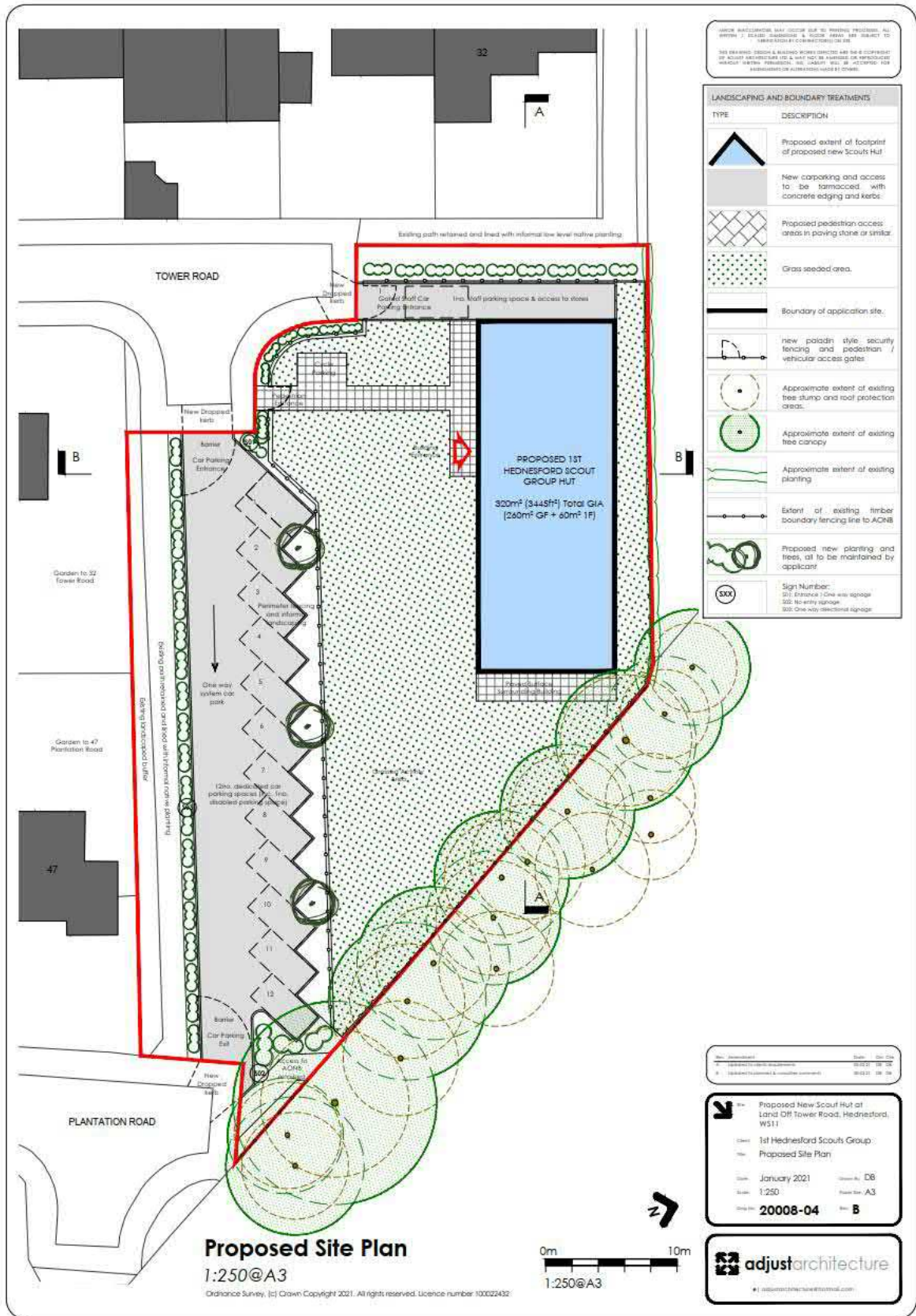
## Indicative Block Plan

1:500@A3

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# Proposed Site Plan



Proposed Site Plan

1:250@A3

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Rev	Description	Date	By	Chk
1	Submitted for consideration	01/01/21	DB	DB
2	Submitted for Council & resident comment	01/12/21	DB	DB

Proposed New Scout Hut at Land Off Tower Road, Hednesford, WS11

Client: 1st Hednesford Scouts Group

Project: Proposed Site Plan

Date: January 2021

Scale: 1:250

Drawn by: DB

Issue No: A3

Project No: 20008-04

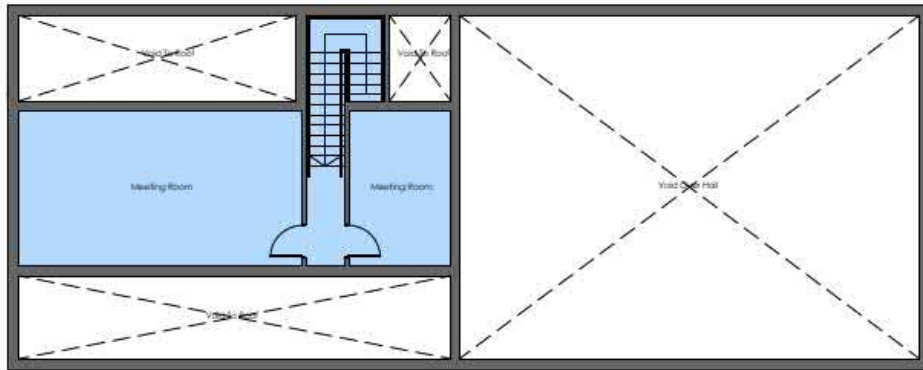
Sheet No: B

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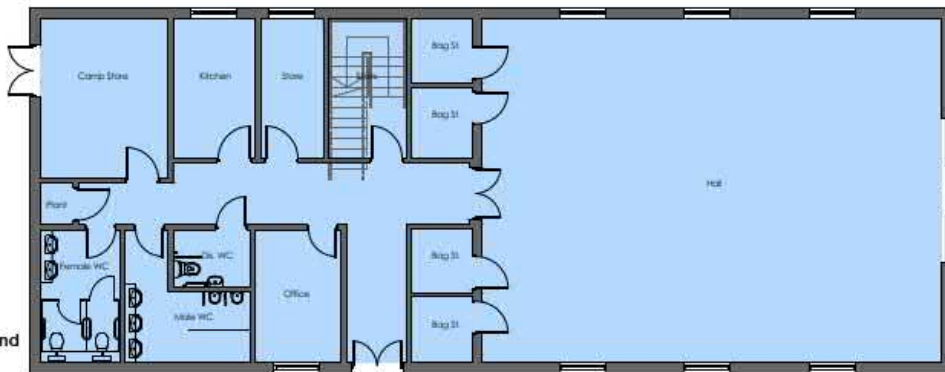
adjustarchitectur@btinternet.com

# Indicative Floor Plans

These indicative floor plans are for general reference only. They are not intended to be used as a basis for construction or any other purpose. The design is subject to change without notice. The client is responsible for ensuring that the design meets all relevant regulatory requirements.



**Indicative First Floor Plan**  
1:100RA3



**Indicative Ground Floor Plan**  
1:100RA3



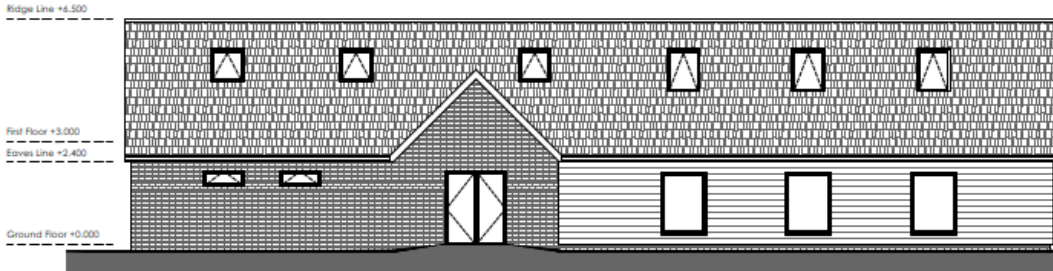
Client	1st Hadfield School Group
Project	Proposed New Scout Hut at 1st Hadfield School Group
Date	January 2021
Scale	1:100
Sheet	20008-06 - A

Proposed New Scout Hut at 1st Hadfield School Group  
Indicative Floor Plans  
January 2021  
1:100  
20008-06 - A

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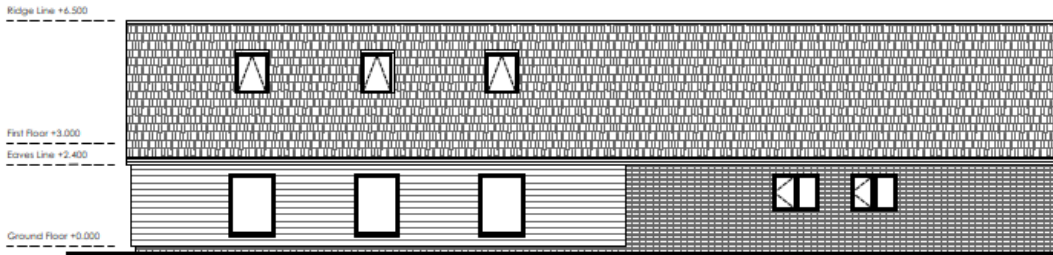


# Indicative Massing Elevations



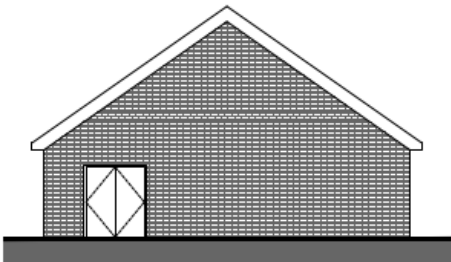
Indicative Massing Elevation: Front

1:100@A3



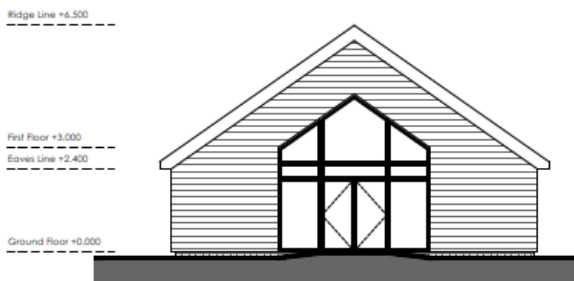
Indicative Massing Elevation: Rear

1:100@A3



Indicative Massing Elevation: Side

1:100@A3



Indicative Massing Elevation: Side

1:100@A3

These elevations are based on the existing building. No window or door locations are shown. All window and door locations are subject to change. The drawings are for informational purposes only and do not constitute a contract. All window and door locations are subject to change. All window and door locations are subject to change.

