

Please ask for: Mrs W. Rowe

Extension No: 4584

E-Mail: wendyrowe@cannockchasedc.gov.uk

14 February 2023

Dear Councillor,

Planning Control Committee

3:00pm, Wednesday 22 February 2023

Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda. The meeting will commence at 3.00pm or at the conclusion of the site visit, whichever is the later. Members should note that the following site visit has been arranged: -

Application Number	Application Location and Description	Start Time
CH/22/0318	<i>Land off Norton Hall Lane, Norton Canes, Cannock WS11 9AA</i> Full Planning Application for the development of up to 55 dwellings with associated landscaping and infrastructure	2.00pm

Members wishing to attend the site visit are requested to meet at the land off Norton Hall Lane, Norton Canes at 2.00pm as indicated on the enclosed plan.

Please note that, following a risk assessment, Members undertaking site visits must wear full PPE or they will not be permitted on to the site. In this case, the PPE will constitute a hard hat, hi-vis vest, and safety footwear.

Yours sincerely,



Tim Clegg
Chief Executive

To Councillors:

Thompson, S.L (Chair)
Beach, A. (Vice-Chair)
Cartwright, S.M. Kruskonjic, P.
Crabtree, S.K. Muckley, A.M.
Fisher, P.A. Pearson, A.R.
Fitzgerald, A.A. Thornley, S.J.
Hoare, M.W.A. Wilson, L.J.
Jones, V. 1 vacancy
Kenny, B.

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. Members request for Site Visits**
- 5. Report of the Interim 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 Interim Development Control Manager.

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

Site Visit Application

Application Number	Application Location and Description	Item Number
1. CH/22/0318	<i>Land off Norton Hall Lane, Norton Canes, Cannock WS11 9AA</i> - Full Planning Application for the development of up to 55 dwellings with associated landscaping and infrastructure	5.1 - 5.40

Application No: CH/22/0318

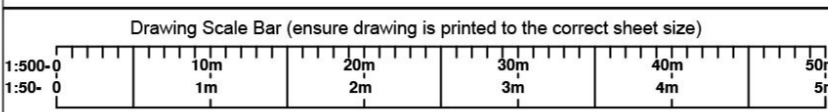
Location: Norton Hall Lane, Norton Canes

Proposal: Full Planning Application for the development of up to 55 dwellings with associated landscaping and infrastructure



**SITE VISIT
MEETING POINT**

- Notes
- This drawing has been prepared in accordance with the scope of RPS's appointment with its client and is subject to the terms and conditions of that appointment. RPS accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided.
 - If received electronically it is the recipient's responsibility to print to correct scale. Only written dimensions should be used.
 - This drawing should be read in conjunction with all other relevant drawings and specifications.



KEY

- Site boundary
- 1.8m high close boarded fence
- 1.8m high screen wall
- 1.2m high estate railing
- Indicative tree planting
- Affordable accommodation
- Gate
- Block Paving



Rev	Description	By	Ckd	Date
P01.0	Plots / driveways repositioned to miss gullies and ramps.	DJ	NG	13/01/2023
P01.0	Schedule updated to include square footage information.	NG	DJ	06.09.2022
P01.0	Affordable plot symbols updated. Key and schedule updated to suit.	NG	DJ	14.07.2022
P01.0	Amendments made to the rear gardens of the Stanton and single and double garages roof pitch amended. Turning area and paths amended to plots 43 - 47.	DJ	NG	08.06.2022



321 Bradford Street,
Birmingham, B5 6ET
T: 0121 6228520 E: rpswlv@rpsgroup.com

Client **Persimmon Homes West Midlands**

Project **Norton canes additional Land**

Title **Planning Layout**

Status **so** Scale **1:500 @A1** Date Created **16/06/2022**

Task Team Manager **DJ** Information Author **DW / NG** Task Information Manager **DJ**

Document Number **AAH5761-RPS-xx-GF-DR-A-9303**

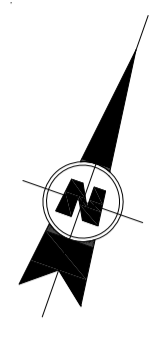
Project Code - Originator - Zone - Level - Type - Role - Drawing Number

RPS Project Number **AAH5761** Suitability **so** Revision **P01.04**

rpsgroup.com

HOUSE TYPE SCHEDULE

Open Market Units	Type	No.	Floor Area ft ²	Floor Area m ²	Total Floor Area ft ²	Total Floor Area m ²
An - Ashdown - 3 Bed House - 3.0 Storey		4	1127	104.69	4508	418.76
St - Stanton - 3 Bed House - 3.0 Storey		11	1079	99.66	11803	1096.48
St - Stanton - 3 Bed House - 2.5 Storey		2	1030	95.16	2070	190.3
Ch - Charnwood - 3 Bed House - 2 Storey		7	1012	94	7084	658
Bw - Barmwood - 3 Bed House - 2 Storey		8	1012	94	8096	752
St - Shawwood - 3 Bed House - 2 Storey		6	966	89.92	5808	539.52
Db - Danbury - 3 Bed House - 2 Storey		2	811	75.34	1622	150.68
Al - Altonwood - 2 Bed House - 2 Storey		4	643	59.73	2572	238.92
Open Market Total Number		44			43583	4045
Affordable Units 20%						
Wa - Warrham - 2 Bed House - 2 Storey		4	859	79.8	3436	319.2
Ho - Heaton - 2 Bed House - 2 Storey		7	1012	94	7084	658
Affordable Total Number		11			8840	821
Overall Development		55			52423	4866



Street Scene AA
1:200 @ A0



Street Scene BB
1:200 @ A0



Street Scene CC
1:200 @ A0



Rev	Description	By	Date



PERSIMMON
Persimmon Homes (West Midlands)
Venture Court
Broadlands, Wolverhampton
WV10 6TB
Tel: 01902 624 300 Fax: 01902 624 380

SITE
Norton Canes Commercial

Cannock

TITLE
Street Scenes

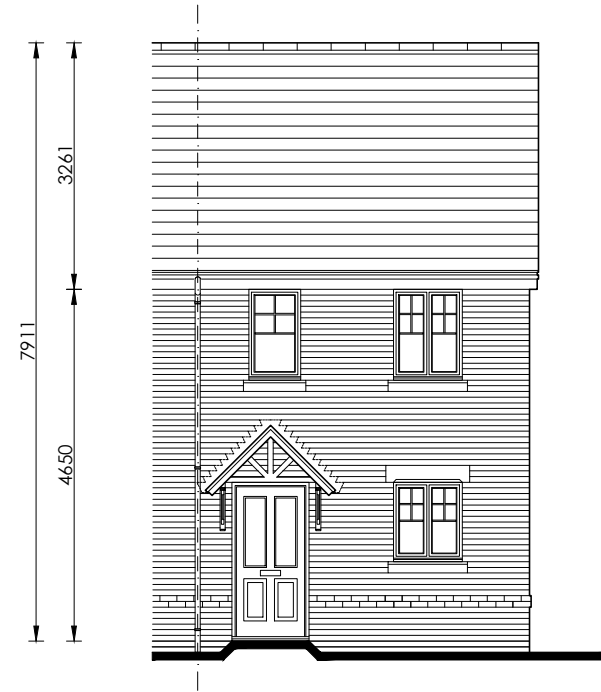
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DATE
24.06.22

