

Please ask for: Mrs. J. Hunt
Extension No: 4623
E-Mail: joannahunt@cannockchasedc.gov.uk

14 July, 2020

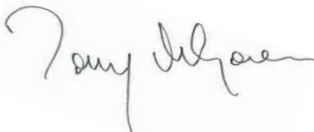
Dear Councillor,

**PLANNING CONTROL COMMITTEE
3:00 PM, WEDNESDAY 22 JULY, 2020
MEETING TO BE HELD REMOTELY**

You are invited to attend this remote meeting for consideration of the matters itemised in the following Agenda. The meeting will commence at 3.00pm via Zoom. Instructions on how to access the meeting will follow.

Instructions on how the public can access the meeting will be posted on the Council's website.

Yours sincerely,



**T. McGovern
Managing Director**

To Councillors:-

Cartwright, Mrs. S.M. (Chairman)
Startin, P. (Vice-Chairman)

Allen, F.W.C.	Pearson, A.R.
Dudson, A.	Smith, C.D.
Fisher, P.A	Stretton, Mrs. P.Z.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.
Jones, Mrs. V.	Todd, Mrs. D.
Layton, A.	Witton, P.
Muckley, A.	

A G E N D A

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 meetings held on 1 and 8 July, 2020 (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.

PLANNING APPLICATIONS

<u>Application Number</u>	<u>Application Location and Description</u>	<u>Item Number</u>
1. CH/19/201	<i>Rugeley B Power Station, Power Station Road, Rugeley, WS15 2HS</i> – Outline planning application for the creation of development platform and the demolition of existing office building, and environmental centre, and security gatehouse, site clearance, remediation and phased mixed-use development comprising: up to 2,300 new dwellings and residential units (use classes C3 and C2); up to 1.2 ha of mixed-use (use classes A1, A2, A3, A4, A5, C1, C2, C3, D1 and D2); up to 5 ha of employment (use classes B1a, b, c and B2); a school (All Through School or 1 no. 2 Form Entry Primary School (use class D1)); formal and informal publicly accessible open space; key infrastructure including new adoptable roads within the site and the provision of a new primary access junction on to the A513; ground and roof mounted solar panels and 2 no. existing electricity substations (132 KV and 400 KV) retained (All Matters Reserved Except Access)	6.1 – 6.144
2. CH/20/161	<i>31 Littleworth Hill, Littleworth, Cannock, WS12 1NS</i> – Retention of works to the rear garden and retention of fence	6.145 - 6.156
3. CH/20/165	<i>Unit 33 Martindale Trading Estate, Martindale, Hawks Green, Cannock WS11 7XN</i> – Re-submission – variation of condition (4) of Planning Permission (CH/99/0539) to allow movement of vehicles Mon-Fri 4am-6pm, Sat 81m-2pm, all other operations from 8am onwards	6.157 - 6.173
4. CH/20/183	<i>76 Hayfield Hill, Cannock Wood, WS15 4RS</i> – Two storey rear extension	6.174 - 6.186

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

PLANNING CONTROL COMMITTEE

HELD ON WEDNESDAY 1 JULY, 2020 AT 3:07 P.M.

VIA REMOTE ACCESS

PART 1

PRESENT: Councillors Cartwright, Mrs. S. (Chairman)
 Startin, P. (Vice-Chairman)

Allen, F.W.C.	Pearson, A.
Dudson, A.	Smith, C.D.
Fisher, P.A.	Stretton, Mrs. P.Z.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.
Jones, Mrs. V.	Todd, Mrs. D.M.
Layton, A.	Witton, P.

(This meeting was not able to be held at the Civic Centre due to the Coronavirus (Covid-19) pandemic. It was therefore held remotely).

(The start of the meeting was delayed slightly as the Chairman experienced issues accessing the remote meeting).

1. Apologies

An apology for absence was submitted for Councillor A. Muckley

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

None declared.

3. Disclosure of Lobbying of Members

Nothing declared.

4. Minutes

RESOLVED:

That the Minutes of the meeting held on 10 June, 2020 be approved as a correct record.

5. Members' Requests for Site Visits

None

6. Application CH/20/100, 13 Bronte Drive, Cannock, WS11 7GL: Proposed detached dormer bungalow

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.27 of the Official Minutes of the Council).

The Development Control Manager provided a presentation to the Committee and showed plans of the proposed development.

Representations were made by Hollie and Paul Curran, who were objecting to the application on behalf of themselves and their neighbour, Caroline Spencer. Further representations were made by Mr. Tiernan, the applicant, speaking in favour of the application.

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:-

“No development shall commence until a scheme for the protection of the existing hedge along the boundary of the site with Sidon Hill Way has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been implemented. The works comprising the scheme for hedge protection shall remain in place during the construction phase. Any trees that are removed, die or become damaged during the construction phase or in five years of this permission shall be replaced by the end of the next planting season.

If the existing hedge is removed prior to the commencement of development a scheme for the replanting of a similar hedge shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the removal of the hedge. The works comprising the approved scheme shall be implemented by the end of the planting season following the approval of that scheme. The hedge shall thereafter be retained and maintained for the lifetime of the development.

Reason:

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

7. Application CH/20/133, 500B Littleworth Road, Cannock, WS12 1JB: Garage conversion, single storey front extension and two storey side extension

Consideration was given to the report of the Development Control Manager (Item 6.28 – 6.38 of the Official Minutes of the Council).

The Development Control Manager provided a presentation to the Committee and showed plans of the proposed development.

RESOLVED:

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

8. TPO No. 2020/01 – Proposed Tree Preservation Order - 2 Church Hill, Littleworth, Cannock, WS12 1BA

Consideration was given to the report of the Development Control Manager (Item 6.39 – 6.42 of the Official Minutes of the Council).

The Development Control Manager and the Tree and Landscape Protection Officer provided a presentation and showed photographs to the Committee.

Representations were made by Mr. Carney who was objecting to the proposed TPO.

RESOLVED:

That TPO No. 2020/01 be confirmed without modification.

9. TPO No. 2020/02 – Proposed Tree Preservation Order – Perth House, Ironstone Road, Cannock Wood, WS12 0QD

Consideration was given to the report of the Development Control Manager (Item 6.43 – 6.50 of the Official Minutes of the Council).

The Development Control Manager and the Tree and Landscape Protection Officer provided a presentation and showed photographs to the Committee.

Representations were made by Mr. Billingsley who was objecting to the proposed TPO.

RESOLVED:

That TPO No. 2020/02 be confirmed without modification.

The meeting finished at 16:32pm.

CHAIRMAN

CANNOCK CHASE COUNCIL

MINUTES OF THE MEETING OF THE

PLANNING CONTROL COMMITTEE

HELD ON WEDNESDAY 8 JULY, 2020 AT 3:00 P.M.

VIA REMOTE ACCESS

PART 1

PRESENT: Councillors Cartwright, Mrs. S. (Chairman)
 Startin, P. (Vice-Chairman)

Allen, F.W.C.	Pearson, A.
Crabtree, S.(substitute)	Smith, C.D.
Fisher, P.A.	Stretton, Mrs. P.Z.
Fitzgerald, Mrs. A.A.	Thompson, Mrs. S.
Jones, Mrs. V.	Todd, Mrs. D.M.
Layton, A.	Witton, P.
Martin, Mrs. C. (substitute)	

(This meeting was not able to be held at the Civic Centre due to the Coronavirus (Covid-19) pandemic. It was therefore held remotely).

10. Apologies

Apologies for absence were submitted for Councillors A. Dudson and A. Muckley.

Notification had been received that Councillor S. Crabtree would be acting as substitute for Councillor A. Muckley and Councillor Mrs. C. Martin would be acting as substitute for Councillor A. Dudson.

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

None disclosed.

12. Disclosure of Lobbying of Members

Nothing declared.

13. Members' Requests for Site Visits

None

14. Application CH/20/47, Land adjacent to 2 Ashtree Bank, Rugeley, WS15 1HN – resubmission of CH/19/392 – design and construction of 1 x no. detached 3 bed dwelling and associated parking

Consideration was given to the report of the Development Control Manager (Item

5.1 – 5.31 of the Official Minutes of the Council).

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

Representations were made by Will Brearley (agent) who was speaking in support of the application.

RESOLVED:

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

15. Application CH/19/173, Hill Farm, 84 Hayfield Hill, Cannock Wood, Rugeley, WS15 4RU – Change of use of the buildings and land to light industrial (B1) and the retention of the fork lift truck store

Consideration was given to the report of the Development Control Manager (Item 5.32 – 5.55 of the Official Minutes of the Council).

The Development Control Manager provided the following update which had been circulated to the Committee in advance of the meeting:-

“1. Clarification

1.1 The officer report makes several references to use class B1 and the several sub categories within that use class. Use class B1 is defined as business uses which can be carried out in a residential area without detriment to its amenity. It is split into three sub categories: -

B1(a) Offices - Other than a use within Class A2

B1(b) Research and development of products or processes

B1(c) Industrial processes

1.2 However, category B1(a) Offices are considered to be “town centre” and are subject to a sequential test, that only allows out of uses where there is no capacity in the town centres.

1.3 With this in mind the description of the development should be amended to exclude offices (other than those ancillary to the main use) so as to read

“Change of Use of the buildings and land to research and development B1 (b) and ight industrial (B1(c) and the retention of the fork lift truck store.”

For the same reason paragraph 2.1 of the report should also be amended to read

“The applicant is seeking approval for a change of Use of the buildings and land to research and development B1 (b) and light industrial (B1(c) and the retention of the fork lift truck store.”;

and paragraph 5.2.5 should be amended to read: -

- 1) The change of use of the land to B1(b) and B1 (c)

2. Amendments to the Schedule of Planning Conditions

2.1 Following further discussions with the applicant it is clear that the landscaping scheme required under condition 3 has already been implemented. As such condition 2 should be amended so that it now only requires the retention of the landscaping works.

2.2 In respect to condition 6 which requires the gates to be open it is considered it is noted that this was not required by either the Environmental Health Officer or the Highway Officer. It has also become apparent that the gates are monitored by CCTV and hence access can be controlled through the ancillary office and that delivery times could be controlled by a delivery hours condition. As such it is considered that the condition is not necessary and therefore it is recommended that it is deleted from the recommended Schedule of Conditions.

2.3 It is recommended that condition 7 be amended to read

“There shall be no deliveries by **heavy goods vehicles** to, or from, or loading or unloading of **heavy goods** vehicles at the site outside of the hours of 08:00hrs to 18:00hrs on Monday to Friday, 08:00hrs to 16:00hrs on Saturdays and at no times on Sundays and Bank and Public Holidays”.

as this would allow the flexibility of customers taking smaller items (such as bird baths) away on their visit in private cars or light good vehicles.

2.4 It is recommended that condition 8 be amended to include reference to B1(b) and to restrict any change of use to class B1(a) “Offices”.

2.5 Having regard to the above it is recommended that the Schedule of Conditions be amended as to read as follows: -

1. The use hereby approved shall only be used for business uses B1(b) ‘research and development’ and B1(c) ‘light industrial’ and ancillary storage, office and retail purposes to those uses.

Reason

In the interests of proper planning.

2. The hedge and associated landscaping works along the northern side of the

access shall be retained for the lifetime of the development.

Reason

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

3. No industrial processes shall take place on the site outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, 08:00hrs to 16:00hrs on a Saturday and at no time on Sundays and Bank and Public 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 Policies CP3 - Chase Shaping, Design, CP11 - Centres Hierarchy and the National Planning Policy Framework.

4. The premises shall not be open to the public outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, 08:00hrs to 16:00hrs on Saturdays and 10:00hrs to 16:00hrs on Sundays and Bank and Public 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 Policies CP3 - Chase Shaping, Design, CP11 - Centres Hierarchy and the National Planning Policy Framework.

5. No means of illumination to the use hereby approved shall be brought into use until a scheme for external illumination has been submitted to and approved in writing by the Local Planning Authority. Any means of external illumination employed shall be in accordance with the approved scheme.

Reason

In the interests of protecting the rural character of the area from light pollution

6. There shall be no deliveries by heavy goods vehicles to, or from, or loading or unloading of heavy goods vehicles at the site outside the hours of 08:00hrs to 18:00hrs on Mondays to Friday, 08:00hrs to 16:00hrs to a Saturday and at no time on Sundays and bank and public 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 Policies CP3 - Chase Shaping, Design, CP11 - Centres Hierarchy and the National Planning Policy Framework.

7. 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 3 of Schedule 2 Class PA shall be carried out without an express grant of planning permission, from the Local Planning Authority, namely:

- Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class B1(b) (research and development) and B1 (c) (light industrial) of the Schedule to the Use Classes Order to a use falling within Class B1 (a) (offices) and Class C3 (dwelling houses) of that Schedule.

Reason

The Local Planning Authority considers that such development would be likely to adversely affect the amenity of neighbouring occupiers and the landscape 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 National Planning Policy Framework .

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

2019:50:02A

2019:50:03

Reason

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

He then provided a presentation to the Committee outlining the application showing photographs and plans of the proposed development.

Representations were made by Susan Anderson (objector) and Councillor A. Muckley (Ward Councillor) who were both speaking against the application. Further representations were made by John Heminsley (agent) and Andy Newton (applicant) who were in support of the application.

RESOLVED:

That the application be approved subject to the amended schedule of conditions for the reasons stated therein and the further amendments as contained in the Officer update sheet and outlined above.

16. Application CH/20/91 – Hillary Crest, Rugeley, WS15 1NE – residential development, 5 dwellings

Consideration was given to the report of the Development Control Manager (Item

5.56 – 5.83 of the Official Minutes of the Council).

The Development Control Manager provided an update to the Committee advising of the following error within the report (this had been circulated to the Committee in advance of the meeting):-

“Paragraph 4.2.1 states

“The site is a windfall ‘greenfield’ site located in the urban area of Norton Canes”.

This should be amended to read

“The site is a windfall previously developed site in the urban area of Rugeley”

He then provided a presentation to the Committee outlining the application showing photographs and plans of the proposed development.

Representations were made by John Heminsley (agent) who was speaking in favour of the application.

The Committee raised concern that the three dwellings the applicant was seeking retrospective planning approval for had not been built in accordance with the submitted and approved plans. It was agreed that the Principal Solicitor would write a strongly worded letter to the developer outlining the Committee’s views and reinforcing the importance of adhering to approved plans.

RESOLVED:

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

17. Application CH/20/029 – Land off Colliery Road, Brereton, Rugeley – Erection of stable building and hardstanding

Consideration was given to the report of the Development Control Manager (Item 5.84 – 5.105 of the Official Minutes of the Council).

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

Representations were made by Philip Brown (agent) who was speaking in support of the application.

RESOLVED:

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

The meeting finished at 5.20 pm.

CHAIRMAN

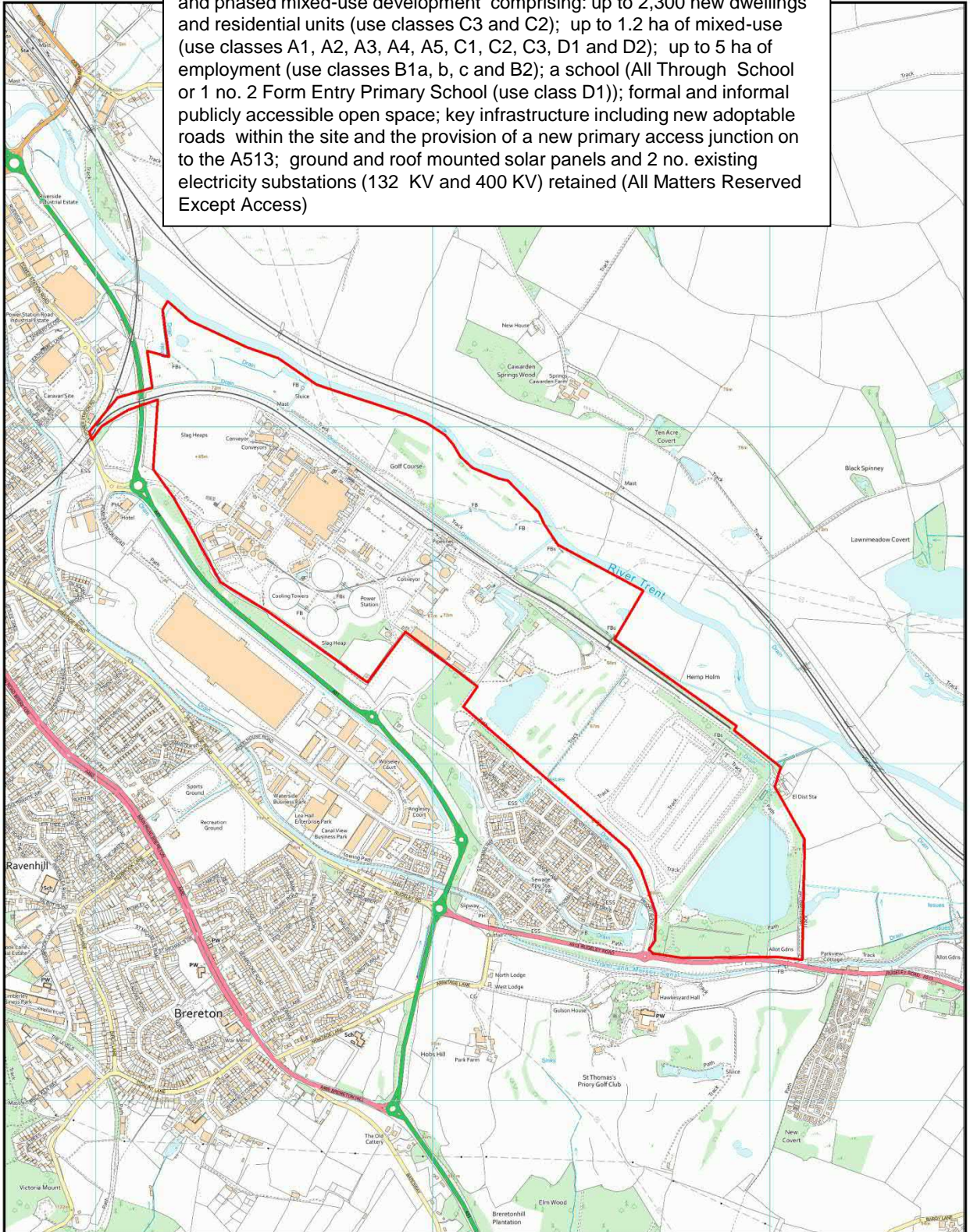


Application No: CH/19/201

Location: Rugeley B Power Station, Power Station Road, Rugeley, WS15 2HS

Proposal: Outline Planning Application for the creation of development platform and the demolition of existing office building, environmental centre, and security gatehouse, site clearance, remediation and phased mixed-use development comprising: up to 2,300 new dwellings and residential units (use classes C3 and C2); up to 1.2 ha of mixed-use (use classes A1, A2, A3, A4, A5, C1, C2, C3, D1 and D2); up to 5 ha of employment (use classes B1a, b, c and B2); a school (All Through School or 1 no. 2 Form Entry Primary School (use class D1)); formal and informal publicly accessible open space; key infrastructure including new adoptable roads within the site and the provision of a new primary access junction on to the A513; ground and roof mounted solar panels and 2 no. existing electricity substations (132 KV and 400 KV) retained (All Matters Reserved Except Access)

ITEM NO. 6.1



Location Plan



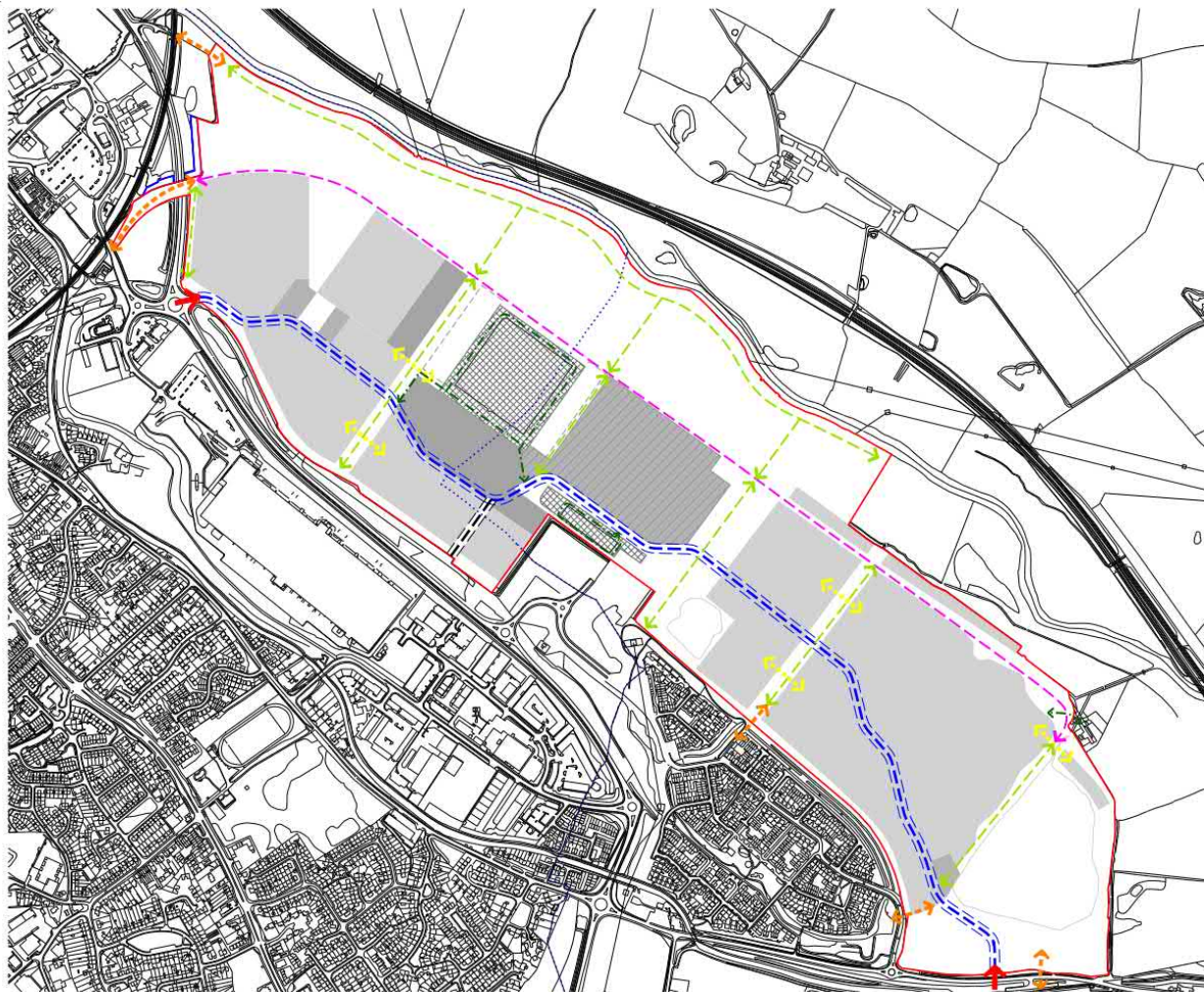
Illustrative Masterplan



Plan Showing Indicative All-through School



Access and Movement Parameter Plan



- Red Line - Application boundary
- Blue Line - Other Land in the Applicant's control
- Local Authority boundary
- Vehicle/pedestrian/cycle site access
- Primary road corridor (with +/- 30m limit of deviation from centre line along route shown)
- Shared pedestrian / cycle / vehicle corridor (with +/- 30m limit of deviation from centre line along route shown)
- Potential future pedestrian / cycle connection points
- Proposed 'Tail Way' (including sustainable transport routes, pedestrian / cycle routes drainage elements, planting and occasional vehicular access)
- Indicative network of footpaths / cycleways
- Indicative location of vehicular connection across open space
- Access to existing infrastructure on site (400kV, 132kV, Network Rail Substation)
- Built development areas
- All Through School and shared playing fields or Primary School site and playing fields (D1)
- Existing sub-stations (including access roads)
- Ground mounted solar panels

Note: This red line and associated area shown in this drawing are based on guidance provided by ENGI. ITP accept no responsibility or liability for reliance placed on, or use made of, this plan by anyone for purposes other than planning.

Note: All features and areas are subject to a lateral tolerance of +/- 30m unless stated otherwise.

PLANNING

ENGIE

Rugeley Power Station

Access and Movement Parameter Plan

Scale: 1:1000

Date: 10/05/2023

Author: [Name]

Drawn: [Name]

Checked: [Name]

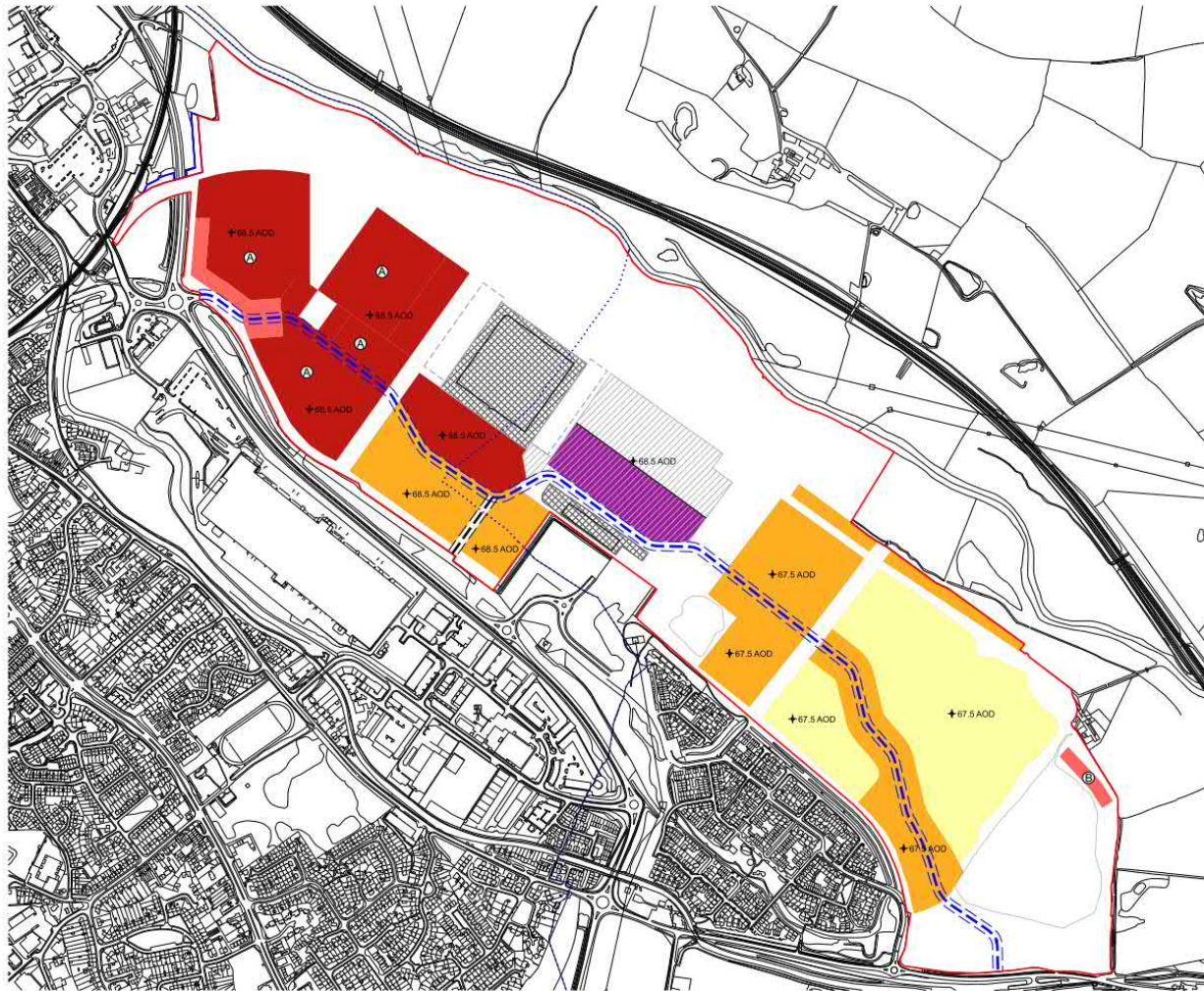
Approved: [Name]

Project: [Name]

Sheet: [Name]

Of: [Name]

Building Heights Parameter Plan



Notes:

- Red Line - Application boundary
- Blue Line - Other Land in the Applicant's control
- Local Authority boundary
- Up to 5 storeys/ max. 22m ridge height (from existing ground levels +/- 2m)
- Up to 4 storeys/ max. 18m ridge height (from existing ground levels +/- 2m)
- Up to 3 storeys/ max. 14m ridge height (from existing ground levels +/- 2m)
- Up to 2.5 storeys/ max. 12.5m ridge height (from existing ground levels +/- 2m)
- Up to 3 storeys/ max. 15m ridge height (from existing ground levels +/- 2m)
- Existing sub-stations (including access roads)
- All Through School and shared playing fields on Primary School site and playing fields (D1)
- Ground mounted solar panels
- Primary road corridor (with +/- 30m limit of deviation from centre line along route shown)
- Shared pedestrian / cycle / vehicle corridor (with +/- 30m limit of deviation from centre line along route shown)
- Proposed ground level

A In these areas of proposed residential development of up to 4 storeys, no more than 20% of the gross external area (GEA) of residential buildings will be at or below first floor ground level (1).

B In this area of proposed residential development of up to 4 storeys, no more than 20% of the gross external area (GEA) of residential buildings will be at or below first floor ground level (1).

Note: The red line and associated area shown in this drawing are based on guidance provided by BLMG placed on, or use made of, this plan by anyone for purposes other than planning.

Note: All features and areas are subject to a lateral tolerance of +/- 30m unless stated otherwise.

PLANNING

ENGIE

jtpt

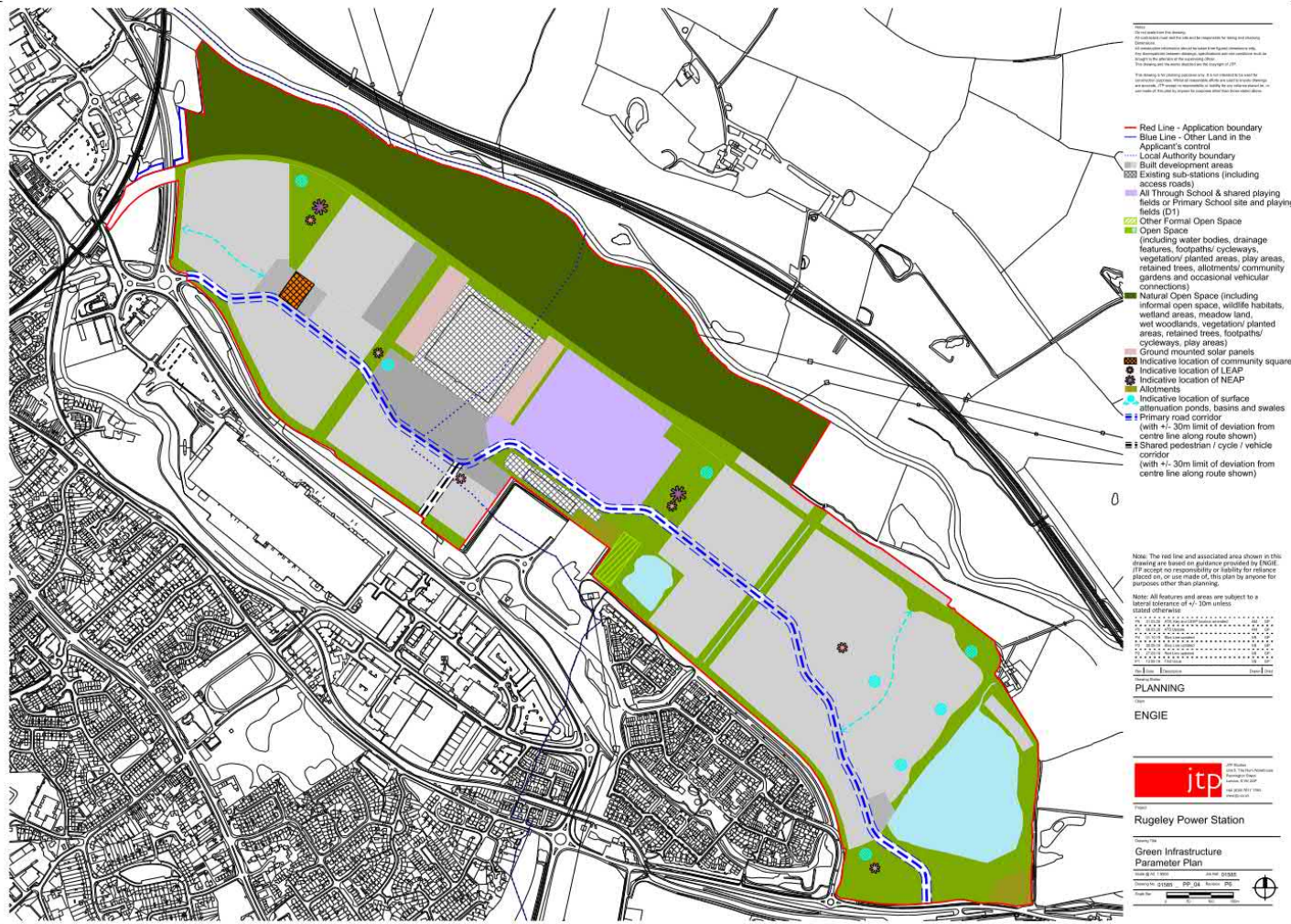
Rugeley Power Station

Building Heights Parameter Plan

Scale: 1:1000

North Arrow

Green Infrastructure Parameter Plan



- Red Line - Application boundary
- Blue Line - Other Land in the Applicant's control
- - - Local Authority boundary
- ▭ Built development areas
- ▭ Existing sub-stations (including access roads)
- ▭ All Through School & shared playing fields or Primary School site and playing fields (D1)
- ▭ Other Formal Open Space
- ▭ Open Space (including water bodies, drainage features, footpaths/ cycleways, vegetation/ planted areas, play areas, retained trees, allotments/ community gardens and occasional vehicular connections)
- ▭ Natural Open Space (including informal open space, wildlife habitats, wetland areas, meadow land, wet woodlands, vegetation/ planted areas, retained trees, footpaths/ cycleways, play areas)
- ▭ Ground mounted solar panels
- ▭ Indicative location of community square
- ▭ Indicative location of LEAP
- ▭ Indicative location of NEAP
- ▭ Allotments
- ▭ Indicative location of surface attenuation ponds, basins and swales
- ▭ Primary road corridor (with +/- 30m limit of deviation from centre line along route shown)
- ▭ Shared pedestrian / cycle / vehicle corridor (with +/- 30m limit of deviation from centre line along route shown)

Note: The red line and associated area shown in this drawing are based on guidance provided by ENGE. JTP accept no responsibility or liability for reliance placed on, or use made of, this plan for purposes other than planning.

Note: All features and areas are subject to a lateral tolerance of +/- 30m unless stated otherwise.

PLANNING

ENGE

itp
Infrastructure Transformation Partnership

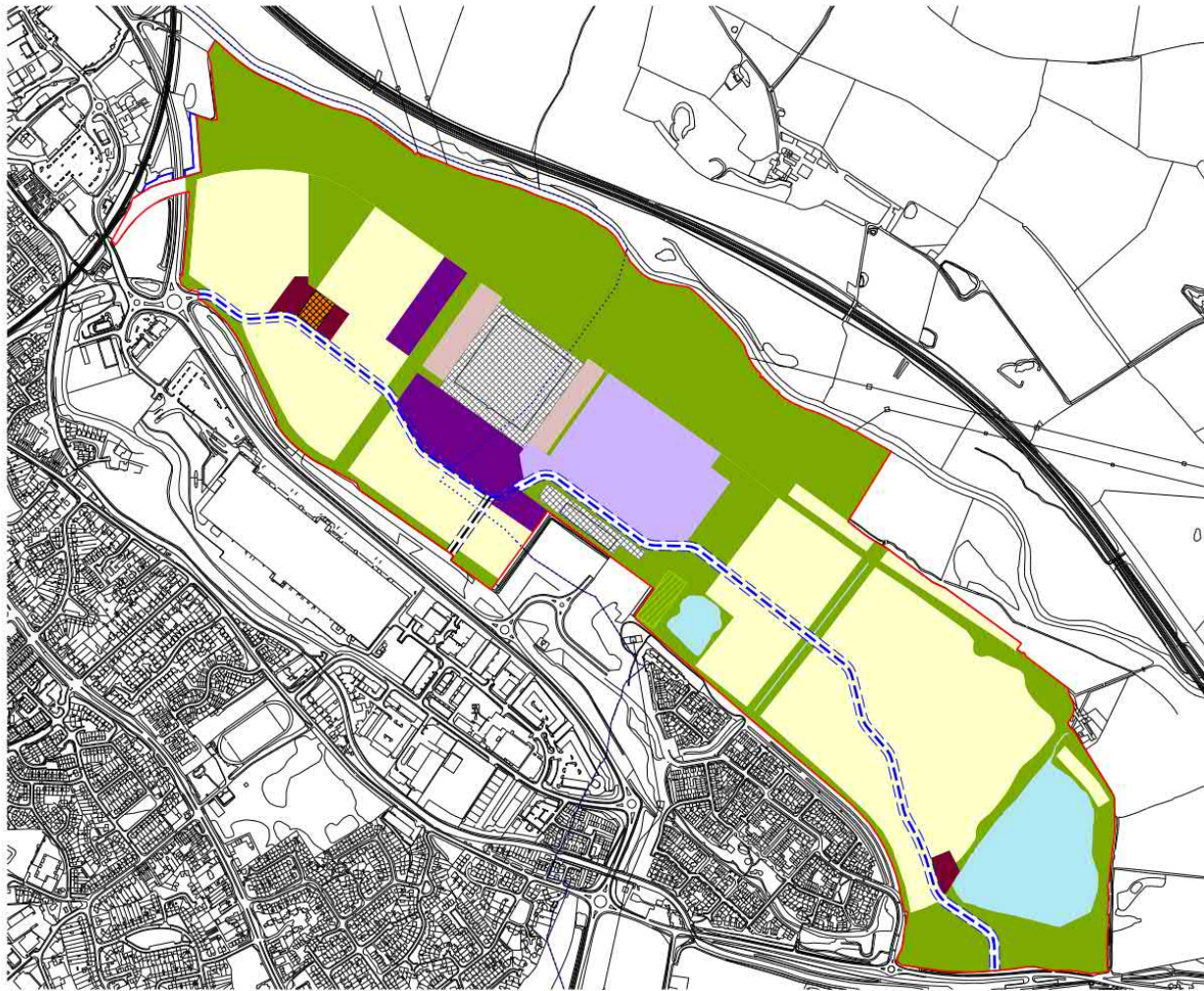
Rugeley Power Station

Green Infrastructure Parameter Plan

Scale: 1:1000

North Arrow

Land Use Parameter Plan



Legend

- Red Line - Application boundary
- Blue Line - Other Land in the Applicant's control
- Local Authority boundary
- Residential (C2, C3) (to include secondary and tertiary streets, footways, cycleways, incidental open space and attenuation ponds/ basins)
- Mixed Use including residential (A1, A5, C1, C2, C3, D1, D2)
- Employment Use (E1, E2)
- Existing sub-stations (including access roads)
- All Through School and shared playing fields or Primary School site and playing fields (D1)
- Other Formal Open Space
- Open Space (including water bodies, drainage features, footpaths, cycleways, vegetation) planted areas, retained trees, play areas, allotments / community gardens and occasional ground mounted solar panels
- Indicative location of community squares
- Primary road corridor (with +/- 30m limit of deviation from centre line along route shown)
- Shared pedestrian / cycle / vehicle corridor (with +/- 30m limit of deviation from centre line along route shown)

Note: The red line and associated area shown in this drawing are based on guidance provided by ENGE. ITP accepts no responsibility or liability for reliance placed on, or use made of, this plan by anyone for purposes other than planning.

Note: All features and areas are subject to a lateral tolerance of +/- 30m unless stated otherwise.

PLANNING

ENGE

itp Infrastructure Transformation Partners

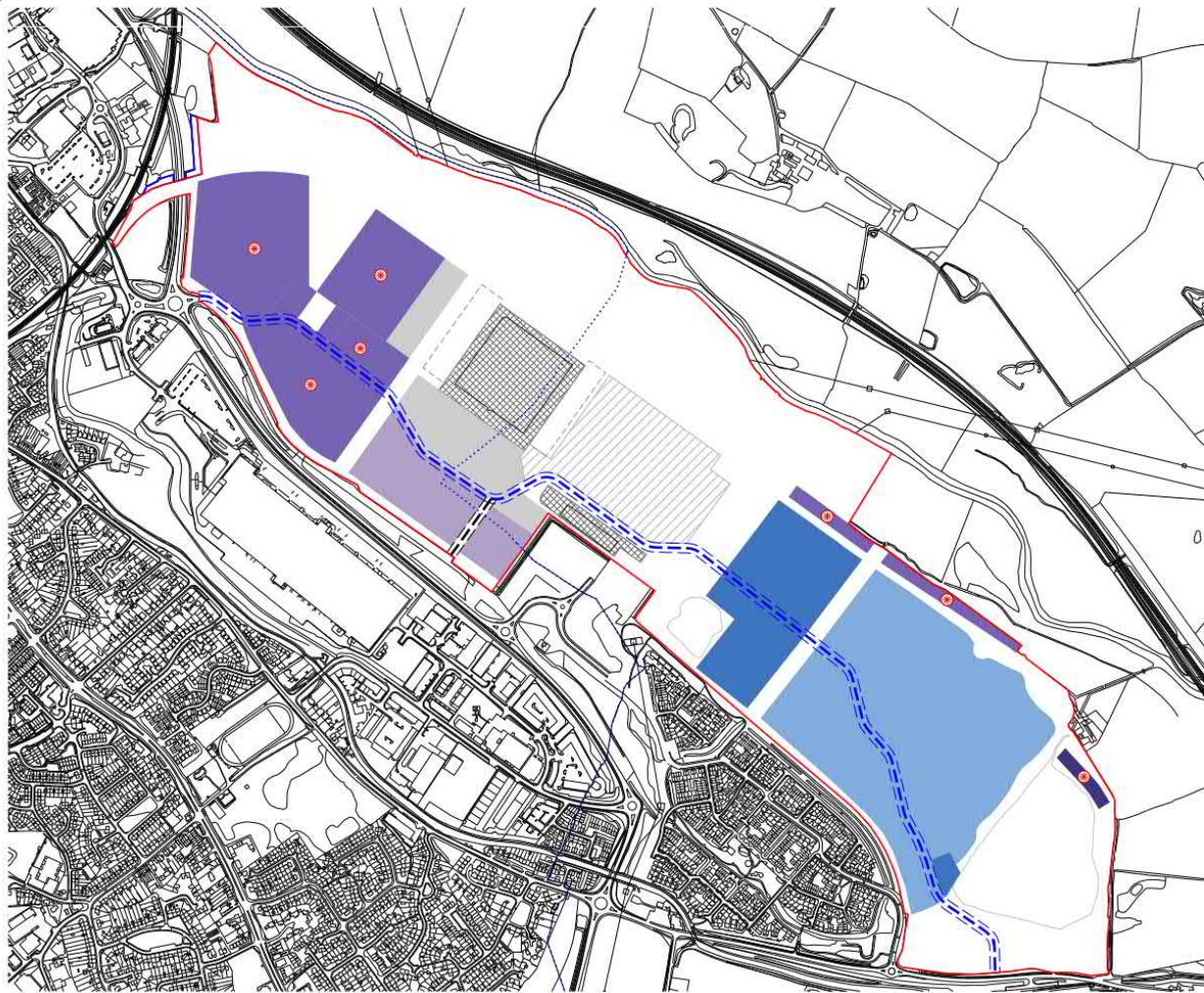
Rugeley Power Station

Land Use Parameter Plan

Scale: 1:10000

North Arrow

Density Parameter Plan



- Legend**
- Red Line - Application boundary
 - Blue Line - Other Land in the Applicant's control
 - Local Authority boundary
 - Up to 35 dph
 - Up to 40 dph
 - Up to 50 dph
 - Up to 75 dph
 - Built development areas
 - ⊞ Existing sub-stations (including access roads)
 - ⊞ All Through School and shared playing fields or Primary School site and playing fields (D1)
 - Primary road corridor (with +/- 30m limit of deviation from centre line along route shown)
 - Shared pedestrian / cycle / vehicle corridor (with +/- 30m limit of deviation from centre line along route shown)
 - Ground mounted solar panels
- In these areas of proposed residential development, built form will occupy, in total height, no more than 20% of that overall area of land site as set out on the parameter plan.