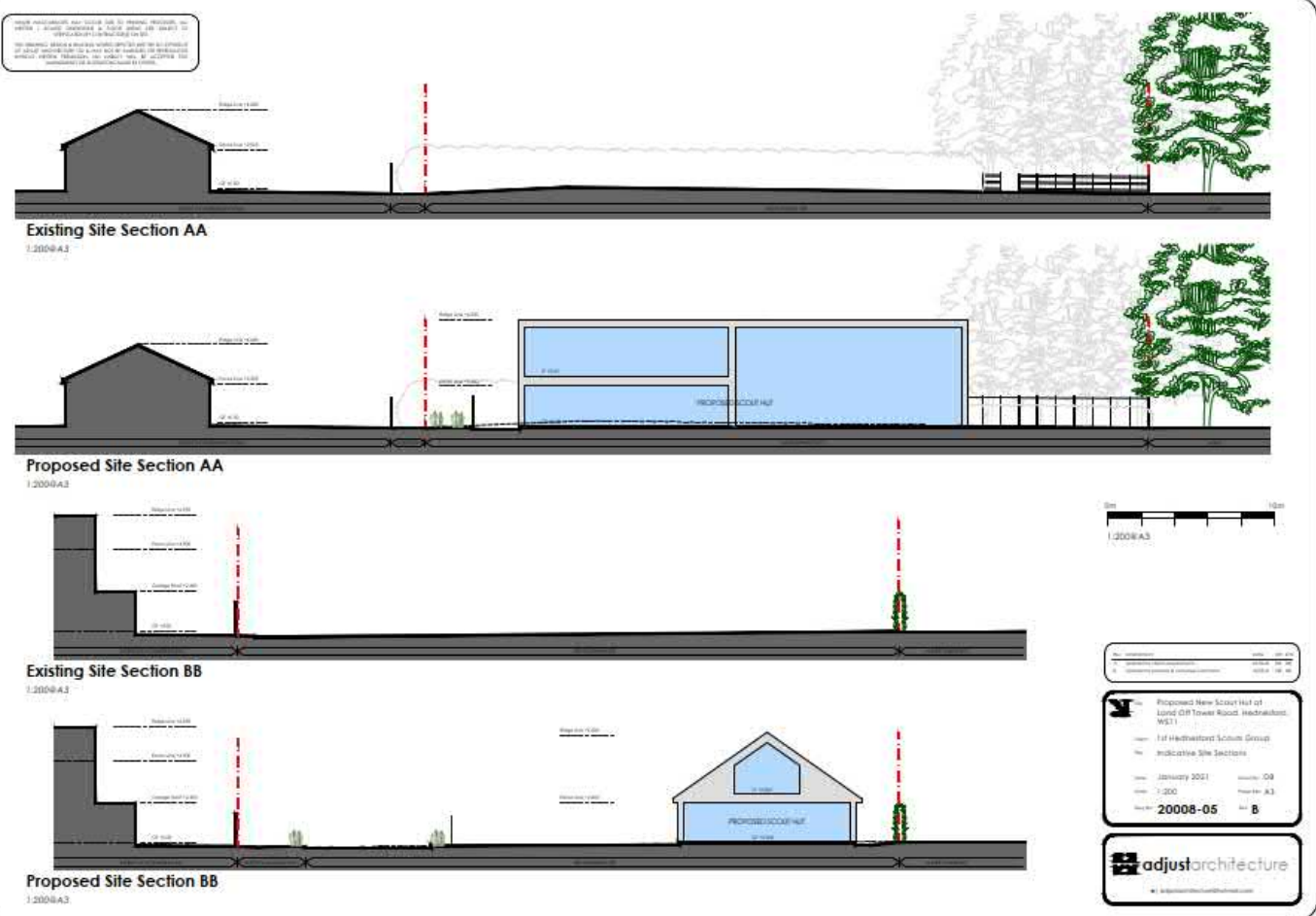


1:100@A3

Project Name	Proposed New Scout Hut at Land Off Tower Road, Hednesford, W511
Client	1st Hednesford Scouts Group
Document Type	Indicative Massing Elevations
Date	February 2021
Scale	1:100
Sheet No.	20008-07
Author	DB
Checker	A3

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# Indicative Site Sections



<b>Contact Officer:</b>	<b>Audrey Lewis</b>
<b>Telephone No:</b>	<b>01543 464528</b>

<p><b>Planning Control Committee</b></p> <p><b>13 October 2021</b></p>
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<b>Application No:</b>	CH/21/0087
<b>Received:</b>	17-Feb-2021
<b>Location:</b>	Land at end of Tower Road & Plantation Road, Pye Green, Cannock
<b>Parish:</b>	Hednesford
<b>Ward:</b>	Hednesford North Ward
<b>Description:</b>	Outline application (some matters reserved) - Proposed new Scout Hut for 1st Hednesford Scout Group. Access/Layout/Scale
<b>Application Type:</b>	Outline Planning Application

**Recommendation:**

Approve Subject to Conditions

**Reason(s) for Recommendation:**

Reason for Grant of Permission

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

**Conditions (and Reasons for Conditions):**

1. No part of the development hereby permitted shall be commenced until approval of the details of landscaping and materials (the reserved matters) has been obtained from the Local Planning Authority.

## Reason

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

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

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

Reason

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

3. The development hereby permitted shall not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall encourage recycling and soakaways for storm water wherever possible. Otherwise, where there is no alternative means of storm water disposal, then it will be directed to the mains drainage system.

The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Reason

In the interest of providing appropriate drainage to the development and ensure there is no water run-off into the SAC.

4. Before the development, hereby approved is commenced, including any works of site clearance, a Construction Method Statement and Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Method Statement and Construction Environmental Management Plan shall include details of:

- (i) The method to be used and undertaken to control the emission of dust, noise and vibration from works;
- (ii) A scheme for dust deposition monitoring;
- (iii) Measures (including wheel wash facilities) to control the deposit of mud and similar debris on adjoining public roads;
- (iv) Recorded daily inspections of the highway adjacent to site access points;
- (v) Site Fencing and security;
- (vi) Details of parking for vehicles of site personnel, operators and visitors;
- (vii) Details of site operative accommodation and location of compounds;
- (viii) Details of working hours;
- (ix) Details of the use of generators;



- (x) A program of works (including measures of traffic management);
- (xi) Routes for construction traffic;
- (xii) Pedestrian and cyclist protection;
- (xiii) Proposed temporary traffic restrictions;
- (xiv) Details of delivery time restrictions
- (xv) Details of loading and unloading of plant and materials; and
- (xvi) Details of storage of plant and materials used in constructing the development;
- (xvii) Method and times of piling should piling be undertaken on the site;
- (xviii) Locations for the stock piling of soil or other ground materials; and
- (xix) Location of amenity blocks for construction workers;
- (xx) Construction method statement and construction environmental management plan to avoid light pollution, dust and noise in the most sensitive parts of the day (18:00hrs to 08:00hrs).

The development shall be implemented in accordance with the approved details.

Reason

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

5. No means of external lighting shall be brought into use until an external lighting scheme has been submitted to and approved by the Local Planning Authority. Subsequently no means of external lighting shall be brought into use other than in accordance with the approved scheme.

Reason:

To avoid light spillage and light pollution to the SAC and surrounding residential area, in accordance with Local Plan Policy CP3 and the requirements of the NPPF.

6. Prior to first use of the development, a boundary treatment scheme to ensure the passage of small mammals and reptiles to and from the Special Area of Conservation (SAC) shall be submitted to and approved by the Local Planning Authority.

The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:

To ensure the passage of small mammals and reptiles to and from the SAC is not prejudiced, in accordance with the requirements of the NPPF.

7. The proposed car and cycle parking, accesses, servicing and circulation areas as shown on the approved plan dwg no 20008-04B shall be sustainably drained, hard surfaced in a bound material and marked out prior to the first occupation of the

building hereby permitted. Thereafter these parking areas shall be retained in accordance with the approved plans for the lifetime of the development.

Reason

To comply with the objectives and policies contained within the NPPF, para 111 and the Cannock Chase Local Plan CP10. In the interests of highway safety.

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

Within the enclosed area known as the Tree Protection Zone, no work will be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written consent of the Local Planning Authority is obtained. The Tree

Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

Reason

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

9. No fires shall be lit within the confines of the site at any time.

Reason:

To avoid adverse impact to the SAC and surrounding residential area, in accordance with Local Plan Policy CP3 and the requirements of the NPPF.

10. The scout hut use hereby permitted, shall be restricted to scouts club activities.

Reason:

To protect neighbour amenity, in accordance with Policy CP3 and the requirements of the NPPF.