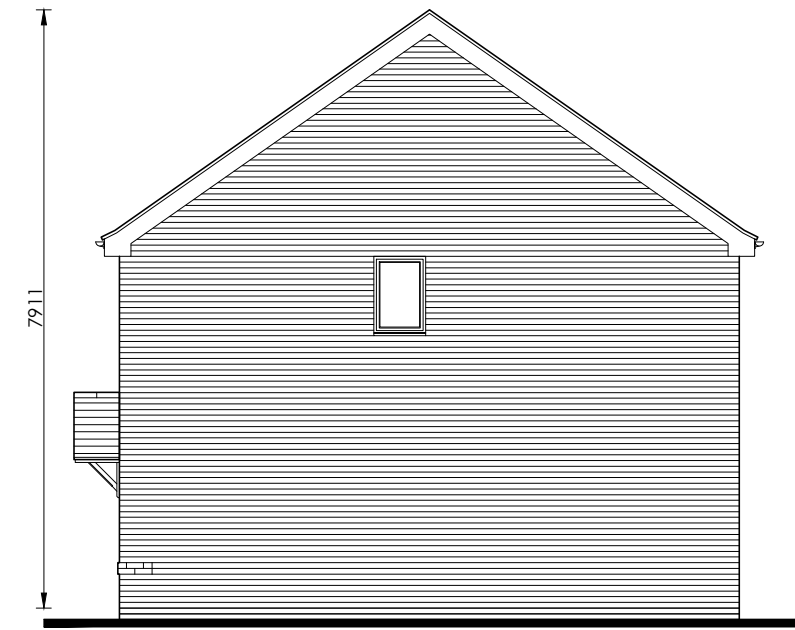
DRAWN BY
AB

REVISION
-

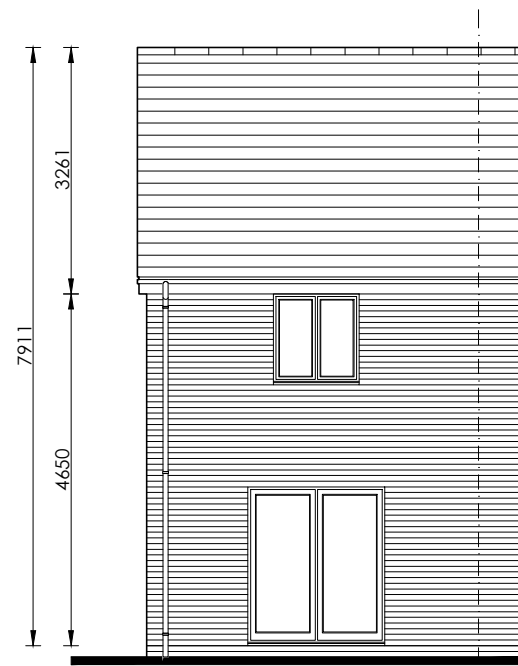
DRAWING NUMBER
NCCO-SS.000



Front Elevation
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Side Elevation
scale 1:100




Rear Elevation
scale 1:100

PLOTS
(AS) 2, 7

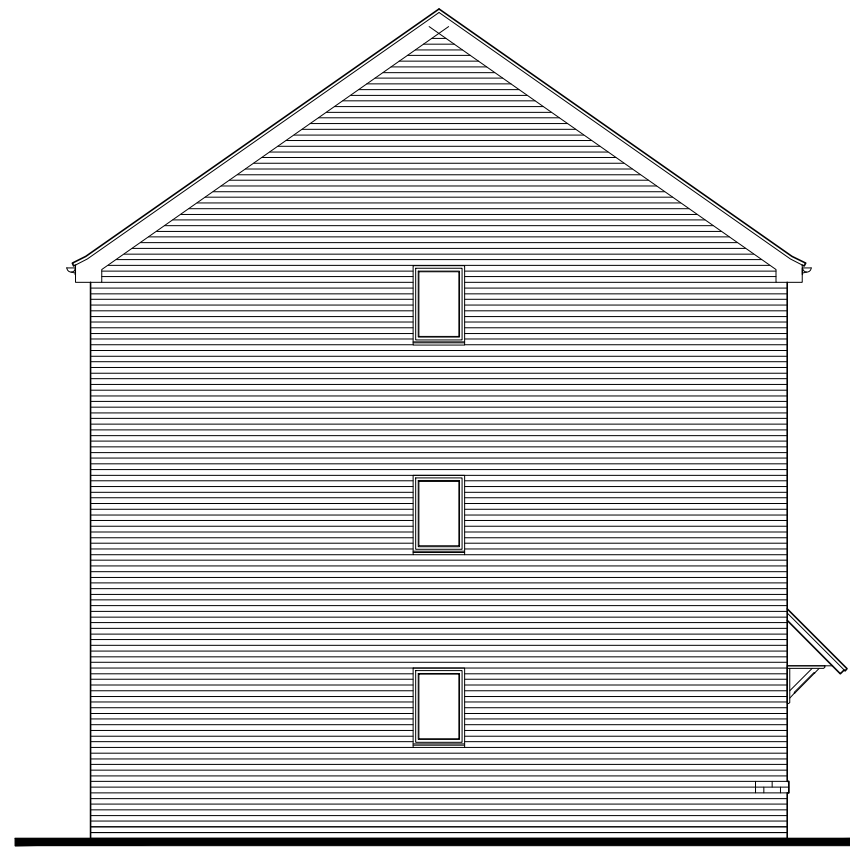
(OPP) 3, 8



		Project Title	
		The Alnmouth - Semi Detached Group Design - Traditional Total Floor Area - 59.74m ² [643sq.ft]	
Drawing Title	Date	Scale	Drawn
Proposed Elevation - Traditional	29.03.2021	1:100 @ A3	GdD
Drawing Status	Dwg. Ref.	Rev.	
Construction	Al_MA_End_R21 - 903	-	-



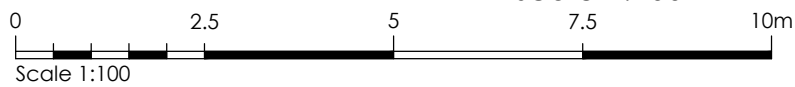
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Side Elevation
scale 1:100




Rear Elevation
scale 1:100



PLOTS
(AS) 12, 14

(OPP) 11, 13

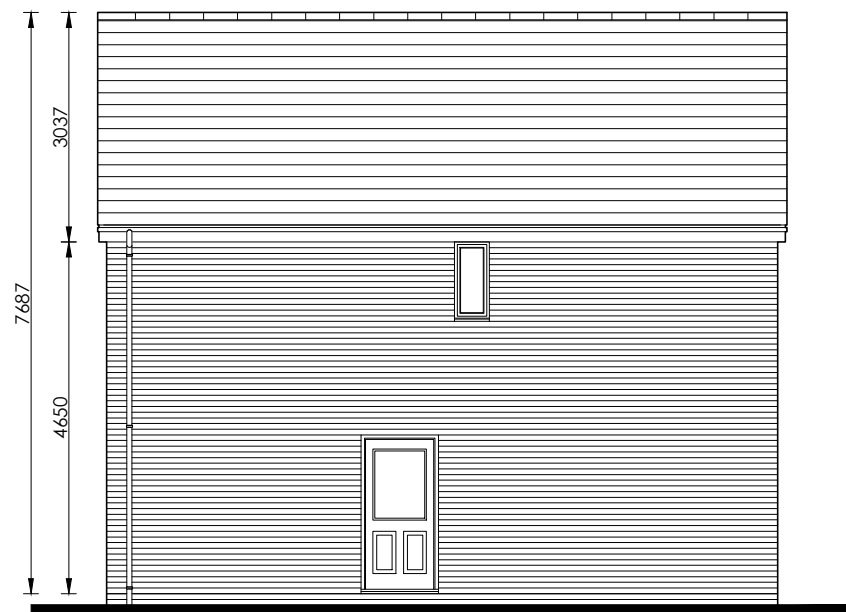
		Project Title The Ashdown - Semi Detached Group Design - Traditional Total Floor Area - 104.4m ² [1123sq.ft]	
		Drawing Title Proposed Elevation - Traditional	Date 07.06.2021
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Side Elevation
scale 1:100



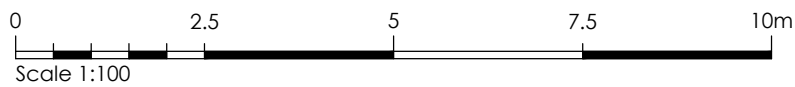
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Side Elevation
scale 1:100

PLOTS
(AS) 9, 31, 42, 50, 52

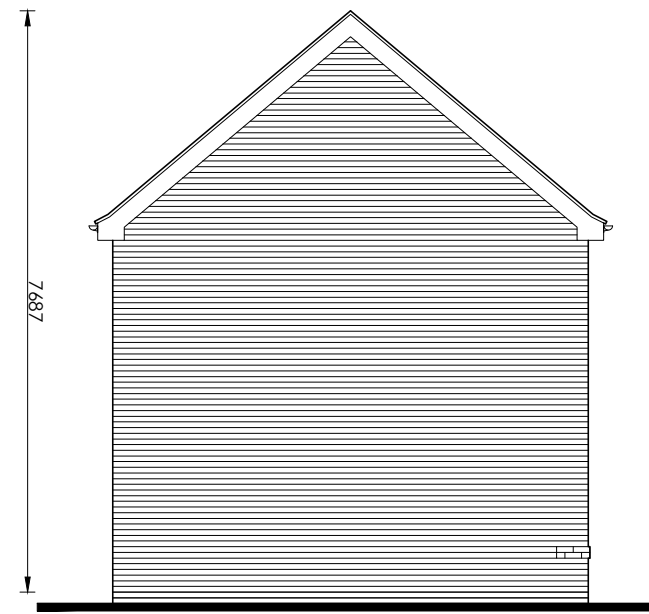
(OPP) 10, 19, 32



		Project Title	
		The Barnwood - Detached Group Design - Traditional Total Floor Area - 94.0m ² [1012q.ft]	
Drawing Title	Date	Scale	Drawn
Proposed Elevation - Traditional	22.07.21	1:100 @ A3	GdD
Drawing Status	Dwg. Ref.	Rev.	
Construction	Bw_MA_Det_R21 - 903	A	