Note: The red line and associated area shown in this drawing are based on guidance provided by NDCI. JTP accept no responsibility or liability for reliance placed on, or use made of, this plan by anyone for purposes other than planning.

Note: All features and areas are subject to a general tolerance of +/- 10m unless stated otherwise.

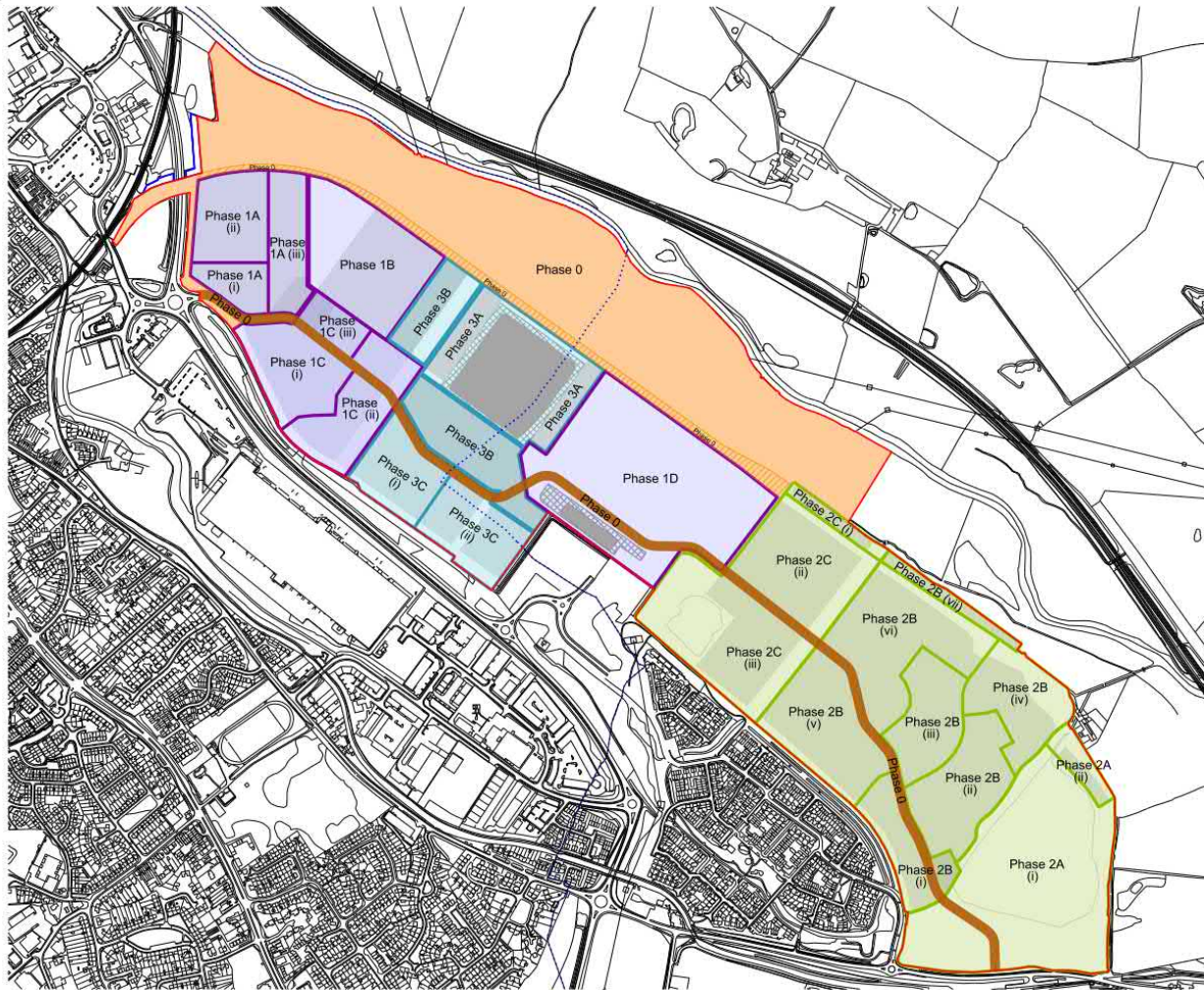
Scale	North	East	South	West
1:1000	0.0000	0.0000	0.0000	0.0000
1:2000	0.0000	0.0000	0.0000	0.0000
1:3000	0.0000	0.0000	0.0000	0.0000
1:4000	0.0000	0.0000	0.0000	0.0000
1:5000	0.0000	0.0000	0.0000	0.0000
1:6000	0.0000	0.0000	0.0000	0.0000
1:7000	0.0000	0.0000	0.0000	0.0000
1:8000	0.0000	0.0000	0.0000	0.0000
1:9000	0.0000	0.0000	0.0000	0.0000
1:10000	0.0000	0.0000	0.0000	0.0000

PLANNING
ENGIE



Rugeley Power Station
Density Parameter Plan
Scale: 1:1000
Date: 10/05/2024
Author: JTP
Check: JTP
Drawn: JTP
Approved: JTP

Illustrative Phasing Plan



- Red Line - Application boundary
- Blue Line - Other Land in the Applicant's control
- Local Authority boundary
- Phase 0 including:
 - Riverside Park
 - Former Railway
 - Primary road corridor (with +/- 30m limit of deviation from centre line along route shown)
- Phase 1
- Phase 2
- Phase 3
- Existing sub-stations

Note: The red line and associated area shown in this drawing are based on guidance provided by ENGIE. JTP accept no responsibility or liability for reliance placed on, or use made of, this plan by anyone for purposes other than planning.

Note: All features and areas are subject to a tolerance of +/- 10m unless stated otherwise.

Scale	1:1000	1:2000	1:5000	1:10000
Horizontal	1mm = 1m	1mm = 2m	1mm = 5m	1mm = 10m
Vertical	1mm = 1m	1mm = 2m	1mm = 5m	1mm = 10m

PLANNING

ENGIE

Rugeley Power Station

Illustrative Phasing Plan

Scale: 1:10000

Application No:	CH/19/201
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PLANNING CONTROL COMMITTEE	
22 July 2020	
Received:	28-May-2019
Location:	Rugeley B Power Station, Power Station Road, Rugeley, WS15 2HS
Parish:	Brereton and Ravenhill Rugeley
Description:	Outline Planning Application for the creation of development platform and the demolition of existing office building, and environmental centre, and security gatehouse, site clearance, remediation and phased mixed-use development comprising: up to 2,300 new dwellings and residential units (use classes C3 and C2); up to 1.2 ha of mixed-use (use classes A1, A2, A3, A4, A5, C1, C2, C3, D1 and D2); up to 5 ha of employment (use classes B1a, b, c and B2); a school (All Through School or 1 no. 2 Form Entry Primary School (use class D1)); formal and informal publicly accessible open space; key infrastructure including new adoptable roads within the site and the provision of a new primary access junction on to the A513; ground and roof mounted solar panels and 2 no. existing electricity substations (132 KV and 400 KV) retained (All Matters Reserved Except Access)
Application Type:	Full Planning Application Major with ES

RECOMMENDATION:

<p>Approve subject to the conditions within this report and:</p> <p>(1) Subject to the owners/applicants first entering into a Section 106 Legal Agreement under the Town and Country Planning Act (as amended) to secure contributions/planning obligations towards:-</p> <ol style="list-style-type: none"> 1. On-site affordable housing provision equivalent to 17.6% spread evenly across the site (approx. 405 dwellings total if 2300 dwellings delivered) 2. On-site Sports Provision (including changing facilities and management) and off site cricket (£120k) contribution 3. On-site Public Open Space Provision (including delivery of Riverside Park, retained and new allotments and public art) 4. Delivery of All Through School <u>or</u> delivery of 2 form of entry primary school on site and secondary school contribution of £8 Million 5. Highways and Transport Contributions (Off-site Highway Works costed to approximately £7.53 Million and subject to future review), off site linkage improvements, Trent Valley Station Improvements and canal towpath improvements 6. Public Transport Contribution (approx. £3.145 Million subject to review) or equivalent similar provision of public transport
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7. Travel Plan Monitoring Sum £50,000
8. Air Quality Mitigation Contribution towards Cannock Chase SAC (£2.325 Million)
9. Provision of on-site Community Building and Healthcare Contribution to develop facilities at Brereton Surgery via CCG (£501k)

Note a separate Unilateral Undertaking relating to the payment of £221 per dwelling for the Cannock Chase SAC SAMP measures where dwellings provided exceed 20% affordable housing or are not CIL liable (e.g. self build)

(2) If the S106 legal agreement / Unilateral Undertaking are not signed/ completed by 2nd November 2020 or the expiration of any further agreed extension of time, then powers be delegated to officers to refuse planning permission based on the unacceptability of the development, without the required contributions and undertakings, as outlined.

(3) And delegated approval to Officers to make minor changes to conditions as may be required

1. EXECUTIVE SUMMARY



Figure 1: Rugeley Power Station Design and Access Statement Extract

- 1.1 The Council's Planning Control Committee originally considered application CH/19/201 for the redevelopment of the Rugeley Power Station site on 15th January 2020. At this meeting the Committee voted to approve the application subject to conditions and subject to securing a range of requirements within a S106 legal agreement in line with the Officer report.

- 1.2 Further to the submissions under application ref CH/19/201 an amendment to the application was received on Monday 11th May 2020. The amendment seeks changes to allow for the potential inclusion of an All Through School (ATS) within the proposed development. This encompasses nursery, primary school provision, secondary school provision and post 16 provision. Updated plans to reflect these changes and the production of a new Environmental Statement to consider any additional effects arising from the amended development has now been provided. An extract from the Covering Letter accompanying the amendments reads:

“There is no change to the resolved to grant scheme in terms of the Applicant, the Site Boundary, the number of dwellings and residential units (which remain at up to 2,300), the level of employment land (up to 5 hectares), community and retail floorspace (with the exception of education provision), and the primary vehicular accesses.

The principal change is in relation to the potential provision of an ATS. The resolved to grant scheme includes for the provision of a 2 Form Entry Primary School on the Site (with a financial contribution towards off-site provision of additional secondary school places). This amendments submission seeks flexibility for an ‘either or’ provision – that is, provision of an ATS or provision of a 2 Form Entry Primary School.

The flexibility sought reflects that, even with the commitment and best efforts of all parties to secure an ATS on the Site, the situation that may occur that the Wave 14 application is unsuccessful and it may be necessary for the Applicant to provide the 2 Form of Entry Primary School (and a financial contribution towards secondary education).

The ATS proposed for the Site would comprise a 52-place nursery, a 2 Form of Entry Primary School, a 5 Form of Entry Secondary School and Post-16 provision for up to 200 students, together with ancillary facilities including sports pitches/courts. It is proposed that the sports pitches/courts are shared with the community, with community access outside of school hours of operation.”

Environmental Statement

- 1.3 The amended application is accompanied by a large range of documents including a new Environmental Statement and appendices from those originally submitted. By virtue of the size and scale of the proposed development and the potential for significant effects during the construction and operational phases of the development, an Environmental Statement has been submitted with the application. The Environmental Statement (ES) describes and assesses the likely environmental impacts of the proposed development and proposes various mitigation measures to avoid, remedy or reduce impacts where appropriate.
- 1.4 In terms of the Environmental Impact Assessment, it is considered that the implementation of the mitigation measures referenced within the ES will prevent the proposed development from having any significant adverse environmental effects. However this is not the same as concluding the development would not have any impacts on the local area from a planning perspective. These are explored and explained later in this report.
- 1.5 Therefore, a key issue in the determination of this application is whether the proposed development is acceptable, or can be made acceptable in planning terms with due regard to the relevant local and national planning policies and all other relevant planning considerations, including the proposed planning conditions and Section 106 obligations.

Principle of Development

- 1.6 The application site straddles the boundary between Cannock Chase District Council and Lichfield District Council. The site as a whole is not identified or allocated for any purpose within the current adopted Local Plan (Part 1) in Cannock Chase District. The closure and redevelopment of the Power Station site was not envisaged in the processes that lead to the production of the Local Plan (Part 1) prior to 2014. Although the Council is working to progress a Local Plan Review, this work is in its early stages and cannot be given substantial weight in determining the current application. The site is also subject to the Rugeley Power Station Development Brief SPD that was jointly produced between the respective Council's and this provides guidance about the wider redevelopment of the site.
- 1.7 The site is allocated for residential development of a minimum of 800 dwellings within the development plan governing the land within Lichfield District Council's administrative area. The Armitage with Handsacre Neighbourhood Plan applies to the area of land around the Borrow Pit Lake, suggesting this should be Protected Open Space. A small development parcel is proposed within the application to the north of the Borrow Pit Lake. This portion of the development runs in conflict with Policy AH4 in the Armitage with Handsacre Neighbourhood Plan, although the general thrust and purpose of AH4 reflects the ambitions of the Rugeley Power Station SPD to retain the Borrow Pit as a landscape/ water feature and promote improved access and recreational use of such assets, which the proposed development achieves.
- 1.8 Spatially the site is located on the edge of Rugeley town and is in part previously developed land (aka Brownfield). The development proposed is considered to be sustainably located with good access to public transport and day to day facilities, which could be further improved as part of the development. Accordingly, in spatial planning policy terms the development is considered acceptable.

Design Concept

- 1.9 The site will include a new link to Rugeley town centre via the former rail link into the site. This will provide access from the town to a new neighbourhood centre inclusive of a convenience retail store (up to 500sqm), a community building and other mixed uses. Additional uses more towards the centre of the site include employment uses, formal sports provision, the potential All Through School and the proposed 25Ha Riverside Park. Also proposed is a smaller neighbourhood centre close to the Borrow Pit Lake with a more recreation related focus as well as links interconnecting with neighbouring land. The features will be linked by extensive walkable routes including the 'Riverside Walk' spanning much of the length of the site. The density and scale of development would be up to 4 and 5 storeys in the more accessible western portion of the site and would be largely up to 2.5 to 3 storeys to the eastern portion.

Transport

- 1.10 Detailed transport modelling has been carried out to predict the uplift of traffic associated with the site. The predicted uplifts require certain improvements to offsite junctions and the wider pedestrian, cycle and canal towpath network and cycle storage provision at Rugeley Trent Valley Station. These improvements would be secured by conditions and S106 as would improvements to access Rugeley Town and Trent Valley railway stations alongside improved public transport provision.

Socio-economic Considerations

- 1.11 The application includes the provision of an on-site primary school (as previously proposed) alongside contributions of approximately £8 million to secondary school improvements or the provision of an All Through School. Affordable housing contributions equivalent to 17.6% across the whole site, which following the application of Vacant Building Credit would be policy compliant. Community facilities would be provided in the form of retained and new allotments, a community centre, health contributions comprising an on-site dentist and up to £501k towards the improvement of GP Brereton GP surgery. Improved formal sports facilities of better quality than those which previously existed on the site (excluding golf) and an offsite cricket contribution of £120k are to be secured. A total of 67.62Ha of publicly accessible open space is proposed across the site in exceedance of both Councils' Policy Requirements.

Landscape

- 1.12 The development proposes a mixture of up to 4 and 5 storey properties with generally a higher density in the more accessible portion of the site closest to the town centre. This aspect of the development has been considered in detail in terms of its integration with Rugeley centre. Indicative sections and CGI imagery showing such have been provided. Officers are satisfied with the relationship to the town and its landscape context in light of this imagery.
- 1.13 Development of up to 2.5 to 3 storeys is proposed broadly to the east of the site - with the exception of up to 4 storeys of development on a small portion to the northern edge of the Borrow Pit Lake. Officers have considered this development in terms of its landscape impact and the effect on the Borrow Pit Lake as observed from main public vantage points around the site. Officers consider the level of change proposed would not be significant in landscape terms on the basis of the information provided.

Biodiversity

- 1.14 Detailed study of the ecological habitats and species within the site has been undertaken and extensive mitigation proposed. In particular a Habitat Management Plan, Construction Environment Management Plan and Ecological Management Plan would be secured by condition. Subject to these measures, habitats in the immediate vicinity of the site would be protected and an uplift of 20% Biodiversity Net Gain would be secured.
- 1.15 Impacts from increased recreational pressure on Cannock Chase SAC would be addressed by contributions to wider established SAMM measures, which seek to implement projects to mitigate and reduce this pressure. Of particular relevance in this case is the uplift in long term nitrate deposition in Cannock Chase SAC through increased traffic movements when the development is fully operational. Mitigation in the form of habitat creation is proposed to offset this impact and would be secured by contributions via S106. This approach has been the subject of an Appropriate Assessment which follows considerable discussions between the two Councils, the SAC Partnership and has been agreed with Natural England.

Heritage

- 1.16 The effects of the development on heritage assets within the context of the site have been considered in detail within the submissions. All impacts on designated heritage assets are suggested to be negligible in EIA terms and are assessed as being at the lower end of less than substantial harm by the Lichfield District Council Conservation Officer. Such harms are required to be weighed against the wider public benefits of the proposals in line with paragraph 196 of the NPPF. In the Officer's view, the identified socioeconomic and spatial planning benefits outweigh the harm, and by extension the Councils are able to satisfy the duty at Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Air Quality

- 1.17 Detailed air quality modelling has been undertaken as part of the EIA process. This considers both construction phase effects and effects once the development is completed. Subject to conditions to ensure appropriate site management to be agreed with Environmental Health, no significant concerns are raised regarding construction. In relation to long term air quality considerations, the modelling suggests uplift in nitrogen dioxide, PM2.5 and PM10 concentrations will be moderate to negligible overall, and that no additional mitigation is required because concentrations will remain below relevant standards.

Noise and Vibration

- 1.18 The dominant noise sources likely to affect the proposed development are the existing road traffic movements and train movements along the West Coast Mainline. Also of relevance are the potential noise emissions from the proposed employment uses within the site, the retained power infrastructure and sports pitches. Planning conditions will seek to ensure adequate noise attenuation is provided within the design of buildings as part of the phased submission of Reserved Matters.

Water Environment

- 1.19 The site where development is proposed is predominantly within Flood Zone 1. Foul drainage capacity in the area is shown to be extensive and capable of accommodating the development. Detailed modelling to accommodate the uplift in surface drainage flows has been produced and in particular consultees in the form of the Environment Agency, Severn Trent and the County Lead Local Flood Authority have been involved to comment on surface water drainage and flooding matters. No objections have been received subject to provision of further details as the Reserved Matters come forward.

Overall Conclusions

- 1.20 The application proposes a residential-led sustainable extension to Rugeley. This broadly accords with both the Lichfield and Cannock Chase Council intentions to secure an appropriate re-use of the site within the adopted SPD. The development proposed accords with the adopted Lichfield Local Plan Allocations Document Policy R1 and broadly accords with the sustainability emphasis within the Cannock Chase Local Plan 2014. The application does in part run in conflict with Policy AH4 within the Armitage with Handsacre Neighbourhood Plan in that it proposes development within the area earmarked for protection to the north of the Borrow Pit Lake. In addition the development results in less than substantial harm to designated heritage assets in the vicinity of the site. Some limited negative effect on the landscape setting of the Borrow Pit Lake is also considered to occur.
- 1.21 These harms must be weighed against the benefits of the proposals, which include the provision of up to 2,300 dwellings, a potential All Through School or primary school, employment land and the remediation and reuse of a large potentially derelict site. The redevelopment would provide a significant amount of new publicly accessible open space, including the early delivery of the Riverside Park, and would overall result in a net gain in biodiversity.
- 1.22 It is also a public benefit that the population associated with the development would be likely to sustain use of the main town and would have good access to a varied means of sustainable transport infrastructure, some of which would be improved and enhanced as part of the proposals.

- 1.23 The development significantly boosts housing supply in the area in a manner consistent with the NPPF ambition. The development provides for these benefits in part on Previously Developed Land, the re-use of which should be afforded substantial weight, as per NPPF paragraph 118(c). The development has been assessed in terms of its Environmental Impact and is shown to be able to come forward, subject to mitigation, without significant impacts on the environment or biodiversity.
- 1.24 When considering the extent of the benefits associated with the proposals versus the identified conflicts or harms above, Officers consider the planning balance weighs substantially in favour of the development. As such the development is recommended for approval on the basis of its broad compliance with policies identified within this report, subject to planning conditions and subject to Section 106 Agreement to secure the identified requirements.

Consultations and Publicity (alphabetical order)

External Consultations (In summary form)

Armitage with Handsacre Parish Council

No response received albeit a response is known to have been provided to Lichfield District Council of relevance to the Parish Council's Neighbourhood Plan. This states:

Overall the Parish Council approve of the development. However the councillors have concerns over the borrow pit area and the demolition of the environmental hut. The planned properties on the banks of the borrow pit are not in keeping with it being behind the recreational space where the public will walk and relax. The borrow pit is a barrier from Armitage and it is crucial that we do not allow the development of houses around this area. The environmental centre, we were told it was to be kept and now it is to be demolished. This is a hub for all the recreational groups in the area and would continue to be used, if handed over for the benefit of this purpose.

Brindley Heath Parish Council –

No objections (8 June 2020)

The Parish Council's Planning Committee supports the proposed development. It welcomes the supporting infrastructure which will bring many community benefits, contributing to a sustainable, self sufficient place where people will want to live and work, now and in the future.

Brereton & Ravenhill Parish Council

No objection (8 June 2020)

The Parish Council support the proposals for an All Through School and support the views of Sport England that there should be either provision for on site cricket or a financial contribution to offsite cricket for possibly a second square at Rugeley Cricket Club. The District Council should also be asked to satisfy themselves that there is adequate car parking provision for the MUGA.

British Pipelines

No further comments received.

Original Comments No objection

We are not aware that any of BPA Pipelines apparatus, falls within the vicinity of the above noted location.

Canal and Rivers Trust

Observation with a recommended condition

We have no comment to make on the All Through School element of the proposals (10 June 2020)

We advised in our letter dated 17th July 2019 the towpath at this location is not in a condition that it could support additional footfall arising from the development. In light of the support afforded by the Local Plan policies we consider monetary or 'in kind' works

contributions to the upgrade of the footpath are required and would need to be secured by S106.

It may not be necessary for the resurfaced canal towpath to be 2.5m in width. Further discussion around this point is encouraged.

We consider the 'missing link' between bridge 62A and Bridge 62 which is estimated to cost £50000 should be provided as part of this development given the policy justification that exists.

We note the Inland Waterways observations around towpath width and the canalside railing. We also consider cycle chicanes might not be the best solution so we suggest a condition that a detailed package of canal improvements inclusive of towpath widening, cycle traffic calming, signage, seating and sanitary station facilities for boaters and additional mooring facilities. The omission of the canalside railing along with the towpath at Bridge 62 is recommended as well as amended traffic calming measures in place of the proposed cycle chicanes.

Cannock Chase AONB Partnership

No objections (3 June 2020)

In my previous response I stated that I was satisfied that development of the site would not give rise to unacceptable direct landscape or visual effects on the AONB or its setting and I remain of that opinion. Castle Ring is the subject of additional assessment in Chapter 13 Landscape and Visual. I have visited this location and noted that views towards the site are seen in the context of a wide panorama, and direct views are limited by intervening vegetation. The extent of visibility is dependent on the viewer's exact location; some partial views are possible, seen through gaps in intervening vegetation. In view of the development proposed and limited clear views of the site, I am satisfied that from this location effects would not be significant assuming the vegetation cover around Castle Ring is not radically altered.

The AONB welcomes the comprehensive green infrastructure strategy and recommends mechanisms are put in place to ensure early delivery of woodland and other structural planting that would help to mitigate for landscape and visual effects during construction and all phases of completion.

As previously stated, any potential AONB issues relate to:

- Potential for increased user pressure affecting the special qualities of the AONB.
- Adequacy of CIL/S106 for SAC mitigation and other AONB related measures.

The AONB Joint committee welcomes provision of recreation facilities that would encourage users to participate in activities outside the AONB, thereby helping to reduce user pressures within the AONB. Enhancing recreational provision on the site and opportunities to link to pedestrian and cycling routes along the Trent Valley and the wider countryside should be therefore be supported.

Provided that any wider impact on the AONB is taken into account and appropriate measures required, the AONB Joint Committee has no objection to this planning

The CCG has no objections to the development subject to confirmation of the level of contribution requested and the agreement of suitable provisions within a Section 106 Agreement to secure the funding and enable the funds to be drawn down at an appropriate time.

In calculating the increase in size of population that the number of new dwellings will create it is common practice to use a multiplying factor of 2.4 for the average household size. However, the developer has pointed out that the average household size within Cannock Chase District is 2.33. The CCG has accepted this figure for the purposes of the calculation for this specific development.

On the basis of the average household size within Cannock Chase District of 2.33, the likely impact of the development on primary care health services within Rugeley is an additional 2,414 patients. The CCG is therefore requesting a contribution which would support the development of primary care services in the area as consequence of the increase in demand from the new housing development. The CCG has considered various options to address the impact of the development. It has consulted with the local GP practices and has considered the geography and travel times for patients between the site and the nearest GP surgery.

The Rugeley Power Station development site sits within the Cannock Chase Clinical Commissioning Group (CCG) locality and within three of the Rugeley General Practice boundaries, these are Brereton Surgery, Aelfgar Surgery and Horsefair Practice. The development site is not covered by any Lichfield General Practices.

The Primary Care Team at the CCG have engaged with the three practices who will see an increase in patient list size as a result of the development, it has been agreed to focus on Brereton Surgery as it is anticipated they will receive the highest number of new patients registering with them.

The outcome from considering all available options is the expansion of the Brereton Surgery, 88 Main Road, Brereton, Rugeley, WS15 1DU, to provide additional patient space to meet the demands of the patients generated by the development of 1,036 new dwellings. The contribution requested for the Cannock Chase element of the housing development would contribute towards the expansion/ alterations of Brereton GP Surgery. The amount requested is proportionate to the scale of the housing development proposed.

It should be noted that the overall strategy developed by the CCG incorporates expansion of the surgery to meet the full demand from the proposed development site of 2300 new dwellings, including the increased demand from the new dwellings that will be built on the part of the site that falls within the Lichfield District. A separate application has been made to Lichfield District Council to support this. The project to expand the surgery will be reliant on both contributions coming together to enable the project to be fully funded.

Now that the CCG's strategy has been defined as an extension to an existing surgery building rather than a new build development the calculation of its requested contribution can be better defined. The tables below provide the calculations which are based upon Department for Health guidance 'Health Building Note 11-01: Facilities for Primary and Community Care Services'. The cost per square metre has been provided by a quantity surveyor experienced in health care projects and is based upon the average costs of two health care projects located within the Staffordshire and Stoke on Trent area, that have both been competitively tendered within the last twelve months.

The Brereton surgery operates over a 5 day period during the hours of 8.00am till 6.30pm Monday to Friday which equates to a total of 52 and a half hours a week.

Consulting / Examination Rooms	
Population Increase	2414
Access Rate (5260 per 1000 population)	5.26
Anticipated Annual contacts	12,698
Assume 100% patient use of C/E room: Patients accessing a C/E room:	12,698
Surgery open 50 weeks per year - Patients Per Week	254
Appointment duration (minutes)	15
Patient appointment time per week	63.49
Building Operational Hrs Per Week	52.5
Room Utilisation - Per Week	60%
Rooms Available - Hours Per Week	31.5
Number of C/E Rooms Required	2.02
Number of C/E Rooms Required - Rounded	3
C/E Room size (m2)	16.00
Ratio of clinical space to non-clinical space 30/70 - Increase factor	0.70
Total space requirement (m2)	81.60

Treatment Rooms	
Population Increase	2414
Access Rate (5260 per 1000 population)	5.26
Anticipated annual contacts	12,698
Anticipated annual contacts Assume 20% patient use a treatment room: Patients accessing a treatment room:	2,540
Surgery open 50 weeks per year	50.79
Appointment duration (minutes)	20
Patient appointment time per week	16.93
Building Operational Hrs Per Week	52.5
Room Utilisation	60%
Rooms Available - Per Week	31.5
Number of CE Rooms Required	0.54
Number of C/E Rooms Required - Rounded	1
C/E Room size (m2)	18.00
Ratio of clinical space to non-clinical space 30/70 - Increase factor	0.70
Total space requirement (m2)	30.60

Total Cost	
Total floor area required (m2)	112.20
Cost per m2	4465.5
Total cost / Contribution required	£ 501,029

No objection subject to securing mitigation (11 June 2020)

The SAC Team agrees with the information submitted by the applicant (Updated Shadow HRA, May 2020) that the development is unlikely to result in significant impacts (alone or in combination) on: Pasturefields Saltmarsh SAC; Cannock Extension Canal SAC; & West Midlands Mosses SAC. There is sufficient evidence that these 3 designated sites should be screened-out at stage 1 of the Habitats Regulation Assessment.

The SAC Team agrees with the information submitted by the applicant that the development (alone and in combination) is likely to result in a significant impact upon Cannock Chase SAC due to both increased visitor pressure and increased level of atmospheric deposition of Nitrogen Oxide, Nitrite and Nitrate (NO_x). Appropriate Assessment (AA) must be undertaken to consider these two impacts upon Cannock Chase SAC; conclude the likely scale of the harm; and determine if the mitigation measures recommended by the applicant are logical, achievable and proportional to the scale of impact.

It is considered that the information provided within the Updated Shadow HRA (May 2020) is sufficient to allow the LPA's to complete HRA and that the mitigation schemes suggested by the applicant to address both of their negative impacts to Cannock Chase SAC are robust and proportional to the determined scale of impact.

As such, at this time the SAC Team deems that the LPA's are able to undertake and complete HRA for Cannock Chase SAC, discharging their statutory responsibility as per Regulation 63 (1) of the Conservation of Habitats and Species Regulations 2017.

Coal Authority

No objections (14 May 2020)

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Environment Agency

No additional comments on the All Through School element (13th May 2020).

Previous comments as follows:

No objections subject to conditions.

Groundwater and Contamination - The site is located in a sensitive location in relation to 'Controlled Waters'. Our maps and previous site investigations have shown that the underlying geology consists of up to 15m thick Alluvium Clay and River Terrace Deposits over Triassic Sherwood Sandstone. The site has a shallow water table (in general 1.5m to 2m below ground level) and is located adjacent to the River Trent. There are various surface water ponds, drains and channels running straight into the Trent.

The majority of the development area is underlain by old PFA deposits and/or on top of historically landfilled areas. Moreover the current groundwater abstraction license for the previous cooling processes on site is said to be traded with one of the water companies to add the existing bore hole on site to their potable supply network. This will introduce a new Source Protection Zone locally and will increase the sites vulnerability.

Chapter 12 of the Environmental Statement sets out precautions and mitigation measures that are to be put in place during development. Chapter 10 assesses potential impacts from

construction and operational phases on surface water quality and waster resources (particularly the River Trent). This includes urban diffuse pollutants, WFD assessments, future surface water water drainage and SUDS, water quality monitoring.

Past investigations indicate groundwater is known to be already impacted locally (e.g. elevated concentrations of cadmium, copper, manganese and nickel have been recorded near the PFA lagoons). This may increase during construction to the potential for ground disturbance, dewatering and contaminant mobilisation. Therefore additional ground investigation must be undertaken prior to development commencing to enable more encompassing and detailed consideration of risks from potentially contaminative sources. Where risks are deemed significant, detailed remediation strategies and long term monitoring will have to be developed accordingly.

Flood Risk - The site boundary lies within Flood Zone 3 of the River Trent. In section 4.4.1.2 (Additional Modelling Undertaken by AECOM) of the FRA, it has been demonstrated that the ground levels of the railway embankment are between 0.7m and 1.9m above the 1 in 100 year plus 50% climate change flood level and the ground levels within the site are above all modelled flood water levels.

Biodiversity - Chapter 10 of the ES and the Preliminary Water Framework Directive (WFD) by AECOM present possible enhancement opportunities for areas and waterbodies within the site. Currently the River Trent has 'poor' ecological status under the Water Framework Directive and the aim is for all waterbodies to meet 'Good' status by 2027. The provision of a final WFD Enhancement Opportunities Plan secured by condition will ensure opportunities for enhancement are not missed.

Foul Drainage and Water Quality - Section 10.2.45 of the ES suggests spare capacity exists within the Rugeley Waste Water Treatment Plant for approx. 48,984 dwellings. We strongly advise that once the hydraulic assessment and information on the impact of the proposals on the wider network is complete it is submitted for review. We require confirmation on baseline Severn Trent will be using to determine whether there is sufficient capacity within the current network as assessing whether the pipes are big enough to convey flow is potentially different to hydraulic assessment to ascertain the impact on the environment. This is important because the hydraulic assessment determines how often combined sewer overflows overflow and at what volume compared with current spill frequencies. We also note there is a possibility of a foul pumping station. We would expect to see final confirmation that the increased effluent flows would not cause deterioration and promote recovery of existing waterbodies.

Water Resources - Dust suppression and habitat creation are proposed. Depending on the scale of water required for these purposes, they may require abstraction licences. It can take 4 months for a licence. We support the use of water efficiency measures to minimise demand on water resources.

The following conditions in summary form are recommended (Full condition wording provided elsewhere in this report):

1. Prior to commencement provide site investigation details and remediation details to be provided
2. Prior to commencement verification report to be provided demonstrating completion of the works within the remediation strategy
3. No infiltration of surface water drainage to ground
4. Piling or other foundation designs using penetrative methods shall not be permitted unless agreed
5. Carry out development in line with the Flood Risk Assessment. All built development to be within Flood Zone 1 and no ground raising within Floodplain
6. Submit and agree landscape and ecological management plan
7. Submit and agree Water Framework Directive Enhancement Opportunities plan

No further comments received.

Original comment: No objection

The site area identified does not cross any consultation zones. The area identified does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted in relation to the development of the site.

Highways England

No objection (18 May 2020)

Historic England

No further comments (15 May 2020)

Previous comments: No objections

The application has assessed the impact upon settings within the 'Built Heritage' chapter of the Environmental Statement. This covers the majority of the assets likely to be impacted and concluded there to be negligible or neutral effects upon significance. As highlighted in the submissions, the removal of the power station is likely to have beneficial impacts upon the settings, removing highly visible and dominant modern structures from the back drop and key viewpoints of a number of designated heritage assets, 'restoring' some of these views to something more akin to the assets' historic surroundings. We welcome this beneficial impact. We also welcome the the development minimises the impact upon the Trent and Mersey Canal Conservation Area with a green buffer between the canal and the new housing in the southeast of the site.

Historic England has no objection to the outline application in principle. We recognise the removal of the existing power station would have a beneficial impact upon the setting of multiple designated heritage assets. It is important that any negative impacts from the new development are fully understood and, where possible, minimised. To that end we previously recommended a more detailed assessment of Castle Ring scheduled monument was undertaken. This additional information has been prepared and it is concluded there are no impacts on the significance of Castle Ring as a consequence of the proposals.

HS2 Ltd

No further comments received

Original Comments: No objections.

Further to the email on 28 June 2019 I can confirm the House of Lords Select Committee Clerks have published their petitioning guidance. The guidance clarifies the petitioning process and, of particular relevance to this proposal is the guidance which relates to additional provisions. I am pleased to confirm that the guidance provides HS2 Ltd with sufficient confidence to confirm that it has no objection to the proposed development. This is on the basis that while the proposed development would affect land currently within the limits of land subject to safeguarding directions for the construction and/or operation of Phase 2A of the railway, the Bill's continued progress through the parliamentary process will confirm that the affected land subject to safeguarding is no longer required for the purposes of constructing and operating the railway.

Inland Waterways Association

The Inland Waterways Association (IWA) is a national charity which campaigns for the conservation, use, maintenance, restoration and appropriate development of the inland waterways for public benefit. IWA is a consultee for planning policy and applications affecting the canal system. The Lichfield Branch of IWA has considered this application in relation to the environment of the canal and the interests of its users.

The Trent & Mersey Canal is a historic waterway and a valuable amenity and recreational

corridor providing leisure boating, walking, angling, cycling and nature conservation benefits to the area. It is designated as a Conservation Area for its special architectural and historic interest.

IWA has concerns about the proposed towpath improvements shown on drawing J32-3955-PS-104 Rev D referenced at 3.8.4 in the Framework Travel Plan, ES Appendix 14.9 part 1, with the plan itself in part 2, and also in the Transport Assessment Addendum (both May 2020).

This shows work to the Trent & Mersey Canal towpath between Armitage Tunnel and the A513 Armitage Road Bridge 62 by The Ash Tree PH. The towpath widening and surfacing is welcome, although the 2.5m width seems rather excessive, judging from the similar work recently completed north from the Rugeley Bypass Bridge 62A to the railway bridge 65A. We would suggest that for current and future use here a 2m width would be more than adequate, and have less visual impact on the traditional appearance of the Trent & Mersey Canal Conservation Area. We would also support inclusion of towpath resurfacing between bridges 62 and 62A, as requested by Canal & River Trust (CRT), which would otherwise leave a gap in the planned works between this site and the centre of Rugeley.

However, our main concern is with the proposed “guard rail/ fence” under Armitage Road Bridge 62.

The bridge is shown as a “pinch point of 2m” with a “proposed chicane cycle calming feature to reduce speeds and potential conflict under the narrow bridge” on the approach to the bridge on each side.

IWA Policy on Towpaths is that fencing between waterways and towpaths is not normally acceptable for boater safety, heritage and aesthetic reasons. There are some exceptions where there is a significant risk to towpath users, such as in some historic tunnels, but bridges provide the easiest opportunity for crew to embark and disembark safely, and railings should not normally be placed between the canal and towing path under bridges.

In this case there are no heritage concerns as the bridge is a modern concrete bridge. It has a flat deck with a wider usable towpath than under the majority of historic arched canal bridges, and the path under the bridge is already 2m wide and concrete surfaced, so we dispute that this bridge is a significant pinch point. The only possible safety concern is the tight bend in the canal on the south side of the bridge which limits towpath users' visibility.

But the tight bend also limits boaters' visibility of any oncoming boats and makes steering through the bridge a bit of a challenge for longer boats, so minor scrapes and collisions with the towpath edge under the bridge are not unusual. Given that the bows of boats are generally raked forward; the hull of a boat can therefore slightly overhang the edge of the towpath. This means that any railing or fence that was installed would need to be set back from the towpath edge by say 20cm to avoid being hit and damaged by boats and in turn potentially damaging the boat. This would of course reduce the towpath width and create a pinch point where none currently exists.

We therefore suggest that any informed risk assessment of this location would conclude that in seeking to reduce an already minimal risk to towpath users, a rail or fence under the bridge, depending on its position, would either make the usable towpath surface narrower and therefore increase the possibility of conflict, or it would create a significant risk to the safety of boats and their crews. Any form or fence would also limit the ability of boat crew to get onto and off boats where they would normally expect to, at the bridge, and make any attempt to do so particularly hazardous.

Cyclists in particular need to be aware of restricted visibility under most canal bridges and slow down accordingly, and appropriate signage should be sufficient warning here. This is preferable to the proposed chicane structures which, from experience elsewhere, are usually intrusive in appearance, obstruct other users such as wheelchairs and pushchairs, and are often subject to abuse and vandalism that render them inoperative.

From correspondence with CRT, we understand they have proposed that instead of relying on the submitted drawing, a new package of towpath works should be funded through S106 agreement. In this way the works can be designed by CRT's in-house experts to be more appropriate than those currently proposed in the application plans.

Lichfield District Council Ecologist

No objections subject to conditions (18 June 2020)

The Ecology Team is satisfied with the methodologies and the information provided within the submitted updated Environmental Statement, Chapter 9 Ecology and all other supporting ecological information. The Ecology Team concurs with the conclusions of the above documents in that (given the data provided) it can now be considered unlikely that the proposed works would negatively impacting upon a European Protected Species (EPS) in a manner as defined as an offence under the Conservation of Natural Habitats Regulations (Habitat Regs.) 1994 (as amended 2017); or upon a protected or priority species or habitat, as defined by the Wildlife and

Countryside Act 1981 (as amended 2016); The Protection of Badgers Act 1992 or listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) subject to the appropriate suggested measures of avoidance, mitigation, compensation and net gain measures as detailed within Chapter 9 Ecology, the Environmental Statement.

The LPA is therefore in a position to demonstrate compliance with regulation 9(3) of the Habitat Regs. 1994 (as amended 2017), which places a duty on the planning authority when considering an application for planning permission, to have regard to its effects on European protected species. It is also deemed that the LPA has sufficient understanding to discharge its Biodiversity Duty (as defined under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006).

Adherence by the applicant to all recommendations and methods of working detailed within Chapter 9 Ecology, the Environmental Statement must be made a condition of any future planning approval including the submission of a Habitat Management Plan (HMP), Ecological Mitigation Strategy (EMS), Construction Environmental Management Plan (CEMP) prior to submission of Reserved Matters and the adoption of Reasonable Avoidance Measures (RAMS) and further surveys as required throughout the phasing of the development.

Quantitative Assessment of Biodiversity Impact:

The Ecology Team is satisfied with the quantitative data submitted by the applicant at this time via the Technical Appendix 9.8, Biodiversity Net Gain dated April 2020. The Ecology Team considers that the quantitative data submitted is an accurate depiction of value/s of the habitat current on the site of proposed development (as regards total area, type, distinctiveness and condition) and agrees it to be accurate for the sites current biodiversity value to be viewed as 403.77 Biodiversity Units (BU). Equally the Ecology Team agrees that the Biodiversity Impact Calculator is accurate in describing the likely achievable biodiversity value of the site post development, as 431.68 Biodiversity Units (BU).

Achievement of both No-Net-Loss to Biodiversity and a sufficient Quantitative net-gain as per policy NR3 and para 6.33 of the Biodiversity and Development SPD. The quantitative data submitted is sufficient to provide assurance to the LPA that the current development scheme as described by the Technical Appendix 9.8, Biodiversity Net Gain dated April 2020 and as depicted in the Figure 9.9 and 9.10 C Biodiversity Calculations pre and Proposed Development Green Infrastructure Plan and Ecology Environmental Statement is unlikely to result in a net-loss to biodiversity value and as such is deemed to conform to the guidance of paragraphs 9, 109 and the requirements of paragraph 175 of the NPPF 2019.

The Ecology Team welcomes the applicants intention to deliver net gains of 27.91 BU as part of the proposed development scheme. The Ecology Team approves of the new habitats proposed for creation as part of the development scheme and considers them in adherence with the Lichfield District Biodiversity Opportunity Map (see Appendix E map 4 of the Biodiversity and Development SPD) and the recently adopted Nature Recovery Network Mapping. As such the development scheme is viewed as likely being able to achieve a 20% net-gain to Biodiversity Value and so complies with both policy NR3 of the Local Plan and the requirements of the Biodiversity and Development SPD.