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

20008-01 Rev A - Site location plan  
20008-02 Rev A - Existing site plan  
20008-03 Rev B - Indicative block plan  
20008-04 Rev B - Proposed site plan  
20008-05 Rev B - Indicative site sections  
20008-06 - Rev A - Indicative floor plans  
20008-07 - Indicative massing elevations  
Design & Access statement  
Tree Report  
Ecological Assessment

**Reason**

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

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

**Consultations and Publicity****External Consultations****Cannock Chase AONB Unit**

The site is immediately outside the AONB boundary off Tower Road and Plantation Road, Cannock. Land use to the south is residential; generally comprising semi-detached bungalows or two storey semi-detached properties with small gardens. A hexagonal water tower is adjacent to the site to the north. The boundary of the AONB dog-legs directly around the site to the north, and about 50 metres from the site to the west, following Brindley Road. Brindley Road is a key gateway into the AONB, where there is a transition between low rise residential to open countryside. Brindley Heath, part of the Cannock Chase Special Area of Conservation directly abuts the site to the north east, and a number of well-used footpaths cross the heath, some within 100 – 120 metres of the site. The fringes of Brindley Heath are well wooded, limiting direct views of the site.

The proposal is for a one and a half storey building with the upper storey accommodated in the roof space. The proposed building footprint is 27m x 10.6m x approximate eaves height of 2.4m and ridge line of 6.5m to the highest point of the ridge. The Design and Access Statement indicates the external walls will be constructed of a mixture of brick and timber cladding, and the pitched roof will be tiled matching the existing dwellings surrounding (details to be agreed via condition). A modest scheme of native planting including trees is indicated on the proposed site plan.

**AONB Issues:**

Policy to protect the landscape and scenic beauty of the AONB, across the designated area and its setting, including open land within villages and settlements, is a material consideration.

The proposed building is of a scale and form that would be in keeping with the character of the adjacent residential area, reflecting local context. The 1.5 storey construction with second floor accommodated in the roof space is warmly welcomed, and the use of different materials (brick and timber facing), and gable end at the front entrance help create a more domestic style, reducing the scale of the long elevation. These design features combine to minimise intrusion. The proposed alignment relates to Tower Road, not the AONB boundary, and this too is welcomed to reduce potential direct impacts.

Overall, I am content that the proposal would not give rise to unacceptable impacts on the AONB. When approaching the AONB along Brindley Road, the proposed development would not stand out from the existing housing, and the development is positioned to minimise impacts on users within the AONB.

I request a condition for details of materials and a detailed landscape scheme. Tree planting is indicated on the Proposed Site Plan 20008-04 and would be welcomed to filter views of the development.

### **Severn Trent Water Ltd**

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

### **Natural England**

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Summary of Natural England's advice: No objection - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Cannock Chase Special Area of Conservation (SAC).
- damage or destroy the interest features for which Cannock Chase Site of Special Scientific Interest (SSSI) has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

The mitigation proposed in the Habitat Regulations Assessment.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

## Cannock Chase SAC

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, and the conditions proposed by the Local Planning Authority in their Habitat Regulation Assessment, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

## Cannock Chase SSSI:

The advice we provided in the SAC section applies equally to this section.

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

## **Historic England**

No objections.

## **Wildlife Officer**

No comments received.

## **Police Architectural Officer**

No objections, makes recommendations in order for the development to obtain Secure By Design Accreditation.

## **Hednesford Town Council**

Hednesford is a growing town, with hundreds of houses built over the past few years, and hundreds more planned in the coming years.

As Hednesford grows demand for local services and organisations will also grow, and it is important that capacity be expanded to fully accommodate the needs of the community.

The Scouts have a long and proud history in Hednesford: they have supported generations of young people to develop skills, make friends and build confidence in a supportive environment. The Scouts also form a key part of our annual Remembrance Day service and parade.

In recent years the Scouts have found that they are reaching capacity in their current location on Mavis Road, while demand for their organisation continues to grow. In order to continue serving our community the Scouts have been searching for a new home.

The Scouts, finding it extremely difficult to find a suitable site or premises and keen to stay in Hednesford, approached Hednesford Town Council for support last September. Having searched for four years, the Scouts had found only one location that met the conditions of creating a facility for the future which would meet local demand, and retain Scouting in Hednesford.

The site on Tower Road represents an ideal opportunity to create a modern Scout hut which sits well in its surroundings, and in the local community. In drawing up their proposal the Scouts have worked constructively with both the Town Council and with officers at the District Council to understand requirements, and carefully address concerns.

The application considers not only the needs of the Scouts and the families they serve, but also the impact on neighbours and the AONB. They have carefully considered access and worked to ensure the building blends into its surroundings. Pre-Covid19 the Town Council was frequently made aware of concerns from neighbours in the Scouts' current location of Mavis Road, regarding congestion from parents picking up and dropping off children. The new application includes a one-way system and parking spaces, as well as a barrier which can be lowered to prevent the one-way system becoming an unintended cut-through. This demonstrates that the Scouts have thought carefully about the challenges inherent in the Mavis Road location, worked proactively to create a design which alleviates impact on local residents, and shows their determination to be good neighbours.

In our view this move would resolve the concerns of residents at Mavis Road, and provide the Scouts with a more appropriate home within our community which meets their needs and is considerate of local residents.

Hednesford Town Council support this application and would like to see the Scouts establish a new base at Tower Road, returning the site at Mavis Road back to the District Council.

### **Internal Consultations**

### **Parks and Open Spaces**

With reference to previous memo of 23 March 2021, have the following comments:-

The revised proposals create a wider corridor to the rear of 30-32 Tower Road which would improve the safety aspect for users of the footpath and the blind corner.

The revised layout of the parking has moved it closer to the NE boundary and so that it abutts the RPA's of the trees.

Given that there can be no level changes within the RPA's and dependant on site levels, there would be no opportunity to grade the ground around the edge of the proposed parking bay 12.

The revised proposal whilst creating a clear footpath along the outside of the parking area with the inclusion of a narrow strip of informal native planting(?) between the two, fails to

utilise the area of land available to the best whilst creating a confined tight parking area and increasing future maintenance liabilities. The narrow strip of planting will have limited root zone as a result of the necessary paving construction but also it will need to be quite formal in terms of its management as a hedge, so as not to impact on pedestrians or users of the car park.

It should be noted that the existing landscaped buffer adjacent the two properties is simply a grass strip.

As recommended previously, it would be far more practical to have a footpath along the side of the two properties, with the car park abutting this. This would then potentially give more space for the parking area and also allow the latter to be pulled away from the RPA's. Suitable landscaping could then be incorporated between the car park and the fence line to soften the whole area but also give some screening to the open grass area and building.

The proposed location of the building has been adjusted closer to the NE boundary which is acceptable. As noted previously this may or may not require the use of pile and beam foundations and care would need to be had in respect of the tree canopies.

No ground level changes including excavation for new surface material would be possible within the Root Protection Areas (RPA's) of the adjacent trees. Any services including drainage around the NE corner of the building would require hand excavations within the RPA's.

#### Summary

No objection in principle to the development of the site with an appropriate layout.

Proposed parking and footpath layout have issues in terms of practicalities and future liabilities that need to be designed out as suggested.

#### **Environmental Services**

No comments received.

#### **Estates**

No comments received.

#### **Environmental Health**

No adverse comments are offered in principle.

The development is in close proximity to residential properties. I would therefore recommend that a CEMP is provided and that any external lighting is designed to minimize the impact on adjacent residents. Similarly, the location of the planned car parking area appears to present the potential for disturbance from car headlights. I would therefore request that the perimeter boundary consists of a fence or similar, to prevent direct shining into property windows.

## Development Plans and Policy Unit

The site abuts the following designations on the Local Plan Policies Map: Cannock Chase SAC, Cannock Chase SSSI, Cannock Chase AONB and the Green Belt. The site does not fall within any other designated areas shown on the Local Plan Policies Map.

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.

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 122 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 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 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.

#### Conclusion

It is of my opinion that the main policy consideration for this application is with regards to the design of the proposed development and impact upon the surroundings, we are happy to leave this to the judgement of the Case Officer.

## **Staffordshire Highway Authority**

No objection subject to condition for the proposed car and cycle parking, accesses, servicing and circulation areas as shown on the approved plan dwg no 20008-04B to be provided for the lifetime of the development.

## **Waste Management & Recycling**

No comments received.

## **Response to Publicity**

The application has been advertised by site notice and neighbour letter. A substantial number of letters of representation have been received raising concerns from local residents and also there are several local residents and a letter from a local councillor supporting the proposal on the following grounds:

### **Supporting Issues raised:**

- Recent increase in numbers of young people wishing to join the scouts organisation is severely limited by the space capacity of the existing HQ in Mavis Road.
- I would like to support the planning application of 1st Hednesford Scout Group on land at Tower Road, Hednesford.
- Scouting is a growing movement and the Hednesford branch having outgrown their Mavis Road premises need a new base where they can continue to offer activities, education and fun to our local children. Scouting lets children try new activities, builds self-confidence and citizenship skill which are all as important now as they were when Hednesford Scouts started in 1908.
- New housing developments in and around Hednesford will bring more children into the area and with no youth clubs and very little provision for children, Scouting is hugely important to the community and can only become even more so in the future.
- I understand that they have been searching for a more suitable site for years with very few options available. Having seen the proposed site I feel that this would be an ideal position for the new building, it may be classed as 'green space' but I have never actually seen it in use and as it is just grass I can see no ecological reason to object it. It also offers direct access to Cannock Chase which is perfect for activities.
- Unlike the current Mavis Road site, most of the properties in Tower Road have off road parking facilities and with the one way system traffic congestion is unlikely to be an issue. I can see that the plans make every effort to ensure that their new home in Tower Road would fit in with the existing community and cause minimal disruption. It seems obvious that the Scouts intend to be 'good neighbours'.
- I was interested to learn that this land was actually owned by the Scouts in the 1940's but made part of a Compulsory Purchase by the Council in 1950. I would wholeheartedly support the planning application on this little used land – it would be the perfect place for the Scouts to return to.