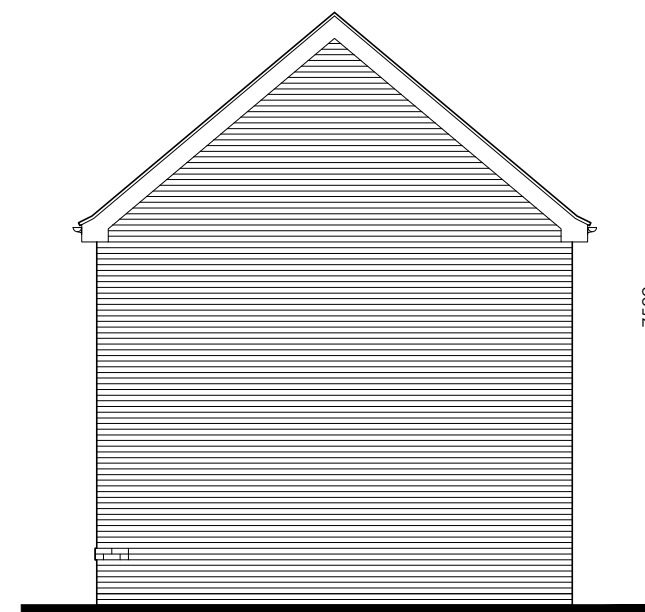
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Side Elevation
scale 1:100



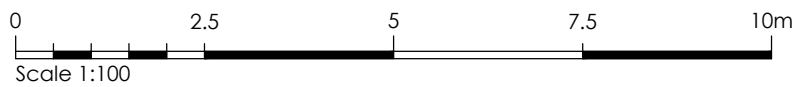
Rear Elevation
scale 1:100




Side Elevation
scale 1:100

PLOTS
(AS) 34, 36, 38, 55

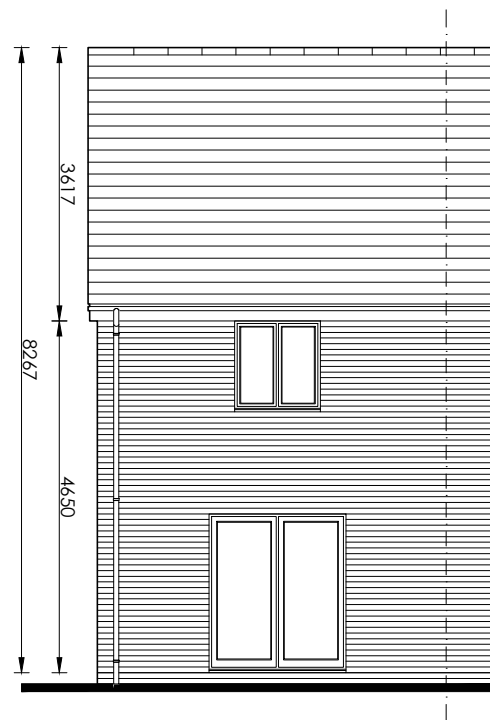
(OPP) 35, 37, 39



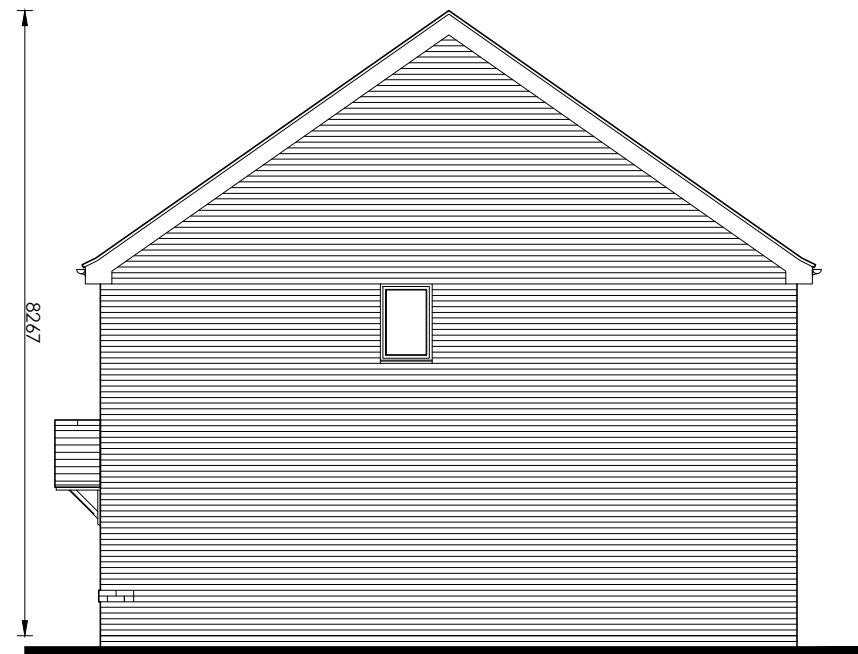
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		Drawing Title Proposed Elevation - Traditional	Date 22.07.21
Drawing Status Construction		Dwg. Ref. Ch_MA_Det_R21 - 903	Rev. A



Front Elevation
scale 1:100



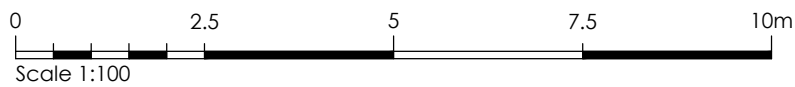
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Side Elevation
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PLOTS
(AS) 4, 5, 24, 26

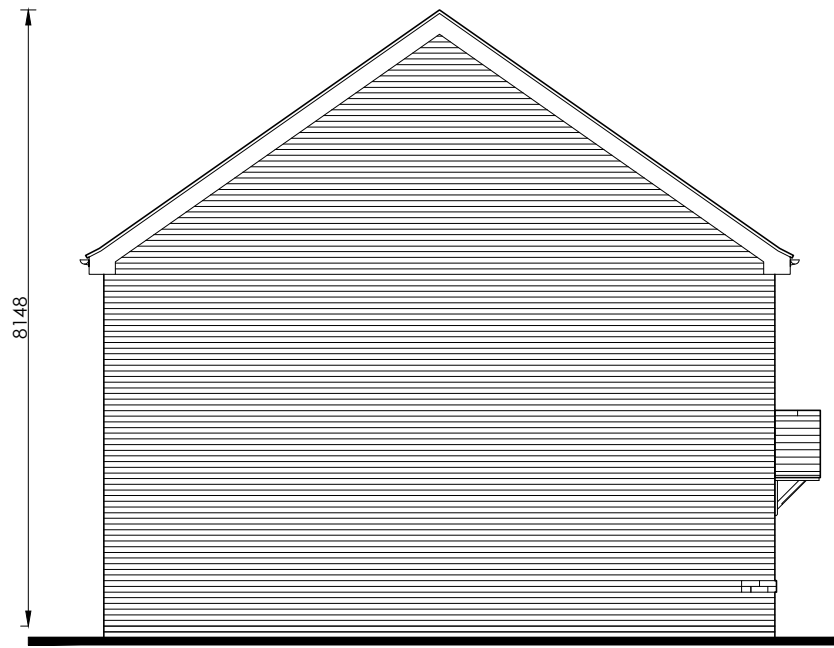
(OPP) 6, 25, 27



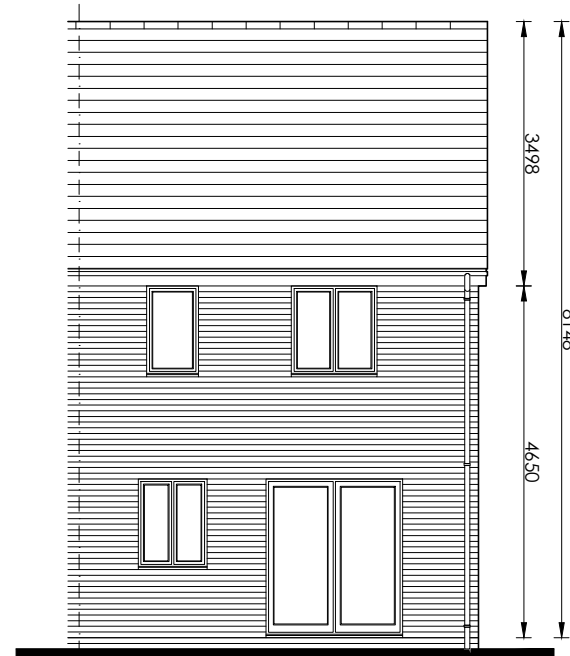
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		The Haldon - Semi Detached Group Design - Traditional Total Floor Area - 71.6m ² [771sq.ft]	
Drawing Title	Date	Scale	Drawn
Proposed Elevation - Traditional	01.03.2021	1:100 @ A3	GdD
Drawing Status	Dwg. Ref.	Rev.	
Construction	Hd_MA_End_Trad_R21 - 903	-	