However, the applicant will need to submit to the LPA a Construction Environment Management Plan (CEMP) and a Habitat Management Plan (HMP) detailing, in full, the future habitat creation works (and sustained good management thereof) demonstrating a net gain to a value of no less than 27.91 BU. This should be supported by an updated biodiversity metric for the site.

Within the CEMP/HMP documents the following information will need to be provided so that the LPA can assess the likelihood of any proposed habitat creation works being successful in achieving both desired habitat type and condition.

Information submitted within the CEMP and HMP should and expand upon the information provided within the Environmental Statement, Chapter 9 Ecology, Technical Appendix 9.8 Biodiversity Net Gain and Letter Appendix A Ecology Correspondence and as that depicted Figure 9.10 C Biodiversity Calculations and Proposed Development Habitats and must detail:

Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulfur)

Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilized for habitat creation. Details of both species composition and abundance (% within seed mix etc) where planting is to occur.

Proposed management prescriptions for all habitats for a period of no less than 25 years. Assurances of achievability.

Timetable of Delivery for all Habitats:

A timetable of future ecological monitoring for which reports should be submitted to the LPA every 5 years, to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary. The CEMP will also need to contain all information detailed within section 9.7 Additional Mitigation, Compensation and Enhancement Measures of the Environmental Statement.

The Landscape Design Strategy, which covers the overall scope of the site, must display in outline (if not in detail) the delivery of no less than 27.91 biodiversity units net gain and clearly

denote what proportion of (in terms of habitat types/size/location/BU/etc.) will be brought forward in each phase of the development. This should form part of the Landscape Design Strategy condition. This information should be provided via pre-commencement conditions of any future planning approval.

Shadow HRA:

The ecology team is satisfied that there is sufficient information contained within the shadow Habitat Regulations Assessment (HRA) to determine that there will not be any significant impacts to Cannock Chase Special Area of Conservation (SAC) in respect of NOX, subject to the outlined avoidance and mitigation measures being delivered.

The ecology team is confident that the mitigation measures outlined in the shadow HRA are proportional to the scale of impact on Cannock Chase SAC and are deliverable, with LDC facilitating the delivery of 186 Biodiversity Units of connecting heathland/associated habitat within the Nature Recovery Network (heathland zone) to buffer Cannock Chase SAC and increase habitat connectivity. This suggested mitigation complements the measures outlined in the Natural England, Cannock Chase SAC Supplementary Nature Conservation Objectives (in order for the site to achieve favourable condition) for connecting the heathland network.

As such the LPAs as the competent authorities should be able to complete the HRA with respect of Nitrogen impacts on Cannock Chase SAC and send to Natural England as the appropriate authority for further consideration and sanction.

Lichfield District Council Planning Policy Team

No further comments received. Albeit Officers are aware the Lichfield Local Plan Review: Preferred Options (2018-2040) was recently subject to its first public consultation exercise and therefore is yet to be adopted. Given this document and the policies therein are within the early stage of the adoption process, they carry minimal material planning weight.

Original Comments: No objections in principle subject to assessment.

The site is located to the east of Rugeley Town Centre and traverses the boundary between Cannock Chase District and Lichfield District Council. The site is located adjacent to the East of Rugeley Strategic Development Area and allocated within the emerging Local Plan Allocations for a minimum of 800 dwellings as identified on Inset 18 of the Local Plan Policies Maps. Within Lichfield District, the site is situated within the Armitage and Handsacre Neighbourhood Plan Area.

In summary, there are no policy objections to the principle of the proposed development at the former Rugeley Power Station, which is allocated for the development of a minimum of 800 dwellings in the emerging Local Plan Allocations document. From a policy perspective, the development scheme should seek to deliver 35% affordable housing provision on site however it is noted that this is subject to a vacant building and potential viability assessment. Further, in accordance with Policy AH4 of the Armitage with Handsacre Neighbourhood Plan the education centre should be protected, however I will leave this to the Case Officer to consider and balance as part of the wider proposed scheme.

In response to the amended plans, it is suggested conditions restricting neighbourhood retail provision should be included. It is also noted the proposed locations of centres and development are not in conformity with the principles set out in the Rugeley Power Station SPD, which consider a more central location for retail to be appropriate. In addition, support for the proposed health facilities within the site should be secured from the CCG.

Lichfield District Council Conservation Officer

In terms of the impacts of the proposed development on the nearby Heritage Assets it is considered that the amendments will not alter the impact. Therefore the same comments as for the original application apply, which are included below for ease of reference.

It is considered that the proposed development would cause less than substantial harm to a number of designated heritage assets. The highest level of harm (but still less than substantial) would be caused to the Trent and Mersey Canal Conservation Area due to the increased noise and movement generated by the development. Also being affected, but to a lesser degree of harm, is Mavesyn Ridware Conservation Area. It is also considered that the significance of a number of the listed buildings and structures will be harmed by the proposed development and these are identified later in these comments. Where harm is considered to result from the proposed development, in all cases this is considered to be less than substantial.

While there are no demonstrable heritage related public benefits identified as part of the planning application or any mitigation for the harm, there are some potential mitigation works and heritage-related public benefits which are discussed below and which could be explored as part of the application. There are also significant non-heritage related public benefits that will be derived from the proposed development and it is considered that these should be balanced by the decision maker, against the less than substantial harm to the relevant designated heritage assets.

Lichfield District Council Urban Designer

The more central location of the school site is welcomed. There are no objections to the amendments, however, there are some concerns that will need addressing that relate to the increased areas of dense residential development and the associated loss of public space to the north-western end of the site.

It has been assumed that even if the proposed ATS is not constructed, the fall back of a 2FE primary school would still be constructed on the currently proposed site and not on the previously approved site. This is important as the proposed location of the school site is now far more central and in a location that the LPA were previously advised was not feasible for phasing reasons.

Revised details of the provisos in place to ensure the accessibility of the school, by foot, by public transport and by car should be provided. Given that this will be a much bigger school this is particularly important. This would include a safe walkway from the former railway to the different school buildings and, particularly for the primary school, locations for safe parking for parents.

The approved school site and the formal open space adjacent to it are now shown as an area of residential development. Given that there has been no corresponding loss of residential areas within the proposed school site, this will increase the overall area of residential development from 45ha to 49ha, as outlined in the covering letter. The description of development is still for up to 2,300 new dwellings.

Some of the additional 4ha shown currently as residential areas, should be given over to open space. This will then relieve the pressure from the intensity of use that the open spaces currently shown will likely suffer from.

The new residential area is shown as having a maximum density of 60dph but it would be preferable to take the opportunity to reduce the density across the whole of this part of the site to provide incidental areas of open space, improved landscaping larger private gardens and to ensure a high quality of public realm and to ensure that secure and useable parking provision is provided so that parked cars do not dominate the street scene as so often happens in new developments.

National Grid

Representations along with ongoing discussions with the applicant seek to ensure that any development that comes forward takes account of the existing electricity transmission infrastructure and the associated access rights, easements, wayleaves and other rights related to the maintenance and operation of infrastructure.

Additionally National Grid has identified that the 132Kv substation building has defects and is reaching the end of the operational life. As a result, National Grid will be required to replace this substation in the short to medium term. To do this National Grid will be required to build an offline substation on other land. The substation on the existing land cannot be utilised because the substation must be active in order to transfer over the live circuits. The old 132kv substation will be demolished.

It is requested that no conditions are attached to the planning permission that could unduly affect this land and National Grid's ability to undertake its statutory duty to operate and maintain the transmission network.

Natural England

No objections subject to conditions and S106 (03 July 2020)

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 authority has concluded that the adverse effects of the development will (in its operational phase) result in harm to the critical functions of the SAC's reasons of designation due to increased atmospheric deposition of Nitrogen Oxide, Nitrate and Nitrite (NOx) and increased recreational pressure. Other impacts are also considered and assessed.

Your authority then goes on to explain that if the Transport Avoidance Measures detailed within Table 21 of the Shadow HRA (May 2020) are secured via appropriately worded conditions and that the commuted sum for the creation of a proportionate amount of buffering habitat (186BU) is secured within an appropriate schedule of an S106 agreement, then you as the Competent Authority concludes that all likely harm to the designated site (due to increased deposition of NOx) will be mitigated against. Additional SAMM measured would offset impacts arising from increased recreational pressure. Having considered the assessments Natural England advises that we concur with the assessment conclusions. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Previous Comments: 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 the Cannock Chase SAC. In order to mitigate the adverse effects and make the development acceptable, the following mitigation measures should be secured:

- Delivering mitigation for recreational impacts on Cannock Chase SAC by means of the Strategic Access Management and Monitoring (SAMM) measures
- Delivering mitigation for air quality impacts on Cannock Chase by means of the agreed measures when set out in a finalised Appropriate Assessment
- Integrate into the scheme design and construction management plan the proposed mitigation measures for protected species, as outlined in the Environmental Statement dated May 2019.

We advise an appropriate planning condition or S106 is utilised to secure these measures. The decision taking Authority is required to undertake an Appropriate Assessment in line with the Habitats Regulations (2010 as amended).

Natural England welcomes the strong green infrastructure emphasis shown in the proposed development and the commitment to Net Biodiversity Gain.

Network Rail

No further comments received:

Original comments: No objections subject to conditions.

Construction works and access and egress from the site must not impact any Network Rail infrastructure assets. When designing proposals, the developer and council are advised, that any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken.

Transport Assessments should include consideration of the impacts of the proposal on Rugeley Town Railway Station and Rugeley Trent Valley Railway Station. Full developer funding for enhancements should be included within the proposal (either via S106 or CIL) and agreed prior to any planning application decision. Discussion of the impacts of potential increased footfall at the railway stations should be undertaken with Network Rail and the TOC.

The developer is to submit directly to Network Rail, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent.

A suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land.

If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement must be submitted to the Network Rail for agreement. CFA piling is preferred as this tends to give rise to less vibration. Excessive vibration caused by piling can damage railway structures and cause movement to the railway track as a result of the consolidation of track ballast. The developer must demonstrate that the vibration does not exceed a peak particle velocity of 5mm/s at any structure or with respect to the rail track.

Network Rail is aware that residents of developments adjacent to or in close proximity to, or near to the existing operational railway have in the past discovered issues upon occupation of dwellings with noise and vibration. It is therefore a matter for the developer and the council via mitigation measures and conditions to ensure that any existing noise and vibration, and the potential for any future noise and vibration are mitigated appropriately prior to construction.

It is requested the Local Planning Authority adds the following conditions and satisfies themselves that noise will not cause a future issue to prospective occupiers:

- Drainage
- Piling
- Excavation and earthworks
- RAMS
- Lighting within 50m of functional track

No comments

We acknowledge receipt of the Environmental Statement. We have no comments to make.

Rugeley Town Council

Offer Comments (2 July 2020)

Councillors supported the overall idea of developing an All Through School on this site however there were questions that the town council wanted to answers to:

- Given that the school would now cover a wider age range of children and each key stage would need separate open space – how was the necessary increased footprint going to be reflected re reducing public open space around the site and reduced parking around the site.
- How would the design of the building / buildings accommodate the increased number of children?

Amended Comments (20 December 2019)

- The site was previously a large employer. Its closure resulted in the loss of many jobs. Neighbouring developments have not gone far enough to replace the lost employment.
- Temporary employment will be created during construction. Requests are made that recruitment should be targeted at local builders/ tradesman.
- The development could potentially be inward looking. Creating strong physical links between the development and the town facilities is imperative. Such links should be delivered early in the process to promote use by workers during construction.
- Bicycle parking and electric bike charging should be provided for in the town.
- Enhanced disabled access along the canal towpath should be provided.
- A Regeneration Officer should be provided for a period of at least 3 years to promote inward investment in the centre, promote the town at large and encourage new retailers.
- Education capacity in both primary and secondary is a concern
- There are concerns that creating mixed tenure on the site is in fact creating pockets of various tenure, rather than inclusion. The lower density, higher value housing is located near to the Armitage with Handacre boundary and high density flats at the Rugeley end. This should be spread around the site to avoid segregation.
- Concerns regarding the screening of the retained substation

Original Comments:

- When the Power for All community group had spoken with ENGIE, they advised that the application was not a done deal and the community would still have their say. However within the application it was written that community consultation had taken place and they agreed the application.
- The demolition of the buildings and remediation of the land was not seen as an issue
- Of the 137 Ha site, only 5 Hectares is proposed for commercial use. This is low given the scale of the site
- There was concern the lower cost higher density housing was all focussed on one corner of the site. We would prefer to see this spread across the whole site so a mix of tenure was available rather than ghettoization
- The lack of mix of housing tenures means that the council tax banding will be unfairly proportioned across the development site favouring Lichfield. This will have an impact on the CIL allocated to the District Council's to the detriment of the community most impacted by the development i.e. Rugeley and Brereton and Ravenhill.

No further comments received

Original Comment: No objection subject to conditions

1. Development shall not commence until drainage plans for foul and surface water submitted and approved by LPA
2. The scheme shall be implemented in accordance with the approved details before the development is first brought into use

South Staffordshire Water Plc

The addition of the school proposals does not affect the validity of the comments previously provided (18 June 2020)

Previous comment: No objections

South Staffordshire Water appear to have assets within the application site. Engagement with the developer at an early stage is required if the asset is proposed to be affected by the construction works. The normal process of an application to secure new connections could also look to provide new assets within the site.

Sport England

No objection subject to S106 (7 July 2020)

Further to my response dated 12/06/20 please find below supplementary comments following dialogue with the planning applicant in relation to the ATS planning application reference CH/19/201.

Sport England's consider that the proposal would broadly meet its Exception Policy E4, subject to an appropriately worded S106 agreement addressing the matters detailed below and the below conditions being attached to the decision notice.

1. Section 106 agreement

- Provision of two additional changing rooms and officials changing room (in accordance with Sport England's Clubhouse Design Guidance Notes 2016 update and the provisions being above and beyond the BB103 school requirements) at the ATS site;
- A CUA for the sports facilities (AGP pitches, grass pitches, sports hall, changing accommodation and car park);
- An off site contribution of £120,000 secured towards replacement cricket provision at the Rugeley CC site. The monies should be available to the club to draw down prior to the loss of playing field land to enable the delivery of the replacement pitch;

2. Planning Conditions

- Submit and agree details of playing field construction
- Pitches shall be laid in accordance with Sport England 'Natural Turf for Sport Guidelines
- Submit and agree details of artificial turf pitches and MUGA

Informative (artificial grass pitches – football only). The applicant is advised that the pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches.

Informative (artificial grass pitches football only) – The applicant is advised that for any football match play to take place the pitch should be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS) as a minimum.

Should Sport England fail to agree to the S106 agreement relating to the sporting provision or the conditions are not attached, Sport England would wish to raise an objection to this application.

Sport England would therefore wish to have further dialogue regarding the contents of the draft section 106 agreement. In relation to the conditions if you wish to amend the wording or use another mechanism in lieu of the above condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to its recommended conditions, provided they achieve the same outcome and it is consulted on any amendments.

If this application is to be presented to a Planning Committee, Sport England would like to be notified in advance of the meeting date and the publication of any committee agendas and report(s). Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

Staffordshire County Archaeology

No additional comments to those previously provided (15 June 2020)

Previous comments: No objection subject to condition.

The application is supported by a suite of documents including an illustrative Masterplan, an Environmental Statement containing chapters on built heritage, landscape and visual, and an Outline Remediation and Reclamation Strategy.

Whilst it was agreed Archaeology would be Scoped Out of the EIA, this was with the caveat that once the Masterplan had been developed further, any archaeological mitigation could be picked up as a condition of the consent. This was felt appropriate given the level of made ground on the site, the previous uses, predicated levels of the proposed development and the minimal amount of development proposed to the less developed areas. However this is not to say Archaeological potential does not exist. Indeed the Staffordshire Historic Environment Record and associated datasets suggested potential for prehistoric to early medieval archaeological deposits under the alluvium in the area. This is in addition to above and below ground features associated with post medieval water meadows in the area proposed for the public riverside park.

Having considered the the outline proposals, it is noted the creation of the development platform will necessitate the removal of alluvium deposits across the site down to the natural superficial deposits, in this case river terrace deposits. As such there is some potential for previously unknown prehistoric to early medieval deposits to be encountered as part of the reclamation process.

Accordingly a condition requiring archaeological mitigation is likely to be recommended as a condition of planning consent when further information is provided as part of subsequent or reserved matters applications.

In relation to the amendments we welcome the reduction in the scale of the development and the additional information relating to the viewpoint from Castle Ring. In tandem, this information confirms the proposals will not affect the significance of this asset.

Staffordshire County Flood Risk Management (SUDS)

The amendments do not have any significant effect on the drainage and flood risk proposals on which our previous comments were based. On that basis we have no further comments beyond those previously supplied (27 May 2020).

Original Comment: No objection subject to conditions.

We consider that outline planning permission should only be granted to the proposed development if the following planning condition is imposed as set out below.

Condition

Prior to the commencement of each phase of the development a satisfactory surface water drainage design should be submitted to and approved in writing by, the Local Planning Authority. The drainage design for each phase of the development shall be designed in accordance with the principles set out in the approved Flood Risk Assessment (Report no. WORK\34060387\v.2 Rev 3 dated 14th May 2019 compiled by AECOM) and Drainage Strategy Report (WORK\34060242\v.2 Rev 4 dated 15th May 2019 compiled by AECOM) and the following measures:

- a) Percolation assessments carried out in accordance with BRE digest 365 to determine infiltration potential.
- b) The assessment of existing outfalls and remediation where required to accommodate flows from the development.
- c) The incorporation of SuDS features including source control, permeable paving, swales and open water features within the drainage design to provide adequate water quality treatment in accordance with CIRIA C753.
- d) Surface water discharge from each Area to be limited to the combined restricted rates for the equivalent return period storms as specified in Appendix A of the Drainage Strategy Report.
- e) The provision of adequate on-site attenuation features across the site to limit the maximum surface water discharge to the combined restricted rates for the equivalent return period storms as specified in Appendix A of the Drainage Strategy Report.
- f) Where attenuation features are allocated to serve multiple phases, they will be constructed and operational to serve the relevant phase.
- g) Finished floor levels are set no lower than 150mm above local surrounding ground levels.
- h) The management of overland flows in the event of exceedance or blockage of the drainage network to ensure no flooding to property.
- i) The details of an achievable and site-specific maintenance plan for each phase of the development including the provision of access and maintenance arrangements for the key features to be retained as specified in section 3.1.

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.

Staffordshire County Council School Organisation

No objections subject S106 requirements requested (3 June 2020)

We note that the principal change in this application relates to the potential provision of an All Through School (ATS) on the development site. The amended submission seeks flexibility for either the provision of a 2FE primary school on the site in an amended location and a financial contribution towards the provision of secondary school places or the provision of an ATS on an amended school site on the development. Either of these options would mitigate the impact of the development on education provision. We note that the amended school location site is now wholly in the planning area of Lichfield District Council.

Staffordshire County Council is supportive of an ATS providing 2FE of nursery provision, 2FE of primary school provision, 5FE of secondary school provision and 200 post 16 places, being delivered. It is understood that this option is dependent on a successful outcome of the Wave 14 application made to the Department for Education by the John Taylor Multi-Academy Trust.

Discussions continue to take place with the developer and other relevant stakeholders in order to secure the necessary obligations through a S106 Agreement for either of the noted education mitigation options.

Previous Comments:

The application would result in an education contribution of £15,062,040 (index linked) plus a suitable site to be sought from the developer to mitigate the impact on education. The development would be acceptable from an education perspective subject to a Section 106 agreement which meets this requirement.

In determining that this level of contribution is necessary and in accordance with CIL legislation, the requested education contribution is deemed to be:

- a) Necessary to make the development acceptable in planning terms
- b) Directly related to the development, and
- c) Fairly and reasonably related in scale and kind to the development

Based on the location of the proposed development we have considered the impact on school places in Rugeley and the surrounding areas and more specifically Chancel Primary School, Hob Hill CE/Methodist Primary School, Redbrook Hayes Community Primary, The Croft Primary and the Hart School.

To understand the impacts on these schools analysis has been undertaken using the number of pupils on the roll, net capacity/funding arrangements of the schools and pupil projections.

It was calculated that 2300 dwellings would require:

- 104 Early Years Places
- 483 Primary School Places
- 345 Secondary School Places
- 69 Post-16 places

There are projected to be an insufficient number of school places in the local area to accommodate the children generated by the development at both secondary and primary phases of education. In order to mitigate this the developer should provide:

- Primary School: The cost of a 2FE primary school = £7,902,200 plus a suitable site of 2Ha to the a 2FE primary school
- Secondary School: The level of contribution has been calculated based on the cost of providing a 2FE secondary and post 16 places. The contribution will be used to either expand existing secondary provision at Hart School or provide new secondary school provision elsewhere (on/offsite). 2 Form of entry high school places currently cost £8,000,000. Further discussion will be required in terms of on/off site provision.

Based on standard triggers, the development will require payment of the education contribution at the following points:

- 30% on commencement of the development
- 30% on commencement of 30% of the permitted dwellings (i.e. 690 dwellings)
- 40% on commencement of 60% of the permitted dwellings (i.e. 1380 dwellings)

Staffordshire County Council Highways Authority

No objections subject to conditions and S106 (9 July 2020)

This proposal is an amendment to the previous application (19/00753 /OUTMEI) on this site, the former Rugeley Power Station. The main change in this proposal relates around the education facility on the site; the location and type of facility has been amended to an All Through School (ATS) situated in the middle of the site and is supported by Transport information accordingly.

The education facility is now proposed in a more central location of the site; which was the location originally requested by the Local Highway Authority in the pre-application discussions. There are clear benefits to situating this type of facility in the epicentre of the site; it is equidistance to the residential areas and offering the same opportunities to all future residents on this site of accessing the school on foot or cycling if the spine road is constructed appropriately.

The Transport Assessment Addendum (TAA) has updated the highway work carried out to support the previous application. The TAA has modelled potential impacts from this proposal based on rational assumptions using available travel data which provides for a robust analysis. Although the data is mainly derived from older census data and separate levels of school, such as primary and high schools. I am of the opinion, that the impact of this proposal will be less than predicted because many of the assumptions are based on a worst-case scenario. This proposal will enhance the sustainability of the original proposal allowing the residents easy access to education facilities from nursery provision through to sixth form without having to leave the site.

There is additional capacity in the high school to cater for the demand from growth in the population in the surrounding areas. Whilst this is modelled as an increase in traffic to this site, the reality is that this traffic would be present on the highway network around the site anyway. This site will offer a shorter journey to many of these and the measures to improve pedestrian and cycling facilities could also be utilised to access the site via sustainable modes of travel from the surrounding areas.

It is even more imperative that the design of the spine road is carefully considered as to what its primary function will be as it passes through the whole site. Around the ATS site, the spine road needs facilities to allow pedestrians / cyclists easy access to the school, bus facilities; both for public and the school use, space to accommodate pick up / drop off by cars and measures to control speeds. Notwithstanding the submitted information (masterplans etc..) the details of the spine road will need to be agreed as part of the reserved matters proposals once the pedestrian and vehicle access locations are known.

The site also benefits from a former railway bridge into the site which spans the A51, which has the potential to create a car free access without a need to cross the A51. It is important that any reserved matters or masterplan takes full advantage of this facility as it has real potential to reduce vehicular trips and integrate the site into Rugeley and where possible surrounding sites.

Negotiations are still ongoing with the applicant over the delivery of the required off-site works and contributions to the bus services. I shall still want the conditions requiring off-site highway works until these negotiations have been satisfactorily agreed. Discussions are also continuing surrounding the exact wording of the Travel Plan for inclusion within the final legal agreement, but this will not alter my recommendation and can be resolved through the section 106 process.

In summary the education facility has been relocated with the expansion of the educational offer and I would welcome this proposal as it would further enhance the sustainable credentials of this site.

10 Conditions governing the following are suggested:

1. Before development commences, submit and agree details of distributor road between the A51 and A513
2. Submit and agree Construction and Environmental Management Plan (CEMP)
3. Submit and agree access surface details
4. Before construction of any buildings provide scheme of secure cycle parking for apartments
5. Car parking, servicing and circulation to be suitably drained, hard surfaced and marked out prior to occupation
6. No occupation of Phase 2a, 2b and 2c until roundabout access onto the A513 has been completed
7. Prior to submission of reserved matters, applicant shall submit a phasing program for delivery and implementation of all off site highways improvements including main affected junctions and wider pedestrian improvements
8. Submit and agree masterplan with movement framework and similar
9. Before development commenced provide details of Pedestrian and cycle connectivity
10. Any reserved matters application to include the following details and be implemented prior to completion of that phase: bus terminus at community sq to include electric vehicle charging, bus stopping facilities along through access route both sides of road provided with shelter, timetable and bus markings, guard railing outside ATS.

Staffordshire Fire and Rescue

No further comments received.

Original Comment: No objections.

Consideration should be given to ensuring appropriate supplies of water for fire fighting in line with Building Regulations. In addition the Service would advocate consideration of sprinkler systems with all proposed developments.

Staffordshire Police Architectural Liaison Officer

No objections (3 June 2020)

Whilst I have no objections to this Outline Application, it is important that I take this opportunity to provide the following guidance and recommendations aimed at reducing opportunities for crime and ensuring that high level of physical security is incorporated in this development.

Particular attention must be paid to ensuring that Pedestrian/Cycle Links and Public Open Space are be designed as features of the site and are well overlooked. Those Plots with side and rear boundaries to footpaths and open land must be secure. I support the intention to provide a layout that is primarily outward looking and provides 'back to back' security for the proposed Plots. Particular attention should be applied to promoting natural surveillance over proposed public space. Attention must be paid to the design of boundaries and landscaping where the side and rear boundaries of Plots are facing accessible open land and footpaths.

A number of other recommendations are made regarding:

- Defensive planting
- Minimising climbing aids
- Appropriate lighting of footpaths (BS5489) to promote natural surveillance
- Use of layouts that deter crime e.g. short cul-de-sacs, overlooked footpaths
- Promoting a transition from public to private space (territoriality)

- Gated rear accesses
- Use of CCTV
- Suitable fencing to ground mounted photovoltaics
- Promotion of on plot parking and avoidance of car parking courts
- Use of smart meters to frustrate potential bogus official callers
- Minimising unauthorised access opportunities to apartment blocks

Staffordshire County Council Minerals Team

Having reviewed the documents we are of the opinion our previous comments remain relevant and we have no further comments (5 June 2020).

Previous comments attached. No objections.

PFA Extraction/Profiling - Information has been provided to the County Council confirming the extraction of PFA from the lagoons and the reprofiling of the adjacent bunds to create a stable platform for the surrender of the Environmental can be carried out under Permitted Development Rights being the site is classed as Operational Land in use by a Statutory Undertaker. These rights would no longer exist if the site is not operational and the planning permission for the redevelopment of the site is implemented. Hence planning permission for works to PFA would be required from the County Council.

Waste Implications - As part of the Development Description Section of the ES (Volume 1), information has been included concerning 'waste'; during the construction phase and the operational phase. This section confirmed that an Outline Waste Management Strategy (Appendix 3.5) has been produced and 'the quantum and composition of waste generated through the demolition of these buildings would be established as part of the design of the detailed demolition programme in the Construction Environmental Management Plan (CEMP) for the relevant construction phase' (paragraph 3.3.60 of the ES (Volume 1)). It is estimated that the Proposed Development could potentially generate:

- up to 48,507 tonnes of waste during construction (not including waste material associated with cut/fill) which would equate to approximately 2,425 tonnes of waste each year from the Proposed Development (Paragraph 3.3.61 of the ES Volume 1);
- approximately 2,185 tonnes of household waste per annum (approximately 42 tonnes per week) should all the residential units be constructed and occupied (Paragraph 3.3.66 of the ES Volume 1); and
- approximately 8,571 tonnes of waste per annum (based on a conservative estimate of 3 tonnes of waste per annum per employee) from the non-residential elements of the Proposed Development.

The Outline Waste Management Strategy provides an introductory section, Waste Legislation, Policy and Guidance; Construction Waste Strategy; Operational Waste Strategy and Summary and Conclusion. The Strategy considers the potential impacts that may arise from waste generated during site preparation, construction and operational phases with the overall aim of developing a strategy for legislative compliance and to establish good practice in the separation, storage, collection, treatment and/or disposal of waste arising.

Conclusion: It is concluded that the Waste Planning Authority has no objections concerning the waste implications of the proposed development subject to conditions to secure the measures described in the Outline Waste Management Strategy and to require a detailed Construction Environmental Management Plan (CEMP) for each phase of the development, including the operations to extract and dispose of PFA, unless these operations are carried out in compliance with an Environmental Permit regulated by the Environment Agency.

Impact on existing waste management facilities -Our records show that there is one permitted waste management facility within the site and one in the vicinity of the site, off the Rugeley Eastern Bypass.

- Planning permission for a road construction waste materials recycling facility within the site was granted in May 2006 (ref. CH.06/03/736 W). This facility is no longer operational; and,
- Planning permission for the storage and crushing of construction waste was granted in November 2015 (ref. CH.13/10/725 W) [to the north west].

The submitted Illustrative Masterplan (dwg no 01585_MP_001 Rev D8) and the Land Use Parameter Plan (Figure 3.2) includes an area of open space adjacent to the land where the storage and crushing of construction waste is permitted (ref. CH.13/10/725 W). The nearest residential properties shown on the Illustrative Masterplan are approximately 120 metres to the south ('Area 4' – 'Medium to high density housing including ENGIE living house typology') of this waste management facility.

Conclusion: Having regard to the policies, guidance and material considerations referred to above, it is concluded that the Waste Planning Authority has no objections concerning the implications for waste management facilities in the vicinity of the site subject to the Councils being satisfied, having obtained confirmation from their Environmental Health Officer and the Environment Agency that There would be no unacceptable adverse impact on people or the environment as a result of the proximity to the neighbouring waste management facility; and, The proposed development would not constrain the continued operation of the neighbouring waste management facility.

Impact on mineral resources - The County Council's Mineral and Waste response indicated that the developer should provide evidence to address the Policy 3.2 of the Minerals Local Plan. 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 r 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.'

Policy 3.3 provides exceptions for the type of development set out in Appendix 6, the policy states:

'Within a Mineral Safeguarding Area, where important mineral resources do exist, except for those types of development set out in appendix 6, non-mineral development should not be permitted unless it has been demonstrated that:

- a) the non-mineral development is temporary and does not permanently sterilise the mineral; or,
- b) the material planning benefits of the non-mineral development would outweigh the material planning benefits of the underlying or adjacent mineral; or,
- c) it is not practicable or environmentally acceptable in the foreseeable future to extract the mineral'.

A Mineral Resource Assessment (MRA) (ref. ST17372 Rev 001 dated May 2019) has been submitted with the outline application. The assessment provides an introductory section; details of the geology (including borehole logs); mineral planning policy and a conclusion.

The MRA confirms that most of the sand and gravel was disturbed during the construction of the power station, which involved constructing large scale underground infrastructure'. The backfill used to raise excavation levels back to original levels was a mixture of sand and gravel, Pulverised Fuel Ash (PFA) and construction waste materials. Therefore, the made ground is of no commercial value and backfill is several metres thick across most of the site.

The MRA concludes that it would not be practicable or commercially viable to extract sand and gravel underlying this made ground and the underground infrastructure is still in situ which would obstruct extraction of sand and gravel from the site, so the site fits criterion (c) above, i.e. that it would not be practicable in the foreseeable future to extract the sand and gravel.

Conclusion: Having regard to the policies, guidance and material considerations referred to above, including the MRA, it is reasonable to accept the findings in the MRA that it would not be practicable or commercially viable to extract sand and gravel. The Mineral Planning Authority therefore has no objection concerning mineral safeguarding.

Staffordshire Wildlife Trust

No response received.

The Ramblers Association

No objection.

Friends of Cannock Chase

No response received.

Lichfield & Hatherton Canals Restoration Trust Limited

No response received.

Trent & Mersey Canal Society

No response received.

Landor Society

No response received.

Homes England

No response received.

Woodland Trust

No further comments received.

Original Comments: Object

The Woodland Trust object to the plans on account of potential impact to four veteran trees identified T42, T43, T93 and T203. The proposed cycling routes will encroach upon the Root Protection Area of the trees and therefore may lead to root compaction and deterioration of the trees.

The Trust asks that all trees displaying veteran characteristics are adequately protected in line with Natural England's Standing Advice for Veteran Trees with RPAs calculated at 15x the stem diameter or 5m beyond the canopy.

Internal Consultations

Environmental Health (18th May 2020)

The revised proposals largely follow that of the previous application. So previous comments generally remain.

I note the school will be centrally located. I feel this offers greater potential for sustainable transport for families throughout the site and is welcomed. The All Through School would cater for children through a greater age range thereby reducing the need to travel further afield. These factors will help to minimise traffic emissions.

I note the B2 use in the vicinity of residential land use is still proposed. I consider these uses should be restricted to B1 i.e. uses that can be carried out in a residential area. B2 is inappropriate in this location. Previous comments were as follows:

I have no overall objections to the proposal, other than a matter of detail concerning the proposed B1/B2 area in the centre of the site.

Original Comments:

After reviewing the information in the Planning Application Statement and detailed in the Environmental Statement Volumes 1 and 2 my comments are as follows:

Air Quality when Operational - The air quality impact of the operational phase has been modelled and found to be 'moderate' to 'negligible' and 'not significant'. As such, the development is acceptable in terms of air quality, but given the scale of development, provision of mitigation measures is entirely appropriate.

A list of measures likely to mitigate to some degree against incremental increase in emissions associated with the operational phase are included within the Environmental Statement. These are:

Measure	Comment
Cycle parking to be provided in line with locally adopted standards	Measures to encourage sustainable, low emission local travel are welcomed.
Network of pedestrian and cycle routes throughout the Site	
Layout to allow for bus penetration on the proposed spine road to enable easy access to public transport services	
A Local Centre	Provision of local community hubs is welcomed as a measure to reduce the need for travel and car dependency.
A School	Provision of a school is welcomed. However, I consider the location is displaced away from the larger portion of proposed and existing residential properties to the south east of the site. In practice it is unlikely that the twice daily round journey will be undertaken by parents on foot. I would consider a school located centrally or to the south east would have the optimal travel distances for residents overall.
Employment Centre	Local employment opportunities are welcomed as a means to reduce the need for travel. It is anticipated that these will be B1 use class in order to minimise the potential for emissions from industrial activities and commercial vehicle movements in close proximity to public exposure.
Provision of electric vehicle charging.	The provision of electric charging stations is welcomed. However, given the government's plans for future vehicle fuelling, I would recommend that all residential properties are provided with EV charging facilities. It is noted that the proposals are to allow provisions for EV charging facilities, which appears to fall short of full provision.
Damage cost calculation	This measure is yet to be undertaken, and will be welcomed in order to determine whether currently planned mitigation measures are proportionate and, if applicable, the extent of further mitigation measures that can be included.

Air Quality During Construction - It is understood that the construction phase traffic is likely to be 'negligible' and 'not significant'. Given the level of vehicle movements and local factors, this appears to be a reasonable conclusion.

Emissions for the construction phase have a greater potential for impact, although readily addressed through management measures. A Construction Environment Management Plan (CEMP) will be developed in order to control the impact of emissions during the construction phase. This is likely to incorporate measures listed in section 7.5 of the Environmental Statement, which appear appropriate. The CEMP should be agreed with Environmental Health.

Noise when Operational - The report demonstrates that localised mitigation measures will be required to protect new residents, and to minimise the impact of new noise sources. The details will need to be provided at reserved matters stage, and will require approval by Environmental Health. In short, these issues are:

- Local mitigation measures such as increased stand off of properties from dominant road sources (road / rail) and close boarded fencing around garden areas as appropriate.
- Properties closest to the western boundary with the A51 will need to be orientated to screen outdoor living spaces.
- Traffic noise will necessitate enhanced acoustic glazing in living rooms located closest to dominant noise sources, and within direct line of sight of traffic noise. To allow comfortable living conditions with closed windows, acoustic ventilation will be required in these properties.
- Requirement for acoustic glazing / ventilation will be confirmed on a plot by plot basis to accommodate the complexities of various noise sources and screening effects of buildings.
- An assessment of the impact of proposed new employment areas.
- Completion of a detailed acoustic design statement

The proposed B1/ B2 zone will allow industry to be located in close proximity to residential land use. B1 activities, by definition are light industry appropriate in a residential area and are therefore acceptable in this situation. B2 usage allows all other general industrial uses other than incineration, chemical treatment, landfill or other hazardous waste which thereby allows scope for many uses incompatible with residential purposes. It should be borne in mind that whilst noise is probably the most common issue arising from B2 class activities, unfortunately smell, fumes, smoke, etc, can also be features that impact detrimentally on local residential amenity.

I therefore object to the existing proposal for B2 use in immediate proximity to residential areas, but suggest that a compromise may be feasible if the industrial zone is zoned along the lines of the following plan:

It would also be prudent that a noise condition is applied to the industrial zone. However, as the zone is likely to accommodate a number of activities and is currently speculative it would be prudent that it is informed by a specific acoustic survey.

Noise during construction - A construction environment management plan is required to detail the measures needed in order that construction works have a 'negligible' impact and 'not significant'. Construction traffic is predicted to have a 'negligible' impact and 'not significant'.

Contamination - This department has been consulted at various stages regarding land contamination, and liaised with Lichfield DC's Environmental Health Department to ensure a consistent response and support the following comments in relation to contaminated land. One of the outcomes has been an outline Remediation and Reclamation Strategy (RRS), provided in volume 2 of the report. Measures to mitigate against the impact of land contamination are provided in this document, and are to my satisfaction. These measures need to be supplemented by a CEMP to accommodate the construction phase of the development.

The Environment Agency has also had a major role in overseeing the surrender of Environmental Permits and ensuring that controlled waters are not unduly affected. Such measures will assist in making the site fit for the proposed use. Please ensure that the EA are consulted on this application.

Economic Development

No further comments received

Previous Comment: No objections

Economic Development is very supportive of the redevelopment of Rugeley Power Station and would comment that this appears to be an exemplar of what we like to see from an outline application. There are number of positives:

- Community involvement – multiple support sessions have been undertaken to engage with the community
- Reclaim/Reconnect/Recharge – Great to see use of these underlying themes to recognise the importance of the existing environment, the community and the recreational land
- Sustainability – This is a clearly a key theme running through the proposals, with details such as sustainable drainage, transport access to reduce personal vehicle needs (bus stops, train lines, cycle routes) and the inclusion of electric vehicle charging points
- Unit and space sizes – we agree with the planning conclusion that they are most in demand

Environmental Services

No further comments received.

Original Comments: No objections subject to conditions

Comments received pointing out the illustrative test layout have been provided and it is suggested parking arrangements appear tighter than desirable. Concerns raised regarding extent of hard surfacing, communal rear areas. It is acknowledged these are preliminary plans that would be picked up in more detail at the Reserved Matters phase. Concerns regarding wind flows.

It is noted that the parameter plans set out key aspects especially in respect of the interaction between heights and densities. In itself this gives more comfort than previous. However these plans do not really take account of the need for access, parking, servicing etc. as well as what can be achieved to ensure sufficient root zones for trees and other vegetation. Ensuring that all the required parameters of distance, space about dwellings etc. can be met will be a key issue and one that will only become apparent at the detailed design stage. Windflow impacts should also be considered.

The production of a detailed design manual will be essential to ensure that the intended design aspects/elements including those discussed, are achieved within all subsequent phases of the development and a consistent standard is achieved throughout. The production of this should be conditioned.

The Landscape Visual Impact Appraisal confirms that long distance views from public accessible locations will have minimal visual intrusion. Short distance views are generally screened by existing structures/features, as noted previously. The likely most prominent view would be of the western end of the site & existing entrance off Power station Road/ A51. Additional information has indicated that with appropriate retention/landscaping this would not have an overall detrimental effect on the general streetscene in that location.

The Environmental Statement notes that in the Landscape Character Assessment for the area states that 'Adjacent built up areas considerably change the character of the landscape.... by visually dominating the landscape feature', the urban edge and modern housing being classed as incongruous features. Protecting the river floodplain from inappropriate urban development and transport links is also noted as well as that 'New development... should support retention of relatively tranquil character of adjoining rural landscape by continued buffering and management of the urban edge by using appropriate species' With this in mind, the development of housing on and along the eastern end of the railway sidings would have a significant and adverse impact on the adjacent landscape character especially considering the suggested 5 storey developments. Such development would prevent the implementation of any potential buffer/screening compared to the northern part of the site where buildings are set back from the railway. Even if screening/tree planting was achievable its long term retention would be questionable given residents expectations/requirements for views over the adjacent landscape.

The Key issue in development of the site is access and linkage. Access being basically two points N& S ends of the site but to ensure linkage and make the whole design work/function and on a sustainable basis the key will be quick and easy pedestrian/cycle access into and out of the site especially across the A51 but also via the Pippins site. It is suggested that such links are potential future links but these will be key to achieving the aims of the whole scheme and need to be one of the first aspects built and tied to each relevant phase of the development. If not then the development will become isolated and car reliant.

Potential internal linkage for pedestrians and cyclists remains good with a strong emphasis on the former railway sidings although there are missing links and room for improvements. Emphasis is placed on the railway siding providing a car free recreational route? However, this suggested route does not link to the eastern end of the site, being developed for housing along the eastern end of the siding, albeit the Borrow Pit being one of the key recreational areas. The reason for the retention of the existing roadway/development of the railway embankment is however related to the presence of high voltage underground cables. However having a strong clear segregated access route that serves the whole site is essential to allow full and easy connectivity and which would avoid the use of car dominated streets.

The access and movement plan indicates a linkage to the middle of the Pippins site which would be fully appropriate however there also needs to be a linkage to the northern end of the Pippins site from adjacent the northern side of the ornamental lake. This would then link with the key open space and play area of the Pippins site.

The potential location of some areas/features needs further thought in order to relate well, function appropriate and avoid future issues. In particular the location of the Muga within the narrow open space corridor between the school and employment area. This area also contain other play/sports facilities as well as a landscaped open space area. The Muga should be associated with the main open space & play facilities indicated to the west of the school. Putting it and the other open/accessible facilities within a narrow corridor will result in future issues and not just in terms of maintenance and management.

In landscape and design terms the creation of character areas is good but these need to relate and connect well to each other. Whilst there is a relatively large amount of detail relating to the design of key routes and open space areas, there is very little on the detail to the residential areas. This will be essential to ensure that whole scale hard landscape and car dominated areas are not created. Hopefully this would be picked up in a detailed design manual.

Overall and at this outline stage the development of the existing site for residential and mixed use development, considering the above & previous comments would be welcomed.

Housing Strategy

No further comments provided.

Original Comment: No objections subject to S106

It has been agreed that the issue of vacant building credit and the calculation of affordable homes will be considered across the site as a whole. A 'blended' approach will therefore be adopted that provides 17.6%, which based on 2,300 dwellings equates to 405 affordable dwellings. This approach is welcomed and provides 182 affordable homes within Cannock Chase. The even spread of affordable homes across the whole site will create a vibrant and sustainable community.

A number of flats are proposed including 2 bedroom which may be for either general needs or over 65's which are required for density/viability reasons. Given the fact that there will be a blended approach across the site to create a sustainable community and the applicant is prepared to test and define future elderly provision at Reserved Matters the broad mix that is proposed at this stage appears acceptable.