**Objection Concerns:**

The proposal would be detrimental to the amenity and environment of the area, especially the fauna;

- The common lizard population around the water tower
- The deer that use it for grazing
- A multiple storey building would affect the bat's flight path
- Owls & birds of prey would be detrimentally affected by the development proposed.

**Traffic/Parking:**

- There are currently issues surrounding the lack of car parking spaces for residents. This plan would add to the issue due to the amount of cars parking to use the scout hut.
- The 16 car parking spaces including the 4 spaces for staff would not be enough to support the amount of people attending.
- Vehicles passing the rear of bungalows in Brindley Road would have a detrimental impact on resident's mental health.
- Air ambulance use the site for recovery of ill/injured people from the Chase.

**Noise/light pollution:**

- The area is populated mostly by elderly people who are usually in bed early. The noise and lights produced by the hut will keep residents awake.

**Access:**

- The space is regularly used by residents and younger children who use the field for running around, football, playing in the snow and to exercise.
- Every resident also uses the access to the Chase. If this was fenced off the closes access would be via a main and busy road which would not be safe.
- There are more suitable locations other than this proposed site.

<b>Relevant Planning History</b>
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No recent relevant planning history.

<b>1 Site and Surroundings</b>
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- 1.1 The application site is located within Pye Green, and specifically at the end and between two established residential streets of Tower Road and Plantation Road, which is within the jurisdiction of Cannock Chase Council. The surrounding area is a mix of established residential properties, as well as some small retail /

commercial properties sporadically placed along main roads within the vicinity of the site. The site is also bounded by Cannock Chase AONB to the West, and by the Pye Green Water Tower to the Northern boundary. The site is, approximately 2.5 miles to the North of Cannock town centre and has lots of smaller areas of development such as Huntington, Hednesford and Wimblebury within close vicinity. The site is well served by existing public transportation facilities with local bus stops a short walk away.

- 1.2 The site comprises a red line boundary area of approximately 0.192ha/ 0.478acre and occupies an odd-shaped area of land. At present the site consists of an open area of turfed amenity land between two residential streets. The existing site is relatively flat, with some small falls across the site, and some small areas of raised mounds.
- 1.3 The site is bounded by residential properties to the Western and Southern boundary which are a mix of one and two storey properties. Pye Green Water Tower is located directly to the Northern boundary, whilst Cannock Chase AONB is located directly to the Eastern boundary. Further afield the local centre of Pye Green is also within proximity to the site, with some sporadic commercial /retail shops along main roads in between larger residential areas. Further afield to the North is the larger part of the Cannock Chase AONB.
- 1.4 There is existing vehicular road access to and from the site via Tower Road and Plantation Road. The development proposes to introduce one new access off an existing turning area at the end of Tower Road. This would lead directly to a new one-way car parking area, which then has a proposed new egress onto Plantation Road. This allows for safe one-way system to be introduced and reduce any traffic congestion at peak times to the building
- 1.5 The application site is undesignated and unallocated within the Local Plan. It abuts the AONB, SSSI and Green Belt Boundary. It is located within the Forest of Mercia, Mineral Safeguarding Area, Coal Authority Low Risk Boundary. The Hednesford Area Neighbourhood Area Plan has been adopted for the area.

## **2 Proposal**

- 2.1 The applicant is seeking consent for outline planning permission (landscaping and materials reserved for consideration later) for a new Scout Hut for 1st Hednesford Scout Group. Access/ Layout/ Scale is to be considered under this submission.
- 2.2 The proposals have been designed as a one and a half storey building, with the first-floor accommodation located within the roof space. The proposal would have an approximate ridge line of 6.5m to the highest point of the ridge. The eaves would be approximately at 2.4m in height. Cycle parking and 13 No. car parking spaces would be provided within the application site boundary. The site would be secured with gates and vehicle barriers with a one-way vehicular flow arrangement.
- 2.3 A Design & Access Statement and Ecological Assessment have been submitted. A tree survey has also been carried out to the trees closest to the Eastern boundary to support the application.

- 2.4 Further information has also been supplied to inform the Council officers, to enable completion of a Habitat Regulations Assessment.
- 2.5 The plans have been amended since submission, to:
- Re-inclusion of existing footpath to provide access between Tower Rd/ Plantation Rd (as requested by highways)
  - Moving building and fencing to ensure near 5m gap to rear of bungalows of Brindley Rd.
  - Signage for highways shown (no entry/one way signage)
  - Tandem parking removed to the side. One parking space retained in this location and an access off the turning head, so that the group can access the storage area with a trailer.

### **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), 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
  - CP5 – Social Inclusion and Healthy Living
  - CP12 – Biodiversity & Geodiversity
  - CP13 - Cannock Chase Special Area of Conservation (SAC)
  - CP14 – Landscape Character & Cannock Chase Area of Outstanding Natural Beauty
  - CP16 – Climate Change & Sustainable Resource Use

#### **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

## Hednesford Neighbourhood Plan

OS1: Protected Open Spaces

HN(a) Open space between Plantation Road and Tower Road

### 3.5 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

111: Highway Safety and Capacity

123 Making Effective Use of Land

92, 93, 99, 100, 101 Promoting healthy and safe communities

126, 130, 132, 134: Achieving Well-Designed Places

174, 180: Biodiversity

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) Cannock Chase AONB Management Plan

## 4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Impact on highway safety.
- v) Impact on nature conservation
- vi) Drainage and flood risk
- vii) Other Issues raised

### 4.2 Principle of the Development

4.2.1 Both paragraph 11 of the NPPF (2021) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

4.2.2 The presumption in favour of sustainable development as set out in paragraph 11 of the NPPF states: -

‘For decision taking this means:

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

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

‘In Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. The urban areas will accommodate most of the District’s new housing and employment development, distributed broadly in proportion to the existing scale of settlement.’

4.2.4 In addition to the above general strategic approach there are also relevant policies within the Hednesford Neighbourhood Plan, namely Policy OS1 and Paragraphs 92, 93, 100 of the NPPF.

4.2.5 Policy OS1 states development of open spaces within the urban area identified in appendix 6 will not be permitted unless;

- in the case of small spaces within existing housing estates, this is associated with comprehensive estate redevelopment. In these circumstances replacement open space of at least equivalent size and quality shall be provided as part of the redevelopment proposals; or
- the open space is no longer needed as an informal recreation area; or
- the community benefits of redeveloping the open space outweigh its loss

Those open spaces which function as informal recreation resources for their local communities will be maintained and enhanced for this purpose.

Proposals for improvement will be made in consultation with residents and Cannock Chase Council including with the use of CIL funding.

Landowners will be encouraged to maintain and enhance those open spaces that function as local visual amenities, wildlife corridors and areas of water storage and conveyance.

4.2.6 NPPF Policies:

92. 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.



93. 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;
  - (c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
  - (d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
  - (e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services

100. 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.

4.2.7 Additional information has been submitted to demonstrate that there is community need for expansion of the Scout Organisation within Hednesford.

4.2.8 The Scout's organisation have outgrown their existing site in Mavis Road and have attempted to source an alternative site for the last 4 years - this land was previously owned by the Scouts in the 1940's, but made part of a Compulsory Purchase by the Council in 1950's.

4.2.9 Although, the proposed development would involve the loss of a local amenity area, it would satisfy a community need and demand for the local Hednesford Scouting Organisation to remain within the area, while providing an alternative community leisure use.

4.2.10 Furthermore, the proposed development would promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, through providing this community facility, which would help create strong neighbourhood links to the surrounding residential area and provide a layout that would allow for easy pedestrian and cycle connections within and between neighbourhood, whilst providing an active street frontage. In addition, the footpath link to the adjacent AONB/SAC would be retained and improved by the proposed development, which would be fully compliant with community infrastructure requirements of the Hednesford Neighbourhood Plan, Local Plan Policy CP5 and paragraphs 92, 99, 100, 101 & 123 of the NPPF.

4.2.11 As such, it is considered, that the community benefits of redeveloping the open space would outweigh its loss and it is therefore concluded that the proposal is acceptable in principle.

4.2.12 However, proposals that are acceptable in principle are still subject to all other policy tests. This report will now go on to consider the proposal in the light of these policy tests.

### 4.3 **Design and the Impact on the Character and Form of the Area and adjacent AONB**

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

‘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 this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to space about dwellings. Having taken all of the above into account it is considered that the main issues in respect to design and the impact on the character and form of the is the overall layout and scale of the building relative to the surrounding residential properties.

4.3.6 Given the above it is noted that although the application has been submitted as an outline application with landscaping and materials reserved for consideration later, the applicant has provided additional information that shows indicative floor layout; retention of existing trees, additional hedge planting around the periphery of the site and new trees within the site. The design and access statement also indicates that the building would comprise brick and timber materials.

4.3.7 It is noted that the site would retain mature tree screening to the boundary with the AONB and SAC. A condition has been recommended to ensure their protection and the additional landscaping would be secured with the reserved matters application for landscaping to be considered in further detail.

4.3.8 It is also noted that the land is relatively level and the overall mass of the building would be largely screened from Brindley Road, by the existing surrounding residential properties. The wider views from along Brindley Road are screened by the existing landscaped boundaries.

4.3.9 Therefore, having had regard to Policies CP3 and CP14 of the Local Plan and the appropriate sections 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 and that of the adjacent Cannock Chase 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 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 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.