Front Elevation
scale 1:100



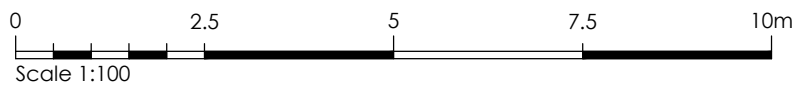
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Rear Elevation
scale 1:100

PLOTS
(AS) 23, 29

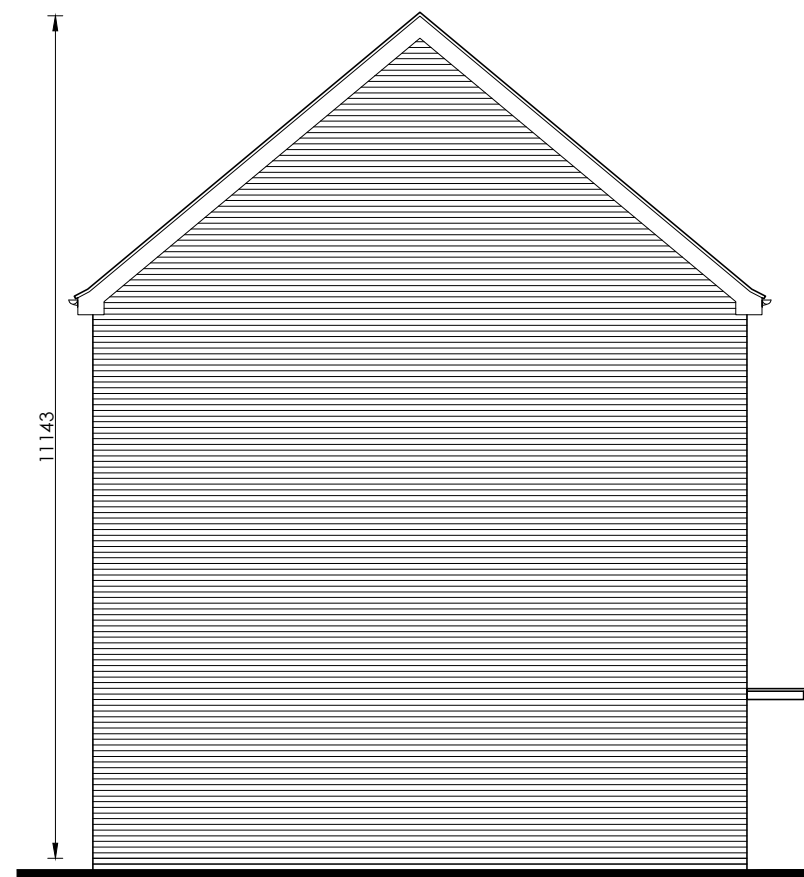
(OPP) 22, 28



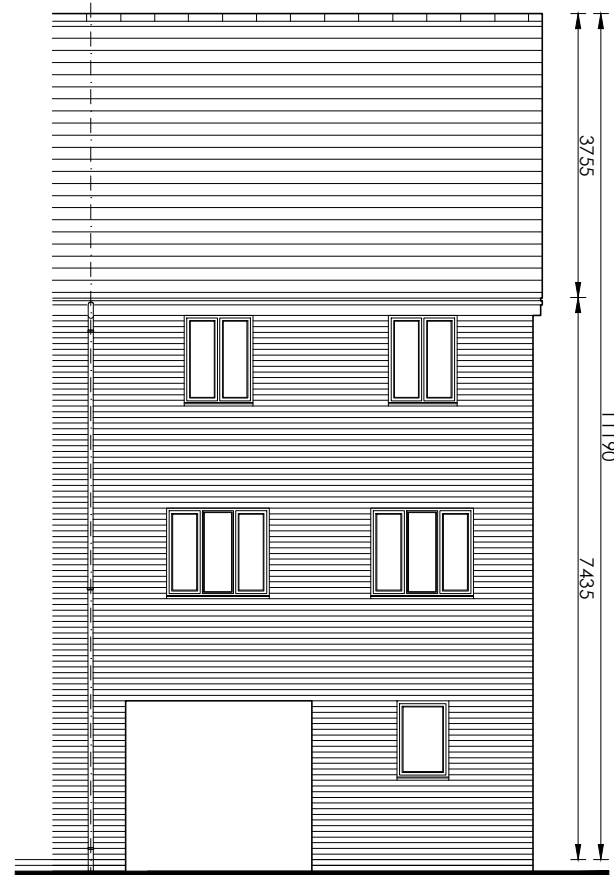
		Project Title The Wareham - End Group Design - Traditional Total Floor Area - 79.8m ² [859sq.ft]	
		Drawing Title Proposed Elevation - Traditional	Date 11.06.21
Drawing Status Construction		Dwg. Ref. Wa_MA_End_R21 - 903	Rev. -



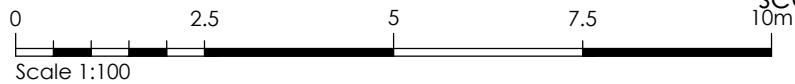
Front Elevation
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Side Elevation
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Rear Elevation
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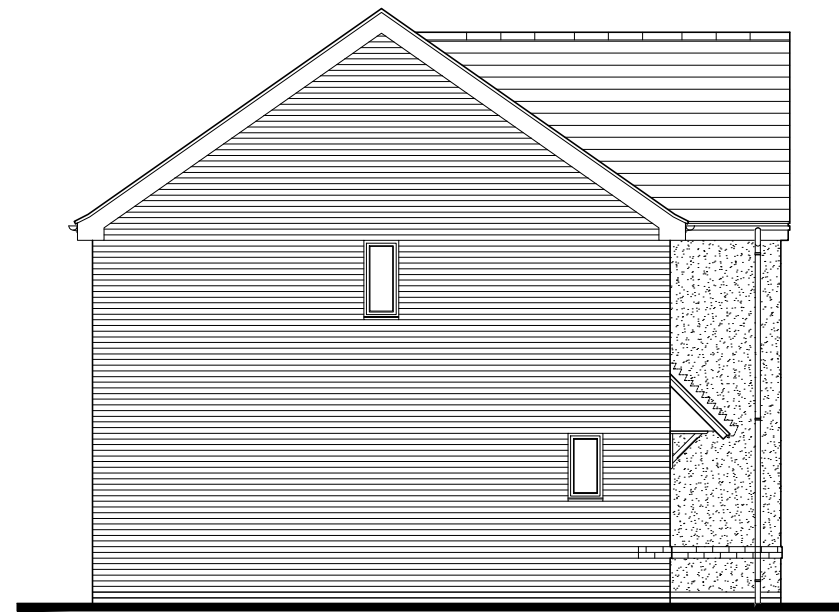
PLOTS
(AS) 16, 18, 44, 46, 48, 49

(OPP) 15, 17, 43, 45, 47

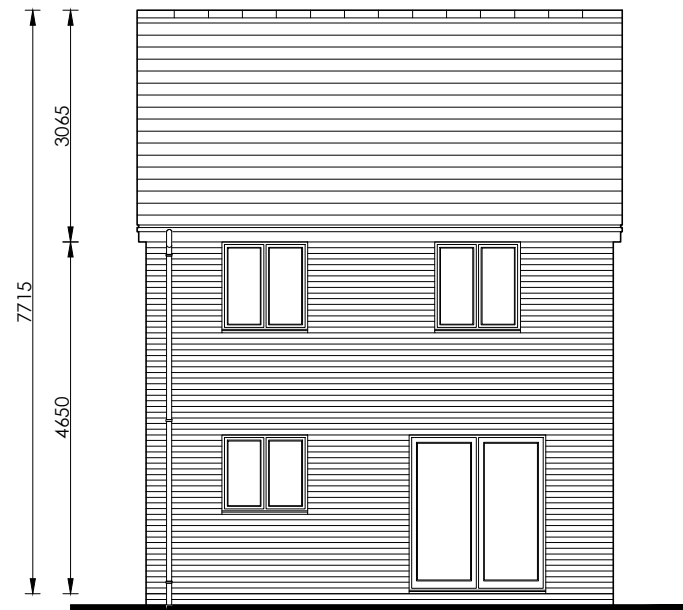
		Project Title	
		The Stanton_FJ - Semi Detached Group Design - Traditional Total Floor Area - 99.7m ² [1073sq.ft]	
Drawing Title	Date	Scale	Drawn
Proposed Elevation - Traditional	16.08.2021	1:100 @ A3	GdD
Drawing Status	Dwg. Ref.	Rev.	
Construction	St_FJ_MA_End_R21 - 903	A	