Waste and Engineering

No further comments received:

Original comment: No objections.

No further comments at this time other than a general concern regarding ensuring the use of private roads within developments is minimised.

Planning Policy

15th June 2020: The current application sets out amendments to the previous scheme that now include the option of an All Through School or a 2 form entry primary school on the site. The main implications relate to the all through school and these will be examined below. The application also removes employment use class B8.

The comments provided from the Planning Policy Team dated 11th July 2019 remain appropriate and set out the local and national policy context. They are not reproduced here but relevant updates are provided.

The most recent SHLAA (2019) identifies that there is sufficient supply to meet current Local Plan (Part 1) requirements and that the Council is able to demonstrate a five year housing land supply (6.6 years as at March 2019). Updates to this evidence for 2020 are ongoing and will be reported as soon as available. Nevertheless, a five year housing land supply does not negate the need for additional supply to be considered, particularly in the context of the Local Plan Review which is discussed further in the proceeding section of this response.

The 5 hectares of employment has been retained and no additional employment land has been identified. Furthermore, use class B8 has been removed. This position has been accepted in view of evidence provided by the applicant and the increased job density and greater flexibility allowed through a greater focus on B1 and B2 use classes.

The requirements of the Playing Pitch Strategy (2019) have been mostly satisfied. However the applicant has identified a difficulty in meeting a shortfall in cricket provision at this site. It remains a requirement within the Playing Pitch Strategy that cricket provision is not sufficient and new provision is required to meet a future shortfall. The applicant has been advised of this position and the views of Sport England are awaited.

The Rugeley Power Station site provides an important opportunity to deliver a large element of housing and employment needs and facilities for the District many years into the future. The site is seen as being in conformity with the development strategy set out in the Local plan (Part 1) and is classed as a large windfall site.

The Cannock Chase District is heavily constrained, and it is known that there is limited capacity within the urban area to accommodate local housing and employment needs. In addition, the District will need to consider the possibility of accommodating housing and employment shortfalls from elsewhere within the Housing Market Area.

The Preferred Option stage of the Local Plan will identify the development strategy for the District and the extent of housing and employment sites aligned to local need and an element to meet shortfalls from elsewhere. This strategy is currently being formulated but it is clear that Rugeley Power Station will make a significant contribution.

Original Comments: No objection.

The site represents a large windfall development not envisaged in the current adopted Local Plan (Part 1). However, the redevelopment of a brownfield site within an existing urban area of the District is considered to be in broad conformity with the development strategy set out in the Local Plan (Part 1). It is recognised that the development of the Power Station to the scale proposed within this application does 'skew' the proportions of development anticipated across the District's urban areas within the adopted Local Plan (Part 1) particularly in relation to the housing development proposals. However, this plan is now the subject of a review. The proposal does not fully accord with the adopted Rugeley Power Station SPD, mainly in terms of the proportion of employment land provided and the location of community facilities.

The Local Plan Review is at an early stage of production and therefore limited weight can be attached to it and the supporting evidence at present. However, given the scale of the Power Station site and the bearing it could have on the future overall strategy for future housing and employment land development in the District due consideration should be given to the emerging policies and evidence.

A. Employment provision

CCDC planning policy previously submitted comments requesting additional employment land provision to be considered. Applicants contend that 5ha is appropriate provision and do not believe further provision is justified (set out in Employment Land Note). This is on the following basis:

- The proposal has now been amended to remove B8 use classes (typically requiring greater land take) and the emphasis is on the provision of small-medium sized B1a/b/c and B2 units, but with a particular focus on B1a/b uses. Commercial report evidence suggests B8 uses unlikely to be attractive in this location;
- There is unlikely to be significant demand for B1c/B2 units based upon recent trends in completions and the EDNA (2019) analysis. The Council should consider the protection of existing sites and whether this could meet needs, rather than relying on new allocations;
- Provision of B1a/b on site provides for notable proportion of indicative future Local Plan requirements;
- Future employment land requirements are projected to be at a lower level than the current Local Plan requirements;
- The majority of employment land required for the current Local Plan (Part 1) period is already identified. The emerging evidence base for the Local Plan Review (EDNA, 2019) remains untested and can therefore only be afforded limited weight.

The adopted Rugeley Power Station SPD envisaged employment-led redevelopment of the part of the site within CCDC. It was noted that this was subject to further market testing as part of the planning application process.

The applicant has submitted further commercial information to support their proposals. In addition, a Market Intelligence Report (Lichfields, September 2019) produced for CCDC emerging Local Plan Review evidence base identifies that the identification of the site for entirely employment uses is not considered appropriate, purely from a market perspective. Commercial agents were of the view that given the local market and promotion of the site for mixed use redevelopment, B1 uses would be more appropriate in this location at a quantum in the region of 5-10ha (particularly for small-medium scale units). It was identified that employment locations in the south of the District have better connections to the strategic road network, which is reflected in the relatively higher levels of demand (and rental values) and provision of B8 uses in particular (at locations such as Kingswood Lakeside and Watling Street Business Park).

As referred to in the previous policy response the current employment land shortfall for the adopted Local Plan (Part 1) period is around 3ha, which provision at the Power Station would help to address. The recently produced EDNA (2019) identifies a potential range of 30ha-67ha of employment land for the Local Plan Review period. On the basis of the suggested minimum-mid range employment land requirements for the Local Plan Review it is not necessary for the whole of the former Rugeley Power Station site within CCDC to be identified for employment land provision as suggested in the SPD. Other site options for employment land do exist within the District, albeit some of these lie within the Green Belt (i.e. at Kingswood Lakeside and Watling Street Business Park). The Local Plan may also seek to protect existing employment sites in order to reduce the need for relocated business uses, which contributes to the overall employment land requirements too.

The applicants identify potential jobs figures, which it is recognised are only indicative, based upon the proposals being in outline. Whilst the applicants have not increased the quantum of employment land, the removal of the B8 uses from the proposals enables the retained 5ha to provide for employment uses that provide a relatively higher job density. For example, indicative floorspace required for one employee in a B8 use is 70sqm. For B1a/b uses this is around 12.5sqm and for B1c/B2 uses this is around 45sqm. The proposal indicatively provides for all the minimum net growth in B1a/b employment space in the District for the new Local Plan (as estimated from the minimum employment land requirements in the EDNA). Whilst it is suggested that B1a uses may be prioritised by the site promoters, the proposals retention of a range of B1 and B2 use classes provides flexibility for the market and the Local Plan process. The Market Intelligence Report (2019) identifies that Rugeley (and the District overall) is not a traditional office location; however it is recognized that the proposals form part of an overall masterplan for the site which may amend market demand going forward. It is recognized that the future demand for B1c/B2 uses may be reduced in terms of new job growth; however the site could also accommodate demand for relocated uses from poorer quality employment areas in the District (i.e. retained employment). Paragraph 4.11 of the Rugeley Power Station SPD referred to the potential of the site to accommodate appropriate relocated uses.

In relation to the issues raised on the adjacent 2ha (RE3) of potential employment land the applicants identify future reserved matters applications will be able to take into account the status of the site at the relevant time, and the compatibility of adjacent uses. This provides flexibility to accommodate employment uses on the land in the future.

B. Sequential Test Considerations

It is agreed that there are no other sites within the town centre that would be capable of accommodating the proposals. Other opportunity sites are identified within the Rugeley Town Centre AAP; however these are being promoted for residential uses. The SHLAA and ELAA identify potential development sites within and around the town centre, however it is recognised that these are being promoted for alternative residential and employment uses.

Response to Publicity

A total of 9 No. site notices, a newspaper advertisement and neighbour notification letters were issued to publicise the original planning submissions (30 days) and these processes were repeated for the amended EIA consultation process (a further 30 days) and the consultation relating to the new ES referring to the effects from the All Through School. A total of 11 No. public responses have been received and in summary these raise the following matters:

- The details now refer to "potential" rather than the previous "proposed" accesses in terms of the East of Rugeley SDA. The term "potential" does not provide certainty that the links can be delivered and this appears to be in conflict with the objective in the Lichfield District Council 'Local Plan Allocations 2008-2029' (adopted 16th July 2019):

“To provide strong walking and cycling links through the development and between the new and existing residential developments, building on existing linkages and enhancing the sustainable transport options available within the East of Rugeley area.”

“A continuous network of pedestrian, cycle and vehicular route ways should be provided that connects into and integrates with the existing development (including the East of Rugeley SDA) and facilities, particularly Rugeley Town Centre, and surrounding movement networks, including public rights of way. There should be a legible street hierarchy, where streets are designed as ‘linear places’ rather than movement corridors.”

- The current plans to put a through school within the site that will provide education for not only the dwellings on site but also for the local area to also use. We feel it will be an asset to the town and provide the much needed option of choice in the town/local area.
- The schools would also have a variety of community sport facilities which would help replace some of the lost facilities from the closure of the power station and would aid the need for these facilities both for mental and physical health locally.
- Parking provision for school staff and students will need careful consideration
- The visual impact of 5 storey buildings remains an area of concern. 5 storey properties (in excess of 17 m in height) and will not only create an eyesore but will take away from the local architecture of the area.
- The provision of a third vehicular access should be provided for safety and emergency access reasons
- Loss of biodiversity value from the site remains a concern particularly in light of the possible loss of the kidney ponds
- The development makes insufficient provision for light industrial use that would support SME in Rugeley. The employment zone as now proposed is much smaller than was originally the case. More land should be provided.
- There is no provision for long term HGV parking made within the site. This has been a long term nuisance to the area over a number of years and is exacerbated by the presence of Amazon and Ideal Standard.
- Electromagnetic radiation from retained power infrastructure is a concern.
- The Environment and Education Centre should be retained on the site to promote wildlife education, better mental health and forest schooling. Coordination with Staffordshire Wildlife Trust or the local angling group would also be beneficial.
- Concerns in relation to the ‘later living’ development proposed around the Borrow Pit Lake.
- Education capacity and choice in the local area is restricted. A secondary school should be provided on the site.
- The canal linkages into town are not suitable for disabled/limited mobility or pushchair access.
- Neighbourhood facilities such as a local shop should be provided within the site.
- Parking provision within the development will need to be carefully considered to ensure a functional arrangement. The application contains little information in this regard.
- The visual impact of 5 storey development will be substantial and will create an eyesore.
- Later living development adjacent the Borrow Pit Lake at 4 storeys will be detrimental to the character of that area.
- A new GP surgery should be provided on the site.
- Bus stop locations and public transport within the site will be an important consideration.
- The development should contribute to investment in the Town Centre. The development should also contribute £150k to cover the cost of providing a Renaissance Manager oversee and coordinate the opportunity for regeneration in the town centre.
- Sport and leisure activities as part of the development will have an essential part to play.
- The iconic 4 towers should be retained.
- The structure of the housing within the development pushes low cost housing closest to Rugeley, middle class housing in the middle of the site and top end housing to the east. This represents socioeconomic stratification and is overdevelopment of the site.
- The increase in traffic will be considerable and the development will be heavily car reliant.
- The planned solar arrays represent a poor use of potential commercial land and the floating array would be an eyesore, which would damage the ecology of the lake.
- A connection to the central roundabout half way along the site should be provided for.

Relevant Planning History

The planning history that has a significant bearing on the current application includes:

CH/16/218:	Lawful Development Certificate for the proposed installation of electrical plant- Approve 08/02/2016.
CH/17/214:	Installation of a battery-based electricity storage facility. Full- Approval with Conditions 08/31/2017.
CH/18/101:	Prior notification for proposed demolition of various structures. Demolition PN-Details Required 03/29/2018
CH/18/268:	Decommissioning, dismantling and demolition of Rugeley B Power Station. Full - Approval with Conditions 10/19/2018
CH/19/033:	EIA Scoping application -site remediation and dev. of circa 2,300 dwellings

2. SITE AND SURROUNDINGS

- 2.1 The application site is an area of land approximately 1km to the east of Rugeley Town Centre. The land concerned is located across two Local Authority areas, Lichfield District Council and Cannock Chase District Council. The south eastern part of the site falls within Lichfield Council's administrative area whilst the north western part of the site falls within Cannock Chase's Administrative Area as shown in Fig 1. It should be noted that as this is a cross-boundary planning application, this planning committee will consider the acceptability of the elements of the proposal which fall within Cannock Chase District. This committee precedes the Lichfield District Council's Planning Committee on 27 July 2020 for the aspects of the development within their area. Thus, whilst it is appropriate and necessary for members to consider the scheme as a whole, it should be noted that any subsequent permission and the conditions related thereto, will solely relate to the parcels of development that are within Cannock Chase's administrative area unless specified.
- 2.2 The site is approximately 139Ha and was a coal powered power station that provided electricity for transmission to the National Grid. Historically when Rugeley A and Rugeley B Power Station were operational in 1983 the site had approximately 850 employees making it one of the main employers in Rugeley. However this had reduced to 150 employees in 2015/2016 and subsequently the main operation of the site ceased. Much of the infrastructure associated with the site's previous use remains in situ. This includes a rail connection, four cooling towers, a chimney stack, plant buildings and pumping facilities, an electricity substation and switching stations. Following the closure of Rugeley Power Station in June 2016, works to progress decommissioning and demolition of all buildings and structures on the site were consented under Cannock Chase application CH/18/268 and Lichfield Council application 18/01098/FULM.
- 2.3 Demolition works commenced in September 2018 and are expected to be completed by 2021. As part of the decommissioning process and closure of the power station use, the applicant is in the process of a phased surrender of its Environmental Permits relating to consented activities on the site, e.g. combustion activity and on-site disposal of pulverised fuel ash. The permit surrender process, including any remediation works required is exclusively governed by the Environment Agency in accordance with published guidance and is separate to this application governing the redevelopment of the site. As a result, work required to surrender the environmental permits is being undertaken as permitted development and is considered as 'Committed Development' within the ES, alongside the assessment of the impacts resulting from the current development proposals.

- 2.4 The majority of the physical buildings associated with the operation of the Power Station are concentrated to the north westerly section of the site. Open areas and soft landscaping exist in the middle of the site around facilities associated with the former Sports and Social Club building and to the north adjacent the River Trent is the former Golf Course. To the south east of the site a series of Ash Lagoons and the Borrow Pit Lake exist. The A51 runs along the south western boundary of the site as well as an adjacent residential development known as the Hawkesyard (or Pippins), located within Lichfield District. Beyond the A51 lies Towers Business Park that is made up of a mixture of commercial and industrial buildings that include an expansive property used by Amazon UK Services Ltd as warehouse premises.

Rugeley and the Surrounding Areas

- 2.5 Rugeley has a long history as a market town and has benefited from a prosperous industrial community since the 13th Century, encompassing tanning, iron, glass, mining and activities associated with the presence of the Trent and Mersey Canal. The town now functions as a local service centre for the north of Cannock Chase District. In the town centre, Upper and Lower Brook Street and Market Street comprise a pedestrian priority zone linking to the focal point Market Square.
- 2.6 Rugeley in its position between both Lichfield and Cannock Chase has seen steady population growth in recent years in line with the predicated population projections carried out by the respective Council's. The submissions highlight at the 2001 census the town's population was 22,724, (including the Brereton and Etchinghill wards) increasing to 24,033 at the 2011 Census.
- 2.7 The key services and facilities available within 2km of the site are summarised as follows:
- (i) Schools – Primary – Chancel Primary, Hob Hill CofE / Methodist, St Joseph's Catholic Primary, Churchfield CofE Primary, The Croft Primary
 - (ii) Secondary – The Hart School
 - (iii) Healthcare - Brereton Surgery, Horse Fair Practice, Aelfgar Surgery
 - (iv) Dental - Avondale House Dental Practice, Whitecross Dental Care, Serenity Dental Care, Armitage Dental
 - (v) Community Buildings – Rugeley Library, Rose Theatre, Rugeley Town Council, Rugeley Market Hall
 - (vi) General retail – Tesco, Aldi, Morrisons, Iceland in close proximity to town centre and Co-op Brereton with other smaller retailers also apparent;
 - (vii) Rugeley Town Railway Station
 - (viii) Rugeley Trent Valley Railway Station
 - (ix) Rugeley Bus Station

3. THE PROPOSAL



Figure 2: Illustrative Masterplan Extract Drawing Ref: 015/85 MP-001_P6

Overview and Scope

- 3.1 The Council's Planning Control Committee originally considered application CH/19/201 for the redevelopment of the Rugeley Power Station site on 15th January 2020. At this meeting elected Councillors voted to approve the application subject to conditions and subject to securing a range of requirements within a S106 legal agreement.
- 3.2 However, further to the submissions under application ref CH/19/201 an amendment to the application was received on Monday 11th May 2020. The application now seeks permission for a slightly different form of development than was originally put forward. This new description is reflected in the updated wording within the description of development section of this report. The amendment seeks changes to allow for the potential inclusion of an All Through School (ATS) within the proposed development. This encompasses nursery, primary school provision, secondary school provision and post 16 provision for up to 200 pupils. Updated plans to reflect these changes and the production of a new Environmental Statement to consider any additional effects arising from the amended development has now been provided. An extract from the Covering Letter accompanying the amendments reads:

“There is no change to the resolved to grant scheme in terms of the Applicant, the Site Boundary, the number of dwellings and residential units (which remain at up to 2,300), the level of employment land (up to 5 hectares), community and retail floorspace (with the exception of education provision), and the primary vehicular accesses.

The principal change is in relation to the potential provision of an ATS. The resolved to grant scheme includes for the provision of a 2 Form Entry Primary School on the Site (with a financial contribution towards off-site provision of additional secondary school places). This amendments submission seeks flexibility for an 'either or' provision – that is, provision of an ATS or provision of a 2 Form Entry Primary School.

The flexibility sought reflects that, even with the commitment and best efforts of all parties to secure an ATS on the Site, the situation that may occur that the Wave 14 application is unsuccessful and it may be necessary for the Applicant to provide the 2 Form of Entry Primary School (and a financial contribution towards secondary education).

The ATS proposed for the Site would comprise a 52-place nursery, a 2 Form of Entry Primary School, a 5 Form of Entry Secondary School and Post-16 provision for up to 200 students, together with ancillary facilities including sports pitches/courts. It is proposed that the sports pitches/courts are shared with the community, with community access outside of school hours of operation.”

3.3 As with the previous submissions, the proposal is made as an outline application with a high level illustrative master plan showing how the resultant site could appear. Matters relating to appearance, the precise layout of the site, landscaping and the scale/height of the individual buildings are reserved for subsequent approval and as such do not fall for full determination at this time. However, the applicant has also provided details in the form of Parameters Plans which convey broadly the site layout, densities proposed and building heights amongst others features. These plans as listed below, form a significant component of the development which the planning application seeks formal approval of and Members should be clear that such plans provide more detail than may otherwise be the case on an application with Scale and Layout Matters reserved:

- a) Access and Movement (Dwg No. 01585_PP_01 Rev P7)
- b) Land Use (Dwg No. 01585_PP_02 Rev P6).
- c) Building Heights (Dwg No. 01585_PP_03 Rev P8).
- d) Residential Density (Dwg No. 01585_PP_05 P7)
- e) Green Infrastructure (Dwg No. 01585_PP_04 Rev P6).

Access and Road Network

3.4 Primary vehicular access to the proposed development in the west will be provided from the A51 via the existing site access. At the eastern end of the site access will be provided from the A513 utilising the roundabout access consented under Lichfield Council Application 17/00453/FULM. A main spine road running east to west will connect the two access points. The route of this spine road is dictated by the presence of underground constraints and the retained infrastructure within the site such as the electrical substations.

3.5 A road corridor of 20m in width is shown in the illustrative plans. This takes account of a carriageway width of 7.3m, two 3m wide footpath cycleways and two 3m wide verges to allow for tree planting along the main boulevard. This road would form the principle access through the site for all traffic including an extended bus route. Access to other development parcels within the site would be formed by lower order roads broadly in accordance with the Access and Movement Parameters Plan. In terms of wider pedestrian movement, the submissions seek to make use of the old rail freight embankment as a means of providing a walking and cycling route separate from traffic within the site. This route would ultimately emerge close to Love Lane to the west of the site. 4 No. additional north south pedestrian and cycle routes could also potentially be provided to link the residential areas within the site (and land to the south such as the Pippins estate) to the extensive Riverside Park proposed on the site of the former Golf Course to the north of the rail embankment as well as the new school.

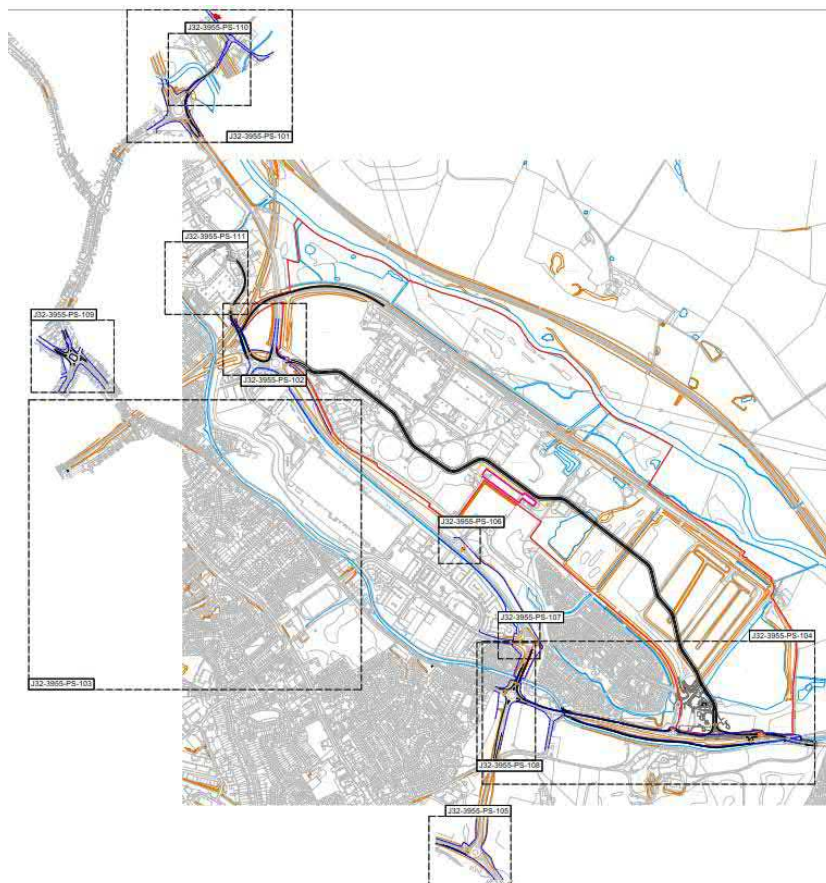


Figure 3: Extract from Overview Plan showing locations of proposed highway improvement works with corresponding Drawing No. referenced

- 3.6 In terms of off-site highways improvements and mitigation, 4 No. main alterations are proposed and are intended to be secured via S106 agreement. These include works to:
- a) the Horse Fair Roundabout Highway Works;
 - b) the A51/Wheelhouse Road Roundabout Highway Works;
 - c) the A51/A513 Roundabout Highway Works Contribution; and
 - d) the A51/RWE Access Highway Works Contribution.
- 3.7 Other site connectivity related improvements are also proposed. These include:
- a) Pedestrian and cycle permeability with improved, defined routes between the Site, Rugeley Town Centre, Rugeley Town Railway Station, Rugeley Trent Valley Railway Station and surrounding residential areas to include formal crossing points on key desire lines;
 - b) Canal towpath improvements to link in with wider County Council improvements to the Canal Towpath Network
 - c) Cycle parking to be provided in line with locally adopted standards;
 - d) Network of pedestrian and cycle routes throughout the Site;
 - e) The layout allows for bus penetration to enable easy access to public transport services. It is envisaged that this will be delivered likely by diversion of existing bus routes or provision of new bus route to better link the Site with key destinations such as Rugeley Town Centre, Rugeley Town Railway Station, Rugeley Trent Valley Railway Station;
 - f) Provision of electric vehicle charging; and, Framework Travel Plan to promote and stimulate modal shift – i.e. a wider change in behaviour to promote more sustainable travel choices from users of the development.

Residential Development

- 3.8 The housing development component of the proposals includes up to 2300 houses and residential units in the form of C2. These are proposed broadly at the eastern and western ends of the site separated by the Green Infrastructure and employment development. The development of the residential properties is expected to commence in 2020 and will partially overlap with the ongoing consented demolition works and Pulverised Fuel Ash Extraction. The residential proposals will be phased over a number of years up to 2040, with an anticipated delivery timescale of approximately 20 years for the entirety of the development.
- 3.9 The housing areas would be constructed to an approximate density of between 35 dwellings per hectare (dph) at the eastern end of the site up to 60dph at the western end of the site closer to the town centre. Also shown in the 'Illustrative Density Plan' is a number of residential properties to the north of Borrowpit Lake and close to the River Trent of densities up to 75dph. These densities equate to 2 or 3 storeys for the lower density aspect and 4 to 5 storey development for the higher densities. The development would offer a mix of properties suitable for first time buyers and larger families. It is proposed to include 17.6% of the dwellings per phase as 'Affordable Dwellings' within the NPPF definition taking account the deductions applicable in light of Vacant Building Credit.



As Proposed: CGI render of example residential street in proposed North Western parcel (View 5)



As Proposed: CGI render of residential street fronting open green space in proposed North Western parcel (View 6)

Figure 4: Extract from Western Gateway Study documentation showing CGI Imagery of part of the proposed development at the 4 and 5 storey portion of the site

Additional Development

The amended application plans indicate the creation of new employment area of 5Ha comprising of B1 offices and light industry and B2 (general industry). This is proposed slightly west of the centre of the site with some separation from the All Through School site (lilac colour in Fig 5) provided by an area of Ground Mounted Solar Panels. Shown red in Fig 5 is the mixed use development area to include A1-A5 retail uses, D1 uses such as nursery or public hall space, D2 uses such as a gym or other recreational space. This area will include a community hall of a minimum of 300sqm at ground floor facing onto the community square.

Retained Uses

- 3.10 The existing 400kv and 132kv substations will be retained as part of the redevelopment albeit the smaller 132kv building is proposed to be removed in the short to medium term by National Grid. In addition, National Grid, Western Power Distribution and Network Rail will still require 24 hour access through the site during the construction period and once the development is complete to their respective facilities. This has been factored into the phasing of the site.

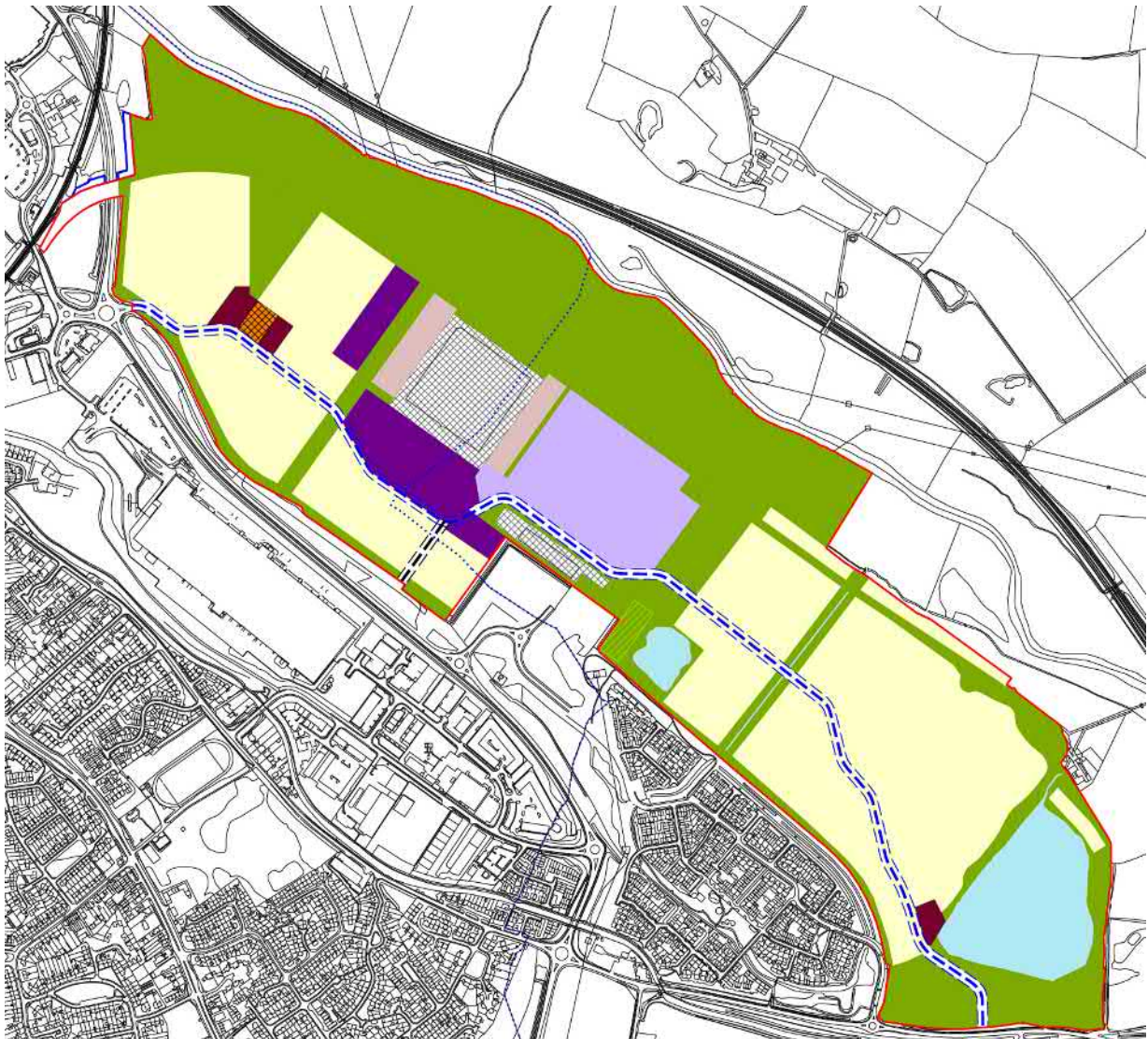


Figure 5: Proposed Land Use Parameter Plan showing residential development east and west, employment land in purple and showing Riverside Park to the north

Green Infrastructure

3.11 The green infrastructure strategy for the Site builds upon a comprehensive understanding of the existing character, fabric and ecological value of the site and its surroundings. It has regard to its heritage, edge of settlement context, and connections to the existing settlements (Rugeley, Brereton, Armitage with Handsacre) and the rural hinterland. The proposed green infrastructure areas are shown on the submitted 'Green Infrastructure' parameter plan (Drawing 01585_PP_04 Rev P6) and more information on the illustrative green infrastructure strategy for this scheme is set out in the LDS. The proposed green infrastructure comprises:

- a) A riverside park (approximately 26ha) to the north of the site between the proposed built development and the River Trent, this would provide accessible open space and enable connections to the River Trent and wider rural area;
- b) The utilisation of the former railway sidings as a green pedestrian / cycle route connecting the northern and southern ends of the site ('The Rail Way');
- c) Smaller areas of informal public open space on the built development periphery, designed to incorporate ecological enhancement and mitigation in proximity to existing features such as the Borrow Pit Lake;
- d) Central green open space corridors, often combined with sustainable drainage features, which enhance the built character, provide wildlife movement corridors and link the existing and proposed hydrological features within the site;
- e) Formal public open space within the built development to provide landscape/green focal areas and leisure destinations;
- f) Green corridors linking these central spaces to the wider green network beyond the application site boundary;
- g) Two meadow areas under the proposed solar panels in the centre of the site;
- h) Other formal and informal green spaces such as play facilities and the retention of the existing allotments in the south east section of the site.

Illustrative Phasing

3.12 Alongside demolition into Q4 2020, Table 2.1 within the ES states that infrastructure preparation is likely to begin and by Q3 2021, construction of dwellings is likely to commence. It is anticipated that the construction of the Proposed Development will continue to 2041. It is expected that development may be undertaken on a rolling programme of site preparation and construction, allowing earlier phases to be completed and occupied while subsequent phases are constructed.

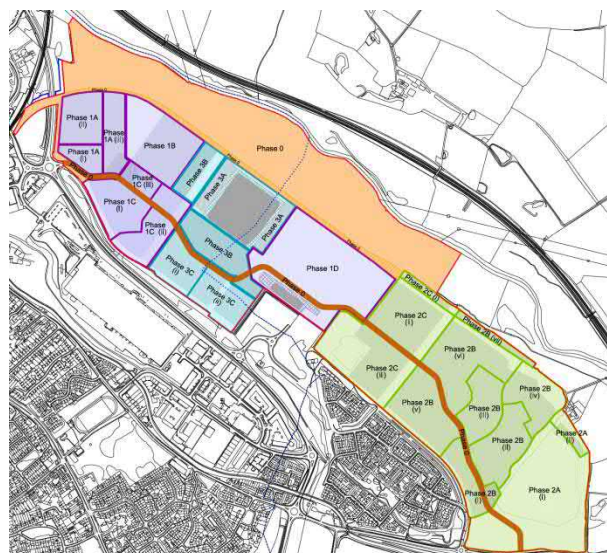


Figure 6: Illustrative Phasing Plan extract (Drawing Ref: 01585_pp_06 P5)

- 3.13 An illustrative Phasing Plan (Drawing 01585_PP_06 D5) has been submitted with the application. It demonstrates that the residential parcels in the northwest of the site are expected to be delivered first. The proposed riverside park (Phase 0) and All Through School (Phase 1D) are also proposed to be delivered at the earliest opportunity, to ensure that the education infrastructure is available once the development becomes occupied. The proposed employment and residential parcels in the centre of the site (Phases 3A – 3C) are expected to be the last parcels delivered.

Public Consultation

- 3.14 In addition to statutory consultation undertaken by the Council in connection with this Application, the applicants (when ENGIE UK publicly announced their intent to redevelop the site and centred initially on a Community Planning Weekend (CPW) held in November/December 2018 which was supported by a period of Community Animation. Since these events, there have been two Renaissance forums and a series of update exhibitions. These included:
- a) Tuesday 20 November 2018 - Rugeley Rose Theatre
 - b) Community Animation November 2018 - Various locations
 - c) Community Planning Weekend - Friday 30 November to Tuesday 04 December 2018 Mansefield House
 - d) Report Back Presentation Tuesday 04 December 2018 Mansefield House
 - e) First Renaissance Forum / Exhibition Wednesday 30 January 2019 - Brereton & Ravenhill Parish Hall
 - f) Second Renaissance Forum / Exhibition Wednesday 20 March 2019 - Rugeley Rose Theatre
 - g) Update Exhibitions Wednesday 20 March 2019 Rugeley Rose Theatre
 - h) Friday 22 March 2019 Brereton & Ravenhill Parish Hall
 - i) Saturday 23 March 2019 Armitage with Handsacre Parish Hall

- 3.15 A separate engagement programme is ongoing for demolition related activities at the power station. Demolition Contractor Brown & Mason is leading on the engagement activity to inform the public of progress and key events as the demolition of the power station and remediation of the site progresses and ends in 2021.

Amendments Post Submission

- 3.16 During the course of the application, two main rounds of amendments have been proposed. The first involving additional ecological surveys, changes to plans and provision of additional information. The second, and the subject of this updated report, is relate to the addition of the new All Through School proposals and the associated changes to the ES. In both cases public consultation in excess of statutory requirements has been undertaken.

4. PLANNING POLICY

- 4.1 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.
- 4.2 The proposal needs to be considered in the context of national and local planning policy. The development plan for Cannock Chase District consists of the Local Plan (Part 1), adopted Neighbourhood Plans and the Staffordshire County Council Waste and Minerals Local Plans. As the application is cross boundary, also of relevance to the consideration of the application is Lichfield District Council Local Plan, the Armitage with Handsacre Neighbourhood Plan and the views of Staffordshire County Council as the Waste and Minerals Planning Authority are considered specifically elsewhere within this report.

National Planning Policy

National Planning Policy Framework

National Planning Practice Guidance

National Design Guide

National Policy for Waste

Manual for Streets

Cannock Chase Council Local Plan Part 1 (2014)

Policy CP1 - Strategy

Policy CP2 - Developer Contributions for Infrastructure

Policy CP3 - Chase Shaping - Design

Policy CP4 - Neighbourhood-Led Planning

Policy CP5 - Social Inclusion and Healthy Living

Policy CP6 - Housing Land

Policy CP7 - Housing Choice

Policy CP8 - Employment Land

Policy CP9 - A Balanced Economy

Policy CP10 - Sustainable Transport

Policy CP11 - Centres Hierarchy

Policy CP12 - Biodiversity and Geodiversity

Policy CP13 - Cannock Chase Special Area of Conservation (SAC)

Policy CP14 - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty (AONB)

Policy CP15 - Historic Environment

Policy CP16 - Climate Change and Sustainable Resource Use

Policy RTC1 – Regeneration Strategy

Policy RTC2 – Town Centre Land Uses

Policy RTC3 – Urban Design Principles

Lichfield District Council Local Plan Strategy (Adopted 2015)

Core Policy 1 – The Spatial Strategy

Core Policy 2 – Presumption in Favour of Sustainable Development

Core Policy 3 – Delivering Sustainable Development
Core Policy 4 – Delivering our Infrastructure
Core Policy 5 – Sustainable Transport
Core Policy 6 – Housing Delivery
Core Policy 7 – Employment and Economic Development
Core Policy 8 – Our Centres
Core Policy 10 – Healthy & Safe Lifestyles
Core Policy 11 – Participation in Sport and Physical Activity
Core Policy 13 – Our Natural Resources
Core Policy 14 – Our Built and Historic Environment
Policy SC1 – Sustainability Standards for Development
Policy SC2 – Renewable Energy
Policy IP1 – Supporting & Providing our Infrastructure
Policy ST1 – Sustainable Travel
Policy ST2 – Parking Standards
Policy H1 – A Balanced Housing Market
Policy H2 – Provision of Affordable Homes
Policy HSC1 – Open Space Standards
Policy HSC2 – Playing Pitch & Sport Facility Standards
Policy NR1 – Countryside Management
Policy NR3 – Biodiversity, Protected Species & their Habitats
Policy NR4 – Trees, Woodland & Hedgerows
Policy NR5 – Natural & Historic Landscapes
Policy NR6 – Linked Habitat Corridors & Multi-functional Green spaces
Policy NR7 – Cannock Chase Special Area of Conservation
Policy BE1 – High Quality Development

Lichfield Local Plan Allocations Document

Policy NR10: Cannock Chase Area of Outstanding Natural Beauty
Policy BE2: Heritage Assets
Policy R1: East of Rugeley Housing Land Allocations
Appendix E: Rugeley Power Station Concept Statement

5. DETERMINING ISSUES

- 5.1 The National Planning Policy Framework states “Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions” (para. 2).
- 5.2 The structure of this report is dictated by the need to determine the application by reference to the primacy of the Development Plan, the degree to which it is up-to-date, and the material considerations that apply specifically to this planning application. Accordingly this assessment adopts the following structure:
6. Conformity with the adopted Development Plan comprising
 - i. Cannock Chase Local Plan 2014
 - ii. The Rugeley Power Station Supplementary Planning Document (adopted 2018)
 7. Conformity with the Emerging Local Plan
 - i. Housing Growth Requirements and Strategy
 - ii. Employment Growth Requirements and Strategy
 8. Conformity with the National Planning Policy Framework
 - i. Sequential Test Considerations
 9. Conformity with relevant neighbouring authority policies
 - i. Lichfield District Local Plan
 - ii. the Armitage with Handsacre Neighbourhood Plan
 10. Design Considerations, Concept and Linkages
 12. Transport and Highways Considerations
 13. Socio Economic Considerations including:
 - Economic and Employment Considerations
 - Housing Delivery, VBC and Affordable Housing
 - Education
 - Health
 - Sport and Leisure Provision
 - Open Space, Allotments and Community Space
 14. Landscape and Visual Impact Assessment
 15. Biodiversity and SAC considerations
 16. Built Heritage and Archaeology
 17. Air Quality
 18. Noise and Vibration
 19. Water Environment
 20. Ground Conditions
 21. Other Relevant Planning Considerations
 - Waste Management
 - Retained power infrastructure and Electromagnetic Radiation
 - HS2
 - Wind flow impacts
 - HGV Parking
 - Renaissance Manager and Contributions
 - Central ‘Third’ Access
 - Veteran Trees
 - Model Railway
 - Angling Society
 - Requiring the use of local tradesman
 22. Other Matters
 23. Planning Obligations
 24. Planning Conditions

6. CONFORMITY WITH ADOPTED LOCAL PLAN

- 6.1 Paragraph 2 of the NPPF says that the planning system is plan-led and planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory development plan for Cannock Chase District comprises the Cannock Chase Local Plan 2014 and this forms the starting point for a decision on this application.
- 6.2 The Local Plan (Part 1) was adopted in June 2014. As the Local Plan (Part 1) was adopted more than five years ago it is now the subject of a review to consider what updates may be required. The emerging Local Plan is discussed separately within a proceeding section of this report.
- 6.3 The site as a whole is not identified or allocated for any purpose within the current adopted Local Plan (Part 1). The closure and redevelopment of the Power Station site was not envisaged in the processes that lead to the production of Local Plan (Part 1). A proportion of the site to the north of the former rail sidings (largely constituting the former golf course) is allocated as part of the Green Space Network under Local Plan Policy CP5. This is retained and enhanced as open space within the application. The only other references to the Power Station are in the supporting text to Local Plan (Part 1) and relate to its potential to diversify energy generation on site and consideration to be given to the need for a site specific policy in Part 2 of the Local Plan (paragraph 4.109). However Part 2 of the Local Plan has not commenced and a wider Local Plan Review is instead favoured. Therefore the site essentially represents a large 'windfall' development site which must in the first instance be assessed in general terms against the emphasis within the policies in Local Plan (Part 1).
- 6.4 In overarching spatial planning terms, Policy CP1 sets out the development strategy for the District, which is to focus the majority of development in sustainable locations within the existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and green infrastructure. Policy CP1 suggests the urban areas are to accommodate most of the District's new housing and employment developments, distributed broadly in proportion to the existing scale of the settlement, with urban extensions (including to the east of Rugeley/Brereton on another part of the former power station and now completed). In spatial policy terms the proposal is considered to broadly accord with this policy as the site exists within or at worst on the edge of Rugeley's urban extent.
- 6.5 Policy CP4 outlines the Council's approach to neighbourhood planning. The site lies within the designated Brereton and Ravenhill Neighbourhood Area and is adjacent to the recently designated Rugeley Neighbourhood Plan Area (Designated 9th June 2020). Brereton and Ravenhill Parish Council have undertaken evidence base work and local consultations to inform their emerging neighbourhood plan, however no detailed plan has been produced for full public consultation to date. In the case of Rugeley Neighbourhood Area, evidence base work has only just commenced. In both cases therefore the Neighbourhood Plan of relevance are still in their early stages and there is no publicly available draft plan to reference in relation this planning application to date.

Housing

- 6.6 Policy CP6 Housing Land addresses the housing development needs of the District. It outlines that the proportion of development across the District's urban areas is expected to be broadly in line with their existing size, with the addition of urban extensions to each settlement. This proposal would result in the urban area of Rugeley/Brereton taking a greater proportion of housing development than envisaged in the Local Plan (Part 1), but this is not necessarily in conflict with the wider strategy. The policy also outlines a positive approach to the consideration of windfall sites which is of relevance to the current proposals. Policy CP6 sets out that the release of land for housing will be managed to achieve the re-use of previously

developed land within the built up areas of towns and will be informed by monitoring, via the annual Strategic Housing Land Availability Assessment (SHLAA) and Authority Monitoring Report (AMR). This site is partially previously developed land and would in part be consistent with the emphasis on reusing such land.