- 4.4.4 However, it should always be taken into account that these distances and areas are in the nature of guidance. When applying such guidance consideration should be given to the angle of views, off-sets and changes in levels as well as the character of the area.
- 4.4.5 The nearest dwelling is located at No. 32 Brindley Road. The side elevation of the building would be located 14m away from the principal elevation of the bungalow. The siting of the building would comply with facing distance policies and the 45/25 standard as set out within the Design Supplementary Planning Document.
- 4.4.6 As such, it is considered that in principle the building could be incorporated into the site and be compliant with Policy CP3 and the requirements 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 There have been objections raised regarding additional traffic, access arrangements and lack of off-street parking provision.
- 4.5.3 In respect of the parking and access requirements, the plans have been revised to take into account the initial concerns of the County Highways Authority. They have been consulted and have no objections to the revised plans, subject to the imposition of a suitable condition.
- 4.5.4 It is therefore considered that the proposal would not be detrimental to highway safety and would bin in accordance with Policy CP3 and CP16 of the Local Plan and relevant paragraphs of the NPPF.

#### 4.6 **Impact on Nature Conservation Interests**

- 4.6.1 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 174 and 180 of the NPPF.
- 4.6.2 Policy CP12 of the Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced via

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

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

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

4.6.3 Paragraph 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;'

4.6.4 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.

## Cannock Chase SAC

- 4.6.5 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated.
- 4.6.6 Due to the proximity of the adjacent SAC boundary, a Habitat Regulations Assessment has been undertaken by the Council, as the competent authority. Following submission of additional information detailing mitigation measures. Natural England have been re-consulted and have no objections, subject to the imposition of suitable conditions to ensure any adverse impacts of the proposed building will be fully mitigated.

## Site Specific Biodiversity Issues

- 4.6.7 An Ecological Assessment has been submitted with the application, which has noted that due to the cultivated grassland nature of the site, there are no protected species on site. However, there are birds nests in the adjacent trees and the passage of hedgehogs and other small mammals may occur across the site.
- 4.6.8 Subject to compliance with the ecological assessment, it is considered that there would be not detriment to biodiversity of the site, in accordance with Local Plan policies or the relevant paragraphs of the NPPF.

## 4.7 Drainage and Flood Risk

- 4.7.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps.
- 4.7.2 Policy in respect to drainage and flood risk is provided by 159-169 of the NPPF. Of particular note is paragraph 167 which states

‘When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.’

4.7.3 In this instance, although the application is outline at this stage, additional information that has been provided by the applicant proposes to recycle water where possible and incorporate porous materials and landscaping to parking areas. There also is infrastructure nearby within the surrounding residential area, to connect the building to existing storm and foul sewers. Severn Trent have been consulted and have no objections to the proposed development.

4.7.4 As such, the proposed development would not result in an increase in flood risk in this location or elsewhere in accordance with paragraph 167 of the NPPF.

#### 4.8 **Mineral Safeguarding**

4.8.1 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), both aim to protect mineral resources from sterilisation by other forms of development.

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

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

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

4.8.3 The application site is located within a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the proposal is not classified as a major application.

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

#### 4.9 **Ground Conditions and Contamination**

4.9.1 The site is located in a general area in which Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application and it is concluded that the proposal is acceptable in respect to ground contamination

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

### **Human Rights Act 1998**

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

## **Equalities Act 2010**

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

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

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

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

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

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

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

## **6 Conclusion**

- 6.1 It is considered, that the community benefits of redeveloping the open space for use as a scout hut would outweigh its loss. It is therefore concluded that the proposal is acceptable in principle, in accordance with Hednesford Neighbourhood Plan, Local Plan Policy CP5 and paragraphs 92, 99, 100, 101 & 123 of the NPPF.
- 6.2 Subject to suitable mitigation measures as outlined within the Habitat Regulations Assessment, it is considered that any adverse impacts on the adjacent AONB/SAC of approving this application would significantly and demonstrably be outweighed by the benefits, when assessed against the policies in the framework taken as a whole.
- 6.3 Having regard to the above, it is considered that the access, layout and scale of the proposed scout hut building would not conflict with the relevant policies of the Local Plan or NPPF.
- 6.4 In all respects the proposal is considered acceptable and it is therefore recommended that the application be approved subject to the attached conditions.



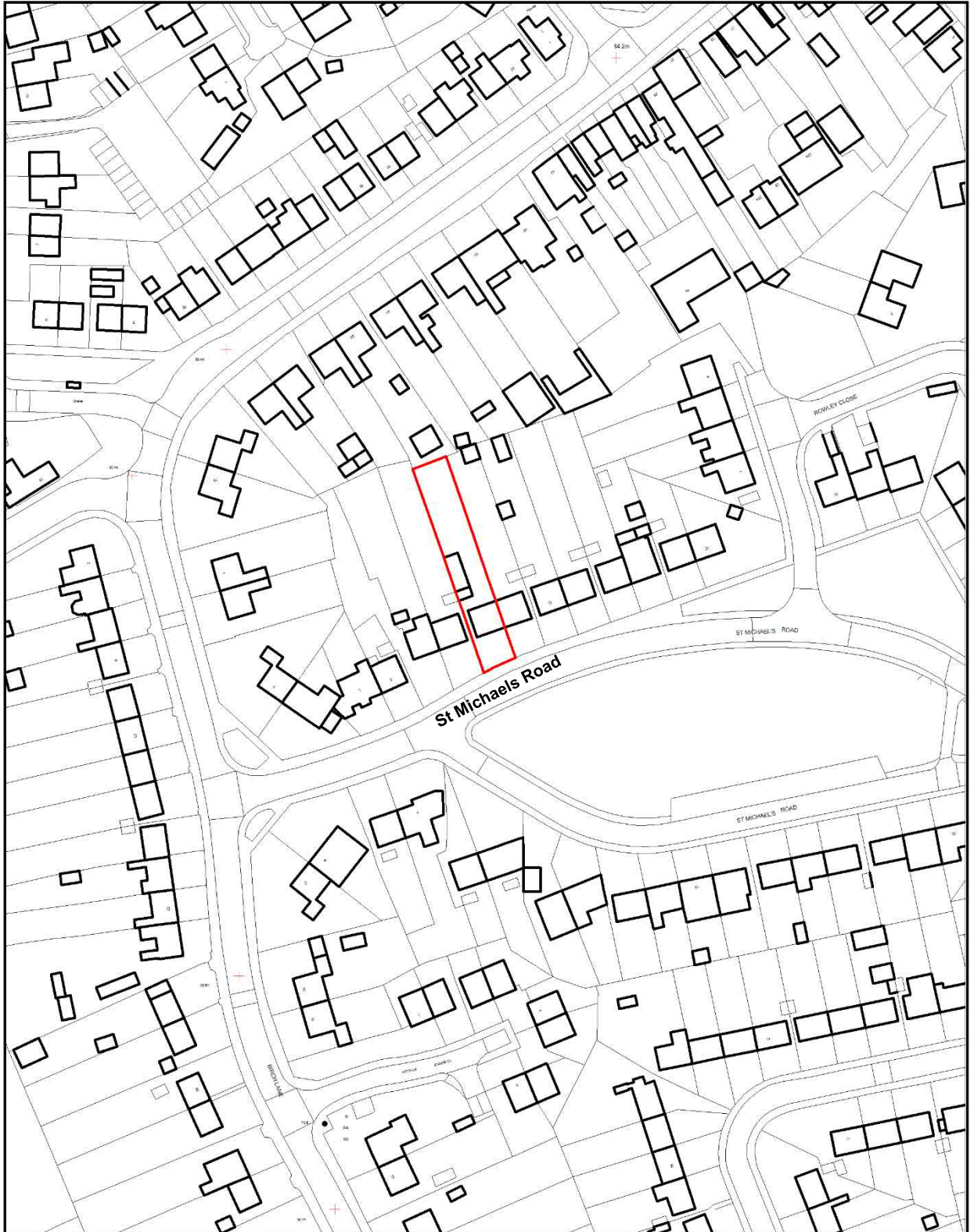


**Application No:** CH/21/0330

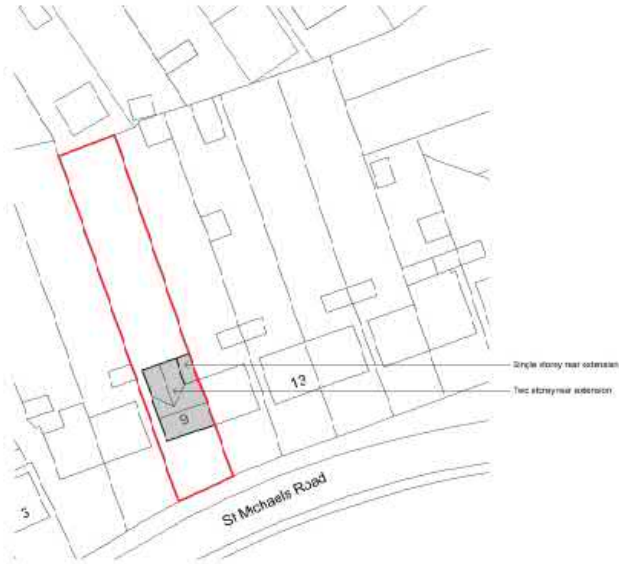
**Location:** 9, St Michaels Road, Rugeley, WS15 1EX