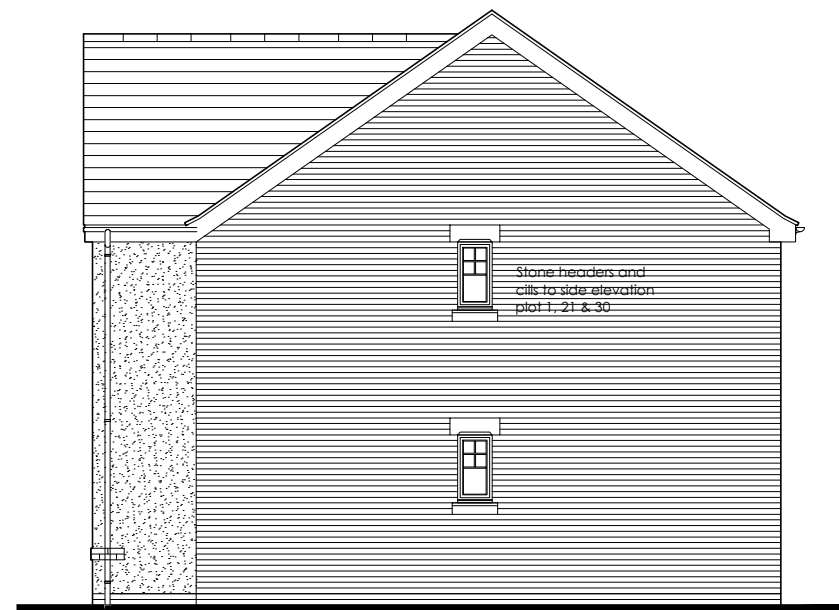
Front Elevation
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Side Elevation
scale 1:100



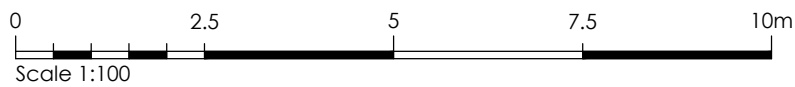
Rear Elevation
scale 1:100




Side Elevation
scale 1:100

PLOTS
(AS) 1, 30

(OPP) 20, 21, 33, 51



		Project Title	
		The Sherwood - Detached Group Design - Traditional Total Floor Area - 89.93m ² 968sq.ft]	
Drawing Title	Date	Scale	Drawn
Proposed Elevation - Traditional	22.07.2021	1:100 @ A3	GdD
Drawing Status	Dwg. Ref.	Rev.	
Construction	Sh_MA_Det_R21 - 903	A	

Contact Officer:	Audrey Lewis
Telephone No:	01543 464528

<p>Planning Control Committee</p> <p>22 February 2023</p>

Application No:	CH/22/0318
Received:	16-August-2022
Location:	Land off Norton Hall Lane, Norton Canes, WS11 9AA
Parish:	Norton Canes PC
Ward:	Norton Canes Ward
Description:	Full Planning application for the development of up to 55 dwellings with associated landscaping and infrastructure
Application Type:	Full Planning Application

This application is being reported to Committee as it has been called in by a local councillor, due to housing being proposed on allocated employment land.

Recommendation:

It is recommended that Delegated Authority be given to the Head of Planning to grant planning permission subject to completion of a s106 legal agreement for :-

- the provision of on-site affordable housing,
- SAC mitigation for the affordable housing and,
- an education contribution for primary school places

Then approve with conditions

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions)

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

Reason

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

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

Reason

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

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

Reason

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

4. The approved landscape works identified on Dwg.Nos. JSL4515-RPS-XX-EX-DR-L-9001 revision P03, JSL4515-RPS-XX-EX-DR-L-9002 revision P03 and within the Detailed Planting Schedule JSL4515-RPS-XX-EX-DR-L-9003 revision P03 shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

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

Reason

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

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

Reason

In the interest of highway safety. To comply with the principles set out in the National Planning Policy Framework.

6. The development hereby approved shall not be occupied until a scheme for secure cycle storage for dwellings without garages, has been submitted to and approved by the Local Authority. The scheme shall be implemented in full prior to first occupation of the dwellings. Thereafter the secure cycle storage shall be retained and maintained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of protecting the air environment in accordance with paragraph 152 of the National Planning Policy Framework.

7. The development hereby permitted shall only be carried out in accordance with the approved flood risk and drainage strategy documents (listed below), and the following mitigation measures detailed within:

- Surface water drainage system(s) designed in full accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS), DEFRA, March 2015.
- Sustainable Drainage Systems designed in full accordance with all relevant policies and standards (both local and national), from the Staffordshire County Council SuDS Handbook.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that all surface water systems shall be maintained and managed for the lifetime of the development.
- Provision for adequate and satisfactory surface water quality management and pollution mitigation. Methods such as CIRIA C753, The Simple Index Approach to surface water management shall be appropriately implemented to demonstrate and evidence this.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Approved Documents

- 1) Norton Hall Lane, Norton Canes, Flood Risk Assessment and Drainage Strategy, HLEF83843- Version 2- 29/11/2023
- 2) HLEF83843 – Norton Hall Lane, Norton Canes, Letter to Adam Bushnell Flood Risk Planning and Projects Officer- Staffordshire County Council, from Josh Hughes, Consultant Hydrologist, RPS. Dated 17th January 2023. Flood Risk Response.

Approved Plans

- 1) AAC5403_RPS_XX_XX_DR_C_600-01_P06 Levels and Drainage Concept
- 2) AAC5403_RPS_XX_XX_DR_C_600-02_P04 Drainage Area Plan
- 3) AAC5403_RPS_XX_XX_DR_C_2000_01_P04 Private Drainage Sht 9.
- 4) AAC5403_RPS_XX_XX_DR_C_200_02-P03 Private Drainafe Sht 10.
- 5) AAC5403_RPS_XX_XX_DR_C_600_03-P01-P04 Flood Route Plan
- 6) AAC5403_RPS_XX_XX_DR_C_600_04-P01 Plot 52 Flood Route.
- 7) Detailed Soft Landscaping Sheet 1 of 2
- 8) Detailed Soft Landscaping Sheet 2 of 2.
- 9) External Works

Reason

To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site.

8. Prior to the first occupation of the development hereby approved, the acoustic details as provided within the AESG acoustic report of February 2023 Ref. PHM-NCC-ACO-R1 Rev 6 in respect to maximum noise levels for residential development, shall be implemented in full and retained for the lifetime of the development.

Reason: To mitigate potential adverse impacts from noise on residential amenity in line with Local Plan Policy CP3 and paragraphs 183-188 of the National Planning Policy Framework.

9. No development shall commence until a Construction Vehicle Management Plan (CVMP) including details of site compound, types of vehicles, provision for parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, and storage of plant and materials used in constructing the development has been submitted to and approved in writing by the Local Planning Authority. The approved CVMP shall thereafter be implemented during the construction of the development.

Reason

In the interests of highway safety, in accordance with Local Plan Policy CP3 and paragraph 111 of the NPPF.

10. Construction activities and deliveries of construction materials to the site shall not take place outside of the hours of 08:00 hours to 18:00 hours Monday to Friday, 08:00 hours to 13:00 hours on Saturday and at no time on Sundays and Bank Holidays.

Reason

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

11. Before the dwellings are completed above damp course ground level, a scheme for the provision of hedgehog corridors, bat & bird boxes shall be submitted to and approved by the Local Planning Authority. No dwelling hereby approved shall be occupied until the works comprising the approved scheme, in so far as they relate to that dwelling, have been implemented.