- 6.7 The most recent SHLAA (2019) identifies that there is sufficient supply to meet current Local Plan (Part 1) requirements and that the Council is able to demonstrate a five year housing land supply (as at March 2019). Updates to this evidence for 2020 are ongoing and will be reported to Planning Committee as soon as available but the above represents the most up to date position available at the time of the production of this report. Nevertheless, a five year housing land supply does not negate the need for additional supply to be considered, particularly in the context of the Emerging Local Plan Review which is discussed further in this report.

Employment

- 6.8 The Council's Adopted Local Plan would usually allocate under Policy CP8 Employment Land that is intended to address or continue to meet the needs of the District. However the site is not an allocated employment site under the extant Local Plan. This proposal would result in the urban area of Rugeley/Brereton taking a slightly greater proportion of employment development than envisaged in the Local Plan (Part 1) although not to the same degree as the housing development. There has been a shortfall identified in employment needs as set out in the most recent Employment Land Availability Assessment (2018) of around 2ha in employment land. Monitoring also identifies that there are very limited opportunities for new employment land within the Rugeley/Brereton area given the near completion of Towers Business Park with almost 10 years of the current local plan period remaining. Opportunities are therefore likely to be limited to 'windfall' redevelopment sites which cannot be readily identified at present. The policy identifies that should shortfalls in high quality employment land arise then consideration will be given to further provision at Kingswood Lakeside (to sites currently lying within the Green Belt).
- 6.9 Policy CP8 provides a criterion based approach to considering the loss of employment land to other uses. Whilst the site did provide some employment opportunities, given it's very specific function it is not considered to be an employment site in the context of Policy CP8 i.e. it was not able to offer accommodation for a range of businesses or those that could be re-used by alternative occupants upon it being vacated by the power station operation. The site also lies in close proximity to the 'strategic high quality employment site' of Towers Business Park. The potential for the development to contribute to and enhance the high quality employment opportunities within the area is therefore considered positive and in accordance with the broad emphasis of CP8.
- 6.10 Policy CP9 promotes a 'balanced economy' within the District via a range of means, including supporting high quality job opportunities and measures to support upskilling of the local workforce. The proposals would align well with this aspect of the policy.

Supplementary Planning Documents and Developer Contributions

- 6.11 The Rugeley Power Station Supplementary Planning Document (adopted 2018) provides a development brief for the site to give guidance on layout, form and quality of development on the site. Para 1.5 states:
- 'the overall aim for the site is to create a well-designed mixed use development which incorporates market housing, affordable housing, self build housing, employment provision, education provision and open space and recreational facilities.'

- 6.12 The SPD provides a site analysis; policy context; and development principles. The site analysis provides a range of useful information on the key site features to take into consideration including natural and historic environment features. Figure 4.4 Design Parameters provides an indicative land use plan as well as access points.

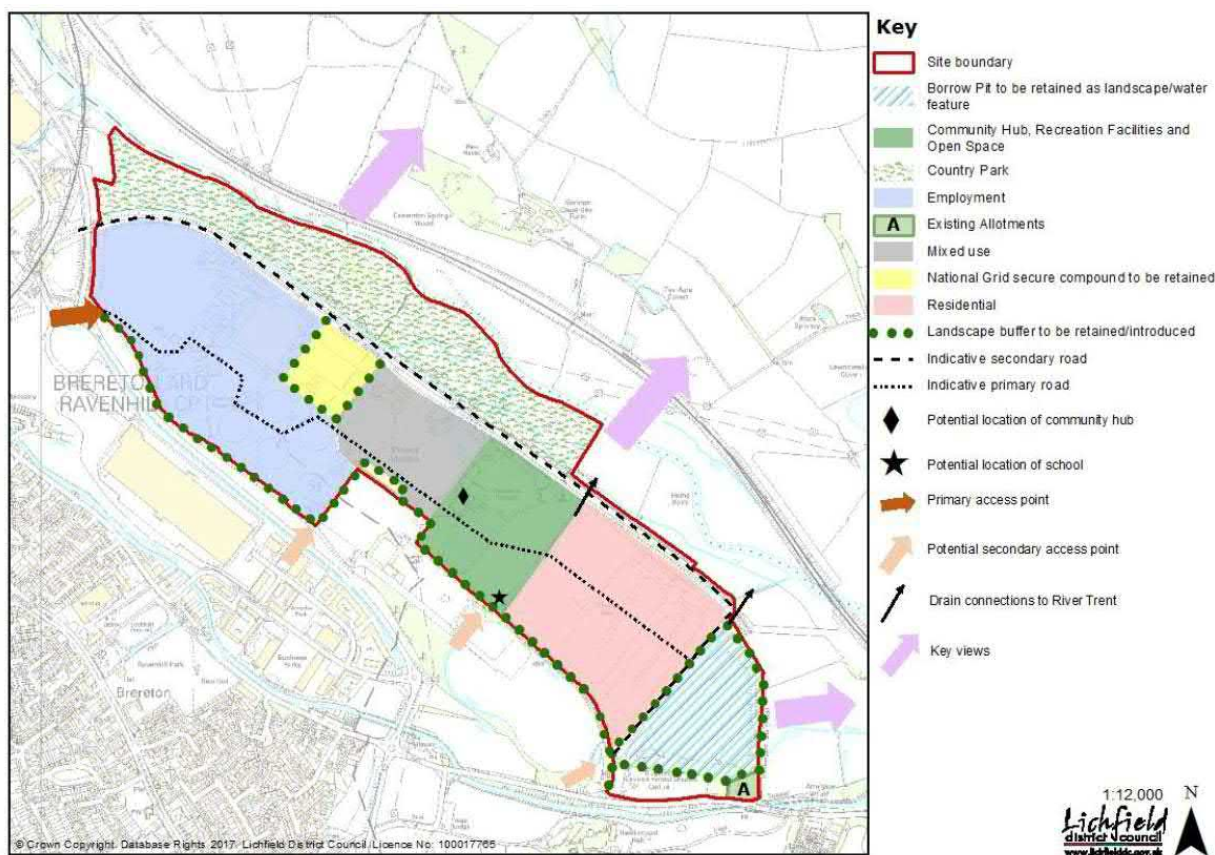


Figure 7: Extract from Design Parameters Figure 4.4 of Rugeley Power Station Development Brief SPD produced jointly by Lichfield and Cannock Chase Councils

- 6.13 It is noted that the proposed scheme aligns with a number of these parameters including the main residential area within Lichfield District; retention of the Borrow Pit as a landscape/recreation feature; provision of a park to the north of the site; provision of the community facilities centrally within the site (i.e. the new location of the school) and overall provision of mixed uses and community facilities. However, the proposal does differ in terms of the quantum of employment land provision indicated by the SPD, with predominantly housing being focused to the west of the site around a new local centre.

Overall Local Plan (Part 1) and adopted guidance conclusions

- 6.14 Overall, the site is not an allocated site for any purpose under Local Plan Part 1. It is recognised that the development of the Power Station to the scale proposed within this application does alter the proportions of development anticipated across the District's urban areas within the adopted Local Plan (Part 1) particularly in relation to the housing development proposals. However, Local Plan Part 1 is now the subject of a review.
- 6.15 It is also relevant the proposal does not entirely accord with the adopted Rugeley Power Station SPD, mainly in terms of a lesser proportion of employment land being provided in favour of housing.

- 6.16 Nevertheless, development of a brownfield site closely associated with an existing urban area of the District is considered to be in broad conformity with the development strategy set out in the Local Plan (Part 1), particularly Policies CP1 and CP6. Whilst the site is not specifically allocated for housing, it represents a large windfall development which is consistent with the wider aims of policies within the extant Local Plan Part 1, providing housing and employment development to meet local needs. The site is a substantial area of previously developed land that is already permitted to be demolished and is in the process of being cleared and remediated. It is positioned in close proximity to the existing town and would bring significant planning and sustainability benefits (such as the delivery of housing, employment land, a neighbourhood centre and significantly increased education provision) without wider spatial planning policy conflicts. As such the development proposed is judged to broadly accord in principle with the emphasis within Local Plan Part 1 and the associated SPD for the site.

7. CONFORMITY WITH THE EMERGING LOCAL PLAN

- 7.1 The Council is in the process of reviewing the adopted Local Plan (Part 1). The most recent consultation was on the Issues and Options stage of this process (May-July 2019). The plan is still in the early stages of production with the second stage 'Preferred Option'; consultation likely to commence in July / August 2020 in line with the Cannock Chase Local Development Scheme 2019 document. A Presubmission Consultation will then be undertaken in Feb 2021. Therefore limited weight can be attributed to it and the associated evidence at this stage. However, the Issues and Options document highlights strategic issues that will need to be considered via the Local Plan Review, and given the scale of the development in this case, are of particular relevance to this application.

Emerging Housing Growth Requirements and Strategy

- 7.2 Under 'Objective 3: Provide for Housing Choice' the document outlines that the District's housing growth requirements will need to be updated along with the housing development strategy i.e. where new developments should be located within the District. As part of the options for housing growth requirements the Council is considering a range of options including meeting its own minimum housing needs of 5,112 dwellings (for the period 2018-2036) and a range of scenarios for helping to contribute to the wider housing market area shortfall. These options consider a range of 5,612 dwellings up to 7,612 dwellings.
- 7.3 In terms of the Districts' capacity to meet these growth requirements, the Issues and Options document outlines that there are various strategic development options to consider:
- a) These include 'Option A' which utilizes the existing housing supply identified within the urban areas (circa 3,200 dwellings) and then seeks to identify any additional sites or supply (e.g. via higher densities) to maximize the contribution made from development within the urban areas. But this option alone is not likely to meet the District's minimum housing needs and therefore 'Option A' has to be considered in combination with other options.
 - b) 'Option B' constitutes the potential redevelopment of Rugeley Power Station. Given its scale this site has the potential to influence the overall development strategy for the District. The consultation suggests two options which are for housing-led development (circa 800 dwellings within Cannock Chase District) or employment/mixed use-led development. The development generated by the site would then influence what 'shortfalls' in capacity there may be for housing growth in the rest of the District. The current planning application aligns with the housing led regeneration option identified for Rugeley Power Station.
 - c) 'Options C1-C3' represent the Green Belt site suggestions across the District. The document outlines that these Green Belt sites will only be considered once all other options for meeting housing growth have been explored.

- 7.4 Therefore the scale of development within the urban areas (Option A) and at Rugeley Power Station (Option B) will help determine what need there may be for consideration of Green Belt sites (Option C). Therefore if Members were minded to grant the current application, they would effectively be permitting Option B in advance of the Emerging Issues and Options consultation conclusions. Whilst this is the case, Officers do not assess such a decision to be premature in policy formation terms. This is because Para 49 of the NPPF states a limited range of circumstances where prematurity could potentially be justified. In this case, whilst the site is substantial, the emerging plan is not at an advanced stage. Hence the NPPF would suggest that arguments of prematurity in this case would not be justifiable.

Emerging Employment Land Growth Requirements and Strategy

- 7.5 Under 'Objective 4: Encourage a vibrant local economy and workforce' the document outlines the updates required to the Local Plan policies for employment land. It is suggested the District's employment land growth requirements will need to be updated along with the employment development strategy i.e. where new developments should be located within the District. As part of the updated evidence base for the Local Plan Review (Economic Development Needs Assessment 2019) there is a range of employment growth scenarios for the Council to consider. At the low end the conservative predictions suggest 30ha of employment land (for B class uses) are required and at the higher end 67ha of employment land (for the period 2018-2036). The consultation document also outlines a potential shortage of employment land within the wider region, namely arising from the Black Country authorities at present which may require further consideration within the review.
- 7.6 In terms of the District's capacity to meet these growth options, the document outlines that there are various strategic development options to consider. These include 'Option A' which utilises the existing employment supply identified within the urban areas (circa 25ha) and then seeks to identify any additional sites or supply (e.g. via higher densities) to maximize the contribution made from development within the urban areas. However, the existing capacity of 25ha is suggested as a 'maximum' estimate of supply at this stage as some of those sites have also been suggested for alternative uses, as well as employment land.
- 7.7 The Emerging document recognises that should housing-led redevelopment of the Power Station be proposed then this leaves very few options for additional employment land supply within the Rugeley and Brereton area for the next plan period (2018-2036). The main options for employment land supply for the future are focused around the Cannock and Norton Canes areas (particularly along the A5 corridor and at Kingswood Lakeside). Given its constrained nature by virtue of surrounding physical development there is no potential for the highest quality employment site, Towers Business Park, to expand. The document also recognises that the type of employment land required will influence the most appropriate sites for future development i.e. access to the strategic highway network is of particular importance to the distribution sector, and this is less apparent in Rugeley.
- 7.8 Originally, the Council's Planning Policy Team raised some concerns the proposals do not make adequate enough provision for future employment land on the basis of emerging evidence used to inform the future planning policy strategy for the district. However it is also accepted that in light of the market evidence presented within the application, the original ambition to promote the whole of the Cannock Chase Council portion of the RPS site for employment, was unlikely to be successful.
- 7.9 In response the applicant suggests the removal of B8 uses from the proposals would serve to provide greater surety of the level of employment to be provided by removing B8 uses that tend to provide less employment numbers for their area of land take. In addition the applicants have provided an Employment Land Technical Note which suggests:

- '4.1 The context for employment land needs is set by the extant local plan requirement for 88ha of employment land over the period 2006 to 2028 of which 60.98ha had been delivered by end 2017/18, leaving 27.02ha of which 24.97ha (92%) is available supply.

- 4.2 For the emerging plan, the EDNA 2019 recommends that the rate of employment land supply should reduce from an average annual extant rate of 4ha per annum to 1.7ha to 3.7ha per annum (30 to 67ha in total) over the period 2018 to 2036.
- 4.3 The EDNA 2019 recommendations are made in the context of a forecast employment growth that is significantly lower than the rate of growth experienced in the past 20 years, implying weaker underlying demand than that which has supported the current trend rate of provision; a trend that informs the top end of the recommended employment land range.'

- 7.10 In particular the applicants highlight the Council's Economic Development Needs Assessment 2019 evidence is not tested and should not be given full weight in the assessment of the application. The applicants also go on to argue the evidence shows a reduced need for B1c (Light Industry) and B2 uses within the district than previously was the case and that further land allocations for such uses would not be justifiable taking account of the land (25Ha) that is shown to be available. Most notably the applicants suggest their intention is to provide for B1a (Office) and B1b (Research and Development) uses that align with the envisioned future character and status of the development. It is said these uses provide for a higher density of employment than B2 uses for example. The applicants point out that solely with such uses, the proposals as tabled at 5Ha would provide for 30% of the identified needs within the district as a whole, equating to 2155 jobs from offices and 409 jobs from wider industry.
- 7.11 In response Planning Policy Officers accept that whilst the applicants have not increased the quantum of employment land, the removal of the B8 uses from the proposals enables the retained 5ha to provide for employment uses that provide a relatively higher job density. For example, indicative floorspace required for one employee in a B8 use is 70sqm. For B1a/b uses this is around 12.5sqm and for B1c/B2 uses this is around 45sqm. The proposal indicatively provides for all the minimum net growth in B1a/b employment space in the District for the new Local Plan (as estimated from the minimum employment land requirements in the EDNA). Whilst it is suggested that B1a uses may be prioritised by the site promoters, the proposals retention of a range of B1 and B2 use classes provides flexibility for the market and the Local Plan process. The Market Intelligence Report (2019) identifies that Rugeley (and the District overall) is not a traditional office location; but it is recognized that the proposals form part of an overall masterplan for the site which may amend market demand going forward given the 15-20 year delivery timeframe. Indeed the site could also accommodate demand for relocated uses from poorer quality employment areas in the District (i.e. retained employment) which is referred to in Paragraph 4.11 of the Rugeley Power Station SPD.
- 7.12 In relation to the issues raised on the adjacent 2ha (RE3) of potential employment land the applicants identify future reserved matters applications will be able to take into account the status of the site at the relevant time, and the compatibility of adjacent uses. Officers propose conditions to address this matter as part of this decision. This provides flexibility to accommodate employment uses on the land in the future.

Weight to be Attributed to Emerging Local Plan Evidence

- 7.13 The Emerging Local Plan is in its early stages of preparation with the work to date being heavily focussed on evidence gathering as opposed to policy formation. The Council has not selected a corporate approach to employment land provision that takes account of the competing demands of preserving the openness of Green Belt land whilst at the same time delivering sufficient land supply for predicted future growth. At the same time, the SPD for the site is now considered to be overly ambitious in its delivery of employment uses in the context of market demand. This is proven within the submissions and accepted by the Council's Planning Policy Section.

- 7.14 Conversely the development represents an imminently available proposal that will provide housing and employment land. The site is proposed for development ahead of formal allocation and is substantial enough in terms of its proposed level of employment provision that it meets current unmet need of 3Ha, with provision of 5Ha in total that can be secured by conditions relating to the Parameter Plans. This in turn, in combination with housing, sports facilities, school provision etc, underpins the site's wider sustainability credentials. Indeed the determination of this proposal will have a substantial bearing on the Emerging Local Plan strategy going forward.
- 7.15 Paragraph 48 of the NPPF states that Local planning authorities may give weight to relevant policies in emerging plans according to:
- a) 'the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);' - Officers note that in this instance no formal policies are apparent. The evidence is in its early stages having not been tested and the assumptions around economic forecasting convey a range of need scenarios.
 - b) 'the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);' – Officers consider this is not relevant because the policies have not yet been formed or consulted upon
 - c) 'the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)'. – Officers assess that in this case the development does provide for 5Ha employment land, 57pprox.. 2500 jobs and as a standalone proposal, would achieve a balanced and sustainable community.

Overall Emerging Local Plan Conclusions

- 7.16 The Local Plan Review is at an early stage of production therefore limited weight can be attached to it, and the supporting evidence produced to date, as part of the determination of the current application. Whilst it is accepted the RPS SPD suggests a greater level of employment development is envisaged, it is now accepted by the applicant and Officers this was overly ambitious in the face of updated market demand evidence. Officers therefore consider the site does provide a reasonable level of employment development proportionate to the housing proposed, sufficient to underpin the urban extension as a sustainable community and meet 3Ha of unmet need with some to spare. Albeit some evidence exists that a higher level of need is apparent, this evidence is not tested, has limited formal status and is not overwhelmingly clear given the broad range of untested need scenarios presented. Accordingly it is judged there are no significant conflicts with Emerging Local Plan and there would be no significant basis to dispute the proposed level of housing or employment land.

8. CONFORMITY WITH NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 8.1 Aside from policies in the adopted Local Plan, a wide range of national policies within the NPPF are material to the assessment of this application. In the first instance, the NPPF suggests "economic, social and environmental gains should be sought jointly and simultaneously through the planning system." Such factors include but are not limited to providing employment, housing, education and community facilities and other public services alongside the often competing ideals of maintaining biodiversity, avoiding impacts upon heritage assets and utilising an approach to the distribution of development that reduces the use of non-renewable sources of energy.

- 8.2 It is material to the assessment of the application that the adopted Cannock Chase District Local Plan did not take account of the closure of Rugeley Power Station and its longer term effects upon the town as a whole. Although the Council can demonstrate a 5 year supply of housing, it is clear the long term approach to meeting the development needs of the area and dealing with the potential for negative impacts as a consequence of what could be a long term large scale redundant brownfield site, is a pertinent issue. The Council therefore needs to take account of the opportunities that the redevelopment of Rugeley Power Station could bring in order to promote or assist with the sustainable growth of Rugeley.
- 8.3 The National Planning Policy Framework (NPPF para 11) states development proposals that accord with an up to date development plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted, unless policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusal, or 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. Relevant wider spatial paragraphs of relevance include:
- (i) Chapter 5 of the NPPF seeks to deliver a sufficient supply of homes and paragraph 59 reiterates the Government's objective of significantly boosting the supply of homes. Paragraph 72 states that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as significant extensions to existing towns providing they are well located and designed, and supported by the necessary infrastructure and facilities. A large scale development of the type proposed here is considered to align well with this NPPF objective.
 - (ii) Chapter 6 relates to building a strong, competitive economy and paragraph 80 states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The applicant argues the proposals provide employment land of the type required in this area following detailed market study. This is broadly accepted by Officers as is the evidence demonstrating increased employment numbers associated with both the construction of the site and its future operation. These benefits are reported in detail in the socio-economic section of this report but are notably consistent with the strong economic emphasis within the NPPF.
 - (iii) Chapter 7 provides for the vitality of town centres and paragraph 85 states 'planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.' Officers note the development of largescale housing in the manner proposed will support local shops and services and it is assessed the proposals include key access routes to established shopping, recreational and cultural facilities within the main Rugeley centre that would promote walking, cycling and use of public transport.
 - (iv) Chapter 8 promotes healthy and safe communities and paragraph 91 outlines that planning decision should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles. Paragraph 92 encourages planning policies and decisions to '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' as well as other key criteria. Officers consider the proposals align with this ambition by providing on site neighbourhood scale retail facilities, education facilities, sports and leisure facilities within the development that will serve the new community and be accessible to the

established wider town. Paragraph 94 outlines the importance of ensuring sufficient choice of school places is available. This is considered in detail within the Socio-economic section of this report, but the development proposes to directly address the level of need resulting from the housing proposed whilst at the same time providing fulfil it's requirements.

- (v) Chapter 11 seeks to make effective use of land and paragraph 118 states that planning decisions should give substantial weight to the value of using suitable brownfield land for homes and other identified needs. Paragraph 122 addresses the issue of densities and requires developments to make efficient use of land taking into account a range of considerations e.g. the local market and development character. Officers note the densities proposed within the development seek to provide higher densities in brownfield accessible locations within the site which are considered to make efficient use of this land.

Sequential Assessment Considerations

- 8.4 Under the NPPF para 86 (and Local Plan policy CP11) Main Town Centre uses such as Office accommodation and mixed use developments such as retail and leisure require local planning authorities to apply a sequential test to planning applications for Main Town Centre Uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan.

A. Retail and Local Centre Uses

- 8.5 In the case of the retail elements of the scheme, these would be located outside the obvious Rugeley town centre. It is considered the proposed main Local Centre (Centre 1) would be in accordance with Local Plan Policy CP11 in that the uses proposed constitute the formation of a new development specific neighbourhood centre – provided they are of a neighbourhood scale. Particularly in the case of the retail uses proposed, conditions can secure this. The submissions confirm the following is proposed in the main 'Centre 1' on the site to the northwest:

- a) no greater than 500sqm gross external retail floorspace including a convenience store
- b) a D1 Use Class GP surgery or similar of approximately 1,000sqm
- c) an element of flexible 'community floorspace' and D1 uses that would be up to 1,672sqm
- d) Regarding 'Centre 2' to the southwest, it is suggested a family restaurant / pub such as Table Table, Harvester, Hungry Horse etc and/or café could be provided (A3/A4) typically between 278sqm and 557sqm gross.

- 8.6 The applicant has provided a sequential assessment for the above facilities. It is suggested such facilities would require land of approximately 1.2Ha. Setting aside that it would be difficult to disaggregate most of the above uses from the wider development, it nevertheless is a requirement to consider if more centrally located sites exist to accommodate development of this type. The applicants have provided a sequential assessment that considers the main Rugeley centre and available sites such as those highlighted within the Area Action Plan policies RTC6-8. The conclusions drawn are that none of these available sites were suitable, (being of the wrong size in the case of the land that remains following development of the Tesco store) and in the case of the Markets and Bus Station, were considered to have significant barriers to redevelopment.

- 8.7 As the areas proposed are below the relevant retail impact thresholds contained within the NPPF, it is considered the proposals need not be subject to a formal retail impact assessment.

B. Office Development B1a

- 8.8 A similar exercise was undertaken for the proposed office development (B1a). In order to provide 20000-24000sqm of Office development, a site of approximately 5 Ha would be required and would need to include space for parking, suitably located public transport connectivity and not be subject to flooding. Of the main available sites, all were not suitable in terms of size and scale, availability and in the case of the Markets and Bus Station would have required relocation of these uses.
- 8.9 Accordingly in the case of both the retail (and associated community uses) and the B1a office Main Town Centre Uses proposed, it is considered there are no sequentially preferable sites to those proposed and thus the sequential test is passed.

Overall NPPF Conclusions

- 8.10 The application proposes a significant level of housing development, education facilities and moderate amount of economic development in a spatially accessible location that is capable of being well connected to the main nearby centre. The development makes use of predominantly previously developed land to significantly boost the local housing supply in the area in a manner consistent with the desire in the NPPF. The development will include local shopping, education and community facilities of a neighbourhood scale when no alternative spatially preferable sites are known to exist for such uses. The development will utilise higher densities in the most accessible areas of the site and will provide for lower densities in areas less well connected in terms of walkability. With improvements to infrastructure as secured by S106, overall the development is considered to accord with the main spatial considerations within the NPPF.

9. **CONFORMITY WITH NEIGHBOURING AUTHORITY POLICIES**

- 9.1 The Local Plan Strategy for Lichfield District was adopted 17th February 2015 and provides up to date policies for the neighbouring District. The Local Plan Strategy replaces a number of the saved policies of the 1998 Lichfield District Local Plan, the remaining saved policies were updated through the Local Plan Allocations document (as set out in Appendix J of the Local Plan Strategy).
- 9.2 Lichfield District Council adopted its Local Plan Strategy in 2015 and adoption of its Local Plan Allocations Document occurred in July 2019. The application development is allocated within the Local Plan Allocations Document for a minimum of 800 dwellings (Site Reference: R1).
- 9.3 Policy R1: East of Rugeley Housing Land Allocations outlines key development considerations for the development of the site. Appendix E of the Local Plan Allocations Document then goes on to provide a detailed concept statement for the former Rugeley Power Station. The key considerations are listed as follows:
- a) Development proposals should have consideration to the Rugeley Power Station Concept Statement (Appendix E) and guided by the Rugeley Power Station Development Brief Supplementary Document.
 - b) Potential ecological impacts should be considered including potential for priority protected species / habitats.
 - c) Rugeley benefits from its location on both the West Coast Main Line and Chase Line. Steps should be taken to encourage journeys to be made by rail, for example providing bus links, and walking and cycling routes.
- 9.4 The application is for up to 2,300 dwellings of which the planning statement sets out that approximately 1,295 dwellings will be within Lichfield District. Whilst this is an increase in units above the 800 which have been allocated, the allocation is a minimum and therefore from a policy perspective there is no objection in principle to an increase in units providing other policy aspects such as Policy BE1: High Quality Development are met.

- 9.5 The applicant is proposing affordable housing on site with a tenure split of 65% social rent and 35% intermediate in accordance with Policy H2. This is supported by Lichfield Planning Policy as is the position regarding the overall number of affordable units proposed taking account the deduction in line with vacant building credit. Whilst it is noted that this is an outline application, Table 8.2 in the Lichfield Local Plan Strategy sets out an indicative housing mix for schemes which includes 5% one beds, 42% two beds, 41% three beds and 12% four plus beds. Therefore, a scheme which reflects the mix outlined above would further be supported.
- 9.6 Saved Policy NA.13 Rugeley Power Station of the Lichfield District Local Plan June 1998 applies to this application. Policy NA.13 states that Rugeley Power Station will be redeveloped for a mixture of employment and recreation uses. However, Policy NA.13 was scheduled to be deleted once the emerging Local Plan Allocations document is adopted. Therefore no weight should be given to this previously saved policy.
- 9.7 Overall it is considered there is broad support for the development proposed in spatial planning terms and it is clear the ambition to redevelop the application site as proposed aligns with Policy R1 of the Lichfield Plan Allocations.

Armitage with Handsacre Neighbourhood Plan

- 9.8 The Armitage with Handsacre Neighbourhood Plan was made in October 2018 and therefore forms part of the Development Plan for Lichfield District. Of relevance to this land allocation is Policy AH2- Conserving and Enhancing the Local Natural Environment which states that development proposals should seek to protect areas for their local natural environmental resource value including the Trent and Mersey Canal and the Borrow Pit, including the allotments and Environment Centre.
- 9.9 Policy AH2 states that “development proposals that would otherwise affect the neighbourhood area’s natural environmental assets will only be supported where they would:
- “Protect, enhance, restore and implement appropriate conservation management of the biodiversity or geodiversity value of the land of buildings concerned, or those listed in the first part of this policy in particular; and/or
 - Minimise fragmentation and maximise opportunities for restoration, enhancements and connection of natural habitats; and/or
 - Incorporate beneficial biodiversity and geological conservation features; and/or
 - Deliver a net gain for biodiversity and/or geodiversity in the neighbourhood area”.
- 9.10 Policy AH2 includes criteria which provide for circumstances where development within protected areas will be permitted. Thus development within the area surrounding the Borrow Pit could be considered acceptable against the requirements of Policy AH2 if the development is able to demonstrate suitable management for the remainder of the site, maximise opportunities for wider environmental enhancement and improve the site’s biodiversity value. These matters are discussed in greater detail within the Biodiversity Section of this officer’s report, but it should be noted that the scheme will deliver a waterside park, in addition to 20% uplift in on-site biodiversity value. The area will be managed going forward by a maintenance management company, to ensure its on-going conservation, whilst the recreational use of the Borrow Pit itself will be maintained and expanded through the development and become more widely usable to all of the community. Thus, it is reasonable to conclude the natural environment will not be adversely affected by the proposals and that the development meets some or all of the exception criteria in Policy AH2.
- 9.11 The proposed application seeks to retain the Borrow Pit and allotments which accords well with both policies AH2 and AH4. However the Environment Centre will be removed once the demolition works are complete. Whilst this aspect of the proposal is contrary to the neighbourhood plan policy AH2, the removal of the Environment Centre has already been permitted via a previous demolition application across both respective Council areas and the work associated with clearance of the site is well underway. As such this aspect of the conflict with the policy can be given little weight in the context of the fall-back position.

- 9.12 Policy AH4: Protected Open Spaces lists open spaces that will be protected and this includes the Borrow Pit and a parcel of land adjacent to the north of the Borrow Pit Lake as indicated on Map 8b shown below. This land is in part proposed for development as shown on the Land Use Parameter Plan. Paragraph 6.15 which informs Policy AH4 states that the identified Open Spaces “serve a number of different functions for the local community providing spaces to play, relax, walk dogs and carry out more formal recreation activity”. The Policy was therefore created in order to ensure that recreation could be undertaken within the protected spaces.

Map 8b - Armitage with Handsacre Policies Map – Borrow Pit



Figure 8: Armitage with Handsacre Neighbourhood Plan extract MAP 8b showing protected land governed by policy AH4 Protected Open Spaces

- 9.13 The Planning Statement submitted argues that this area is contaminated (Asbestos) and in order to mitigate this, removal and creation of a level development platform would be appropriate because development in this area would not result in a reduction in the gap between Armitage and the development site owing to the retention of the lake. Officers recognise the scheme as a whole would offer some positives that align with the recreational emphasis in line with Policy AH4, through formalising community use and access to the space and enhancing its use for recreational activities. However it is considered the development as tabled does conflict with Policy AH4 of the Armitage with Handsacre Neighbourhood Plan and these factors in themselves do not override the conflict with Policy AH4 that is apparent. Such conflict would need to be considered in the wider balance of planning benefits associated with the proposals.

- 9.14 Also of relevance is Policy AH5: Better Design which requires new residential development to be of good quality design and where appropriate development should take account of the character of the historic village centre, their proximity and accessibility to the Trent and Mersey Canal Conservation Area and their location in relation to open spaces and plan and recreational facilities. Officers consider most of the detailed design considerations will need to be considered at a later stage once the individual phases of development come forward at Reserved Matters. In the case of access to the canal, the development proposes to make contributions to enact improvements at the southern end of the site.

Neighbouring Authority Policy Conclusions

- 9.15 The site is a development allocation within the Lichfield Local Plan Allocations document under Policy R1. Spatially the development of the site is considered to align with the allocation as does the provision of a minimum of 800 dwellings. Hence no obvious wider conflicts with relevant Lichfield Local Plan Policies are apparent. The proposals do represent conflict with the Armitage with Handsacre Neighbourhood Plan in that development north of the Borrow Pit Lake is proposed within the area identified for protection by Policy AH4 Protected Open Spaces.

Overall Local and National Spatial Policy Conclusions

- 9.16 It is assessed that whilst the site is not allocated in for any purpose under Cannock Chase Local plan Part 1, development of a brownfield site closely associated with an existing urban area for housing is in conformity with the development strategy, notably Policies CP1 and CP6. The Emerging Local Plan Review is at an early stage of production therefore limited weight can be attached to it, and the supporting evidence produced to date, as part of the determination of the current application. Whilst it is accepted the RPS SPD suggests a greater level of employment development is envisaged, it is now accepted by the applicant and Officers this was overly ambitious in the face of updated market demand evidence.
- 9.17 Officers therefore consider the site does provide a reasonable level of employment development proportionate to the housing proposed, sufficient to underpin the urban extension as a sustainable community and meet 3Ha of unmet need for the wider district with some to spare. Accordingly it is judged there are no significant conflicts with Emerging Local Plan and there would be no reasonable basis to dispute the proposed level of housing or employment land.
- 9.18 The development makes use of predominantly previously developed land to significantly boost the local housing supply in the area in a manner consistent with the desire in the NPPF. The development will include local shopping, education and community facilities of a neighbourhood scale when no alternative spatially preferable sites are known to exist for such uses. The development will utilise higher densities in the most accessible areas of the site and will provide for lower densities in areas less well connected. Overall the development is considered to accord with the main spatial considerations within the NPPF.
- 9.19 The site is a development allocation within the Lichfield Local Plan Allocations document under Policy R1. Spatially the development of the site is considered to align with the allocation as does the provision of a minimum of 800 dwellings. Hence no obvious wider conflicts with relevant Lichfield Local Plan Policies are apparent. The proposals do represent conflict with the Armitage with Handsacre Neighbourhood Plan in that development north of the Borrow Pit Lake is proposed within the area identified for protection by Policy AH4 Protected Open Spaces. In the context of the wider development and taking account of the recreational benefits associated, this conflict is comparatively minor and must be assessed in the wider Planning Balance of the proposals once all respective detailed considerations have been examined and the wider significant impacts of the proposals explored.

- 9.20 Therefore overall, the development of housing in this location is considered to be broadly compliant with adopted Local and National Planning Policies. Therefore subject to further detailed assessment of site specific matters and assessment of Environmental Impacts, the development is considered acceptable in principle.

10. KEY ISSUES DESCRIPTION

In light of the above conclusions regarding wider spatial policies, the remaining key issues in the determination of the current application concern resolution of the environmental matters covered in the Environmental Statement accompanying this application, which are namely:

11. Design Considerations, Concept and Linkages
12. Transport and Highways Considerations
13. Socio Economic Considerations including:
 - Economic and Employment Considerations
 - Housing Delivery, VBC and Affordable Housing
 - Education
 - Health
 - Sport and Leisure Provision
 - Open Space, allotments and community space
14. Landscape and Visual Impact Assessment
15. Biodiversity and SAC considerations
16. Built Heritage and Archaeology
17. Air Quality
18. Noise and Vibration
19. Water Environment
20. Ground Conditions
21. Other Relevant Planning Considerations
 - Waste Management
 - Retained power infrastructure and Electromagnetic Radiation
 - HS2
 - Wind flow impacts
 - HGV Parking
 - Renaissance Manager and Contributions
 - Central 'Third' Access
 - Veteran Trees
 - Model Railway
 - Angling Society
 - Requiring the use of local tradesman
22. Other Matters
23. Planning Obligations
24. Planning Conditions

11. DESIGN CONSIDERATIONS, CONCEPT AND LINKAGES

- 11.1 Policy CP3 provides detailed considerations for the design of new developments, and links to the Districts Design Supplementary Planning Document (2016) . In addition Local Plan (Part 1) contains an Area Action Plan for Rugeley Town Centre of which the principal aim is to regenerate the town via a series of development 'opportunity sites' and public realm enhancements funded predominantly by the permitted Tesco superstore development. Policy RTC1 Regeneration Strategy and RTC3 Urban Design sets out how the town centre will be improved by a series of complementary regeneration measures, including the development of key Site Policies RTC4-8, wider improvements to the existing urban fabric, public realm and enhanced links to the canal.



Figure 9: Design and Access Statement Extract Showing Local Amenities in Rugeley and relevant walking distances.

Parameter Plans

- 11.2 As described in the 'Proposal' section of this report, the proposal is made as an outline application with a high level illustrative master plan showing how the resultant site could appear. Matters relating to appearance, the precise layout of the site, landscaping and the precise scale/height of the buildings are reserved for subsequent approval and as such do not fall for full determination at this time. However the applicant is seeking formal approval of the submitted Parameters Plans which illustrate the approach to the development of the site. Members should be clear that such plans seek approval of more detail than may otherwise be the case on an outline application with Scale and Layout Matters reserved. The Parameters Plans include:
- a) Access and Movement (Dwg No. 01585_PP_01 Rev P7)
 - b) Land Use (Dwg No. 01585_PP_02 Rev P6).
 - c) Building Heights (Dwg No. 01585_PP_03 Rev P8).
 - d) Residential Density (Dwg No. 01585_PP_05 P7)
 - e) Green Infrastructure (Dwg No. 01585_PP_04 Rev P6).
- 11.3 Broadly the Access and Movement Plan shows a key 'Rail Way' route along a portion of the former rail connection into the site. This is proposed to span the length of the site and link in to Power Station Road, providing pedestrian access to Love Lane and the wider centre. Also shown is the main spine road spanning the length of the site and utilising the existing power station access roundabout arm at the northern end and the already consented new access onto A513 Rugeley Road within Lichfield District.

- 11.4 The Land Use Parameter Plan (as shown at Fig 5 in the Description of Development section of this report) shows the dominant use of the site will be housing with employment uses and the new All Through School to the centre of the site with an approx. 75m stand off from the retained switching stations. Also shown are two respective Mixed Use areas, the main being the Neighbourhood Square to the west and a smaller leisure focussed centre in close proximity to the Borrowpit Lake.
- 11.5 With regard to Building Heights and Density the plans show a transition from 'up to 5 storeys' and 'Up to 75 dwellings per hectare' to the west of the site – down to 2.5 storeys and 35 dwellings per hectare in the eastern portion. A general reduction in scale from west to east is proposed, with the exception of a slightly taller 4 storey building at the eastern end of the site that is closely associated with the Borrowpit Lake.

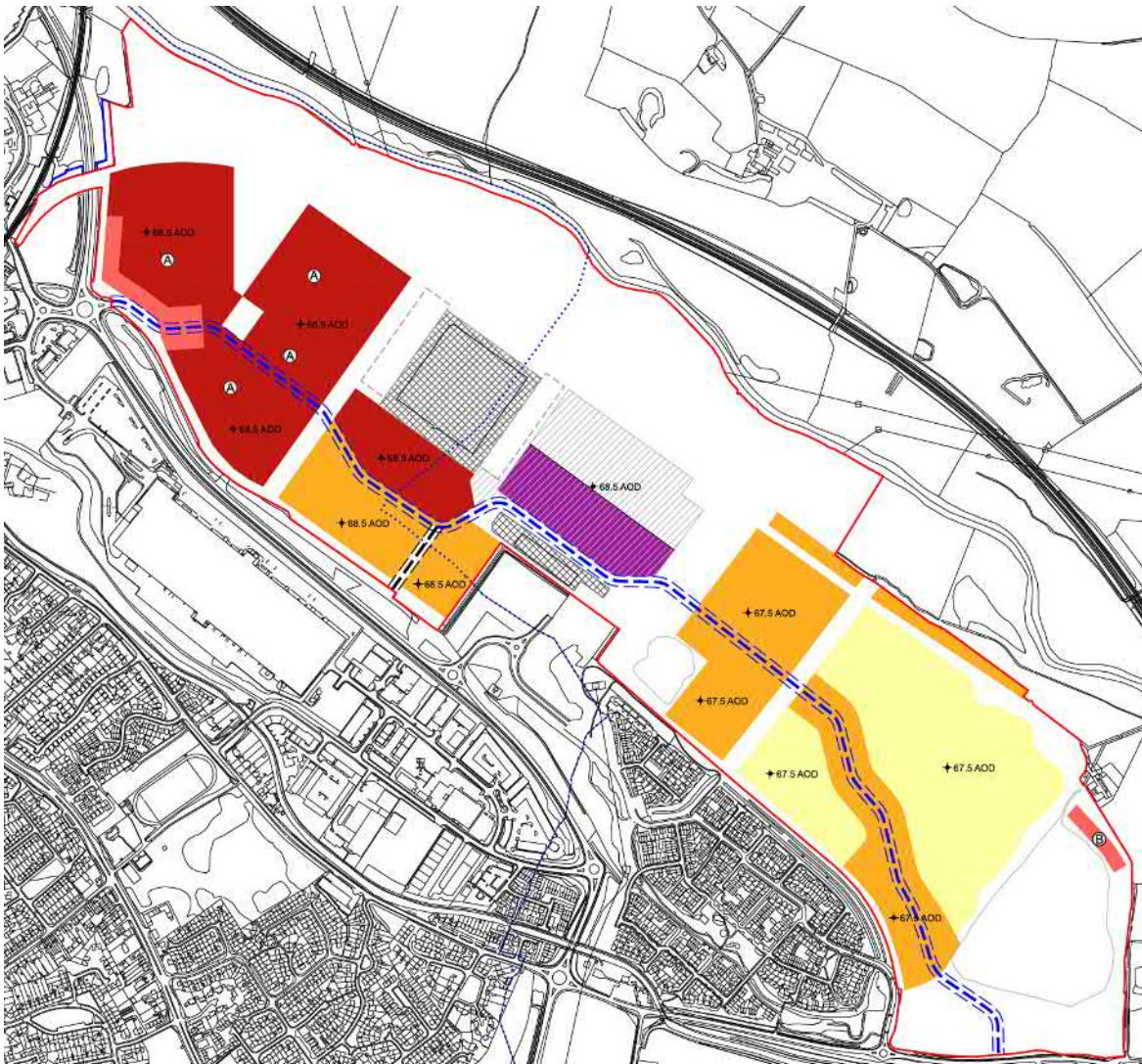


Figure 10: Building Heights Parameter Plan extract showing higher building heights up to 5 storeys at the north western end and upto 2.5 storeys at the eastern end. Additional criteria are also included within the plans to ensure building heights in these areas show variety and are not all constructed to the maximum height

- 11.6 Finally the Green Infrastructure Plan indicates a large Riverside Park, formal shared use sports facilities associated with the All Through School site to the centre of the site, Open Space around the main local centre in addition to the community square, LEAPs, NEAPs and existing and new allotments. Many locations are connected by linking greenways that could include cycleways, footpaths and similar.

Neighbourhood Square

- 11.7 One the most significant aspects of the proposals located in the Cannock Chase portion of the site is the proposed Neighbourhood Square. This is suggested to be a focal point at the western gateway into the site that is directly accessible to the new community and the wider community of Rugeley. It comprises of a large multi-functional community square fronted by higher density mixed use buildings, potential space for a healthcare facility, provision of a 300sqm flexible community space, convenience store and other mixed uses. This mix of uses around one space seeks to create opportunities where a range of people gather for different purposes, providing a platform for integrating new and existing communities.
- 11.8 The square would provide opportunities for occasional events, market days or celebrations, furthering its role as a point of community focus and interaction. The square would be traffic free except for emergency vehicles and deliveries. A diagonal route through the open space leads to the 'Riverside Park' and the 'Rail Way' through the public open space 'Langley Common' providing additional activity and purpose.'