**Proposal:** Rear extension to residential dwelling (part two storey)  
(Resubmission of application No. CH/21/0159)

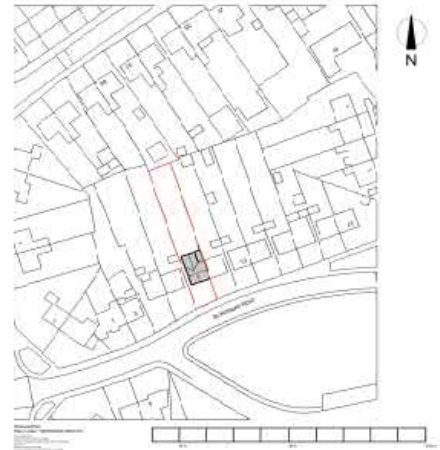
**Item No. 6.47**



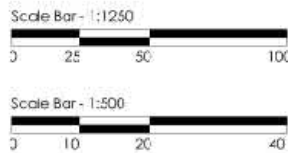
# Location and Block Plans



Proposed Block Plan  
1:500

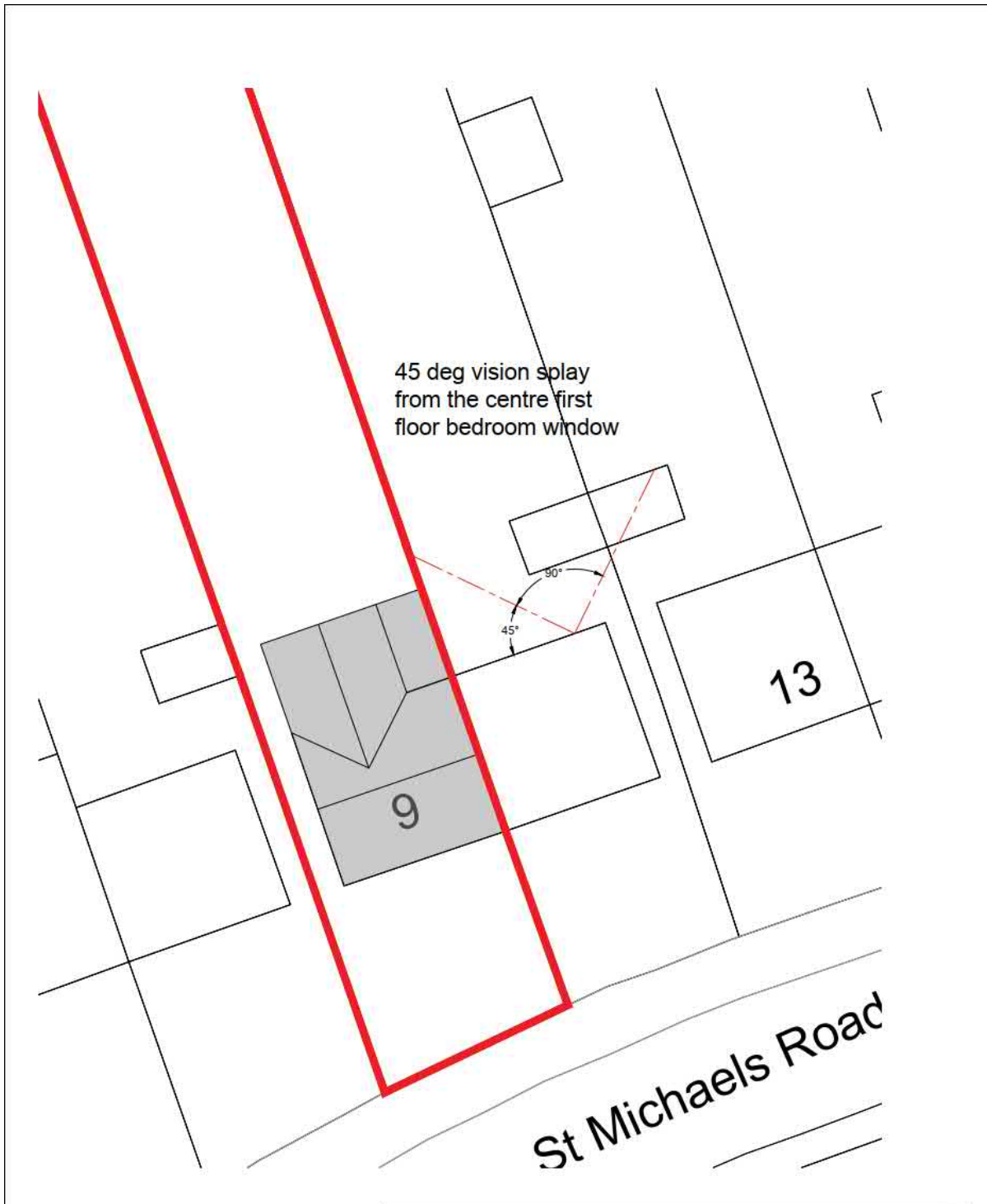


Proposed Location Plan  
1:1250



Mr A. Nesbitt.		DATE:	15/06/2014
9 St Michaels Road, Rugby.		DATE:	14/03/14
Proposed Rear Extension		DATE:	14/03/14
Location & Block Plans	JOB No. WS 15 1EX	SCALE No.	001
			REV. B

# Site Plan



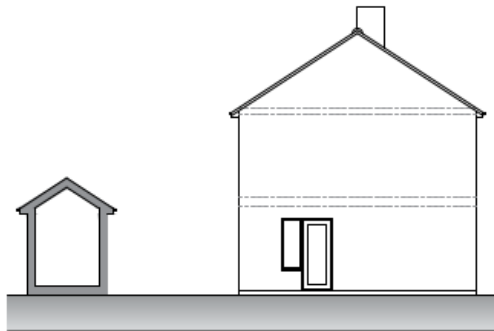
Proposed Site Plan  
1:200

CLIENT: Mr A. Nesbitt.		SCALE: 1:200 @ A3
JOB: 9 St Michaels Road, Rugeley. Proposed Rear Extension		DATE: 19.03.21
DRAWING: Proposed Site Plan		DRAWN: MJM
JOB No: WS15 1EX		CHECKED:
DRAWING No: 002		REV:

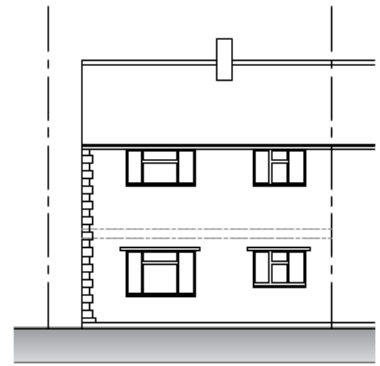
# Existing Elevations



Existing Rear Elevation  
1:100



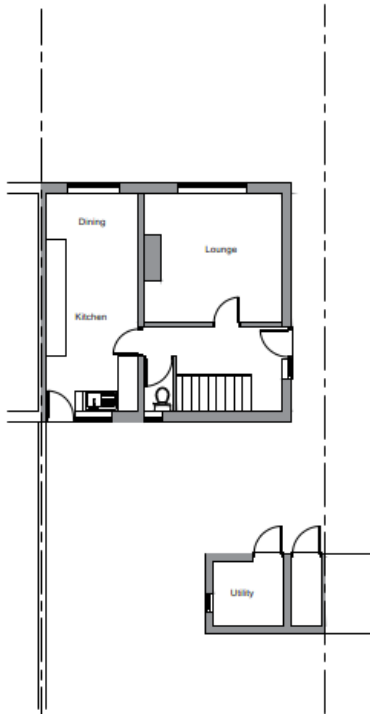
Existing Side Elevation  
1:100



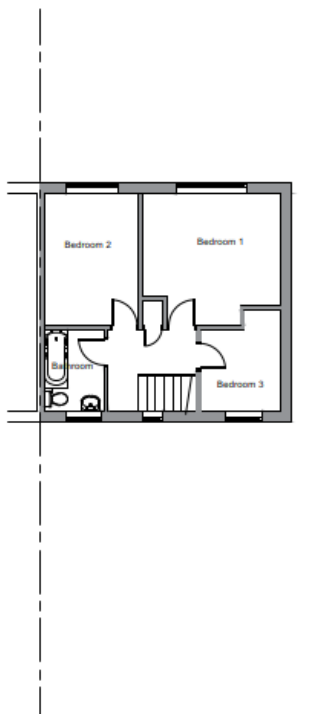
Existing Front Elevation  
1:100

DRAWN BY Mr A. Nesbitt		SCALE 1:100 (E.A.)
JOB 9 St Michaels Road, Rugeley. Proposed Rear Extension		DATE 15.02.21
DRAWING NO. Existing Elevations		DRAWN BY AN
JOB NO. WS15 1EX		CHECKED BY MM
		DRAWING NO. 004
		REV 01

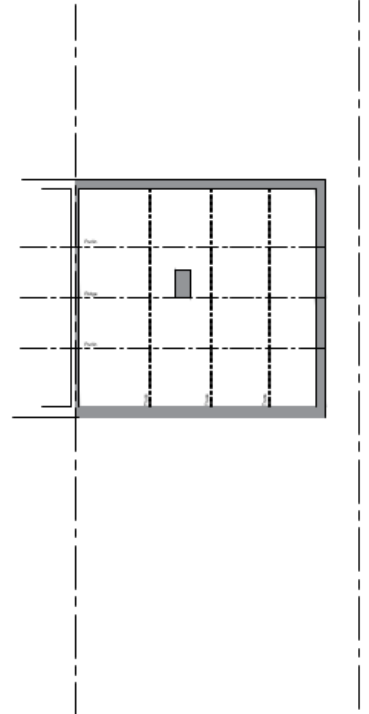
# Existing Floor Plans



Existing Ground Floor Plan  
1:100



Existing First Floor Plan  
1:100



Existing Loft Floor Plan  
1:100

DRAWN Mr A. Nesbitt		SCALE	1:100 (G.F.)
PROJECT 9 St Michaels Road, Rugeley, Proposed Rear Extension		DATE	15/12/17
DRAWING Existing Floor Plans		DRAWN	MM
JOB No. WS15 1EX		DRAWN	MM
		DRAWING No.	003