Reason

In the interests of enhancing bird/bat breeding habitat in accordance with Policy CP12 of the Local Plan and paragraphs 174 of the NPPF

12. The development hereby permitted shall not be occupied until the bathroom / toilet window(s) indicated on the approved plans are obscure glazed. The window(s) shall be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Thereafter the window(s) will 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.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Part 1 of Schedule 2 to the Order shall be carried out without an express grant of planning permission, from the Local Planning Authority, namely:

- The enlargement, improvement or other alteration of the dwellinghouse;
- The enlargement of the dwellinghouse consisting of an addition or alteration to its roof;
- Any other alteration to the roof of the dwellinghouse;
- The erection or construction of a porch outside any external door of the dwelling;
- The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;
- The provision within the curtilage of the dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such;
- The erection or provision within the curtilage of the dwellinghouse of a container for the storage of oil for domestic heating; or
- The installation, alteration or replacement of a satellite antenna on the dwellinghouse or within the curtilage of the dwellinghouse.

Reason

The Local Planning Authority considers that such development would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area. It is considered to be in the public interest to require an application to enable the merits of any proposal to be assessed and to ensure compliance with Local Plan Policy CP3 - Chase Shaping - Design and the NPPF.

14. The garages shall not be used for any purpose other than the accommodation of private motor vehicles belonging to the occupiers of the dwelling or any other use which is incidental to the enjoyment of the dwelling.

Reason

To safeguard the amenities of the area and to ensure that the use of the premises does not detract from the enjoyment of their properties by adjoining residents and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping Design and the NPPF.

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

- Location Plan NCC.LP Rev A
- Planning Layout AAH5761-RPS-xx-GF-DR-A-9303 Rev. P01.04
- Planning Layout Colour A1 AAH5761-RPS-xx-GF_DR_A_9303 Rev P01.04
- Materials Layout NCCO-ML.000 Rev A
- External Works Layout AAH5761- RPS-xx-GF-DR-A-9001 Rev P01.01
- Street Sections - AAH5761-RPS-xx-GF-DR-A-9001
- Detailed Landscape Proposals Sheet 1 of 1 - JSL4515-RPS-XX-EX-DR-L-9001_P03
- Detailed Landscape Proposals Sheet 2 of 2 - JSL4515-RPS-XX-EX-DR-L-9002_P03
- Detailed Planting Schedule and Specification - JSL4515-RPS-XX-EX-DR-L-9003_P03
- Proposed Plans AI_MA_End_R21 - 901
- Proposed Elevation - Traditional AI_MA_EndR21 - 903
- Proposed Plans An_MA_End_R21 -901 Rev A
- Proposed Elevation - Traditional An_MA_End_R21 - 903 Rev A
- Proposed Plans Bw_MA_Det_R21 -901 Rev B
- Proposed Elevation - Traditional Bw_MA_Det_R21 -903 Rev A
- Proposed Plans - Ch_MA_Det_R21 -901 Rev B
- Proposed Elevation - Traditional Ch_MA_Det_R21 -903 Rev A
- Proposed Plans - Da_MA_End_R21 -901
- Proposed Elevation - Traditional Da_MA_End_R21 -903 Rev A
- Proposed Plans & Eles- Side Gable Ga1.1 901
- Proposed Plans & Eles - Double Garage Ga2.2 901
- Proposed Plans Hd_MA_End_Trad_R21 - 901
- Proposed Elevation - Traditional Hd_MA_End_Trad_R21 - 903
- Proposed Plans Sa_MA-End_R21 -901 Rev A

- Proposed Elevation Traditional - Sa_MA_End_R21 -903 Rev A
- Proposed Plans Sh_MA_Det_R21 - 901 Rev A
- Proposed Elevation - Traditional Sh_MA_Det_R21 903 Rev A
- Proposed Plans St_FJ_MA_End_R21 - 901 Rev A
- Proposed Elevation - Traditional St_FJ_MA_End_R21 - 903 Rev A
- Proposed Plans Wa_MA_End_R21 - 901
- Proposed Elevation - Traditional Wa_MA_End_R21 -903

Reason

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

Notes to the Developer:

Highways:

Highway Works Agreements – The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the agreement. Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email to trafficanetwork@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

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

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

Severn Trent:

Severn Trent Water advise that there are s104 sewers located within this site. Public sewers have statutory protection and may not be built close to, directly over or be

diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

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

PUMP STATION

There is a pumping station close to the site and any new development must not restrict our access to the Sewage Pumping Station (SPS). We will require free access to the SPS at all times in order to complete any programmed routine maintenance tasks and also for any emergency reactive visits in case of failure. Please note that due to the close proximity of the proposed new development the occupant may experience noise and/or smell pollution. In order to minimise disruption to any future occupant(s), we would advise that all habitable buildings are constructed a minimum of 15metres from the curtilage of the SPS compound.

Coal Authority:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Consultations and Publicity

External Consultations

Flood Team

No objection subject to condition.

Natural England

No objections subject to SAC mitigation.

Historic Environment Officer

No objections.

Cadent

No comments received.

Waste Team

No comments received.

Wildlife Trust

No comments received.

Severn Trent

No objections subject to conditions.

South Staffs Water

No comments received.

School Organisation Officer

The above planning application would result in an education contribution to be sought from the developer to mitigate the impact on education from the development and would be acceptable from an education perspective subject to a S106 agreement which meets this requirement.

Architectural Liaison Officer

No comments received.

Network Rail

Network Rail has no comments.

Highways England

No objections.

Midlands Expressway

No comments.

Rights of Way

The County Council's Definitive Map of Public Rights of Way shows that no rights of way cross the proposed application site.

Ramblers Association

The PRoW which used to go across this development site, i.e. Parish of Norton Canes Public Right of Way number 7, has been extinguished. Therefore, Staffordshire Ramblers have no comment to make about this application

National Grid

No comments received.

Environment Agency

The Environment Agency has no comments to make as the constraints fall outside of remit.

Parish Council

No comments received.

County Land Use

No comments received.

Fire Safety

No objections, subject to the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

County Archaeologist

Archaeology was covered by a condition applied to the original outline application CH/10/0294. The archaeological works required by this condition have been satisfactorily carried out and, as such, no archaeological issues are raised with the application and an archaeological condition would not be appropriate.

Internal Consultations

Travel Management & Safety

No objections, subject to conditions.

Environmental Health

No objection, subject to conditions.

Development Plans & Policy Unit

It is noted that the previous application on the site provided a proportion of employment land as part of the initial application, this land is identified as employment land within the Local Plan Policy CP8, within the Local Plan Review Preferred Options as an employment allocation and is continuing to be reviewed for employment land under the Local Plan Review Regulation 19.

The submitted Planning Statement makes reference to the 5year housing land supply and identifies this as 4.3years, it is noted that this is prior to the publication of the SHLAA 2022 which identifies a 5.0year housing land supply.

CIL Officer

The proposed development is CIL liable however, as this application includes social housing, this development could benefit from a social housing relief.

If social housing relief is granted, the applicant must enter into a Section 106 agreement to mitigate the impact on the Cannock Chase Special Area of Conservation for the dwellings which are not CIL liable.

Housing Officer

The proposed development would require 20% affordable housing which equates to 11 units. 25% would be required for First Homes, 60% rent and 15% shared ownership. The development consists of 2 and 3 bedroom family homes which are in high demand in the District. Registered Providers may find it more practical to deliver all rented homes rather than the one unit of shared ownership required which would be acceptable.

Landscaping Team

No comments received.

Estates

No comments received.

Economic Development

No objection to the application. We would encourage the developer to actively recruit from the local catchment area and to also take on apprentices within the various building trades. This can be done directly through the local college or should the developer require any assistance in signposting, please contact the Councils Economic Development Team

Response to Publicity

The application was advertised by newspaper advertisement, site notice and neighbour letter. Eight letters of representation have been received (7 objections and one query from the same objector), on the following grounds:

7 letters of objection raised the following issues:

- Object to more houses being built due to lack of education facilities. There are no plans for another school to be built and there have been refusals at nearby

primary schools (Jerome & Norton Canes). This has resulted in children being placed in schools across the A5 in Great Wryley, or Cannock.

- The increase on the estate will also have an impact on doctors appointments.
- Objection to social housing being placed on the main entrance road onto the estate. Historically these properties have been neglected in property upkeep in the past and this could have a detrimental effect on the property prices directly opposite. When we moved onto the estate it was promised this land would be light commercial only and somewhat hidden. These property companies are gold digging an area which could be made into a nice green space for existing owners to enjoy.
- Noise and pollution from the Toll road should not be acceptable for potential occupiers.
- Why should the social housing be built opposite privately owned houses, which people have worked hard to purchase.
- There are already problems with the housing association part of the estate, which people do not want any more.
- The social housing should be moved to the Rosefinch frontage.
- The entrance is too small for the houses that are already on the estate and traffic and cars are already a problem without adding any more. People were sold houses on the estate with the promise of low level offices and not more houses.
- How soon will the roads be adopted and surfaced, as it can be assumed up to another 100 cars can be added to the existing access route. This was a poor strategy on the original application.
- A shop and bus stop was promised for purchasers of existing houses - existing owners brought their houses on this basis.