Figure 11: Extract from Design and Access Statement (Pg123) showing Artist Impression of Community Sq

Riverside Park

- 11.9 A significant component of the proposed development is the opening up for wider public use of 25Ha of land adjacent to the river. This land is the former golf course and it is proposed to be a large recreational and wildlife resource for the town brought into use early in the construction programme. The existing woodland blocks, waterbodies and grassland habitats are proposed to be enhanced support areas of lowland meadow, native woodland, marshy grassland and wetland habitats. It is suggested within the submissions that interconnected habitats of this type would provide a significant biodiversity benefit and will also provide for public footpaths and cycleways to promote leisure opportunities within the site such as walking, running and cycling in a naturalised, riverside setting.



Figure 12: Landscape Design Statement Extract from Page 30 showing Riverside Park and nearby biodiversity and community related features

Rugeley Social – All Through School or Primary School Options

- 11.10 This sports & education hub is envisioned as focal point in the submitted plans for the site. This will include a school campus and formal sports provision for the community. In particular this application seeks flexibility for the inclusion of either the All Through School or the inclusion of a primary school with off-site contribution to secondary school provision to the County Education Authority.
- 11.11 What will determine if the All Through School is delivered is if the applicant's Wave 14 application is successful. This is a process determined by Central Government that sits outside of the County Education Authorities control but does take into account existing education provision within an area and any associated need. The process permits applicants to bid to become a Free School and seek funds from the Education Funding Agency to do so.
- 11.12 The applicant is hopeful of success in terms of securing formal approval but provision is also made in the application in the situation occurs where the Wave 14 application is unsuccessful. In this case the 2 Form of Entry Primary School and a financial contribution towards secondary education would be provided to the education authority.
- 11.13 The ATS proposed for the Site would comprise a 52-place nursery, a 2 Form of Entry Primary School, a 5 Form of Entry Secondary School and Post-16 provision for up to 200 students, together with ancillary facilities including sports pitches/courts. It is proposed that the sports pitches/ courts are shared with the community, with community access outside of school hours of operation.

11.14 Being accessible to the new and existing community is a key consideration in the location of the new school. Its location along the primary vehicular route as well as potential future pedestrian/ cycle connection points enable a choice of travel options to and from the school campus. The location of the school campus would connect to the 'railway' pedestrian and cycle corridor and the 'Riverside Park' beyond that tracks the northern edge of the built development. The solar meadow to the west of the school campus provides a distinct visual and physical separation from the retained 400kV substation. The sports provision associated with the school campus, would provide the necessary playing fields for the All-through School if that option is developed, and would provide equivalent or better provision for most sports on site to replace those lost from the use associated with the former Rugeley Power Station Social Club.

11.15 Facilities for sport and recreation would include a Multi- Use Games Area (MUGA), a 3G sports pitch, two senior football pitches, a cricket oval (for curricular use), three mini football pitches and six hard-courts that could accommodate tennis, netball and basketball amongst others. The MUGA and 3G sports pitches would be floodlit and would offer better year round use.



Figure 13: Extract from submitted Landscape Design Statement (pg 132)

The Harbour – Borrow Pit Lake

11.16 The application proposes to retain the Borrow Pit Lake and acknowledges the area is an amenity and ecological asset. It is proposed to provide a leisure hub in close proximity to the lake which will function as a base for watersports and waterside attractions such as fishing and kayaking. This will be provided adjacent to a small neighbourhood centre which is intended to have a leisure and food drink focus, likely to accommodate a family restaurant / pub, which is likely to have a typical floor area of between 278sq m and 557sq m. It is also identified that there may be a boathouse or similar kiosk, associated with the potential leisure use of the lake, which may contain a small area of D2 Floorspace and ancillary retail or café facility.

Officer Assessment

- 11.17 The site exists in the context of a number of constraints and opportunity features. Some of the constraints are associated with its previous use such as on-site power related infrastructure, some are natural constraints such as alluvium clay or nearby flood zones and others that are man made such the adjacent main road or the large block of development occupied by Amazon Warehouse. Officers are pleased to note the development tabled follows extensive community consultation and configuration in the context of these constraints. Officers also consider the Design and Access Statement and Landscape Design Statement documentation seek to make the most of the connectivity opportunities and the natural/semi- natural assets within the site, in a manner that promotes effective and efficient use of land with access to varied means of transport.
- 11.18 Concerns are expressed that the amended submissions now refer to "potential" rather than the previous "proposed" accesses across the site and "potential" does not provide certainty that the links can be delivered. In the Officer's view, it was always understood that potential connections to neighbouring land not within the applicant's ownership would be desirable, rather than essential. The Access Parameter Plan reflects the ambition to provide such links and would form part of any formal approval. However some such connections (such as those north south) are not essential to the sustainable operation of the future development. Whilst there is a desire in general good urban design practice and even within Lichfield District Council policies to provide for 'strong walking and cycling links' between new and existing developments, in wider spatial planning terms connectivity of the proposals with key areas such as the town centre and main transport nodes is of paramount importance. Officers have assured that the land providing the key pedestrian and cycle links to the town centre, nearby rail and bus stations is all within the applicant's ownership or the County Council's ownership and as such is not dependent upon third party agreement. In this case the key route via the proposed 'Railway' pedestrian and cycle route is demonstrably within the applicant's control and there is an appetite from the County Council to facilitate the route over the bridge which is technically in separate ownership (with an easement which is proposed to be amended). Consequently Officers consider the key pedestrian / cycle connection to the site is deliverable and this would help in enhancing the sustainability credentials of the site and promoting walkable communities. Conditions require details of the timescale for delivery to be provided.
- 11.19 Beyond this key link, connectivity of neighbouring residential estates to assets within the site such as the future school or Riverside Park is considered desirable in urban design terms, but not essential in terms of the SPD and relevant policy wording within Lichfield District. Whilst the applicant has taken steps to facilitate such connectivity to neighbouring land via showing opportunities for such links in the Access Parameters Plan, unless connections of this type were absolutely essential, connections of this type cannot reasonably be 'required' as part of this application as they are reliant on land outside of the applicant's control (for fear such conditions would be *Ultra Vires*). It is also worth noting that the Highway Authority do not consider the potential connections are necessary to make the development acceptable in transport terms as no conditions are suggested in this regard. Moreover when the application is considered as a whole alongside wider transport enhancement measures proposed (e.g. bus services, offsite connectivity improvements on highway land, permeability within the site, provision of Rail Way link), strong walking and cycling connections are being promoted within this proposal.
- 11.20 Therefore Officer's adopt the view that provision would be made within this development (i.e. via the broad routes shown in the access parameter plan) for reasonable connectivity to neighbouring developments. As subsequent Reserved Matters progress and further specific layout detail is provided for, if future opportunities emerge to better connect with neighbouring land and/or if planning applications come forward for development of parcels outside of this application, alignment of opportunities for improved connectivity in the interests of good urban design and walkable communities will be assured/coordinated. Therefore in short, this proposal lays the foundations for promoting well connected communities in line with that envisioned in the Rugeley Power Station SPD, Lichfield Local Plan policies and the ideals underpinning urban design referenced in the NPPF.

- 11.21 As part of the consideration of the application, consultation with the Lichfield District Council Urban Designer and the Council's own Environmental Services Department have been undertaken. These consultees too highlight the positive engagement and creative processes that have fed into the proposals. However whilst acknowledging these positives, some of the key functional design matters such as the following are suggested to be lacking:
- a) Conformity with adopted parking standards and wider practicality concerns
 - b) Conformity with adopted separation and garden size requirements
 - c) Concerns regarding refuse storage arrangements
 - d) In the amended ATS proposals, given that there has been no corresponding loss of residential areas within the proposed school site, this will increase the overall area of residential development from 45ha to 49ha
- 11.22 Officers would suggest that all references to the delivery of the ultimate number of dwellings should be taken to mean 'upto' the number of dwellings proposed as is implied in the development description. This permits flexibility to reduce the overall number of dwellings to ensure that the Council's standards can be met at the Reserved Matters stage. Furthermore, the Parameters Plans provided are at a high level, not showing detailed layouts throughout the site. The plans will serve as a guide and set the maximum extent of density and building heights. By providing for 49Ha of residential development across the site without increasing overall number of units delivered assures at least some degree of density reduction from the maximums shown in the Parameters Plans. In addition Officers are satisfied the Council's relevant standards can be assured via their inclusion within a formal Design Code for the site and each respective major phase. Whilst an example of a detailed layout was provided and this marginally departs in some areas from relevant standards, this is not the only way of carrying out the layout. Instead Officers consider the conditions proposed that require provision of a Site Wide Design Code and Phase Specific Design Codes which specify separation distances, garden sizes and parking arrangements will provide the Council with the opportunity to ensure such matters are addressed in line with an agreed standard.
- 11.23 Accordingly subject to conditions to assure consideration of detailed considerations and urban design matters, Officers are satisfied the design rationale behind the proposals is acceptable and would be in accordance with Cannock Chase Local Plan Policies CP6 and CP3, Lichfield Local Plan Strategy Core Policy 14, Policy BE1 and Section 12 (Design) of the NPPF.

12. TRANSPORT AND HIGHWAYS CONSIDERATIONS

- 12.1 Policy CP10 promotes sustainable transport within the District and wider design policies such as CP3 promote connectivity between areas and services that attract the public. Policy CP16 sets out policy provisions for tackling climate change and ensuring the sustainable use of resources. Positive consideration will be given to proposals that help address these including those that contribute to improved accessibility of service and sustainable transport links; energy efficiency improvements and renewable and low carbon energy generation; assist adaptation to climate change; reduce and mitigate all forms of pollution; contribute to use of land sustainably, including the preference for brownfield land. Similar ideals are set out in NPPF policies,
- 12.2 The applicant has carried out in depth analysis of traffic data collected during 2018 in a manner agreed with Staffordshire County Council Highways Authority (SCC Highways). This data has been modelled and increased to a 2023 forecast year for the purposes of construction traffic assessment and 2029 for the purposes of occupation traffic assessment and includes committed developments in the vicinity of the site.
- 12.3 Previous Transport Modelling work considered the effects resulting from the 2FE primary school. An updated Transport Assessment now considers the implications resulting from the inclusion of the All Through School variant within the proposals. The conclusions of both studies effectively requires the same mitigation package. This is partly because the inclusion

of the All Through School generates more trips inwardly within the site rather than movements on the wider network. As such the ES assesses there is no difference in the classification of residual impacts between either the previous or current assessment.

Construction Impacts

- 12.4 In summary the notes that following the completion of modelling work for the 2029 scenario, in general the construction phase impacts associated with the development are deemed to be negligible and can be addressed with relatively minor mitigation measures to be implemented through the Construction and Environmental Management Plan. In addition a cumulative assessment of the proposed construction activity running concurrently with the removal of Pulverised Fuel Ash has also been carried out. This concludes no further mitigation above that already identified is required.

Occupation Impacts

- 12.5 During the occupation and use of the development, the changes in traffic flows for all links within the study area have been assessed. In particular Wolsley Road, Sandy Lane and Station Road were the main links that triggered a requirement for detailed assessment of specific traffic related impacts. However, it is concluded that the magnitude of change in terms of traffic flow is typically likely to result in only negligible impacts. The exception to this is the effect of severance and pedestrian delay on Station Road where moderate adverse impacts are forecast if no improvements are made.

- 12.6 An assessment of junction capacities to establish the potential for driver delay is carried out within the submissions and uses peak hour (worst case) traffic flows at junctions. A total of four junctions are forecast to require mitigation following the introduction of occupation levels of traffic and mitigation schemes are proposed in the following locations:

- Horse Fair/A460 Sandy Lane/A460 Western Springs Road/B5013 Elmore Lane roundabout;
- A51 Rugeley Eastern By-Pass/A51/Wheelhouse Road roundabout;
- A51/A513 Rugeley Road/A513 Armitage Road roundabout; and,
- A51 Rugeley Eastern By-Pass/RWE Access roundabout

- 12.7 In addition to junction capacity improvements the proposed mitigation package includes as a range of sustainable transport infrastructure and travel planning initiatives. A summary of the sustainable transport mitigation package is as follows:

- a) Pedestrian and cycle permeability with improved, defined routes between the Site, Rugeley Town Centre, Rugeley Town Railway Station, Rugeley Trent Valley Railway Station and potential new connections to surrounding residential areas as well as formal crossing points on key desire lines;
- b) Canal towpath improvements to link in with wider County Council improvements to the Canal Tow path Network
- c) Cycle parking to be provided in line with locally adopted standards; including monies towards provision of 36 cycle spaces at Rugeley Trent Valley Station
- d) Network of pedestrian and cycle routes throughout the Site;
- e) The layout allows for bus penetration to enable easy access to public transport services. It is envisaged that this will be delivered by either diversion of existing bus routes or provision of new bus route to better link the Site with key destinations such as Rugeley Town Centre, Rugeley Town Railway Station, Rugeley Trent Valley Railway Station;
- f) Provision of electric vehicle charging; and, Framework Travel Plan to promote and stimulate modal shift – i.e. a wider change in behaviour to promote more sustainable travel choices from users of the development.

- 12.8 The ES states that following the delivery of the proposed mitigation package development impacts across the majority of the study area are forecast to continue to be negligible.

Officer Assessment

Staffordshire County Council Highway Authority have been formally consulted on the application to consider if the methodology utilised in assessing the impacts are robust, and to assess whether the results and mitigation proposed go far enough to address the envisaged impacts. In their formal comments to the Council it was previously stated:

“The TA has analysed the impact from any future vehicles generated by new uses on the site, this has been carried out using industry standard techniques and provides a very robust scenario with no allowance made for any reductions gained through enhancements of the sustainable transport facilities.

The TA has also looked at the proximity to Rugeley and other local facilities and has highlighted deficiencies that could prevent any future occupants being able to make their journeys on foot or bicycle. To this end there are various improvements recommended to the network such as controlled crossings and widening of footways which is to be welcomed. The site also benefits from a former railway bridge into the site which spans the A51, which has the potential to create a car free access without a need to cross the A51. It is important that any reserved matters or masterplan takes full advantage of this facility as it has real potential to reduce vehicular trips and integrate the site into Rugeley.

The other important element in sustainable travel is the provision passenger transport, which is currently poor for site. There are real opportunities here for future journeys to be made via buses, whether this is just one stage of a journey to the train stations and bus station, which in turn provide access to the wider areas such as Stafford, Lichfield and Birmingham or just travelling to the town centre.

12.9 Updated comments from Staffordshire County Council Highways suggest

“The education facility is now proposed in a more central location of the site; which was the location originally requested by the Local Highway Authority in the pre-application discussions. There are clear benefits to situating this type of facility in the epicentre of the site; it is equidistance to the residential areas and offering the same opportunities to all future residents on this site of accessing the school on foot or cycling if the spine road is constructed appropriately.

The Transport Assessment Addendum (TAA) has updated the highway work carried out to support the previous application. The TAA has modelled potential impacts from this proposal based on rational assumptions using available travel data which provides for a robust analysis. Although the data is mainly derived from older census data and separate levels of school, such as primary and high schools.

I am of the opinion, that the impact of this proposal will be less than predicted because many of the assumptions are based on a worst-case scenario. This proposal will enhance the sustainability of the original proposal allowing the residents easy access to education facilities from nursery provision through to sixth form without having to leave the site.

There is additional capacity in the high school to cater for the demand from growth in the population in the surrounding areas. Whilst this is modelled as an increase in traffic to this site, the reality is that this traffic would be present on the highway network around the site anyway. This site will offer a shorter journey to many of these and the measures to improve pedestrian and cycling facilities could also be utilised to access the site via sustainable modes of travel from the surrounding areas.”

12.10 Highways England and Network Rail were consulted. Highways England offer no objection to the proposals on the basis of the submitted information. Network Rail’s original comments on the application predominantly related to matters of rail infrastructure protection given the close proximity of part of the site to the functional rail network and noise. Such matters are dealt

with by suitably worded conditions, and in the case of noise are addressed in the noise section of this report. In relation to wider transport considerations, Network Rail suggest the effects of increased footfall at Rugeley Town and Trent Valley Stations should be considered. In this regard the applicant's propose transport mitigation improvements at Power Station Road and Armitage Road shown on the following drawings. In light of these proposals Network Rail have offered no further comments or objections:

- i) J32 – 3955 – PS - 100 D (Proposed Infrastructure Improvements – Overview Plan),
- ii) J32 – 3955 – PS – 101 D (Proposed Pedestrian and Cycle Infrastructure Improvements – Rugeley Trent Valley Approach).
- iii) J32 – 3955 – PS – 102 D (Proposed Pedestrian and Cycle Infrastructure Improvements – Northern Site Access).
- iv) J32 – 3955 – PS – 103 C (Proposed Pedestrian and Cycle Infrastructure Improvements – Armitage Road and Rugeley Town Station).
- v) J32 – 3955 – PS – 104 D (Proposed Pedestrian and Cycle Infrastructure Improvements – A513/A51 and Canal Proposals).
- vi) J32 – 3955 – PS – 105 C (Proposed Pedestrian and Cycle Infrastructure Improvements – Brereton Hill Roundabout).
- vii) J32 – 3955 – PS – 106 A (Proposed Off-Site Junction Improvements A51/RWE Roundabout).
- viii) J32 – 3955 – PS – 107 A (Proposed Off-Site Junction Improvements A51/Wheelhouse Road Roundabout).
- ix) J32 – 3955 – PS – 108 B (Proposed Off-Site Junction Improvements A51/A513 Armitage Road Roundabout).
- x) J32 – 3955 – PS - 109 A (Proposed Off-Site Junction Improvements A51/Wheelhouse Road Roundabout).
- xi) J32 – 3955 – PS – 111 A (Proposed Pedestrian and Cycle Infrastructure Improvements – Power Station Link Road).
- xii) J32-3955-PS-113 B (Proposed Pedestrian and Cycle Infrastructure Improvements – Canal Proposals (Bridge 62-Bridge 62A)).

12.11 The package of off-site highway works drawings as referenced in conditions includes junction and other improvements which will improve the pedestrian / cycle connectivity and sustainability of the proposed development. The overall off-site package for the redevelopment of the power station has been agreed in principle with the Highway Authority and will be secured via Section 106 Agreement.

12.12 A range of additional improvements to the canal towpath have also been partially agreed with the Highway Authority and Canal and River Trust. These works connect a section of the towpath west of southwest of the site to committed improvements that are/ have been carried out by the Highway Authority's contractor. These works were secured and paid for by an unrelated development(s) and Section 106 Agreement(s). The Highway Authority and Canal and River Trust have identified a potential shortfall in funding for a 230m approx. section of towpath that was subject to previous contributions. The applicant has agreed to provide an additional £15,000 to assist with the early delivery of these committed works albeit £35000 appears to remain outstanding. It remains an available option to utilise CIL to top up any outstanding amount.

12.13 Additional observations around some minor changes to the proposed off site canal works to improve their effectiveness have been provided by the Inland Waterways Association and the Canal and Rivers Trust. The applicant is agreeable in principle to resolving the pinch point issue highlighted and is happy to amend the width of the towpath from 2.5m to 2m. The applicant does not support the condition proposed by the Canal and Rivers Trust however which goes beyond the scope of improvements originally sought by suggesting the inclusion of details relating to mooring facilities, seating and sanitary station facilities for boaters. Officers concur that this aspect of their request goes above and beyond what is considered to be fairly and reasonably related to the development in question. Accordingly the Officer's version of that condition differs from that requested by the Canal and Rivers Trust.

Transport and Highways Conclusions

- 12.14 Cannock Chase Officers consider the modelling and analysis carried out reflect good practice in terms of the approach to estimating the uplift in resultant traffic and required mitigation. To secure off site junction improvements and enhancement, a S106 is required and this would also secure the required contributions to transport service enhancements for fee paying passengers and the travel plan for the site. Until such time as the S106 is agreed, conditions are recommended by the Highway Authority to ensure delivery of these improvements. With these conditions in place the development proposed would be in compliance with Cannock Chase Local Plan Policy CP10, Lichfield Local Plan Strategy CP3 & CP6 and the NPPF Para 109 regarding the promotion of sustainable transport.

13. SOCIO ECONOMIC CONSIDERATIONS INCLUDING:Economic and Employment Opportunity Considerations

- 13.1 The submitted ES states the employment rate in LDC in the year to September 2018 stood at 75%, and in CCDC stood at 78%. Both local authorities have a higher employment rate than that of the West Midlands (73%). The employment rate in LDC is 1% lower than the national employment rate (76%), and the employment rate of CCDC is 2% higher (ONS Annual Population Survey). Stoke-on-Trent and Staffordshire LEP employment rate stood at 76% in the above period and the LEP had 463,000 jobs in 2017 with 24,000 jobs in the construction sector (ONS Business Register and Employment Survey, 2018). In both districts, wholesale and retail trade, and repair of vehicles is the largest employment sector with 7,000 and 10,000.
- 13.2 Unemployment rates within the LDC for the working age population (16+) in the year to September 2018 stood at 3%, and in CCDC stood at 4%, which are both lower than that of the West Midlands (5%). The unemployment rate in LDC is lower than the national unemployment rate (4%), and CCDC is consistent with the national average.
- 13.3 The construction of the proposed development would help support construction firms operating in the region, and provide jobs in the industry. The development would lead to the creation of new direct and indirect jobs, through supply chain benefits and new expenditure introduced to the local economy. Table 6.18 within the ES states that an anticipated 89 direct construction jobs per annum would be created during the development process, and in total 129 jobs per annum (over approx 20 years) including supply chain related benefits (and relevant deductions).
- 13.4 In terms of direct employment at table 6.19 within the ES it is anticipated 2938 FTE jobs would be created in the All Through School Scenario and 2857 FTE jobs would be created in the primary school only scenario once fully constructed and operational, i.e. the office uses, education uses, retail etc provided as part of the proposals. With adjustments and off site jobs this rises to 2931 and 3013 FTE jobs once the development is fully operational in the respective scenarios.
- 13.5 In Environmental Impact Assessment terms this is considered to be a moderate beneficial impact long term that aligns well with the positive economic objectives set out within the Cannock Chase Local Plan.

Housing Provision, VBC and Affordable Housing

- 13.6 The development will provide for up to 2300 dwellings, a significant proposal that contributes to a large proportion of both Lichfield's and Cannock Chase's Housing Need over the next 15-20 years. Indeed as is referenced by the Council's Planning Policy Team, providing for housing in this location makes efficient use of land, easing pressure for Green Belt release elsewhere in the district. Paragraph 4.6 of the Rugeley Power Station SPD advises that "the site is suitable for a range of house typologies and it is anticipated that LDC and CCDC will

seek to achieve a balanced mix of housing and apartment typologies. The housing mix is flexible and will be agreed at the time of submission, informed by consideration of local policies, housing market dynamics and the needs arising within Rugeley”.

- 13.7 Policy CP7 of Cannock Chase’s Local Plan Part 1 seeks on site provision of a minimum of 20% affordable housing units for schemes of 15 or more units. Further discussion regarding housing mix, including affordable housing tenures are detailed within that Council’s Developer Contributions and Housing Choices Supplementary Planning Document (2015). For Lichfield, the site is over the threshold for the provision of affordable housing as required by Lichfield Local Plan Strategy Policy H2. The on-site affordable housing provision required by Policy H2, is 35%. Policy H2 also recommends that of the affordable housing provided within a site, 65% should be social rented and managed by a registered provider, with the remaining 35% intermediate. Cannock Chase District Council policies require 80% of affordable units be social rented and 20% intermediate.

Vacant Building Credit (VBC)

- 13.8 Paragraph 63 of the NPPF states that “To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount”. This matter is expanded upon within paragraph 026 of the Planning Obligations NPPG, which states “where a vacant building is... demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace”.

- 13.9 In essence the local planning authority should calculate the amount of affordable housing contributions required from the development as set out in their Local Plan (i.e. 20%). A ‘credit’ should then be applied which is the equivalent of the gross floorspace of any relevant vacant buildings being demolished as part of the scheme, and this should be deducted from the overall affordable housing contribution calculation. The purpose of the policy as suggested by Government is that it:

‘is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy.’

- 13.10 In this case, this is a Brownfield site, where it has been determined that in the context of the NPPG guidance that the buildings have not been made vacant to facilitate the site’s redevelopment, rather, such has arisen due to national targets to reduce carbon emissions, resulting in the closure of coal fired power stations nationwide. Demolition within the site has commenced and continues. Thus, consideration has to be given to at what point the calculation of existing floorspace should be calculated. Following consideration of equivalent schemes elsewhere within the country and discussions between relevant parties, it has been determined that the suitable date from which to calculate existing floor space within the site, is the date of validation, namely the 7th June 2019.

- 13.11 In terms of proposed floor area within the site, given this is an outline application, where such is yet to be formalised, it has been determined that the suitable process to determine such is to use the national average for a dwellings floor space and multiply such by the number of dwellings proposed to be erected within each District (1,264 in LDC and 1,036 in CCDC based on up to 2,300 dwellings).

- 13.12 An Affordable Housing Proposal document has been submitted with this application, which details the applicant’s offer to each of the two Councils. Applying the floorspace at the time of submission, the following calculations are undertaken and show there were more buildings in Cannock Chase’s portion of the site:

	Lichfield District Council	Cannock Chase District Council
Area of Vacant buildings	16,326 sq m	78,686 sq m
Proposed new development floor space	110,074 sq m	90,827 sq m
Net increase in Floor space	93,748 sq m	12,141 sq m

13.13 Therefore the above table evidences that the VBC applicable within Cannock Chase District is far greater than within Lichfield District. In fact, as a consequence of the application of VBC, the policy compliant provision, based on delivery of up to 2,300 dwellings, falls from 207 dwellings (20%) to 28 dwellings (2.7%), an overall reduction of 179 affordable dwellings taking account the VBC discount required by the NPPF. Applying CCDC's required tenure mix results in 22 social rented dwellings and 6 dwellings for intermediate tenures.

13.14 At the same time applying the VBC against the total number of affordable dwellings in Lichfield results in a reduction in the number of affordable units, from the policy compliant level (35%) of 442, down to 377 units an overall reduction of 65 dwellings, bringing the total provision within Lichfield District to 29.7%. Applying the tenure mix required by Policy H2, this results in a social rent provision of 245 dwellings and 132 dwellings for other tenures.

Affordable Housing

13.15 The application following the application of VBC would result in the above noted levels of affordable housing being applicable based on 2,300 dwellings (377 Lichfield, 28 Cannock Chase). However, during the course of the application Lichfield Officers have accepted that owing to the significantly low level of affordable housing provision in CCDC's area such an approach would run contrary to the aim of creating inclusive and mixed communities. To address this point, the applicant following dialogue with respective Housing Managers, has produced a blended figure, where the affordable housing levels are spread proportionally across the site to accord with the level of overall delivery.

13.16 This results in an overall site wide provision of 17.6% (or 405 dwellings if 2,300 dwellings are provided). After applying a proportional principle of housing development within the scheme (Lichfield District will have 55% of the dwellings, Cannock Chase District 45%), the respective authorities would receive a total of 223 and 182 affordable dwellings if 2,300 dwellings are delivered, with the tenures being policy compliant for each authority.

13.17 It should be noted that VBC is a vehicle supplied by the Government in order to encourage development on Brownfield Sites, where usually remediation and mitigation costs are high. As such, the applicant is not in any way seeking to reduce inappropriately, the level of affordable housing within the scheme, rather utilising the allowance permitted via national planning policy. Thus, the above noted figures, although lower than the affordable housing levels identified within the respective Authorities affordable housing policies, remain policy compliant in the wider sense.

13.18 It is felt such an approach is a positive outcome for Cannock Chase District and secures more affordable housing than potentially could have been the case if Lichfield District had opted to take a harder line to effectively 'sharing' the split of affordable dwellings. It does mean that Lichfield District receive less than would otherwise have been the case and this was previously accepted by Lichfield District Council's Planning Committee. Therefore, assuming no change, 17.6% affordable housing can be secured via S106.

13.19 Regarding the wider mix of affordable dwellings, further information from the applicants has been received confirming a revised position which states:

Revised Affordable Mix – blended across whole site

Bedroom number	Affordable Housing for Rent	Other Routes to Homes Ownership		Percentage
1 bed flat	17.3%	0%		17.3%
1 or 2 bed flat	7.4%	6.2%		13.6%
2 bed houses	23.5%	11.1%		34.6%
3 bed houses	15.3%	14.3%		29.6%
4 bed houses	2.4%	2.5%		4.9%

13.20 This has been subject to review by the Council's Housing Officer and equivalent from Lichfield Council. In their view the overall level of affordable housing delivery is policy compliant taking account the VBC deduction for removed buildings. The tenure split (given this originates from predominantly the Lichfield portion of the housing) is also policy compliant. The Council generally would encourage a housing mix that contains a high proportion of 2 and 3 bed houses, and less flats. However given the higher density apparent in this proposal, delivery of a higher number of flats is inherently linked to the delivery of higher density housing, particularly in the Cannock Chase portion of the site. Hence higher numbers of 1 bed flats are proposed than set out in the adopted SPD standard. This standard states:-

Cannock Chase SPD Compliant Affordable Housing Mix –

10% 1 Bed, 60% 2 bed, 25% 3 bed and 5% 4 bed

13.21 The affordable housing proposed will be secured by Section 106 and will include a requirement to deliver in percentage terms the blended mix shown in the table above. A condition is also recommended to ensure that affordable housing is spread across each phase of the development equally to avoid clustering in one area. Subject to securing the affordable housing, tenure and mix via these mechanisms, it is considered the level of affordable housing proposed is policy compliant (despite being less than 20% for the reasons set out above) with both Policy CP7 Cannock Chase and Lichfield Local Plan Policy

Education

13.22 Policy CP5 outlines how 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. This includes facilities for health, education, sports and recreation, cultural and community uses, and local shopping amongst others. Similar ambitions are provided for in NPPF paragraph 20, 94 and 104.

13.23 Based on the location of the proposed development the County Education Authority consider 2300 dwellings would require:

- 104 Early Years Places
- 483 Primary School Places
- 345 Secondary School Places
- 69 Post-16 places

13.24 There are projected to be an insufficient number of school places in the local area to accommodate the children generated by the development at both secondary and primary phases of education. In order to mitigate this in the Primary School Only scenario the developer should provide:

- Primary School: The cost of a 2FE primary school = £7,902,200 plus a suitable site of 2Ha to the a 2FE primary school

- Secondary School: The level of contribution has been calculated based on the cost of providing a 2FE secondary and post 16 places. The contribution will be used to either expand existing secondary provision at Hart School or provide new secondary school provision elsewhere (on/ offsite). 2 Form of entry high school places currently cost £8,000,000. Further discussion will be required in terms of on/off site provision.

13.25 However in the alternative scenario where the All Through School is delivered, the County Education Authority state that alone the provision of the new All Through School would mitigate the educational capacity uplift arising from the development.

13.26 Therefore subject to securing either the new ATS or the above on site provision of the primary school and monetary contribution towards enhancement of secondary schooling provision in Rugeley via S106, the County Education are satisfied the proposals would meet with their expectations in terms of education provision for the area. Thus the development is in compliance with CP5 regarding education infrastructure provision.

Health

13.27 Much in the same way as for education, the Cannock Chase Clinical Commissioning Group (CCG) are responsible for planning and coordinating health infrastructure within the area. As Health Contributions within Lichfield District are picked up under CIL as part of wider contributions, the proportion of dwellings in their area must be deducted from the starting number of dwellings that contribute to the uplift in need. Therefore when calculating the additional need for health facilities that results from the development, the starting figure of 1036 dwellings is used.

13.28 The CCG then use the average household size in the area of 2.33 people per dwelling to estimate that the proposals would result in an increased patient population of approx. 2414 (for roughly half the size of the site). A Dept of Health HBN11-01 standard is then applied which estimates an additional 63.49 hours of consulting room time would be required and 16.93 hours of treatment room time would be required to service this level of population. The CCG confirmed previously the surgeries likely to be affected by the increased population are:

- Brereton Surgery, 88 Main Road, Brereton, Rugeley, WS15 1DU
- Horse Fair Practice Group, Sandy Lane Health Centre, Sandy Lane, Rugeley, WS15 2LB
- Aelfgar Surgery, Church Street, Rugeley, WS15 2AB

13.29 In discussion with the CCG, Officers have reviewed the potential for expansion at the above sites concluding the most viable would be Brereton Surgery. Contributions towards additional space at this location is therefore favoured by the CCG to satisfy the increased demand for services that would flow from the portion of development within Cannock Chase District. A total of 112sqm extension floor area is sought for Cannock Chase District. Accordingly a request for a contribution from the housing development towards the expansion of the above premises is made by the CCG. The estimated cost of providing the expansion required is estimated to be £501,029 and is recommended to be secured by S106 for Cannock Chase. A similar level of population is apparent within the Lichfield portion of the site and as such a request for developer contributions to health infrastructure via Lichfield District has also been made by the CCG. Within Lichfield District it is understood CIL covers items related to Health provision. Accordingly Lichfield District adopt the view CIL would be the appropriate mechanism in their area to secure the additional funding for their 112sqm. Together these funds would enable delivery of the expanded health facility at Brereton Surgery.

13.30 Members should note that from the start of the application process, the CCG have advocated adaptation of existing surgeries to treat the population that arises from the new development as opposed to new on site provision. An on-site solution is not the CCG's preferred option on the basis it does not reflect the most cost efficient approach to health provision. Whilst Officers and the developer are aware of the previous public consultations that suggest an on-site

surgery could be provided, this is not the approach favoured by the body coordinating wider health investment in the area. Therefore whilst the Council can still grant planning permission for the on-site surgery as part of this consent, it is not likely to come forward in terms of the Department of Health's wider strategy. Instead the preference, and as such the approach Officers propose to take forward, is to secure funds from this development to adapt existing surgeries.

- 13.31 Whilst Members could in theory take a different view and require on-site provision by condition, this approach would be market dependent and would hinge upon a GP provider taking forward the use on the site with potentially no incentivisation by the CCG. The danger of not aligning the approach to that advocated by the CCG is that the proposals for health delivery on site do not come forward. Much like the education approach, if the Council do not adopt a view that accords with the wider envisaged strategy, this creates a risk the health provision for the community is put under undue stress through oversubscription. Hence Officers would not recommend deviating from the approach advocated by CCG.

Sports and Leisure Facilities

- 13.32 Facilities for sport and recreation will be focussed around the centrally located ATS option with its accompanying playing fields known as 'Rugeley Social' in the LDS. Facilities for sport and recreation will include a Multi- Use Games Area (MUGA), a 3G sports pitch, two senior football pitches, a cricket oval (for curricular use), three mini football pitches and six hard-courts that could accommodate tennis, netball and basketball amongst others. The MUGA and 3G sports pitches will be floodlit and will offer better year round use than was previously the case prior to the closure of the power station. The Borrow Pit Lake will become a focal point for recreational water sports, encouraging activities such as swimming, fishing and kayaking. Additionally, there will be a series of on-site recreational trails for walking, cycling and running, achieved through the country park trail, the lakeside trail and the site wide internal trail with an opportunity to tap into the wider public rights of way.
- 13.33 NPPF Paragraph 97 seeks to protect existing sports facilities and in cases where playing fields are lost as part of a development Sport England are a Statutory Consultee. To ensure accordance with Para 97 and other relevant policies from Sport England (e.g. Policy Exception E4 – equivalent or better replacement provision), it is proposed to replace all of the existing sports provision (apart from the Golf Course) in a broadly similar location to the previous facilities with the exception of Cricket.
- 13.34 Although a cricket oval is proposed in the context of the ATS, this will be for curricular use by the school only and would not be of sufficient scale to serve the respective local clubs for match purposes. Extensive discussion between the applicant, Officers and Sport England has been undertaken. Sport England along with Rugeley Cricket Club favour providing an approach where additional funds are secured to allow the cricket club to progress delivery of a second cricket square for which planning permission has already been secured.
- 13.35 Sport England confirm the proposal has the potential to broadly meet Sport England exception policy E4 subject to conditions and an appropriately worded S106 agreement securing the replacement playing fields, provision of two additional changing rooms and officials changing room at the ATS site; A community use agreement for the sports facilities (AGP pitches, grass pitches, sports hall, changing accommodation and car park) and an off site contribution of £120,000 secured towards replacement cricket provision at the Rugeley CC site.
- 13.36 Relevant conditions are suggested as part of this decision and subject to S106 to secure the above matters, Officers are satisfied the proposals are compliant with NPPF Para 97(b).

Open Space, Allotments & Community Centre

- 13.37 The application proposes to deliver a considerable amount of informal open space through a variety of open space typologies such as natural and semi-natural greenspace, formal parks,

existing woodland and the Borrow Pit Lake, creating a range of environments and recreational experiences. The application would also provide a variety of play spaces throughout the proposed development. These will include formal equipped areas for play through the NEAP's (Neighbourhood Equipped Areas for Play) and LEAP's (Local Equipped Areas of Play) as shown on the Green Infrastructure Parameter Plan.

GANNOCK CHASE DISTRICT COUNCIL PROVISION STANDARDS

OPEN SPACE, SPORT AND RECREATION PROVISION	CCDC PROVISION STANDARDS (HA/PER 1,000)	
	HA / PER 1,000	HA / PER 5,152 POPULATION
INFORMAL OPEN SPACE WHICH INCORPORATES:	7.38	38.00
(a) Parks and Gardens	0.43	2.22
(b) Natural and semi-natural green space	6.20	31.94
(c) Amenity Green Space (total)	0.68	3.50
(d) Allotments	0.07	0.33
FORMAL OPEN SPACE WHICH INCORPORATES:	1.28	6.57
Equipped Play	0.05	0.23
Outdoor sports pitches and courts *	1.23	6.34
TOTAL: Formal & Informal Open Space Requirement	8.65ha	44.56ha

Table 2. Cannock Chase District Council provision standards

SUGGESTED PROPOSED PROVISION STANDARDS

COUNCIL PROVISION STANDARD	OPEN SPACE, SPORT AND RECREATION PROVISION	SUGGESTED STANDARDS (HA/PER 1,000)		PROPOSED DEVELOPMENT PROVISION (APPROX. HA)
		HA / PER 1,000	HA / PER 5,152 POPULATION	
	INFORMAL OPEN SPACE WHICH INCORPORATES:	7.51	38.69	46
CCDC	(a) Parks and Gardens	0.43	2.22	2.74
CCDC	(b) Natural and semi-natural green space	6.2	31.94	40.99
CCDC	(c) Amenity Green Space (total)	0.68	3.50	15.03
LDC	(d) Allotments	0.20	1.03	1.03
	FORMAL OPEN SPACE WHICH INCORPORATES:	1.48	7.62	6.25
LDC	Equipped Play	0.25	1.29	1.29**
LDC	Outdoor sports pitches and courts	1.23	6.34	6.34**
	TOTAL: Formal & Informal Open Space Requirement	8.99ha	46.32ha	67.28ha

Table 3. Suggested proposed provision standards

Figure 14: Extract from Landscape Design Statement considering relevant CCDC Open Space standards versus proposed provision within the site. In all areas, provision is exceeded

- 13.38 The submitted LDS sets out open space and sport provision requirements of both LDC and CDDC (LPS Policy HS C1 and CCDC's Developer Contributions and Housing Choices SPD). In total, the estimated population yield (5,152 people) of the proposed development will generate a requirement for 46.32ha of formal and informal open space. This planning application is proposing to deliver a total of 67.62ha of open space therefore the proposals will provide over 20ha more open space of various typologies more than required by LDC and CCDC policy.
- 13.39 There are existing allotments to the south east of the site which will be retained and a new lease will be agreed with the allotment society in 2020. In addition, new allotments will be provided towards the centre of the site. Both the existing and new allotments will be secured and retained through the Section 106 Agreement.
- 13.40 A new community centre will provide a flexible building for community based activities within the mixed-use neighbourhood centre to the north of the site. The community facilities will be secured and retained for this purpose through the Section 106 Agreement and maintained by the appointed Management Company. The Section 106 Agreement will require agreement on a range of details in relation to the community building, including design and phasing. The design will also be the subject of reserved matters, which will need to be consistent with the Design Codes to be agreed.

Socio-economic Conclusions

- 13.41 The application development would provide for moderate economic and employment related benefits. The development would provide for a substantial level of housing development that would contribute to wider needs within both Lichfield and Cannock Chase. The proposals would provide for a policy compliant level of affordable housing on the site at an appropriate tenure and mix that can be fully secured via S106. The development would provide for on site education facilities which in both scenarios would contribute significantly to education provision and choice in the locality and mitigate the increased population resulting from the development. The proposals would provide contributions to enhance Brereton Surgery in line with the approach advocated by the CCG who coordinate health infrastructure provision within the area. Sports facilities on the site will be re-provided to achieve equivalent or better provision than previously was the case and contributions to off site cricket provision will be secured. The level of on site community facilities, allotments and public open space would meet or exceed the level of provision required within the Council's adopted policies. Accordingly the development is judged to accord with Local Plan Policies CP1, CP2, CP3, CP5, CP6, CP8, CP9, and CP10 and Lichfield Local Plan Strategy Policies H1, H2, CP7, ST1, HSC2 and IP1.

14. LANDSCAPE AND VISUAL IMPACT

- 14.1 Policy CP14 sets out policy provisions for the protection, conservation and enhancement of the District's landscape character, particularly the Cannock Chase Area of Outstanding Natural Beauty (AONB). The site is not in the immediate vicinity of the AONB. However, given the scale of the site and levels of development proposed the relationship of the site to its own and the wider landscape character setting should be considered.

Process of Assessment

- 14.2 The applicants have produced a detailed ES which considers the additional effects arising from the proposed development of the All Through School alongside the effects from the wider redevelopment of the site.
- 14.3 The ES considers the wider landscape in the context of National Landscape Character Areas and more localised townscape vantage points. The quality and interest associated with the landscape, the visibility of the site by particular receptors and examines visibility of the site from key assets in the context of the wider landscape such as Cannock Chase AONB, Trent and Mersey Conservation Area and Castle Ring Scheduled Ancient Monument, the highest vantage point within the AONB. In particular use of Wireline diagrams are included from a number of public vantage points as are 3D visual montages showing an individual's perspective as if the development had taken place.
- 14.4 With regards to the quality of the landscape, the site is not subject to any national or regional landscape designations. The Landscape and Visual Impact Assessment (LVIA) states:

"13.4.57 The Site has undergone a substantial change since the 1950's. The development of Rugeley Power Stations A and B during the 1960's resulted in the loss of the majority of landscape features. However, as part of the power station development a number of landscape features have been created within the main Site as part of the leisure facilities. An 18 hole golf course was created within the Site, starting within the centre, to the immediate north of the ornamental lake. From here the first 5 holes are located to the south of the internal railway line, the remaining 13 holes lie within the flood plain. Since the Site has ceased operations, the maintenance of this facility has lapsed, with the area of the course lying within the flood plain becoming subject to a degree of natural regeneration. However, the raised tees and lines of vegetation that defined each fairway and their greens are still visible.