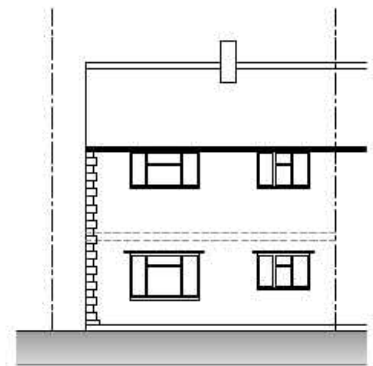
# Proposed Elevations



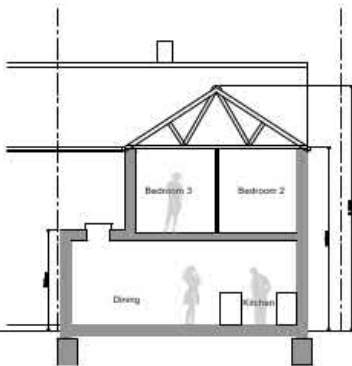
Proposed Rear Elevation  
1:100



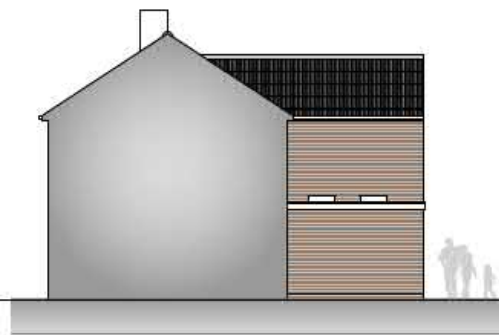
Proposed Side Elevation  
1:100



Proposed Front Elevation  
1:100



Proposed Section Through  
1:100



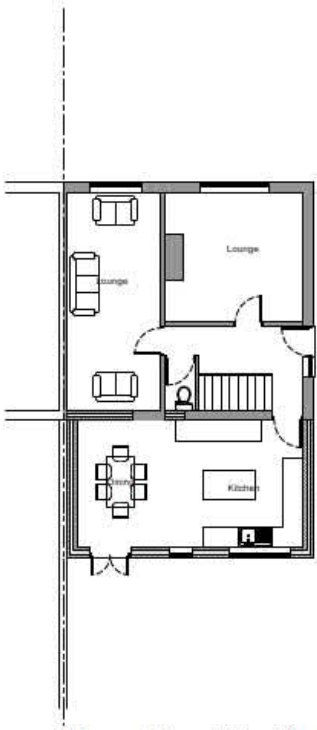
Proposed Side Elevation  
1:100

Extension to be constructed of the following:  
 Fascia: White upvc to match existing.  
 External Walls: Facing brickwork to match existing.  
 Roof Tiles: Tiles to match existing.  
 Windows: White upvc to match existing

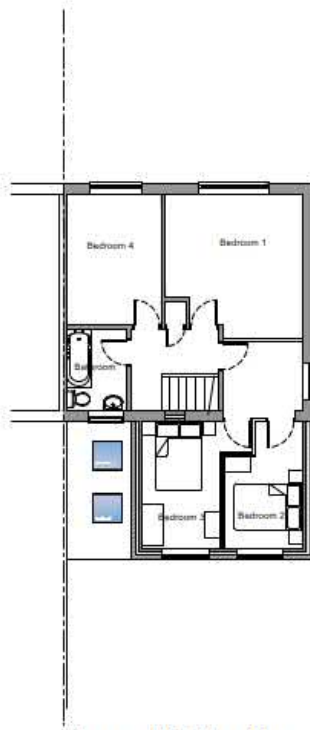
Mr A. Nesbitt.		DATE	19/03/15
9 St Michaels Road, Rugeley.		DRAWN	MB
Proposed Rear Extension.		DRAWN	MB
Client:	Proposed Elevations	Drawn by:	WS15 1EX
		Drawing No:	006
		Rev:	A



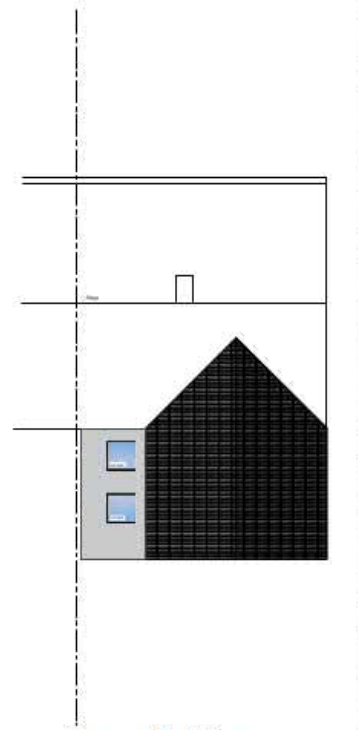
# Proposed Floor Plans



Proposed Ground Floor Plan  
1:100



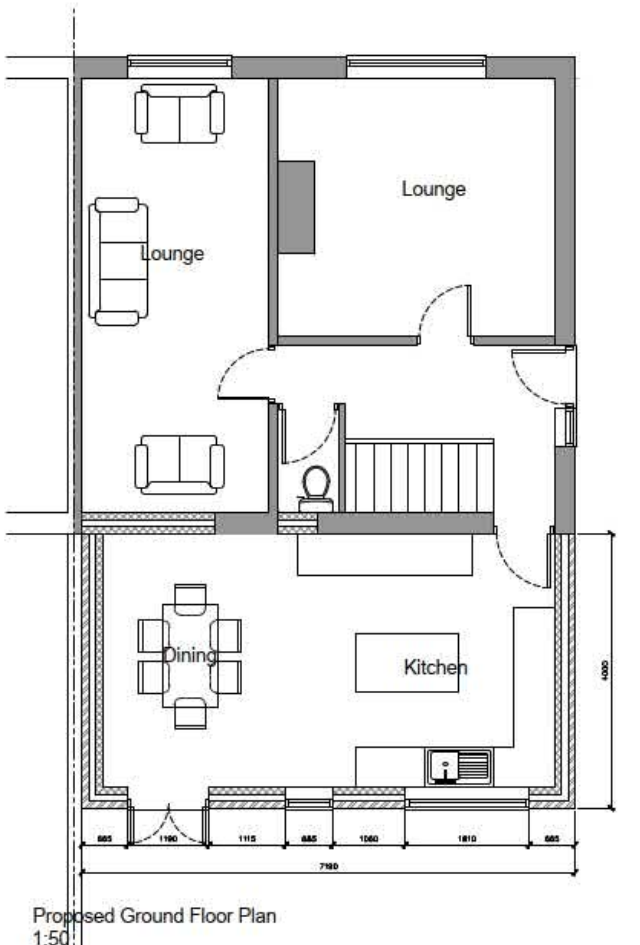
Proposed First Floor Plan  
1:100



Proposed Roof Plan  
1:100

Mr A. Nesbitt.		SCALE	1:100
9 St Michaels Road, Rugeley.		DRAWN	MB
Proposed Rear Extension		DRAWN	MB
Client:	Job No.	Drawing No.	Rev.
Proposed Floor Plans	WS15 1EX	05	A

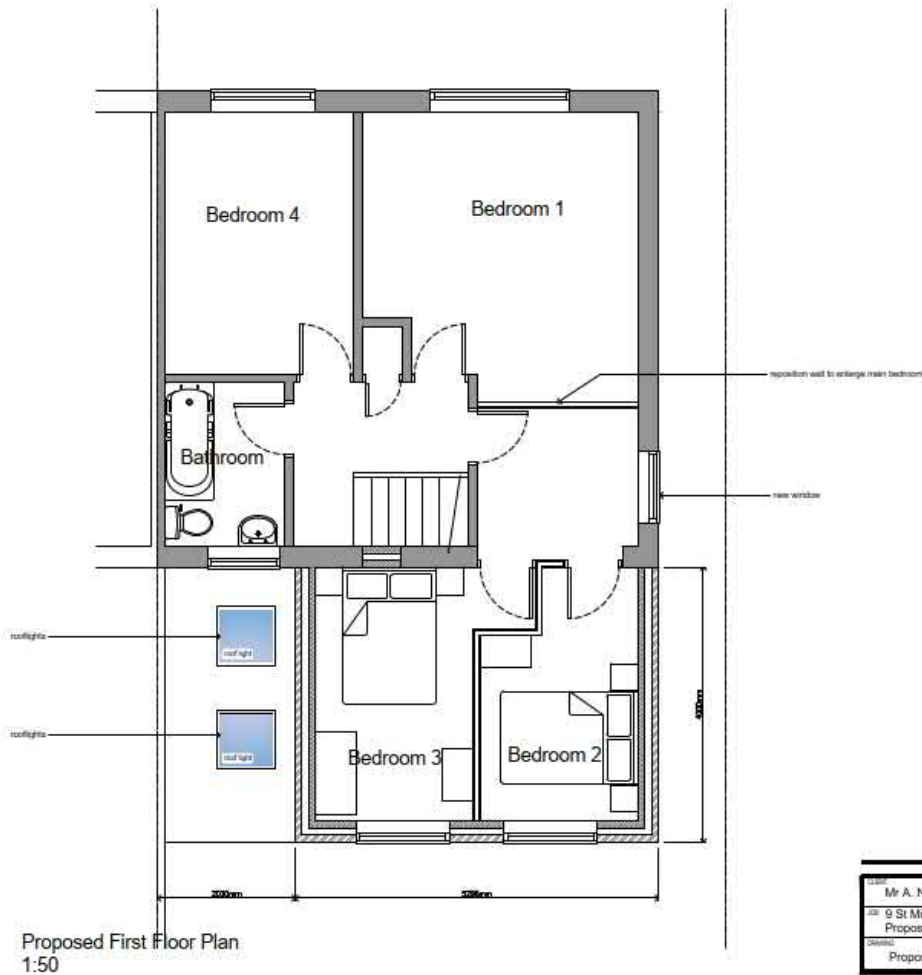
# Proposed Ground Floor Plan



Mr A. Nesbitt.		SCALE	1:50 @ A1
9 St Michaels Road, Rugeley.		DATE	15/11/17
Proposed Rear Extension		DRAWN	MB
Drawing No. Proposed Ground Floor Plan		JOB No.	WS15 1EX
		DRAWING No.	07
			REV. A



# Proposed First Floor Plan



Mr A. Nesbitt.		SCALE	1:50 @ A1
9 St Michaels Road, Rugeley.		DATE	15/11/17
Proposed Rear Extension		DRAWN	MB
Drawing No. Proposed First Floor Plan		JOB No.	WS15 1EX
		DRAWING No.	07
			REV. A

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<b>Contact Officer:</b>	<b>Samuel Everton</b>
<b>Telephone No:</b>	<b>01543 464514</b>

**Planning Control Committee**

**13 October 2021**

<b>Application No:</b>	CH/21/0330
<b>Received:</b>	30-Jul-2021
<b>Location:</b>	9, St Michaels Road, Rugeley, WS15 1EX
<b>Parish:</b>	Brereton and Ravenhill
<b>Ward:</b>	Brereton and Ravenhill Ward
<b>Description:</b>	Rear extension to residential dwelling (part two storey) (Resubmission of application No. CH/21/0159)
<b>Application Type:</b>	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 materials to be used for the external surfaces of the development shall be of the same type, colour and texture as those used on the existing building.