- It would be nice to see a shop and maybe some takeaway facilities instead and the remaining land kept natural.
- How will the completely different design fit in with the rest of the estate?
- Proposal appears as overdevelopment/density, particularly with 3 storey properties.
- A reduced number of properties would be more suitable.
- There are deer walking around the estates and local area and this will harm wildlife and their habitat to increase housing.

Relevant Planning History

The application site previously formed part of an outline planning permission

Reserved Matters application for 450 dwellings and associated infrastructure (appearance, landscaping, layout and scale for approval) pursuant to planning permission CH/10/0294. Approved 06-Jul-2018.

The Application site was not, however, secured through Reserved Matters for employment use and has to date, received limited interest from prospective occupiers, despite having been marketed.

Condition 19 of planning permission CH/10/0294 required details of a Marketing Strategy for the delivery of B1 employment development to be submitted prior to commencement of development. As such, a Marketing Strategy (GPJ-WA-17108), produced by Kingston Commercial Property Consultants was submitted to the Local Authority on 11th July 2018. This document set out the proposed marketing methods, timescales and procedures for reporting outcomes to the Local Planning Authority. Subsequently, Condition 19 was discharged on 27 April 2021, as it has been demonstrated that the site is surplus to requirements from an employment use perspective.

1 Site and Surroundings

- 1.1 The site comprises a parcel of land, approximately 1.57 hectares (3.89 acres) in size, located towards the southern edge of Norton Canes, approximately 3.5km south east of Cannock. The greenfield site has been cleared of all vegetation.
- 1.2 Norton Hall Lane forms the western extent of the site. Beyond this lies an area of open countryside and, beyond that, the employment area of Kingswood Lakeside which adjoins the built up area of Cannock.
- 1.4 The surrounding area is predominantly residential in nature, with the Persimmon Homes 'Norton Hall Meadows' development, which is nearing completion, located immediately to the north and north east of the site.
- 1.5 The application site is accessed from Rosefinch Drive, the recently completed estate road which serves the development to the north.
- 1.6 The nearest railway station is Cannock Train Station, located approx...3km to the north west of the site, and which provides links to larger urban centres such Birmingham.
- 1.7 Norton Canes benefits from a range of local services and facilities including but not limited to; schools, post office, medical centre, community centre and public houses.
- 1.8 A small portion of the site falls within adopted Green Belt, as shown on the Local Plan Policies Map. The site is also identified for allocated employment use in the Local Plan Review Preferred Options (site ref E17 - yet to be consulted on). It does not contain, nor is it location in the vicinity of any locally listed buildings or Conservation Areas.
- 1.9 The site falls within Flood Zone 1 and is also within a Minerals Safeguarding area for superficial sand and gravel. The site is also within the designated Norton Canes Neighbourhood Plan area.

2 Proposal

- 2.1 The proposed is for a full planning application for the development of up to 55 dwellings with associated landscaping and infrastructure to comprise:

- A mix of both market and affordable housing is proposed. 44 of the proposed properties will be for private sale, alongside the provision of 20% (11) of the total number of homes as affordable housing.
- A mix of size and property types ranging in size from two-bedroom two storey to three-bedroom three storey dwellings are proposed. A variety of different styles of house type are proposed, 10 in total. The proposed housing mix is as follows:

2 Bed, 2 storey – 11 dwellings

3 Bed, 3 storey – 15 dwellings

3 Bed, 2 Storey – 27 dwellings

3 Bed, 2.5 Storey – 2 dwellings

- Vehicular access to the site would be off Rosefinch Drive, the recently completed estate road serving the existing Persimmon Homes development to the north;
- Parking for the properties is provided through a combination of private in-curtilage parking in the form of drives and garages as well as small communal parking areas shared by 4 dwellings.
- The layout also incorporates a landscape buffer to the west and additional landscaping in and around the site.

2.2 The application is accompanied with the following:

- Design and Access Statement, including supporting planning statement
- Transport Statement
- Preliminary Ecological Assessment
- Flood Risk Assessment and Drainage Strategy
- Air Quality Assessment
- Noise Report
- Landscaping details

3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).
- 3.3 Relevant Policies within the Local Plan Include:
- CP1: Strategy
- CP3: Design
- CP5: Social Inclusion and Healthy Living
- CP6 - Housing Land
- CP8 - Employment Land
- CP11 - Centres Hierarchy
- CP14: Landscape Character and Cannock Chase Area of Outstanding Natural Beauty (AONB)
- CP16 Climate Change
- 3.4 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
- 110 Promoting Sustainable Transport
- 111: Highway Safety and Capacity
- 126, 130, 132, 134: Achieving Well-Designed Places
- 147-150 Protecting Green Belt
- 170, 175, 177, 179: Conserving and Enhancing the Natural Environment

218, 219

Implementation

3.5 Other relevant documents include: -

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

4 Determining Issues

4.1 The determining issues for the application 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) Nature conservation
- vi) Drainage and flood risk
- vii) Minerals safeguarding
- viii) Crime and the fear of crime
- ix) Waste and recycling facilities

4.2 Principle of Development

4.2.1 A small portion of the site is located within an area that is designated Green Belt. This area runs along the southern side of the site for the full width. There is a presumption against inappropriate development in the Green Belt, which should only be approved in 'very special circumstances'.

- 4.2.2 Paragraph 137 of the NPPF states that the Government attaches great importance to Green Belts, adding that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. As such the essential characteristics of Green Belts are their openness and permanence.
- 4.2.3 Whether a proposal constitutes inappropriate development is set out in Paragraphs 149 and 150 of the NPPF. It is noted that the majority of the proposed development would not be situated within the Green Belt with the proposed access road and additional landscaping being sited within.
- 4.2.4 In this particular case the application site already has permission for development with the granting of outline permission CH/10/0294, for the mixed use development of up to 450 houses and up to 6,300 square metres of employment floorspace (class B1 and B2 uses). As such, the application site is referenced in the adopted Local Plan at Policy CP8 - land available at other employment locations and identified for allocation for employment in the Local Plan Review Preferred Options (site ref.E17).
- 4.2.5 Notwithstanding this, the allocation of the land for employment purposes does not negate the Green Belt issue. The proposed access road and additional landscaping would be sited, for the majority within the Green Belt designation. The NPPF at paragraph 150 (b) states that engineering operations are not inappropriate development within the Green Belt provided they preserve the openness of the Green Belt and the reasons for including land within it.
- 4.2.6 The proposed access road, in its design, would preserve the openness of the Green Belt within the residential location and any impacts would be mitigated with the proposed landscaping. The strip of Green Belt development would be set against the backdrop of the residential housing and given the further constraints of the Green Belt to the west and the M6 Toll, would not conflict with the purposes of including land within the Green belt.
- 4.2.7 With regard to the employment designation, following permission of the outline application the application site was excluded from the reserved matters application CH/17/450, due to lack of interest for the site's allocated employment use. Subsequently the restrictive condition was removed after the applicant evidenced that there was a surplus in employment land within the District.

- 4.2.8 Your Officers confirm that the Council currently has 23.86ha of 'Readily Available' employment land across the district and the proposed site is included within these figures. However, when measured against the adopted Local Plan target, there is a surplus of 13.43ha across the district.
- 4.2.9 It is noted that the applicant refers to there being a shortfall in the Council's 5 year land housing supply at 4.3 years however your Officers confirm that the publication of the Strategic Housing Land Availability Assessment (SHLAA) 2022 currently identifies a 5 year supply.
- 4.2.10 Given the above, on balance it is considered that the loss of employment land in this location would not be detrimental to the overall supply of employment land across the District during the current adopted plan period, as other opportunities for employment are available locally. As such, the proposal is compliant with Local Plan Policies and the relevant paragraphs of the NPPF.