- 13.4.58 The area around the serpentine waterbody, which also includes remnants of a miniature railway, contains a mature woodland block that serves as a localised landscape feature. This area will be retained as part of the development proposals. There is a substantial area of woodland planting to the southern site boundary around Borrow Pit Lake and tree belts adjacent to the northern edge of the internal railway line, these provide a mature vegetated edge to the former power station site, therefore, overall the landscape quality of the Site is of Low value.”
- 14.5 Discussion within the submissions continues stating the site does not contain any particular characteristics or features considered to be rare or distinctive. As a large brownfield site the conservation value attributable is low and as there is currently no public access to the site, its recreational value is low. Overall the submissions make the case the demolition and remediation of the site itself have resulted in a landscape that does not reflect the wider surroundings such as the rural openness to the north or the townscape to the south and west.
- 14.6 The submissions at Para 13.4.69 of the ES do acknowledge since the construction of both ‘A’ and ‘B’ power stations, the cooling towers have been a landmark feature in views from the surrounding landscape, overlooking the settlements of Rugeley, Brereton and Ravenhill, Armitage with Handsacre as well as in glimpsed views and vistas from the Cannock Chase AONB. However it should be noted the demolition of the cooling towers is already permitted. Furthermore detailed assessment of the uniqueness of the towers (amongst other matters) was considered by Historic England as part of the process of seeking immunity from listing. This is described in more detail in the Heritage section of this report. As such Members should consider the starting point for the current application should be on the basis that the towers will be demolished.

Consideration of Wider Landscape Impacts

- 14.7 The site is located on a low lying landform adjacent to the River Trent. Vantage points exist with views over the site to the northeast, but in the majority views over the site are possible from Brereton and Ravenhill to the west. The site is bounded by mature vegetation to the south and eastern boundaries which provide screening from between the site and Armitage with Handsacre to the east. Much of the main features of interest within the site, such as the golf course and woodland belts around the Borrowpit Lake will be retained as part of the development.
- 14.8 There are close, medium and long range views possible towards and over the Site. Officers have examined the view from Castle Ring and wider vantage points to the north and south/southwest of the site. In the majority, the visible development in wider landscape terms will be observed in close association with established development of the town. From the majority of vantage points the site is viewed in the context of the wider settlement edge and within the site and immediate landscape there are several existing visual detractors. The retained 400Kv and 132KV switching stations and associated high voltage overhead power lines, pylons, rail line and the adjacent commercial development namely the large Amazon warehouse, mean Officers concur the overall landscape sensitivity is low.
- 14.9 In the views that are apparent, it is inevitable that there will be some minor adverse impacts as the development process progresses across the site. However once the proposed landscape mitigation has established (for example in 10 -15 years) the effects are likely to be much reduced and represent a negligible effect.
- 14.10 Indeed, there are no objections from the AONB consultee and no significant concerns about wider landscape visibility from the Council Environmental Services team. Officers therefore consider in the context of this site, there is no significant impact from the development proposed in wider landscape terms.

Key Vantage Points in the Officer’s View

14.11 The Council's Planning Control Committee originally considered this application in January 2020. At that time, as part of their review of the proposals, Officers requested additional detail regards main local vantage points from both the eastern (town side) and western (north of Borrowpit Lake) sides of the development. In particular Officers were mindful of the scale of development sought by the applicant initially. In response and within the new ES documentation the applicant has provided visual montage imagery, site sections and additional Wire Line diagrams to convey the scale of the resulting. The two main areas of interest are views towards the site from the existing roundabout entrance to the power station site (broadly in an easterly direction) and in views south from public footpaths to the north of Borrow Pit Lake.

a) West of Site – Integration with Rugeley Town

14.12 As part of the earlier scheme, in response to the queries around the scale of development at the main existing entrance to the site when viewed from Power Station Road, the Building Heights parameters plans were updated to contain a reference that permits no more 10% of the buildings (Gross External Area) to be at the maximum height of 5 storeys. I.e. the majority of the buildings would be 4 storeys. This is retained in the revised submissions now being considered and broadly reflects the development that was approved by Planning Control Committee in January 2020.



As Existing: Google Street View along Power Station Road looking East towards the Western Gateway and site entrance



As Proposed: CGI render along Power Station Road looking East towards the Western Gateway and site entrance

Figure 15: Existing and Proposed CGI photomontage considering 4 and 5 storey development visibility - Extract from Western Gateway Study No. 2

- 14.13 In addition the applicants have provided CGI imagery which contrasts the existing outlook versus the proposed outlook from various locations to try and convey the resulting scale of the buildings. To assist with assessing wider landscape views, additional Wireline Imagery has been provided and case studies of proposed densities have been provided alongside a proposed site section.
- 14.14 The Wirelines, Sectional Drawing and Western Gateway Study imagery predominantly show the scale of the buildings would not be particularly prominent from Power Station Road and beyond - taking account existing screening. Moreover in the case of the development shown in the following image extract looking east along Power Station Road, the difference between the existing and proposed development is most striking. A clear new entrance character is formed to the estate, the scale of the proposals is not significantly overbearing or prominent to the wider views from the town, and in the context of this particular application replaces a large industrial scale power generation development observed in the context of the again larger Amazon warehouse building. As such Officers are satisfied the proposals, at this outline stage and in the context of the Parameters Plans provided, would integrate successfully with the wider town. Further opportunity for review and consideration of the precise design would be apparent at Reserved Matters stage.
- 14.15 Therefore in the Officers opinion, whilst the scale of development proposed is different to that within the traditional existing centre of Rugeley, the effects resulting are not substantial. Indeed it is considered the proposals represent an efficient use of land that should be maximised to encourage walkable communities in this location.



As Existing: Google StreetView along Power Station Road looking East towards the Western Gateway and site entrance



As Proposed: CGI render along Power Station Road looking East towards the Western Gateway and site entrance

Figure 16: Extract from Western Gateway Study examining view east from Power Station Road

b) Borrowpit Lake and Rural Fringe

- 14.16 The Lichfield District Council Urban Designer previously raised concerns regarding the scale of the development proposed within the Building Height Parameter Plan when the land to the north of the most north-east most portion of the site is predominantly a rural landscape. The plans also propose up to 4 storeys in the location immediately adjacent the Borrow Pit Lake which is not consistent with the wider reduction in scale of development east-west and arguably is less desirable at the junction of the edge of the new town with the countryside.
- 14.17 In order to attempt to address these concerns the applicants propose to again use a form of maximum cap so that no more than 20% of the Gross External Area of the buildings around the Borrow Pit Lake would be 4 storeys. I.e. mainly 3 storeys. In addition Wireline imagery showing effectively a worst case analysis of the buildings (as if they were all constructed at 4 storeys in one block) is also provided from the main public vantage points around the site. In addition imagery from Castle Ring is included as is artist's impression CGI imagery showing 'The Harbour' area. Again this aspect of the proposals remains relatively unchanged from the development that was supported by Planning Control Committee earlier this year.



Figure 17: ES LVIA Extract showing Wireline Viewpoint B from south of site (pg 19 Wirelines document)



Figure 18: ES LVIA Extract showing Wireline Viewpoint C from north of the site towards the Borrowpit Lake (left of image) taken from Page 21 of Wirelines Document



Figure 19: Extract from submitted Landscape Design Statement (Pg 61) showing artists impression of the leisure area around the Borrow Pit Lake with the 3 / 4 storey block in the back drop

- 14.18 In vantage points from footpaths to the north of the site looking back towards the development (illustrated in Fig.17), the existing topography results in the scale of the development proposed not being prominent or breaching the skyline in those views. In addition existing man made development such as the rail embankment, over head lines and pylons, conveys a degree of influence upon the area, that erodes its countryside character. Concerns from the Council's Environmental Services Officer raise the issue of further development impacting the wider character of the landscape. In your Officer's opinion, provided care is taken in the final design of the development, in landscape terms the effects will be comparatively minor and impacts confined to a limited number of vantage points. Indeed it is assessed the proposals would constitute a beneficial improvement in landscape terms compared to views of the derelict power station site as could otherwise have become the case.
- 14.19 However in views from within the site, particularly such as those towards the blocks across the lake as conveyed in the above imagery, it could be argued that development in an otherwise undeveloped vista adversely impacts the lake's character. Indeed noting the protection afforded to the lake within the Armitage with Handsacre Neighbourhood Plan partly on the basis of its character and leisure contribution, members will need to consider this effect in amongst the wider benefits associated with the development, in particular the benefits to the wider landscape brought about by the demolition of the power station and redevelopment of a derelict site.
- 14.20 In conclusion, the development of the site in the manner proposed is not considered to have significant wider landscape impacts. Noting the scale of the development proposed in the submitted Parameters Plans, the effects and integration of the scale of development with Rugeley town is judged to be acceptable in this particular context. There are some concerns about the integration between the multi-storey development on the edge of the site and the rural land beyond. Of most concern is the effect of the development of the character of Borrow Pit lake.

- 14.21 In isolation from the wider development, such effects could constitute a reason for refusal, however in the context of the wider leisure offer which supports the use of the lake as a resource and the benefits highlighted elsewhere in this report, it is the Officer's view that the proposal, on balance, is acceptable and in accordance with Policy CP3, CP13 and CP14 as well as Lichfield Local Plan Strategy Policy NR5, CP2 and CP3.

15. BIODIVERSITY & SAC CONSIDERATIONS

- 15.1 Policy CP12 promotes the protection, conservation and enhancement of the District's biodiversity and geodiversity assets generally whilst Policy CP13 is primarily concerned with the Cannock Chase Special Area of Conservation (SAC). Ecology was scoped in to the ES documentation because given the scale of the site, the presence of habitats such as the River Trent in close proximity and the wider SAC habitats at Cannock Chase SAC and Pasturefields SAC, detailed consideration is warranted in line with the Council's duties under Conservation of Habitats and Species Regulations 2017, as amended (the Habitats Regulations), the Wildlife and Countryside Act 1981 (as amended) and the Natural Environment and Rural Communities Act 2006 (NERC Act).
- 15.2 As part of the Environmental Impact Assessment process detailed desk study of known ecological records within the site has been undertaken as well as numerous field surveys covering an array of species. Historically the site owners have undertaken ecological surveys as far back as 2010 in order to ensure a continued understanding of ecology within the site. In 2015-2019 surveys sought to establish the presence of protected species, particular habitats and establish habitat suitability. Specific habitat assessments relating to breeding and wintering birds, bats, dormice, otter, water vole, badger, reptiles and invertebrates have been undertaken and since the submission of the first ES, further survey has been carried out and is reported in the new ES accompanying the All Through School amendments.

Potential Impacts

- 15.3 The results of these surveys have been utilised to inform the baseline starting position regarding protected species and habitats within the site and facilitate understanding of key potential impacts. Further work involving consideration of Statutory Designated Habitats within 5km-10km and non-statutory Designated Sites within 2km of the development has also been undertaken and potential impacts have been predicted. A number of potential impacts are seen not to be significant within the ES. But of those which are highlighted as potentially 'Significant Impacts' at Section 9.6 of the ES these are:
- a) Effects on Pasturefield SAC from construction traffic movements and nitrate deposition
 - b) Effects on the ornamental pond in the centre of the site through the construction of the new spine road
 - c) Impacts on Little Ringed Plover pairs on the Ash Lagoons and Coal Stock Yard during clearance and development
 - d) Impacts on 3 potential Badger Setts in areas proposed for development during ground works, or habitat fragmentation post development
 - e) Impacts on Cannock Chase SAC through increased recreational pressure and from elevated nitrate deposition through increased traffic movement post occupation
 - f) Impacts on ground nesting birds through public disturbance post occupation, disturbance by dogs, predation by domestic cats or road casualties
 - g) Impacts on bat foraging through increased lighting post occupation

Inherent Mitigation within the Development

- 15.4 In order to avoid the above potential impacts, the ES considers aspects of the proposal that are inherent to the application development and as such could offset or avoid the above impacts. For example the former golf course alongside the River Trent would be retained for biodiversity as well as providing a resource as a Riverside Park for occupants of the proposed development and the wider Rugeley town. Opportunities for habitat creation have been designed into the Site layout and include Sustainable Urban Drainage Systems (SUDS) that create above ground waterbodies linked into green corridors to support damp/wetland habitats. Good practice construction measures are intended to be employed during the site clearance and construction phases via a Construction Environment Management Plan (CEMP). This will include but not be limited to best practice measures for pollution prevention of watercourses/waterbodies, fencing (e.g. Heras or similar) of areas not subject to works in order to protect habitats/species present, daytime working, covering of excavations and/or provision of ramps to avoid trapping wildlife and no use of overnight lighting near habitat features.
- 15.5 The applicants also point to the emphasis placed on the siting of development in areas of the site which have previously been worked or have an industrial history. In these areas, habitat losses are largely limited to areas where they are unavoidable from an engineering perspective in association with closure of the Site and permit surrender works.
- 15.6 There are no development works taking place in the former golf course alongside the River Trent. The site design has avoided effects on the River Trent and its banks, which is a Salmonid watercourse and migratory route. The retention of the former golf course as a riverside park alongside the River Trent is intended to protect species there from development effects, such as breeding birds, bats and badger. All trees identified to have the potential to support bat roosts (medium and high potential) have been retained in accordance with the submitted Arboricultural Impact Assessment. In addition the development will be a phased build over a period of approximately 21 years. As such, the effects of the development of the site will be staggered and not all occurring simultaneously.

Additional Proposed Mitigation

- 15.7 In addition to the mitigation inherently linked to the development, additional steps in the form of the following measures are proposed within the ES to try and minimise or offset resultant harms to Biodiversity:
- a) Cannock Chase SAC SAMM Measures –The Developer Contributions SPD (2015) and the Council’s Guidance to Mitigate Impacts upon Cannock Chase SAC (2017) is a common approach to housing development in the district that increase recreational pressure on the protected habitat. To mitigate this effect, developments contribute a monetary sum to a package of works termed ‘Strategic Access Management and Monitoring Measures’ (SAMMM) aimed at avoiding impacts on the protected habitat.
 - b) Cannock Chase SAC Nitrate Deposition Offsetting – In short a monetary sum to provide for habitat enhancement is proposed to deal with the predicted increase of nitrate deposition within the Cannock Chase SAC arising from the increase in vehicle emissions in proximity of the SAC. .
 - c) Provision of Habitat Management Plan (HMP) – Larger Areas of habitats will be managed via a HMP and would be secured by planning condition. The main areas are likely to include the Riverside Park, the Ornamental Pond, the aquatic and woodland habitats around the Borrow Pit Lake, Rugeley Social Area, Langley Common and the green corridors throughout the site
 - d) Ecological Mitigation Strategy – A 20% Biodiversity net gain across the site is proposed. In tandem within the HMP, the Ecological Mitigation Strategy will seek to coordinate and secure measures within the site to achieve the biodiversity uplift and mitigate the potential impacts cited. For example require submission of a lighting scheme to protect bat foraging, measures to facilitate badger foraging without needing to cross roads, potential creation of replacement setts. The strategy would also provide for a range of nesting opportunities for birds, nesting rafts for water fowl, creation of gravel substrate nesting for Little Ringed Plover and Lapwing in thee Riverside Park and the provision for hedgehogs to move unhindered through

the site including underneath garden fences, provision of wild corners and log piles for hibernation.

- e) Construction and Environmental Management Plan – Will set out site clearance and construction works in each of the phases of the development and will include management of silt pollution, further survey relevant to that phase and the time of year and include mitigation specific to that phase of the development.
- f) Reasonable Avoidance Measures – During construction measures will be put in place for all species identified as being potentially impacted. For breeding birds, checks by an ecologist before vegetation clearance will take place, precautionary management of habitats for reptiles will take place in the area of the former golf course, management of ponds undertaken to avoid breeding amphibians and waterfowl, further water vole survey, invasive species within the site subject to eradication (e.g. New Zealand pygmyweed in Pond 13 and Himalayan Balsam in along Brereton Brook)

Officer Assessment

- On site Habitats and Species

15.8 The Council has worked closely with the Lichfield Council Ecologist whose response confirms the methodologies and information provided within the submitted Environmental Statement, Chapter 9 Ecology and the submitted Shadow Habitats Regulations Document. The Ecologist concurs with the conclusions of the above documents in that it is considered unlikely that the proposed works would negatively impacting upon a European Protected Species, a protected or priority species or habitats subject to the appropriate suggested measures of avoidance and mitigation as outlined. The Ecologist recommends adherence by the applicant to all recommendations and methods of working detailed must be made a condition of any future planning approval (i.e. the submission of a Habitat Management Plan (HMP), Ecological Mitigation Strategy (EMS), Construction Environmental Management Plan (CEMP) prior to submission of Reserved Matters, and the adoption of Reasonable Avoidance Measures (RAMS) and further surveys as required throughout the phasing of the development.

- Biodiversity Net Gain

15.9 The submitted 'Technical Appendix 9.8, Biodiversity Net Gain' document has assessed the site's biodiversity value. The Ecologist considers that the quantitative data within this document is an accurate depiction of value/s of the habitat currently on the site (as regards total area, type, distinctiveness and condition) and agrees it to be accurate for the sites current biodiversity value to be viewed as 403.77 Biodiversity Units (BU). In addition, it is considered that the applicant's Biodiversity Impact Calculator is accurate, in describing the likely achievable biodiversity value of the site post development, as 431.68 BU.

15.10 The applicant's intention is therefore to deliver net gains of 27.91 BU as part of the proposed development scheme. The Ecologist approves of the new habitats proposed for creation in order to deliver these net gains, as part of the development scheme and considers them in adherence with the Lichfield District Biodiversity Opportunity Map (see Appendix E map 4 of the Biodiversity and Development SPD) and the recently adopted Nature Recovery Network Mapping. As such, the development scheme is viewed as likely being able to achieve a 20% net-gain to Biodiversity Value and so complies with the requirements of the NPPF in this regard.

- Recreational Impacts on SAC

15.11 The Developer Contributions SPD (2015) and the Council's Guidance to Mitigate Impacts upon Cannock Chase SAC (2017) adopt a common approach to housing development in the district. In circumstances where increased recreational pressure on the protected habitat would be apparent from a development, the approach is to mitigate the potential pressure by requiring developments contribute a monetary sum to a package of works termed 'Strategic Access Management and Monitoring Measures' (SAMMM) aimed at avoiding impacts on the protected habitat. Officers have been in discussions with the Cannock Chase SAC Partnership

who enact the improvements. It is confirmed that sufficient capacity exists within the series of SAMM measures to permit the same approach as would usually be the case despite the development being above the level of housing anticipated in Cannock Chase Local Plan Part 1.

- 15.12 The strategy for mitigating harm arising from recreational impacts from occupants of new residential development on the Cannock Chase Special Area of Conservation (SAC) is set out in Policy NR7 in Lichfield District Council's Local Plan Strategy and Policy CP13 within the Cannock Chase Local Plan. The Policy requires that before development is permitted, it must be demonstrated that in itself, or in combination with other development, it will not have an adverse effect whether direct or indirect upon the integrity of the Cannock Chase SAC, having regard to avoidance or mitigation measures. In particular, dwellings within a 15km radius of any boundary of Cannock Chase SAC will be deemed to have an adverse impact on the SAC unless or until satisfactory avoidance and/or mitigation measures have been secured.
- 15.13 Within Cannock Chase District Council area, contributions to SAMM measures are top sliced from CIL funding. This is inclusive of affordable housing up to 20%. However over and above 20% affordable housing or in cases where CIL does not apply such as for Self Build dwellings where an exemption can be claimed, additional monetary contributions are required. Therefore prior to issuing any positive decision for this site, the applicant must agree to a Unilateral Undertaking for a sum of £178.60 per dwelling, within Lichfield District, and £221 within Cannock Chase District which picks up dwellings not captured by CIL.
- 15.14 Natural England are a statutory consultee on the Appropriate Assessment (AA) stage of the Habitats Regulations process and have therefore been consulted on the intention to address the recreational impacts in this manner. Natural England have concurred with both Lichfield and Cannock's AA on recreation impact and therefore they have offered no objections to proposal. On this basis, it is concluded that the LPA have met its requirements as the competent authority.
- Nitrogen Oxide Deposition in SAC's
- 15.15 The effects arising from nitrate deposition through road traffic emissions are considered in detail within the submitted Shadow Habitat Regulations Assessment. This document identifies that during and post construction roads that pass through or near to the Cannock Chase SAC will experience an uplift in traffic as a direct consequence of this development, given that a total of 414.37ha of the SAC is within 200m of a road (33.4% of the entire SAC area). Additional SAC's also exist in the area and the effects on these considered in detail.
- 15.16 In terms of the impact of the proposal upon the West Midlands Mosses, Cannock Extension Canal and Pasturefields SACs, the HRA Assessments completed by Cannock and Lichfield Council's consider the sensitivity of the sites affected. It was determined that the impact of the development would not exceed the thresholds set out in the document titled, 'Natural England's approach to advising competent authorities on the assessment of road traffic emission under the Habitats Regulations (2018)', given that the Transport Assessment and Air Quality Assessment both demonstrate that nitrogen oxide emissions, resulting from increased vehicular movements, do not exceed critical loads by more than 1%. As a consequence the need to progress to AA for these SACs was determined to be unnecessary.
- 15.17 Cannock Chase SAC is recognised for its 'North Atlantic Wet Heaths with *Erica tetralix*' and for 'European Dry Heaths'. Updated air quality monitoring data and additional transport data have provided a slightly revised position than was previously the case when assessing the impacts on Cannock Chase SAC. The applicant's updated study suggests that Cannock Chase SAC may suffer impacts from additional traffic along the A513 (2.59% rise) whereas additional monitoring data suggests impacts from the A460 would remain below the 1% threshold trigger. In combination the combined effects of both roads on the SAC are between 3.45% and 6.9% of kgN/ha/yr.

- 15.18 In this case, the issue highlighted within the Shadow HRA submission, is that nitrate deposition from road traffic emissions deposited on the site could result in amongst other impacts:
- modification of the chemical status of the soils/substrate;
 - accelerating or damaging plant growth (e.g. promoting bramble and grass growth);
 - decline in recognised species and lichens, mosses and other species richness; and;
 - the increased coverage of certain grass and sedge species, which exhibit a positive relationship with nitrogen deposition. Such growth would be at the expense of the protected wet and dry heath species.
- 15.19 As a consequence of the above, the proposed development would result in a predicted loss of species richness of between -0.56% (sum of lowest range), 0.83% (median) and -1.11% (sum of highest range). The impact of the development and harm arising, based on a worst case approach, is thereafter calculated to be 235 Biodiversity Units (BU).
- 15.20 The shadow HRA therefore models and seeks to quantify the effects of the likely uplift in nitrate deposition within the protected SAC area. Avoidance measures, not initially incorporated into the baseline figures are considered to in part to combat this uplift. The avoidance measures detailed within the Shadow HRA, in brief, are; 5% for increased use of electric vehicles, 5% for increased use of buses, 6% for framework travel plan, 5% for high speed internet connection for all residential properties on site. This effectively discounts the perceived impact to 186 BU.
- 15.21 Following application of the avoidance measures, which have been considered appropriate by Lichfield District Council's Ecologist, the Cannock Chase SAC Partnership and Natural England the harm arising to the Cannock Chase SAC has been quantified to be 186 Biodiversity Units (a reduction in impact of 21%). The avoidance measures will be secured via condition and in the case of bus provision via the s106 agreement. In order for the development to mitigate for the remaining Biodiversity Units, further mitigation or offsetting measures are required.
- 15.22 The Shadow HRA details the mitigation options considered for this development and seeks to justify why certain options were not pursued. The document details that the mitigation measure pursued relates to the creation of a buffering habitat area for the SAC. This means the creation of new heathland within the Heathland Opportunity Area, which for Lichfield District Council, is detailed within the Lichfield District Nature Recovery Network (2019) document. The Heathland Opportunity Area seeks to provide a heathland link between the Cannock Chase SAC and the Sutton Park Site of Special Scientific Interest, which, in addition to buffering the Cannock Chase SAC, will also increase habitat connectivity (which accords with the measures outlined in the Natural England's, Cannock Chase SAC Supplementary Nature Conservation Objectives for connecting the heathland network). To mitigate for 186 BU it is necessary to secure either:
- The conversion of low value arable land to high value heathland in good condition: approximately 32 ha of land; or
 - The restoration of high value habitat in poor condition to good condition: approximately 41 ha of land
- 15.23 The timescale for the habitat to be created/restored and thereafter managed and maintained is for a period of 25 years, which based on NO_x deposition trends and the increased adoption of greener technologies, accords with the time where the NO_x levels are anticipated to be reducing and therefore will no longer require mitigation.
- 15.24 To deliver a financial provision to secure the required level of mitigation the applicant proposes to follow the Defra net gain tariff, as set out in their December 2018 consultation document. This proposes an upper limit of £15,000 per Biodiversity Unit for a maximum of a 30 year period, which equates to £500 per unit, per year. For a 25 year period therefore, on the basis of the above calculations, the financial contribution is: (£500 x 186 BU) x 25 years = £2,325,000. In order to deliver the mitigation measures, the above noted sum will be secured via the s106 agreement and subsequently delivered by Lichfield District Council's Ecologist in coordination with Cannock Chase SAC Partnership.

15.25 The approach as proposed, is a relatively novel one and has therefore been subject to extensive dialogue with Natural England and Cannock Chase SAC Partnership. Natural England have endorsed this mitigation strategy and therefore they have offered no objections to the proposal, subject to the avoidance measures and mitigation works and the costs associated with such, being secured via conditions and s106 agreement. Cannock Chase and Lichfield Council's have therefore completed Appropriate Assessment (AA) stages of the Habitats Regulations process and consulted Natural England. No objections have been received. On this basis, it is concluded that the LPA have met its requirements as the competent authority, as required by the above noted Regulations and relevant policies CP12 and CP13 within the Cannock Chase Local Plan and Lichfield Local Plan Strategy Policy NR3 and NR7.

16. BUILT HERITAGE AND ARCHAEOLOGY

16.1 Policy CP15 along with Section 16 of the NPPF (specifically paragraphs 189-202) promote the protection, conservation and enhancement of the historic environment assets. Policy CP15 sets out that the local decision making process will be based upon an assessment of significance of any heritage assets including information from the Historic Environment Record. Sites of archaeological interest or with potential interest should undertake an appropriate level of assessment to inform decision making. The site lies in proximity to the Trent and Mersey Canal, a designated

Conservation Area at its northern edge (nearby Rugeley Town Centre) and at its southern edge, within Lichfield District. Policy CP15 states that the heritage contribution of the District's canal network will be strengthened and promoted and that support will be given to schemes that help to promote wider understanding and enjoyment of the historic environment.

16.2 The Rugeley Town Centre Area Action Plan also identifies the potential role of the canal in helping to promote enhanced pedestrian and cycle linkages to the town centre from the surrounding environs (see Policy RTC1 and RTC10). A Conservation Area Appraisal and Management Plan are available for the Trent and Mersey Canal (both 2019). A viaduct over the canal is also Grade 2 listed (approx. 500m west of the site).

Consented Site Clearance and Demolition

16.3 The site was formerly a coal fired power station until 2016 and until recently when demolition works within the site were commenced, much of the infrastructure associated with this use remained. These demolition works do not form a component of the current application and were originally consented under Cannock Chase application CH/18/268 and Lichfield Council application 18/01098/FULM.

16.4 Demolition works commenced in September 2018 and are expected to be completed by 2021. As part of this previous application for demolition, the power station was considered for listing by Historic England. A Certificate of Immunity from Listing was issued by Historic England in 2017. The main reasons stated within the Historic England determination were:

'Lack of architectural interest: the power station is architecturally indistinguished and based on standard designs, whilst the planning of the site is not particularly notable for the period.'

Lack of technological interest: the power station is one of a generation of similar sites and is not considered to carry major technological innovations

Rarity: the buildings, including the cooling towers, are of relatively common types which survive at many power stations of this generation across the country.'

- 16.5 In recognition of the contribution the power station made to England's energy needs and in order to document the building, a Level II Historic Building Recording was carried out in 2018 prior to any demolition. The report includes photographic records, written and graphic records and documentary research in order to provide a record of the building and its context in the landscape.
- 16.6 Therefore in the context of the discussions about the historic importance of the power station, Members should be aware that the clearance of the site is already permitted and well underway. Reasonable steps to document the building and its relevant history have already been undertaken and therefore, discussion about the demolition of the site should not form a major component of the assessment of the current application for redevelopment of the site.

Main Historic Assets Affected by Proposed Development

- 16.7 There are no designated heritage assets within the application site area. The Rugeley Power Station Development Brief SPD highlights various historic assets in the vicinity of the site that could potentially be affected by the development. These include:
- (i) The Trent and Mersey Canal Conservation Area
 - (ii) Viaduct over Trent and Mersey Canal (Grade II)
 - (iii) Manor House (Scheduled Monument)
 - (iv) Moated Site of Handsacre Hall (Scheduled Monument)
 - (v) Castle Ring (Scheduled Monument)
 - (vi) Circular Earthwork (Scheduled Monument)
 - (vii) Bridge Number 64 off Armitage Road (Grade II)
 - (viii) Spode House and attached Coach House, Hawkesyard Priory (Grade II)
 - (ix) St Thomas Church (Grade II)
 - (x) Former Summerhouse west of Spode House (Grade II)
 - (xi) The Old Farmhouse Restaurant (Grade II)
- 16.8 In total there are five scheduled monuments within 5km of the site. There are 43 listed buildings within a 1km study area defined in Fig. 8.1. There are 7 No. locally listed buildings within 500m of the site and there are 22 No. non designated historic buildings. A total of 7 No. Conservation Area that fall wholly or partly within the site study area are apparent. Additionally there are two Historic Environment Character Zones (HECZ) within Cannock Chase Council's Area that fall within 500m of the application site. These comprise the Trent Valley HECZ and the North of Brereton HECZ. In the Lichfield Area, the southern end of the site is located within Lichfield HECZ 11 – Land around Armitage with Handsacre.
- 16.9 The above historic assets are considered specifically within the submitted Environmental Statement. The effects are assessed in terms of construction impacts (whilst the physical works are enacted) and occupation impacts (once the development is in use). In all cases the submitted Environmental Statement highlights negligible or neutral impacts upon the above mentioned designated heritage assets. Taking a few of the main examples assessed within the ES:

“Construction Impacts and Effects

- 8.6.5 The Trent and Mersey Canal Conservation Area extends along the length of the canal, running to the south of the site ... Due to the close distance of the site to the Conservation Area, it is expected there will be some aural and visual intrusion during the construction phase as a result of increased construction

traffic and noise ... This increased traffic and noise will detract to some extent from the suburban setting of parts of the Conservation Area to the south of the site. The magnitude of these temporary construction impacts is considered to be low. The asset is of medium value and thus the effect will be negligible.

- 8.6.6 The listed buildings and other historic buildings and structures within the Trent and Mersey Canal Conservation Area form part of its significance. Individually the buildings and structures will not be affected by the proposed development as their significance lies in their physical form and relationship to the canal. Whilst the Conservation Area will be impacted, the impact of this on the understanding and appreciation of the assets is no change, resulting in a neutral effect. Exception [to this] comprises Spode House, associated buildings and parkland that although are associated with the canal, due to their proximity to the site, they will experience some noise and visual intrusion during the construction phase... The proposed development will have a very low magnitude of impact upon Spode House and associated buildings and parkland...
- 8.6.8 The Mavesyn Ridware Conservation Area is located approximately 700m to the east of the site. The setting of the Conservation Area is predominantly rural. It includes the surrounding open farmland and part of the River Trent to the south of the settlement. There is a sense of seclusion within the settlement. The site is visible in some panoramic views from the Conservation Area. During the construction of the proposed development, these views are going to be affected to some extent by construction traffic and movement resulting in some visual intrusion to some parts of the Conservation Area. This will affect the rural setting of the Conservation Area to some extent. The construction phase of the Proposed Development will result in very low magnitude of impact on the setting of this asset. The Conservation Area is of medium value and thus the effect is negligible ... The construction phases of the proposed development will result in a neutral effect on the setting of the church.
- 8.6.11 The Castle Ring (SM1) is located approximately 4.5km to the south of the site. The asset has high archaeological interest due to its type, it was built on a commanding position that dominates the surrounding landscape. During the Construction Phase of the proposed development there will be some visual intrusion to views from the asset towards the site, However the asset will continue to dominate the surrounding landscape and its significance will not be affected. The construction phase of the proposed development will not have an impact upon the ability to understand and appreciate the asset resulting in a neutral effect.

Occupation Impacts and Effects

- 8.6.15 Higher elements of the Proposed Development will be visible from some areas of the Trent and Mersey Canal Conservation Area in views to the north. These elements will be of varying heights and no more than five storeys high. The setting of the conservation area has been eroded to some extent by the construction of the Towers Business Park and associated buildings and infrastructure and the Hawkesyard Development (known locally as 'The Pippins'). The Proposed Development will further erode that setting to some extent. However, due to the nature of the development (residential and mixed-use) and the height of the buildings, it is considered that upon completion, the proposed Development will only have a low magnitude of impact on this asset of medium value. Thus the effect will be negligible.

- 8.6.17 The Spode House, associated buildings and parkland although fall within the Trent and Mersey Conservation Area, due to their close proximity to the Site, they will experience some visual intrusion. However, it is proposed to retain the south-eastern part of the Site as an informal open space, retaining most of the trees that will continue to provide screening and a green buffer. Therefore, the Proposed Development will have a very low magnitude of impact upon Spode House and associated buildings and parkland. These assets are of medium value thus the effect will be negligible
- 8.6.19 The setting of Mavesyn Ridware Conservation Area is predominantly rural while there is a sense of seclusion within the settlement. The Proposed Development will be visible in some panoramic views from the conservation area. It will introduce a new built-up area to the north-eastern edge of Rugeley however the new development will mostly appear as a continuation of the existing settlement. The Proposed Development will be visible but due to its nature and height it is not going to dominate the landscape. The Proposed Development will result in a very low magnitude of impact on the significance of this asset. The conservation area is of medium value thus the effect is negligible.
- 8.6.20 The new buildings will be visible from some parts of the Castle Ring (SM1) however, the asset will continue to dominate the surrounding landscape and its significance will not be affected. The occupation phase of the Proposed Development will not have an impact upon the ability to understand and appreciate this asset resulting in a neutral effect.”

The submitted ES goes on to assess the cumulative effects of the permitted demolitions on the site alongside the resulting impacts from the development. The ES at Para 8.9.2 highlights the approved demolition works will result in the removal of a number of highly visible and intrusive modern structures such as the cooling towers and chimney stack. Views towards the site from Mavesyn Ridware Conservation Area, Rugeley Town Centre and the Trent and Mersey Canal Conservation Area would be restored to what could be considered a more historic norm which in turn would provide a minor beneficial effect on the historic environment in Environmental Impact terms.

Archaeology

- 16.10 Archaeology was previously agreed to be Scoped Out of the EIA process on the basis any archaeological mitigation could be picked up as a condition of the consent. This was considered to be appropriate by the Staffordshire Archaeologist given the level of made ground on the site, the previous uses and the minimal amount of development proposed to the less developed areas. However this is not to say Archaeological potential does not exist. Indeed the Staffordshire Historic Environment Record and associated datasets suggested potential for prehistoric to early medieval archaeological deposits under the alluvium in the area. This is in addition to above and below ground features associated with post medieval water meadows in the area proposed for the public riverside park.
- 16.11 Having considered the the outline proposals the Archologist suggests there is some potential for previously unknown prehisotric to early medieval deposits to be enountered as part of the reclamation process. Accordingly a condition requiring archaeological mitigation is recommended when further information is provided as part of subsequent or reserved matters applications.

Officer Assessment of Heritage Impacts

- 16.12 The Ancient Monuments and Archaeological Areas Act 1979 and the Planning (Listed Buildings and Conservation Areas) Act 1990 are the principal statutory provisions governing these assets. In particular S66 of the above 1990 Act places a duty on Local Planning Authorities to have regard to the desirability of preserving the building or its setting or any features of archaeological importance. S72 of the 1990 Act states that with respect to building or land within a Conservation Area, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area.

- 16.13 In this case the ES suggests there would be no significant impacts upon the historic assets in EIA terms and that the resultant harms have no greater than negligible to neutral effects. Nevertheless the Conservation Officer highlights there will still be some adverse effects upon the setting of designated heritage assets, such as the Trent and Mersey Canal Conservation Area, Mavesyn Ridware Conservation Area and the setting of nearby listed buildings by virtue of wider setting impacts from the new development in close association with the assets, noise and movement associated with the development. These effects are classed as 'Less than substantial harm' and in discussions with the Officer, it was confirmed the resultant harm was suggested to be at the lower end of the scale of less than substantial harm. In light of this it is necessary to consider whether the benefits associated with the development are capable of offsetting the 'less than substantial harm' to heritage assets cited.
- 16.14 Both respective Council's have adopted policies (CP15, RTC1, NR5) governing developments affecting heritage assets and the NPPF (Para 196) provides an overarching approach to decision taking and heritage assets which includes balancing public benefits associated with a proposal against the harm to significance. For brevity, this full balancing exercise is considered in the executive summary of this report which takes into account all relevant material considerations. In light of these summary conclusions it is assessed the less than substantial harm to the heritage assets resulting from this development is clearly outweighed by the public benefits of the proposal which include for the remediation of a spatially well positioned brownfield site to provide for the housing and employment needs of the respective Districts.

17. AIR QUALITY

- 17.1 The submitted Environmental Statement specifically assesses the potential impacts associated air quality. It assesses effects during site clearance and construction activities, committed developments nearby including HS2, in tandem with the construction and occupation phases of the development and considers vehicular traffic and emissions from stationary plant associated with the Proposed Development. The assessment focuses on air pollutants that are likely to arise from the construction and occupation of the development such as nitrogen oxide (NO_x), nitrogen dioxide (NO₂), particulate matter (PM₁₀ and PM_{2.5}) and dust for human receptors and Nitrogen Deposition (N) for ecological receptors.
- 17.2 The ES utilises existing baseline data in the form of desktop information collection and on site diffusion tube monitoring. In the case of the desktop study, data from Lichfield Council and Cannock Chase Council Air Quality Review and Assessment Reports is utilised alongside DEFRA background mapping data for the above oxide and particulate matter concentrations. In terms of specific site assessment, a review of past monitoring undertaken by the Councils' respective Environmental Health teams was undertaken as well as further short term diffusion tube monitoring along the A51. Diffusion tubes were also positioned at Cannock Chase SAC, Pasturefields Salt March SAC and West Midland Mosses SAC.

Construction Phase Impacts

- 17.3 Air quality effects resulting from construction dust are known to be a main source of potential release of Particulate Matter (PM₁₀, PM_{2.5}). Sources include:
- a) Generation of airborne dusts from exposure and movement of soils and construction materials
 - b) Generation of fumes on-site by plant and tools during construction
 - c) Increase in vehicle emissions potentially as a result of slow moving vehicles should local congestion ensue
 - d) Re-suspension of dust through vehicle tyres moving over dusty surfaces
- 17.4 To assess these matters, in line with the Institute of Air Quality Management Guidance (2014), as there are a large number of human receptors within 350m of the site boundary a construction dust assessment has been undertaken.. It is also noted that the SAC's within 8km of the site are in excess of 500m from the site such that they will not be affected by construction phase impacts and can be scoped out of further assessment.

- 17.5 To minimise the risks from the above processes mitigation steps are proposed within Appendix 7.5 of the ES. The steps suggested include:
- a) Communication - Develop and implement a stakeholder communications plan that includes community engagement before work commences on site; Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary. This may be the environment manager/engineer or the site manager
 - b) Site Management – effectively record any complaints, make complaints available to local authority, record exceptional incidents and the action taken in a logbook, hold regular liaison meetings with other high risk sites in the vicinity and coordinate/understand their interactions of off-site transport and deliveries that may use the same road network. Avoid bonfires and waste burning.
 - c) Monitoring – undertake daily on site and offsite inspections including dust soiling checks of surfaces such as street furniture and cars within 100m of site boundary, with cleaning provided if necessary.
 - d) Preparing and maintaining the site – plan layout to locate dust causing activities away from receptors, erect solid screens around dusty activities, avoid site water or mud run off, remove materials with high dust potential or cover to prevent wind whipping.
 - e) Operation of vehicle/machinery – ensure no idle vehicles, use mains electricity as far as possible to minimise diesel generators, impose speed limits to reduce dust throw, cutting, grinding and sawing equipment to have suitable dust suppression, ensure adequate water supply, use enclosed chutes, conveyors and covered skips

- 17.6 The ES suggests that subject to the implementation of the above mitigation, air quality impacts through construction dust would not be significant.

Operational Phase Impacts – Human Receptors

- 17.7 To assess the potential air quality impacts associated with nitrogen dioxide (NO₂), PM₁₀ and PM_{2.5} upon existing and future human receptors and ecological receptors, detailed assessment has been undertaken based upon EPUK & IAQM (2017) guidance. At para 7.2.78 the submitted ES states:

Air quality at specified receptor locations have been predicted using the industry recognised ADMS-Roads (v5.0.0.1) dispersion model. The model is recognised and validated for this type of assessment. The model uses advanced algorithms for the height-dependence of wind speed, turbulence and stability to produce improved predictions of air pollutant concentrations. It can predict long-term and short-term concentrations, including percentile concentrations. The use of the ADMS-Roads model was agreed with the air quality Environment Health Officers at CCDC and LDC.



Figure 20: Receptor Location as identified within 7.1 of the submitted Environmental Statement

17.8 Existing concentrations of nitrogen dioxide, (NO₂), PM₁₀ and PM_{2.5} have been modelled at each of the existing receptor locations shown in Figure 20 above. The model is then utilised to predict concentrations of oxides of nitrogen, (NO_x) and particulate matter, (PM₁₀ & PM_{2.5}), based upon vehicle flow, composition and speed data. A number of scenarios were modelled but the most crucial scenario of relevance within the model is Scenario 5 and Scenario 7 which takes account of the proposed uplift in air quality impact resulting from the development, in tandem with similar additional impacts resulting from committed developments in the vicinity in the years 2023 and 2029 respectively. In particular these committed developments include:

- (i) The permitted demolition of the power station
- (ii) Development at Tupperhurst Lane
- (iii) Development at Pear Tree
- (iv) Rugeley Quarry
- (v) Construction traffic associated with HS2
- (vi) Traffic movements associated with PFA removal within the site

17.9 The results consider long term nitrogen dioxide, Particulate Matter 2.5 and 10. For human receptors the predicted change at existing and future receptors in 2023 for the peak of the proposed development's construction traffic in conjunction with the above committed developments, would be moderate to negligible in EIA terms, with no additional mitigation considered necessary. In respect to human receptors longer term once the development is fully operational, similarly the effects are predicted to be moderate to negligible with no additional mitigation being considered necessary for the operational phase.

Officer Assessment

- 17.10 The Council Environmental Health Officer shares the view that emissions from the construction phase have a greater potential for impact, although such impacts are readily addressed through site management measures. A Construction Environment Management Plan (CEMP) will be developed in order to control the impact of emissions during the construction phase. This is likely to incorporate measures listed in section 7.5 of the Environmental Statement such as dust management, consideration of traffic routing and similar. This CEMP will be agreed with Environmental Health. Officers therefore consider that subject to conditions to secure a formal Construction and Environmental Management Plan condition which will bring together the above measures with similar management steps to address other site issues, the proposals would not result in significant impacts from construction activities.
- 17.11 In relation to long term air quality considerations, the modelling suggests uplift in nitrogen dioxide, PM2.5 and PM10 concentrations will be moderate to negligible overall, and that no additional mitigation is required. This conclusion is not disputed by either Council's Environmental Health department and as such Officers consider that air quality impacts should not be a barrier to the development. Accordingly the proposal is considered to comply with the amenity requirements of Cannock Chase Local Plan Policy CP3 and pollution considerations within Policy CP16, as well as relevant policies in the Lichfield Local Plan Strategy and NPPF Para 127(f).