Reason

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

3. The development hereby permitted shall not be occupied until the first floor side (west) facing window indicated on the approved plan is obscure glazed. The window shall be non-opening unless the parts of the window which can be opened is more than 1.7m above the floor of the room in which the window is installed.

Thereafter the window shall be retained and maintained as such for the life of the development.

Reason

To ensure that the development does not give rise to overlooking of adjoining property injurious to the reasonable privacy of the occupiers and to ensure compliance with Local Plan Policies CP3 Chase Shaping - Design, and the NPPF.

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

Drawing No. 001 Rev B

Drawing No. 002

Drawing No. 05 Rev A

Drawing No. 006 Rev A

Drawing No. 07 Rev A (Proposed Ground Floor Plan)

Drawing No. 07 Rev A (Proposed First Floor Plan)

Reason

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

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

**Consultations and Publicity**

**External Consultations**

**Brereton and Ravenhill Parish Council**

Object to the application on the basis that the size of the extension is too large for the site and the close proximity of the adjacent property will block the neighbour's light.

**Internal Consultations**

**Environmental Health**

No objection.

**Response to Publicity**

The application has been advertised by site notice and neighbour letter. One letter of representation has been received in objection to the proposal and is outlined below: -

- Loss of sunlight to neighbour's patio area, particularly after 14:00hrs.
- Loss of light to neighbour's kitchen and bathroom areas
- The side elevation of the extension will form an unsightly brick wall which will be visible every time neighbours leave their backdoor or look out their kitchen window
- Loss of enjoyment of garden, loss of property value and effects on mental health due to loss of light as a result of the proposed extension.

### Relevant Planning History

#### CH/21/0159

Proposed two storey rear extension. Refused 18/06/21 on the following grounds:

1. The proposed rear extension, by virtue of its size and finishing materials would result in a structure that would read as discordant and unsympathetic to the general character and form of the area and therefore would be contrary to Policy CP3 of the Local Plan, the Design SPD, and the guidance contained in the NPPF.
2. The proposal would result in a significant overbearing impact and loss of light to the neighbours at No. 11 St Michaels Road, which would be detrimental to neighbour's amenity and therefore fails to provide a high standard of amenity, contrary to paragraph 127(f) of the National Planning Policy Framework, Policy CP3 of the Cannock Chase Local Plan and the Council's Design Supplementary Planning Document.

### 1 Site and Surroundings

- 1.1 The application site is comprised of a semidetached two storey three-bedroom dwelling located at No. 9 St Michael's Road, Rugeley.
- 1.2 The property is of a brick construction under a gable roof, featuring grey painted brickwork and detailing and concrete roof tiles and uPVC fenestration. To the front of the property is a pebbled area of hardstanding which provides off-street parking provision for up to three vehicles. To the rear of the property is a long garden area bound by closeboard fencing and an existing brick outbuilding used as a utility.
- 1.3 The street scene is residential and comprises similar identical style two-storey semi-detached dwellings with facing brick finishes.
- 1.4 The site is unallocated in the Local Plan, however the site is located within a Mineral Safeguarding area and a Coal Authority Low Risk Area.
- 1.5 The application site is also located within the Brereton & Ravenhill Neighbourhood Area, however the Neighbourhood Plan is not yet at a stage where it carries any weight.

## 2 Proposal

- 2.1 The application seeks planning permission for the erection of a two-storey rear extension. The application purports to be a resubmission of application No. CH/21/0159 but in actuality differs in size and finishing materials.
- 2.2 The proposed extension would have a pitched roof and would measure 7m in height to the ridge falling to 5.4m at the eaves, 4m in depth and 7.2m in width at ground floor level and 5.3m in width at first floor level. The proposal also includes a flat roof single storey component which would measure 2.9m to the eaves.
- 2.3 The proposed extension would be finished in matching brick, roof tiles and fenestration. The proposed extension would provide additional kitchen and dining space and a fourth bedroom.
- 2.4 The existing outbuilding would be demolished to make way for the proposed extension.

## 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 application site is on undesignated land within the Rugeley urban area and contains an existing dwellinghouse. The proposal is for an extension to the existing dwelling for additional kitchen, dining and bedroom space and is therefore acceptable in principle subject to the considerations listed 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 In this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to extensions to dwellings.



- 4.3.6 Whilst the proposed extension would present a large addition to the existing dwelling, the two-storey component of the extension would be stepped down 0.7m lower than the main ridge and would not expand the full width of the dwelling. As such, in comparison to the previous application, the reduced height and width would be much more in line with other rear extensions found within the surrounding area. Moreover, it is noted that many of the rear extensions found at properties along St Michaels produce varying degrees of unbalancing effect. Therefore, given this fact and that the proposal is to the rear and would not be readily visible from the public realm, its impact on the character and form of the area due to unbalancing affect is therefore limited. Finally, the use of matching facing brickwork and tiles would ensure that the proposal assimilates well into the design of the existing dwelling.
- 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 well-related to existing buildings and their surroundings, successfully integrate with existing features of amenity value, maintain a strong sense of place and visually attractive such that it would be acceptable in respect to its impact on the character and form of the area.

#### 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 overlooking impact, overbearing impact and loss of light to neighbouring dwellings, and the comments of both neighbour's and the Parish Council are noted.
- 4.4.4 In respect to overlooking, the proposal would not introduce any windows that would directly face into any principal windows of neighbouring properties within 21.3m (the minimum separation distance recommended by the Design SPD), with the properties to the rear on Redbrook Lane being in excess of 50m away. It is noted that a new side facing window is shown within the existing elevation which would serve a bathroom area. To ensure the privacy of neighbours is protected, it would be recommended that a condition be attached to any permission granted to ensure the window is obscure glazed. Therefore, on this basis the proposal would not have a significant impact on neighbours to the rear in respect to overlooking.
- 4.4.5 In regard to overbearing impact, the proposal would introduce a tall two storey structure measuring up to 7m in height and 4m in depth off the rear. However, in comparison with the previous submission, the proposed two storey component has been reduced in height by 0.7m and would be 2m away from the shared boundary with No. 11 St Michaels Road and 2.5m to the dwelling at No. 7. As

such, given the distance between the two-storey extension and neighbours, the proposal would not have a significant overbearing impact to neighbours.

- 4.4.6 In respect to assessing the potential for loss of light to neighbouring properties, the Design SPD recommends the application of the 45/25-degree daylight test for principal windows serving habitable rooms. The proposal would intersect the 45- and 25-degree angles taken from ground and first floor windows serving a kitchen and bathroom at No.11 St Michaels Road. However, in regard to the neighbours ground floor kitchen window, the majority of the 45- and 25-degree splay is obstructed by the proposed single storey extension, and only a small corner of the two storey proposal intersects the splays. Therefore, much of the impact on daylight to the neighbour's kitchen window would be as a result of the single storey rear extension. In light of this, it should be noted that a single storey rear extension of the same height to that proposed (albeit with a smaller 3m depth) could be erected under permitted development rights which would also intersect 45- and 25-degree angles taken from this window. As such, the proposal would have no greater impact on daylight to the kitchen window than what could be erected under permitted development rights.
- 4.4.7 In regard to the neighbour's (No.11's) first floor bathroom window, the proposal would also intersect the 45- and 25-degree angles taken from the centre of this window. However, only a very small corner of the roof of the proposed two-storey extension intersects the 45 and 25 degree angles. Furthermore, the bathroom is considered to be a non-habitable room and therefore does not benefit from the same level of protection as if it was a habitable room, such as a lounge, bedroom or dining room.
- 4.4.8 The neighbour's comments in relation to the impact on daylight to the patio area at No. 11 are also noted. Indeed, whilst the proposal would cause some degree of shading to the patio area, given the north facing orientation of the garden, this would only occur within the late afternoon and evening hours of the day.
- 4.4.9 Therefore, in light of the above it is considered on balance that the proposed extension would not have a significant adverse impact on the amenity for occupiers of the surrounding dwellings. It is therefore considered that the design of the proposal is acceptable, and it would meet the requirements of the NPPF, Policy CP3 of the Cannock Chase Local Plan and the Council's Design SPD.

#### 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 In this respect, it is noted that the Council's Parking Standards recommend that off-street parking provision be provided for three vehicles for four-bedroom properties. Indeed, the proposal would result in a fourth bedroom and the front drive is wide enough to accommodate the required three vehicles and the proposal would not alter the existing access arrangements to the property. As such the proposal meets the Council's Parking Standards and would not have an adverse impact on highway safety and is therefore 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 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.

## 5 Human Rights Act 1998 and Equalities Act 2010

### Human Rights Act 1998

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

### Equalities Act 2010

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

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

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

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

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

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

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

## **6 Conclusion**

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