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

- 4.3.1 In this respect, the site is located opposite a recently constructed modern housing estate and within a surrounding urban area. The comments of the objectors are noted in regard to the design and layout. The layout plan demonstrates how the proposed dwellings would be generally set back behind short frontages and would follow the existing highway.
- 4.3.2 Parking would be provided to the fronts or sides of the dwellings. Plots 22-29 would be sited adjacent the bus stop and as such would have very short frontages with parking provided on two communal parking areas to the side. The dwellings to the rear within the site would face towards the south and towards the landscaped buffer that screens the M6 Toll. It is considered, that the proposed buildings and layout would be broadly similar to the established pattern of development of the existing housing estate.
- 4.3.3 The scheme comprises a mix of size and property types ranging in size from two-bedroom two storey to three-bedroom three storey dwellings. A variety of different styles of house type are proposed and varied materials, to ensure visual interest in the street scene. The surrounding locality and new build estate opposite

comprises a mixture of house types, design, height and materials. As such the proposed dwellings would easily assimilate into the already varied street scene.

4.3.4 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 The proposed dwellings would comply with facing distance requirements of the Design SPD for 2/3 storey buildings within the site and to existing properties to the north. In addition, the proposal would comply with the Council's 45/25 standard policy.

4.4.3 Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment and should (amongst others) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

4.4.4 The main issue in respect to impacts on residential amenity is the potential for noise from the M6 Toll road, as the dwellings would be located closer than the existing residential properties. In this regard, the objections raised by local residents are also noted.

4.4.5 As such, the applicant has submitted a noise survey with which to inform the application. The survey concludes that acoustic protection measures would be

required and mechanical ventilation to prevent overheating for the potential occupiers of the dwellings. The report provides detail of the acoustic and mechanical ventilation measures, which should be undertaken in full and retained for the lifetime of the development.

- 4.4.6 Environmental Health Officers were consulted on the application and raised no objections to the proposal subject to imposition of suitable condition to secure the acoustic measures identified within the noise report.
- 4.4.7 In conclusion, the issues raised regarding noise pollution can be sufficiently mitigated. In addition, the separation distances to neighbouring properties are appropriate for the proposal and conform with the requirements of those set out within the Council's Design SPD.
- 4.4.8 With regard to the proposed development, this would facilitate 55 No. two and three bedroom dwellings with amenity space and parking in accordance with the Design and Parking SPD's.
- 4.4.9 As such, it is considered that the proposal would provide a high quality of amenity for occupiers of existing dwellings as well as for the future occupiers of the proposed dwellings in accordance with the Design SPD and Local Plan Policy CP3 and paragraph 130(f) of the NPPF.

4.5 Impact on Highway Safety

- 4.5.1 Paragraph 111 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.5.2 The traffic and parking concerns of residents are noted. A neighbour queried that there appeared to be no parking provision for plots 43-49 however these plots are house types 'The Stanton FJ,' which include integral single garages and a parking space in front of each garage.
- 4.5.3. The proposal includes 2 car parking spaces for each dwelling, in accordance with the Parking SPD, with the main access to the site from the existing Rosefinch Drive via two priority junctions.
- 4.5.4 A Transport Assessment has been submitted to inform the application. Trip generation has been undertaken using TRICS database. The number of trips

predicted have been assessed against the previously approved outline permission for CH/10/0294 and shows that the proposed residential dwellings would generate less traffic than the development already approved.

4.5.5 The Highway Authority was consulted on the application and raised no objections to the proposal, subject to the recommended conditions.

4.5.6 As such it is considered that the proposal would not have an unacceptable impact on highway safety and therefore would be in accordance with the Parking SPD and paragraph 111 of the NPPF.

4.6 Impact on Nature conservation

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.

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.

4.7 **Cannock Chase SAC**

4.7.1 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. In this instance, the proposed development would be CIL liable given the subsequent net increase in dwellings although the applicant has indicated that they will seek exemption for the affordable housing units. As such, if granted exemption, the applicant would

be required to enter into a S106 agreement to secure SAC mitigation for the affordable housing dwellings.

On Site Impacts

- 4.7.2 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.7.3 The applicant has submitted a preliminary ecological appraisal (PEA) with which to inform the application. The assessment concluded that the woodland belt to the south of the site should be protected throughout construction, but proposes no further enhancement measures.
- 4.7.4 However, there have been concerns raised from residents regarding impact on wildlife. In order to enhance the nature conservation opportunities for the site, it is recommended that any permission is subject to a condition requiring the incorporation of hedgehog corridors, bat and bird boxes in the construction of the dwellings. This would enable a degree of biodiversity enhancement proportionate to the development proposed.
- 4.7.5 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. With the recommendation for the above features, the proposal would provide opportunities to enhance nature conservation. In this respect the proposal would comply with Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.8 Drainage and Flood Risk

- 4.8.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps which is at least threat from flooding. The applicant has indicated the means of drainage and it is noted that the site immediately abuts a main road and is on the edge of a predominantly built-up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area and is considered acceptable.
- 4.8.4 The Local Lead Flood Authority, Severn Trent & Souths Staffs Water were consulted on the application and have raised no objections subject to the recommended conditions. It is therefore concluded that the proposal is

acceptable from a drainage and flood risk perspective and in accordance with paragraphs 159-169 of the NPPF subject to conditions which will be updated at committee.

4.9 Mineral Safeguarding

4.9.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 209, 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.

4.9.2 The application site is located within a Mineral Safeguarding Area. As such Staffordshire County Council as the Mineral Planning Authority was consulted on the application and they raised no objection to the proposal.

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

4.10 Waste and Recycling Facilities

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

4.10.2 In this respect, it is noted that the proposed dwellings would be sited with sufficient space for bin collection facilities within the site and within a residential location where bins are already collected by the Local Authority.

4.11 Ground Conditions and Contamination

4.11.1 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 advised that any risk can be managed by the attachment of an advisory note to any permission granted.

4.11.2 The Council's Environmental Health Officers were consulted on the application and raised no issue in terms of ground contamination.

4.12 Affordable Housing

4.12.1 Under Policy CP2 the proposal would be required to provide a contribution towards Affordable Housing. On developments of 15 or more 20% is required for Affordable Housing. The proposed development therefore has a requirement to provide 11 affordable units.

4.12.2 The Housing Strategy Officer was consulted on the application and stated that The Government policy now states that 25% would be required for First Homes, 60% rent and 15% shared ownership. The development consists of 2 and 3 bedroom family homes which are in high demand in the District. Registered Providers may find it more practical to deliver all rented homes rather than the one unit of shared ownership required which would be acceptable.

4.12.3 Under Policy CP2 of the Local Plan the proposal would also be required to provide an education contribution. The comments of the objectors in this respect are noted. The Staffordshire County Education Authority was consulted on the application and confirmed that based on the location of the proposed development and current demographics the impact on school places at the following schools was identified:

- Jerome Community Primary School and Norton Canes Primary Planning Area
- Norton Canes High School and Cannock High Planning Area

4.12.4 The Education Authority continued that 55 dwellings would require 12 primary school places, 8 secondary places and 2 Post 16 places. There are projected to be limited school places to mitigate the impact of this development at secondary phase of education. An education contribution will not be sought at this time from the planning application but education contributions may be required to mitigate the impact of future housing developments on secondary provision.

4.12.5 There are projected to be an insufficient number of school places in the local area to mitigate the impact of this development at primary phases of education and as such a financial contribution is sought via a s106 agreement.

4.12.6 Given the above, the agreed contributions would be secured by means of a S106 legal agreement.

4.13 Objections raised not already covered above

4.13.1 Neighbours raised concerns relating to devaluation of their property prices, due to the scheme's inclusion of affordable housing, however, this is not a material planning consideration in determining the application.

4.13.2 Neighbour raised concern regarding the impact on doctors appointments. Your Officers confirm that the NHS do comment on planning applications and seek financial contributions were appropriate

4.13.3 Neighbours stated that a shop and bus stop was promised for purchasers of existing houses - existing owners brought their houses on this basis. Your Officers confirm that the bus stop is to the front of the proposed development and there is scope for further development adjacent the site.

4.13.4 Objection was made to the social housing being placed on the main entrance road onto the estate. Neighbours continued that historically these properties have been neglected in property upkeep in the past and this could have a detrimental effect on the property prices directly opposite. Your Officers confirm that this is not a material consideration for the determination of this planning application.

5 Human Rights Act 1998 and Equality Act 2010

Human Rights Act 1998

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

Equality Act 2010

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

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

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

- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

6 Conclusion

- 6.1 The proposal is considered acceptable in respect to highway safety, impacts on residential amenity, drainage and mineral safeguarding.
- 6.2 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.
- 6.3 It is therefore recommended that the application be approved subject to the attached schedule of conditions and to completion of a S106 in respect to the provision of education contributions for primary school places, 20% on-site affordable housing provision and SAC mitigation and CIL contributions.