18. NOISE AND VIBRATION

- 18.1 The Rugeley Power Station Development Brief - Supplementary Planning Document was adopted in February 2018 by both LDC and CCDC. Paragraph 4.56 states:

“Depending on the end layout and employment use types, part of the residential elements of the scheme may be in a noise environment; in these instances, an Acoustic Design Statement will be required as set out in the new ProPG document which is available online. The Councils Environmental Protection services will need to approve Annual Status Reports (ASRs) prior to development to ensure that residents and occupiers of employment units do not suffer intolerable noise levels.”

- 18.2 Amongst other guidance, the ES references guidance published in 2017 known as Professional Practice Guidance on planning and noise: New Residential Development (ProPG). In summary Table 11.2 within ES suggests the following appropriate noise standards for a residential scenario:

Table 11.2 Desirable Ambient Noise Levels for Dwellings

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living Room	35 dB LAeq, 16hour	-
Dining	Dining room	40 dB LAeq, 16hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq, 16hour	30 dB LAeq, 8hour
External Noise	Amenity Spaces	50 – 55 dB LAeq, 16hour	-

- 18.3 Further guidance is also referenced in relation to vibration in the form of BS:6472 - Guidance on Human Exposure to Vibration in Buildings (2008). This suggests a range of Vibration Dose Values that increasingly would result in adverse comment within residential buildings.

Potential Impacts & Location of Sensitive Receptors

- 18.4 The Proposed Development has the potential to produce noise and vibration impacts from several different sources. Broadly speaking, these comprise:
- Noise and vibration that may occur during construction
 - Operational noise including vehicles associated with the site impacting on existing and prospective users of the site
 - Commercial and industrial noise and noise from existing substations

- d) Vibration and noise impacts from nearby rail line

18.5 In particular the Noise and Vibration chapter within the ES seeks to establish the potential 'Sensitive Receptors' that could be subject to noise and vibration impacts. The broad areas indicating the location of respective receptors is shown below in Fig 21.

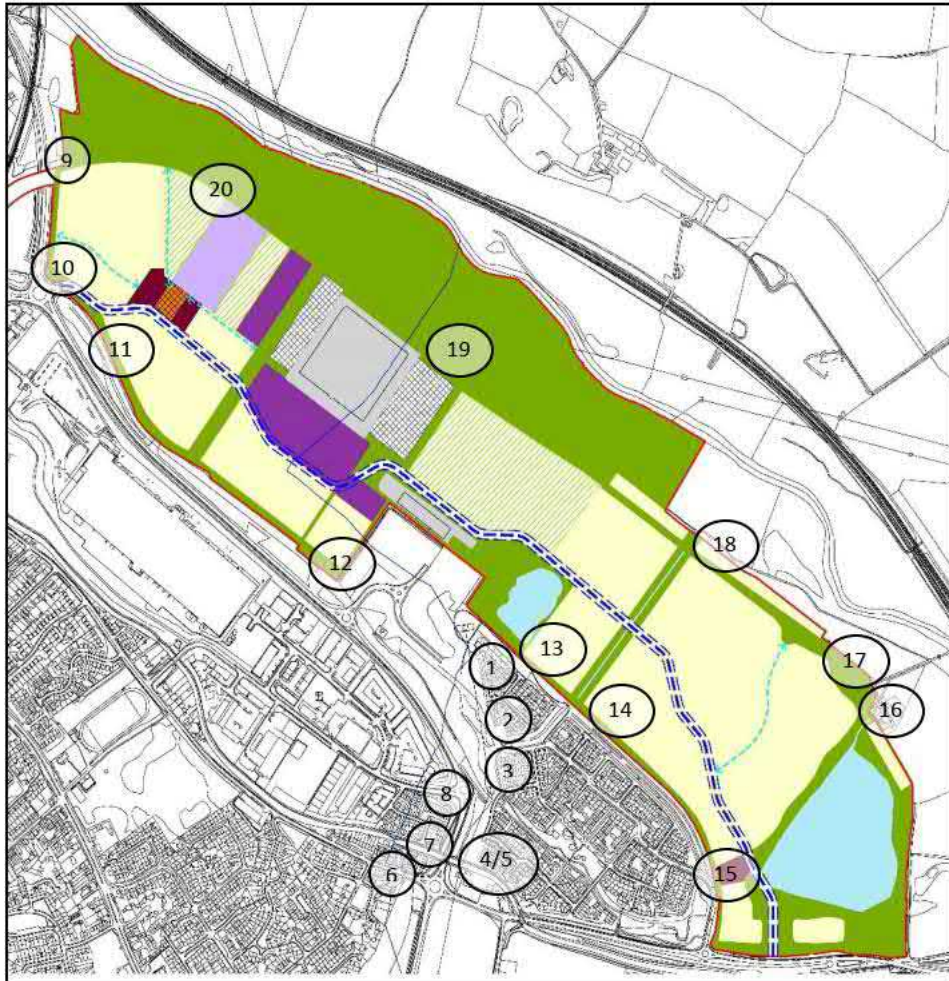


Figure 21: Noise Sensitive Receiver Locations taken from Fig 11.8 within the submitted Environmental Statement

18.6 Detailed consideration of the following areas is considered within the submitted ES:

- a) Rail Vibration impacts
- b) Construction Vibration
- c) Construction Traffic Noise
- d) Operational Development Traffic on Existing Receptors
- e) Operational Development Traffic on Prospective Future Receptors
- f) Rail Noise at Proposed Receptors
- g) External Amenity Noise
- h) Noise from the existing 400 kV and the 132kV

18.7 Overall in relation to construction impacts the ES suggests that the specific impacts will be monitored and controlled under the site specific CEMP and any adverse impacts will be minimised to ensure that the overall effects of the demolition and construction activity are considered to be negligible.

- 18.8 The dominant noise source affecting the proposed development site is road traffic on the surrounding road network and train movements on the West Coast Mainline. It is suggested the results of the noise survey and assessment indicate that the proposed outdoor living areas across the majority of the Proposed Development Site will achieve the guideline value of 50dBLAeq (16 Hour). Local mitigation measures such as an increased standoff and close boarded fencing around garden areas will be required in proposed residential areas located nearest to the dominant sources of noise. Proposed outdoor living areas located closest western boundary with the A51 will need to be located on the screened side of dwellings. The implementation of standard thermal double glazing should ensure that internal noise levels are met in living rooms and bedroom areas across the majority of the development with the windows closed. Acoustic glazing would need to be installed in some living rooms located closest to, and with a direct line of sight of the traffic noise, to ensure that internal guideline levels are met with windows closed.
- 18.9 The facades of the properties further into the site would be screened by intervening buildings. Acoustic ventilation would not necessarily need to be installed in the living rooms and/or bedrooms of these properties. However, the requirement for glazing and acoustic ventilation will be confirmed, on a plot by plot basis, at the reserved matters stage. Mitigation measures will be incorporated in the detailed design to ensure that noise impacts from the proposed premises are reduced to acceptable levels at the existing and proposed sensitive receptors. With the proposed mitigation measures in place, the effect will be "Lowest Observed Effect" at all proposed sensitive receptors. With regards noise within the site and from proposed employment uses, the ES proposes assessment utilising the BS:4142 guidance to support a Reserved Matters planning application.

Officer Assessment

- 18.10 Environmental Health raise no significant concerns with impacts upon neighbouring users in close proximity to the site provided localised mitigation as described is provided for and detailed consideration of noise and vibration (where relevant) is apparent for at each Reserved Matters stage. Conditions are proposed to secure this approach.
- 18.11 An objection is raised by the Environmental Health Officer (EHO) and relates to the proposed residential uses being provided in proximity to the proposed B2 employment uses. The EHO suggests that B2 uses by definition would be inappropriate and could cause disturbance by virtue of smell, fumes, smoke, noise or similar despite site design processes potentially being tailored to the uses proposed and secured by condition. The EHO, as a compromise, suggests the employment area could be zoned, in order to create a buffer of less intensive uses closer to the residential element and the more intensive uses closer to the retained substation.
- 18.12 Your Officers consider that to preclude B2 uses outright from the site would erode the flexibility of the site's employment offer. It is also noteworthy the applicant's ambitions for the site include predominantly B1 uses from offices through to light industrial uses. Conditions are included that require for each phase of the development to provide details of noise attenuation measures and noise issues are acknowledged as being the most likely of nuisance complaints associated with B2 uses. Whilst Officers accept the EHO's view that fumes and odours could in theory arise from a prospective future user, the planning process cannot be expected to preempt every eventuality. In the circumstances therefore, whilst the concerns are noted, Officers adopt the view that the most likely incidence of nuisance are addressed by the proposed conditions and separate pollution control legislation exists to protect occupiers from wider pollution aspects that could potentially arise in the lifetime of the development.
- 18.13 Accordingly, subject to conditions governing noise and vibration as proposed, it is assessed the application is in accordance with Cannock Chase Local Plan Policy CP3 and CP16, relevant Lichfield Local Plan Strategy Policies and NPPF paragraph 127(f).

19. WATER ENVIRONMENT

- 19.1 The site is located in a sensitive location in relation to 'Controlled Waters'. Environment Agency Maps and previous site investigations have shown that the underlying geology consists of upto 15m thick Alluvium Clay and River Terrace Deposits over Triassic Sherwood Sandstone. The site has a shallow water table (in general 1.5m to 2m below ground level) and is located adjacent to the River Trent. There are various surface water ponds, drains and channels running straight into the Trent. The majority of the development area is underlain by old Pulverised Fuel Ash deposits and/or/on top of historically landfilled areas.
- 19.2 Chapter 10 of the Environmental Statement sets out precautions and mitigation measures that are to be put in place during development. Chapter 10 assesses potential impacts from construction and operational phases on surface water quality and waster resources (particularly the River Trent). This includes urban diffuse pollutants, Water Framework Directive assessments, future surface water water drainage and SUDS, water quality monitoring.
- 19.3 The Environment Agency confirm past investigations indicate groundwater is known to be already impacted locally (e.g. elevated concentrations of cadmium, copper, manganese and nickel have been recorded near the PFA lagoons). This may increase during construction due to the potential for ground disturbance, dewatering and contaminant mobilisation. Therefore additional ground investigation must be undertaken prior to development commencing to enable more encompassing and detailed considreation of risks from potentially contaminitive sources. Where risks are deemed significant, detailed remediation strategies and long term monitoring will have to be developed accordingly.

Flood Risk

- 19.4 The site is located predominantly within Flood Zone 1. Flood Zone 1 is defined by the Environment Agency as land that has a low probability of flooding (<0.1% Annual Exceedance Probability [AEP]). Land to the north and north east of the site between the River Trent and the railway is located in Flood Zone 2 (medium probability of flooding 1% - 0.1% AEP) and Flood Zone 3 (high probability of flooding > 1% AEP).
- 19.5 As part of the process of formal Flood Risk Assessment (FRA), the applicant has provided information which considers the potential sources of flooding at the site and utilises modelling data to predict anticipated flood levels + 20% climate change. In addition, for robustness, the FRA also calculates a +50% climate change scenario. The report confirms at 4.5 that the River Trent in the area to the north and east of the railway embankment represents the most significant source of flooding.
- 19.6 The FRA assesses ground levels within the existing site are currently higher than the modelled flood water levels for all modelled return period flood events, and that these will be raised further as part of the formation of the proposed development platform in some areas. Therefore the risk of flooding from the River Trent will remain low. Indeed based on the modelled +50% climate change water levels, the applicant's additional modelling has shown that the railway embankment is not integral to the safe development of the site as the ground levels of the railway embankment are between 0.7m and 1.9m above the 1 in 100 year plus

50% climate change flood level and the ground levels within the site are above all modelled flood water levels.

Drainage

- 19.7 The submissions confirm there are several key surface water features on site that will be retained as part of the proposed drainage strategy for the site. These include:
- (i) Brereton and Ravenhill Parish Council Drains (2 x 48" dia. pipes) the 'Town Drain' – located towards the north of the Site. This drainage run is going to be retained during the redevelopment to ensure the correct operation of the existing drainage system and the upstream flood risk is not increased.
 - (ii) Brereton Brook – retained because its primary function is to convey flows from the wider catchment and the Hawkesyard Estate to the River Trent.
 - (iii) North Drain – currently provides a drainage system for surface water run-off and allows discharge in to the River Trent. The North Drain forms part of the proposed surface water drainage strategy.
 - (iv) Kidney ponds – this feature will be removed to make way for the proposed sports provision within the All Through School
 - (v) The Borrow Pit and Ornamental Lakes - will be retained but at this outline stage are excluded from the proposed drainage strategy in terms of providing additional attenuation.
 - (vi) Existing culverts under the railway embankment associated with existing surface water discharge from the Site.
 - (vii) Surface water drainage design
- 19.8 The proposed development will utilise an independent surface water network to drain the Site. Storm water will be captured via roof gutters and downpipes, gullies and linear drains where required. Permeable paving and swales will be incorporated upstream of the main attenuation which will assist in improving the water quality and reduce the runoff to the downstream attenuation.
- 19.9 A below ground pipe network will convey storm water to a proposed pond or where space is limited underground Geocellular/ modular storage will be utilised to mitigate any additional storage requirement. An approximate attenuation storage volume of 23,442 m³ is envisaged within the Flood Risk Assessment. The attenuation will be located at appropriate locations throughout the proposed development and will discharge at a controlled rate, with flow rates will be controlled by a vortex flow control (Hydro-brake® or similar) located after each attenuation feature. The final attenuation feature which will discharge to the existing waterbodies or watercourses which currently discharge in to the River Trent. The existing outfalls have been utilised eliminating the need to create new outfalls to the River Trent.

Foul Drainage

- 19.10 As the existing site and the surrounding drainage network is currently drained via rising mains it will be necessary to pump foul water from the Site. The submissions suggest the development of the site will be split into catchments, generally following the phasing plan, with each catchment drained to the lowest point and then pumped and discharged in to the Severn Trent Water network.
- 19.11 Severn Trent Water is the main asset operator for both surface and foul water drainage in the vicinity of the Site. Severn Trent have confirmed there remains more than enough capacity available for the proposed development at Rugeley Waste Water Treatment Plant. Subject to further agreement and Hydraulic Assessment as recommended by the Environment Agency, overflows to existing waterbodies can be minimised. Conditions are recommended to this effect.

Officer Assessment

- 19.12 Consultees in the form of the Environment Agency, Severn Trent and the County Lead Local Flood Authority have raised no objections to the proposals. Conditions are recommended by these consultees, which to some extent overlap with one another and similar conditions relating to ecology. Nevertheless subject to these conditions, it is considered the development would be in accordance with the NPPF Para 170, 174-177, 178-183, Cannock Chase Policy CP16 and relevant Lichfield Local Plan Strategy Policies. As such the development would not present a significant risk to the water environment in the context of the site, subject to the proposed precautionary mitigation.

20. GROUND CONDITIONS

Land Stability

- 20.1 The submissions suggest the site is underlain by Alluvium (clay, silt, sand and gravel) and River Terrace Deposits (sand and gravel). The site is also underlain by the Helsby Sandstone Formation. The site is not within a defined High Coal Mining Risk Area and predominantly is not within a designated Flood Plain.
- 20.2 Mitigation as part of the design has been considered for the Proposed Development. For example, the development proposals have taken due account of the ground conditions by minimising built development over alluvium deposits which are known to contain compressible deposits such as Peat, thus minimising the need for prior removal and stabilisation of such material which in some areas is substantially thick.
- 20.3 Construction techniques would be used which seek to minimise the need for dewatering as far as reasonably practical. Where dewatering is required, water will be stored in ponds, undergo chemical testing and treated if necessary before discharging to foul sewer or a watercourse, subject to obtaining a Trade Effluent Consent or WDA-EP. Flood risk and drainage are considered in detail in Chapter 10 (Water Environment) of the submitted ES.
- 20.4 Foundation design, particularly taking account site constraints such as PFA is not yet fully progressed. Should piling be required to extend below the groundwater level, to reduce the

risk of creating pathways from the surface to the underlying groundwater bodies, non-displacement piling construction methods (i.e. where the soil is removed rather than displaced) could be used. Should piling be required, a piling risk assessment will be undertaken and agreed with the Environment Agency. Officers see no reason to disagree with the approach suggested and conditions are included to secure provision of details relating to foundations and ground disturbance.

Contamination

- 20.5 A Human Health Risk Assessment has been carried out within the submissions to using chemical test results obtained from soil samples recovered from the site. A total of 87 samples were tested for a range of substances. In addition site wide groundwater sampling was undertaken with 68 samples site wide. In both cases evidence of contamination was found in the majority of areas.
- 20.6 A formal Remediation and Reclamation Strategy has been prepared for the site by AECOM and is based upon excavation and testing of the site substrate. Remediation and engineered use of site-won materials, treatment of hydrocarbon-impacted materials, removal of segregated asbestos material, risk management of arsenic and beryllium containing site materials and physical modification or stabilisation of wet soils to allow compaction, and a cut-to-fill operation to provide the development platform is proposed. The objective of the works, subject to assessment of ground gas monitoring data from the proposed ground investigation works, is to ensure that the ground gas risk ranking is no greater than Amber 2 (NHBC Traffic Light System) for residential areas and CS3 for commercial areas.
- 20.7 The Council's Environmental Health has been consulted at various stages by the applicant regarding land contamination, and liaison with Lichfield DC's Environmental Health Department has been undertaken to ensure a consistent response. Measures to mitigate the impact of land contamination are provided in the Remediation and Reclamation Strategy and it is confirmed these proposals are to the satisfaction of the respective Environmental Health Officers. Therefore Officers are satisfied the approach proposed to contamination, subject to conditions to secure compliance, is reasonable and appropriate in the context of the specific site circumstances. As such the development would comply with Local Plan Policy CP16 and NPPF paragraphs 178-183.

21. OTHER RELEVANT CONSIDERATIONS

Waste Management

- 21.1 Policy 1.2 of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan, as supported by paragraph 8 of the National Planning Policy for Waste requires the better use of waste associated with non-waste related development, where all 'major development' proposals should:
- (i) Use / Address waste as a resource;
 - (ii) Minimise waste as far as possible;

- (iii) Demonstrate the use of sustainable design and construction techniques, i.e.: resource efficiency in terms of sourcing of materials, construction methods, and demolition;
- (iv) Enable the building to be easily decommissioned or reused for a new purpose; and enable the future recycling of the building fabric to be used for its constituent material;
- (v) Maximise on-site management of construction, demolition and excavation waste arising during construction;
- (vi) Make provision for waste collection to facilitate, where practicable, separated waste collection systems; and
- (vii) Be supported by a site waste management / waste audit if the development is likely to generate significant volumes of waste.

21.2 The application is accompanied by a Waste Audit and Waste Management Strategy ('the Strategy'). In respect of ground modelling and earthworks/excavation calculations, it is stated that a net fill of approximately 33,000m³ (approximately 45,000 tonnes) will be required to level the site. Approximately 8,000m³ (approximately 12,000 tonnes) of construction waste is also estimated from the development. The Strategy sets out that waste minimisation would be part of the overall sustainable design of the project and up to 80% of construction waste could be designed out. Also a construction material recycling facility could be developed at the start of the project and used as a hub for storing used construction material and a centre for recycling for further use on the project.

21.3 The Staffordshire and Stoke-on-Trent Joint Waste Local Plan contains the relevant waste planning policy considerations for the infill process identified for this development. Policy 1.4 (Use of Waste for landscaping, screening, engineering purposes or for the improvement of agricultural or forestry land) emphasises the importance of ensuring that the amount of material is reasonable and necessary and that the proposals are comprehensive, detailed, practicable and achievable within the proposed timescales. Policy 4.2 (Protection of environmental quality) identifies the matters that may be relevant to protect environmental quality, including the effects on people, local communities, and the highway network. Paragraph 6.4 provides a list of the type of matters that may be controlled by condition, which include a condition to define the duration of the development. Assuming an average HGV payload of 20-tonnes the fill required equates to a total of approximately 2,250 HGV loads or 4,500 two-way HGV movements. It is also important to limit the duration of temporary operations, in order to minimise the effects on local amenity, the environment and the highway network.

21.4 Having regard to the policies, guidance and observations referred to above, the application will be policy compliant, subject to the inclusion of a condition to define the duration of the infill operations and ongoing monitoring of waste materials generated and reused on site.

Retained Power Infrastructure & Electromagnetic Radiation

21.5 National Grid currently operate, and will continue to operate a 400kv switching facility within the centre of the application site. There are no known future plans for closure or relocation of this facility. The facility comprises an open air grid of frames (up to 20m in height) and

transformers enclosed by a wire fence. Existing wayleaves and utilities surrounding the substation provide an informal stand-off/ buffer to the substation. However, a physical and visual buffer will assist in improving the visual amenity of the structure. Access to the substation needs to be provided at all stages of construction and in the final redevelopment of the site and detailed discussions and layout considerations have been undertaken with National Grid in this regard.

- 21.6 A second 132kv switching station also exists within the centre of site. This is operated by Western Power Distribution (WPD) on a sub-lease from National Grid. The operational substation equipment is housed within a large footprint red brick building. It is approximately 16m in height with a flat roof and high level windows. An associated external 'open-air' substation is situated adjacent, enclosed by a steel security palisade fence. As above, access to the 132kv substation needs to be provided at all times. This facility however in the short to medium term is now proposed for removal by National Grid but as yet has not occurred.

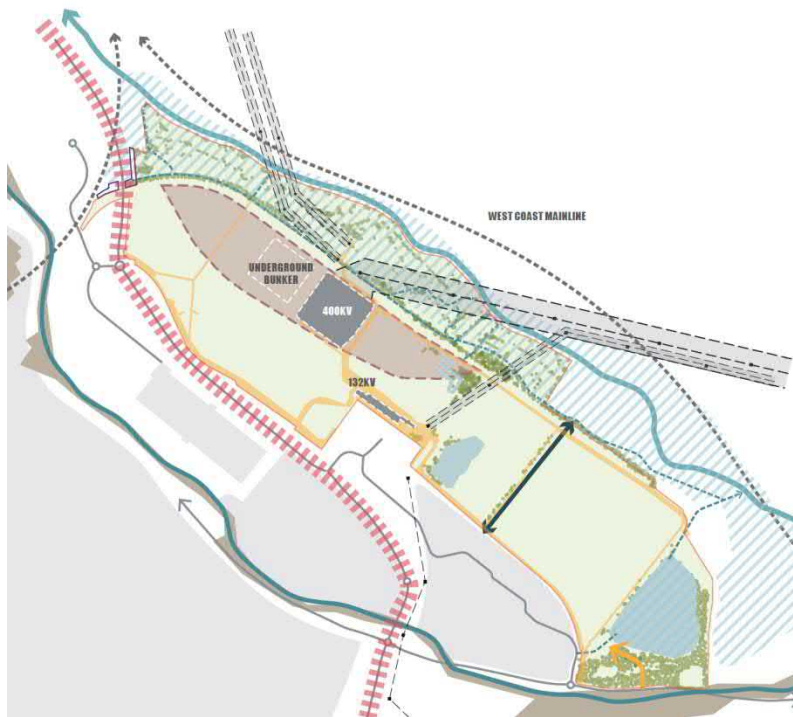


Figure 22: Landscape Design Statement Extract showing constraints within the site retained (Grey - 400kv centre of image, 132kv south of main image)

- 21.7 Therefore the potential retention of the Switching Stations needs to be considered. Within the submitted Electromagnetic Field Assessment at Appendix 5.4a of the ES it is stated:

“As some parts of the Power Station electrical infrastructure will have to be retained, there may be some concerns regarding elements of health and safety at the site. In order to allay any possible concerns, the Client commissioned an electromagnetic field (EMF) survey in order to quantify radiated EMF levels across retained parts of the Power Station. EMF levels were recorded around a 132 kV switching station and around a 400 kV switching station. Results were mathematically adjusted as applicable to simulate periods of highest likely electrical demand (and hence produce highest likely EMF levels).”

EMF results confirmed that highest likely EMF levels were below UK/European recommended health and safety limits for the general public and would also allow The reliable operation of standard IT/communications equipment within any homes that may be built at the residential development.

- 21.8 In addition it is noted that National Grid have requested a number of conditions to secure their routes through the site and ensure that the internal road networks be designed so as to have due regard to the location of cables, super grid lines and fibre optic cables, which run through the site. A condition to secure an appropriate design to have regard to these matters is therefore recommended.
- 21.9 Given the above assessment, it is considered that subject to the recommended conditions, the safety and amenity of existing and future residents will be adequately protected and therefore, the proposal will be compliant with the requirements of the Development Plan and NPPF in this regard.

HS2 Safeguarding

- 21.10 The Council has been informed by the statutory consultees from HS2 Ltd that The House of Lords Select Committee Clerks have published their petitioning guidance. The guidance clarifies the petitioning process and, of particular relevance to this proposal is the guidance which relates to additional provisions. Following this guidance HS2 Ltd has sufficient confidence to confirm that it has no objection to the proposed development. This is on the basis that while the proposed development would affect land currently within the limits of land subject to safeguarding directions for the construction and/or operation of Phase 2A of the railway, the Bill's continued progress through the parliamentary process will confirm that the affected land subject to safeguarding is no longer required for the purposes of constructing and operating the railway. Hence HS2 does not pose a constraint to this development.

Wind Flow Impacts

- 21.11 Ground surface friction results in wind speed generally increasing with height. As such, impacts arising as a result of wind are typically associated with tall buildings over 11 storeys in height, through windward vortexes in which the wind blows perpendicular to the building and is diverted down towards ground level. Given that the proposed development proposes buildings up to a maximum of 5 storeys, which is further limited by the parameter plan restriction of 10% of buildings up to 5 storeys within a parcel, Officers would not anticipate wind to present an issue within the development so as to warrant specialist detailed assessment.

HGV Parking

- 21.12 HGV parking in the context of Rugeley Town Centre is mentioned in some of the responses received, with one suggesting the site should make provision for parking of this type. It is clear such parking proposals do not form part of the current application. It is also clear the Council has no policies which would require this site to specifically make provision of this type. Thus in the first instance, this matter is not considered to be substantially impacted by the proposals either way.

21.13 However, as a component of the enhancement works to the connectivity around the site as requested by the Staffordshire County Council, it is noted the HGV parking layby on Power Station Road near to the Severn Trent Water facility is proposed to be removed. This is in order to make space for a proposed Toucan Crossing as shown on drawing reference J32 – 3955 – PS – 102 D (Proposed Pedestrian and Cycle Infrastructure Improvements – Northern Site Access).

Renaissance Manager and Contributions

21.14 Regarding a requirement for the development to provide monetary contributions or additional benefits to the town (above and beyond the existing financial and infrastructure improvements proposed), there is no clear policy basis for this type of request. This is because in order to be justifiable planning obligations must meet the relevant tests for Planning Obligations. These are:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

21.15 These tests are set out as statutory tests in regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended by the 2011 and 2019 Regulations) and as policy tests in the National Planning Policy Framework. These tests apply whether or not there is a levy charging schedule for the area.

21.16 Whilst Officers note the reference to Mill Green in some correspondence, this was in the context of the development creating trade diversion from the main centre and hence was a potential identifiable impact. In the case of the Power Station, the development proposes housing that is likely to support the centre, proposes junction improvements to the sum of £7.53 million approx, proposes an All Through School or primary school (approx £8 million) with secondary contributions to improve existing school facilities (approx £8 million), canal towpath improvements, health contributions and more to mitigate its effects. Accordingly Officers assess a net benefit to long term economic performance of Rugeley centre, and do not consider a policy basis exists for further requests of this type.

Central 'Third' Access

21.17 A number of respondents including the Lichfield Council Urban Designer suggest the provision of a 3rd vehicular access would significantly improve the accessibility and sustainability of the site as well as improving its permeability and its integration into the wider area. The applicant is aware of this factor and is in negotiations to secure the land of relevance to this additional step. However this is not owned by Engie at this time, and the application proposes only two access points. The Highway Authority have considered this from a safety and accessibility point and deem the two accesses to be acceptable subject to relevant off-site improvement for the scale of development resulting. Therefore whilst it is recognised a third access would be of benefit, it is not essential to the accessibility and highway safety of the development.

21.18 The Rugeley Power Station Development Brief SPD is clear that 2 access points are the minimum that are required. The two current accesses are around 2.2km apart as the crow flies meaning that there will be significant vehicular journeys through the site. Even if this

connection cannot be provided at present; consideration should still be given and provision made for its creation in the future, if land ownership issues or other problems are resolved. This aspect of the development should be future proofed so not to preclude the possibility of a third vehicular access point at a future date. Such steps can be assured by the Council as respective development parcels are considered at Reserved Matters stage.

Veteran Trees

- 21.19 The Woodland Trust make the observation that veteran trees T42, T43, T93 and T203 could be impacted by a future cycle link. The cycle and pedestrian route mentioned is that to the north of the site within the Riverside Park. The detailed layout for the area around the trees has not yet been established. Measures that avoid ground disturbance potentially could be utilised in this location to avoid impacts to the root area associated with the trees which are stated as being retained. More detail would need to be provided once a more thorough layout and defined cycle route are provided at Reserved Matters stage.

Model Railway

- 21.20 The applicant has agreed lease terms for temporary use of the site with the Rugeley Power Station Society of Model Engineers (RPSME). However the Society needs to appoint trustees in order to sign the lease a process yet to be completed. The applicant anticipates the RPSME will be back on site early in 2020.
- 21.21 Notwithstanding the above, it should be noted that the demolition consent previously permitted the removal of the miniature train structures from the site and as such, this facility can be removed from the site at any point. The applicant, as described above, is willing however, to allow for the Society to continue to use the site currently. Thus, whilst the long term retention of this facility does not form part of the proposals, this does not make the application unacceptable in planning terms in the Officer's view taking account the fall-back position already approved.

Angling Club

- 21.22 The applicant advises that the lease for use of the Borrow Pit is substantially agreed, including health and safety rules. The applicant needs however to confirm that they are satisfied with the status of the club trustees, who will be signing the agreement. Once the lease is signed, there are issues to be addressed prior to the anglers being back on-site, including gaining approval to remove some small self-setting trees from the fishing pegs. Remediation work is also required to the north of Borrow Pit Lake, but the applicant anticipates that the anglers will be back on site in January 2020.
- 21.23 The applicant is proposing to retain the Borrow Pit and other blue infrastructure within the site and utilise such for water sports, recreation and landscape play. Further details of the exact make up of these uses will be determined within subsequent reserved matter applications.

Requiring the use of Local Tradesman

- 21.24 Rugeley Town Council suggest that recruitment of construction personnel should be targeted at local builders/ tradesman. The Council's Policies and National Policies contain no guidance or requirements to justify conditions or S106 requests of this type.

22. PLANNING OBLIGATIONSCommunity Infrastructure Levy (CIL)

- 22.1 Whilst the proposal is for outline planning consent it should be noted that as a residential development scheme the proposal is CIL (Community Infrastructure Levy) liable and the level of contribution required will be determined at the reserved matters stage once detailed floor space figures are available.
- 22.2 In relation to the 'in-use' building credit that may be relevant to this application, the CIL Regulations (2010, as amended) provide a clear set of circumstances for when any discounts to CIL arising from in-use buildings on site may apply. There are clear provisions for what is considered to be a 'in-use building' namely that it is a relevant building and it contains a part that has been in lawful use for a continuous period of at least 6 months within the period of 3 years ending on the day planning permission first permits the chargeable development. The Regulations provide a clear definition of relevant buildings (e.g. excludes buildings into which people do not normally go). Regulations also define when planning permission first permits development in the context of CIL i.e. the approval of the last of the reserved matters, or in the case of pre-commencement conditions when the last of these has been discharged. It may be useful at this stage to consider any implications for the CIL charges arising from such issues.

23. PLANNING OBLIGATIONS:

1. On-site affordable housing provision equivalent to 17.6% spread evenly across the site (approx. 405 dwellings total if 2300 dwellings delivered)
2. On-site Sports Provision (including changing facilities and management) and off site cricket (£120k) contribution
3. On-site Public Open Space Provision (including delivery of Riverside Park, retained and new allotments and public art)
4. Delivery of All Through School or delivery of 2 form of entry primary school on site and secondary school contribution of £8 Million
5. Highways and Transport Contributions (Off-site Highway Works costed to approximately £7.53 Million and subject to future review), off site linkage improvements, Trent Valley Station Improvements and canal towpath improvements
6. Public Transport Contribution (approx. £3.145 Million subject to review) or equivalent similar provision of public transport
7. Travel Plan Monitoring Sum £50,000
8. Air Quality Mitigation Contribution towards Cannock Chase SAC (£2.325 Million)
9. Provision of on-site Community Building and Healthcare Contribution to develop facilities at Brereton Surgery via CCG (£501k)

Note a separate Unilateral Undertaking relating to the payment of £221 per dwelling for the Cannock Chase SAC SAMM measures where dwellings provided exceed 20% affordable housing or are not CIL liable (e.g. self build)

24. PLANNING CONDITIONS

In light of the above assessment, the following would also be required in the interests of the proper planning of the local area and to make the development acceptable in planning terms:

- 1) The development hereby approved shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Application(s) for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of twenty years from the date of this permission.
- 2) The first reserved matters application shall be made within 3 years of the date of this planning permission.
- 3) The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.
- 4) This is an outline planning permission and no phase of development shall be commenced (excluding works identified as “exempt development” in Note 1 of Notes to Applicant) until details of layout of the site, including the disposition of roads and buildings; existing and proposed ground level and finished floor level; the design of all buildings and structures; the external appearance of all buildings and structures including materials to be used on all external surfaces; boundary treatments; housing mix; surfacing treatments; the means of pedestrian and cycle access and parking layout; and the landscape and planting of that phase (except the approved access to the A513, through LDC application number 17/00453/FULM) have been submitted to and approved by the Local Planning Authority by way of reserved matters application(s).

CONDITIONS to be complied with PRIOR to the submission of any Reserved Matters applications:

- 5) Before the submission of the first Reserved Matters application (with the exception of the Western Gateway and the Riverside Park), pursuant to Condition 4, a scheme for the phasing of the development of the entire site (to be broadly in accordance with the Illustrative Phasing Plan reference 01585_PP_06 Revision P5), shall be submitted to and approved in writing by the Local Planning Authority. The

development shall thereafter be undertaken in broad accordance with the approved phasing plan.

CONDITIONS to be complied with PRIOR to the commencement of development hereby approved:

- 6) a) Prior to the first application of any Reserved Matters for a sub-phase of development (with the exception of the Western Gateway or the Riverside Park), pursuant to Condition 4, a Site Wide Design Code, to include a Regulating Plan, for the development of the site shall be submitted for approval in writing by the Local Planning Authority. The Site Wide Design Code will be broadly in accordance with the Design and Access Statement and Landscape Design Statement submitted with the application and shall include the following, where relevant:

Built form

- (i) Character areas;
- (ii) Principles of building forms and housing mix;
- (iii) Development parcel access locations; and
- (iv) Detail of key nodes / building groupings.

Public realm

- (i) A movement framework including street types, road hierarchy, street layout and character, and measures to restrain the speeds of vehicles to 20mph and to give consideration to the need to accommodate access for oversize / wide-load vehicles;
- (ii) Landscape design principles;
- (iii) Detail of key green infrastructure elements (location, size, function and character);
- (iv) Footpath and cycle networks;
- (v) Connections to the surrounding area for all transport modes; and
- (vi) Connections through the site for all transport modes.

- b) Prior to the submission of any Reserved Matters for a sub-phase of development (with the exception of the Western Gateway or the Riverside Park), a Detailed Design Code, to include a Illustrative Masterplan, pursuant to Condition 4, for the development of the wider phase within which the sub-phase is located will be submitted for approval in writing by the Local Planning Authority. The Design Code will be broadly in accordance with the Site Wide Design Code and shall include the following, where relevant:

Built Form

- (i) Principles of corner treatment;
- (ii) Principles of elevational design;
- (iii) Principles for placement of entrances;
- (iv) Building materials palette;
- (v) Principles of energy efficiency;
- (vi) Principles of service arrangements;
- (vii) Continuation in use of existing substations (including access for vehicles where necessary);
- (viii) Consideration of housing mix, with reference to the Parameter Plans pursuant to Condition 3; and

(ix) Principles of dwelling garden sizes, parking standards and separation distances / daylight standards.

Public Realm

- (i) Boundary treatments;
- (ii) Surface materials palette;
- (iii) Planting palette;
- (iv) Ecological design principles;
- (v) Parking strategy including the provision of secure cycle parking facilities for all uses on site;
- (vi) The locations, layout and specifications of public open space and SUDs; and
- (vii) The location proposed uses and layout of the Neighbourhood Square in the Northern Mixed Use Area.

c) The submission of any Reserved Matters for a phase of development relating to the Western Gateway (comprising approximately 300m of spine road from the A51 access) or the Riverside Park, pursuant to Condition 4, shall be accompanied by a Design Brief, to include a Masterplan, for the development of that phase, or phases, for approval in writing by the Local Planning Authority. The Design Brief will be broadly in accordance with the Design and Access Statement and Landscape Design Statement submitted with the application and shall include the following:

- (i) A movement framework, including the approach for connecting the site to enable sustainable movement through the site for all transport modes;
- (ii) Detailed landscape design; and
- (iii) Detail of key green infrastructure elements (location, size, function and character).

7) Each application for the approval of Reserved Matters, pursuant to Condition 4, shall be accompanied by a statement that demonstrates that such details of reserved matters accord as applicable with the design principles of the approved Site Wide Design Code and relevant Detailed Design Code pursuant to Condition 6 a/b or the relevant Design Brief pursuant to Condition 6c. The statement shall include matters of the following as relevant:

- (i) Building mass;
- (ii) Public realm and amenity space;
- (iii) Accessibility for all;
- (iv) Footpaths and cycle ways
- (v) Car and cycle parking, including visitor car parking and secure cycle parking;
- (vi) Vehicular accesses and circulation;
- (vii) Service arrangements;
- (viii) Details of hard and soft landscaping;
- (ix) Ecological design principles;
- (x) Existing and proposed levels;
- (xi) Security and safety;
- (xii) Principles of energy efficiency;
- (xiii) Materials; and
- (xiv) Layout.

The development of that Reserved Matters phase shall not be commenced until the statement has been approved in writing by the Local Planning Authority.

ITEM NO. XX

Development of that phase shall thereafter be carried out in accordance with the approved details.

- 8) Each application for the approval of Reserved Matters pursuant to Condition 4, shall be accompanied by a Landscape Management Plan for that phase, to include an implementation timetable; long term design objectives; management responsibilities; and maintenance schedules for all landscape areas, other than small, privately owned domestic gardens, for approval in writing by the Local Planning Authority. The Landscape Management Plan shall thereafter be implemented in accordance with the approved details and timescales.
- 9) Each application for Reserved Matters, pursuant to condition 4, shall be accompanied by a Construction Environment Management Plan (CEMP) and Habitat Management Plan (HMP) for that phase expanding upon the information provided within the Environmental Statement (May 2020), Chapter 9 Ecology, Technical Appendix 9.8 Biodiversity Net Gain, Appendix 9.12 – Outline Ecological Mitigation Strategy, Figure 9.10 Biodiversity Calculations and Proposed Development Habitats and Section 9.7 Additional Mitigation, Compensation and Enhancement Measures of the Environmental Statement, detailing in full, measures to protect existing habitat during construction works and the formation of new habitat to secure an overall site wide net gain value of no less than 27.91 Biodiversity Units, for approval in writing by the Local Planning Authority. Within the CEMP/HMP document the following information shall be provided:
- i) Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
 - ii) Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilised for habitat creation;
 - iii) Details of both species composition and abundance (% within seed mix etc.) where planting is to occur;
 - iv) Proposed management prescriptions for all habitats for a period of no less than 25 years;
 - v) Assurances of achievability;
 - vi) Timetable of delivery for all habitats; and
 - vii) A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
- The development of the phase shall thereafter be undertaken in accordance with the approved CEMP/HMP.
- 10) Each application for Reserved Matters, pursuant to condition 4, shall be accompanied by an Ecological Mitigation Strategy for that phase, expanding upon the information provided within Section 9.7 Additional Mitigation, Compensation and Enhancement Measures of the Environmental Statement (May 2020) and Chapter 9 Ecology, the Environmental Statement Addendum and , Appendix 9.12 – Outline Ecological Mitigation Strategy, detailing in full, ecological mitigation measures, for

approval in writing by the Local Planning Authority. The development of the phase shall thereafter be undertaken in accordance with the approved Ecological Mitigation Strategy.

11) Each application for Reserved Matters for each phase of development, pursuant to Condition 4, shall be accompanied by a detailed Surface Water Drainage Strategy for that phase for approval in writing by the Local Planning Authority. The Surface Water Drainage Strategy shall be in accordance with the principles set out in the approved Flood Risk Assessment (April 2020) and Drainage Strategy Report (April 2020) and shall include details of the following measures:

- i) Percolation assessments carried out in accordance with BRE digest 365 to determine infiltration potential;
- ii) The assessment of existing outfalls and remediation where required to accommodate flows from the development;
- iii) The incorporation of SuDS features including source control, permeable paving, swales and open water features within the drainage design to provide adequate water quality treatment in accordance with CIRIA C753;
- iv) Surface water discharge from each Area to be limited to the combined restricted rates for the equivalent return period storms as specified in Appendix A of the Drainage Strategy Report;
- v) The provision of adequate on-site attenuation features across the site to limit the maximum surface water discharge to the combined restricted rates for the equivalent return period storms as specified in Appendix A of the Drainage Strategy Report;
- vi) Where attenuation features are allocated to serve multiple phases, they will be constructed and operational to serve the relevant phase;
- vii) Finished floor levels are set no lower than 150mm above local surrounding ground levels;
- viii) The management of overland flows in the event of exceedance or blockage of the drainage network to ensure no flooding to property;
- ix) The details of an achievable and site-specific maintenance plan for each phase of the development including the provision of access;
- x) All built development located in Flood Zone 1 taking account of Figure 5.2 of the Flood Risk Assessment; and
- xi) No ground raising in the flood plain.

The development in that phase shall thereafter be carried out in accordance with the provisions of the approved Surface Water Drainage Strategy.

12) Before the development hereby approved is commenced, within each phase of the development (as approved by condition 5), a Construction Environmental Management Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall:

- i) Specify details of the site compound, cabins, material storage areas and vehicular access point;
- ii) Specify the delivery and working times;
- iii) Specify the types of vehicles;
- iv) Specify noise, air quality and dust control;
- v) The management and routing of construction traffic;

- vi) Provide for the parking of vehicles of site operatives and visitors and wheel washing facilities;
- vii) Provide for the loading and unloading of plant and materials;
- viii) Provide for temporary trespass proof fencing adjacent to the railway;
- ix) Provide for the storage of plant and materials used in constructing the development; and
- x) Provide details for the restoration of the site.

The development in that phase shall be carried out in accordance with the approved details and thereafter be adhered to throughout the construction period.

- 13) Before the development hereby approved is commenced, within any relevant phase of development (as approved by condition 5), a timetable for the provision/improvement of on site linkages to footpaths, footways and cycleways adjacent to that phase, shall be submitted to and approved in writing by the Local Planning Authority. The development of the phase there of shall be carried out in accordance with the approved timetable.
- 14) Before the development hereby approved is commenced within any relevant phase of development (as approved by Condition 5) that includes the 'community square' or spine road, details of the following shall be submitted to and approved in writing by the Local Planning Authority and the approved details implemented prior to completion of that phase:
- i) Bus layover facilities at "community square" to include passive electric charging infrastructure, shelter, flag, timetable case and Real Time Passenger Information display;
 - ii) Bus stopping facilities along the rest of the spine road shall be provided with shelter, flag, timetable case and bus markings;
 - iii) Measures to restrict speed, on-street parking, loading and waiting on the spine road outside of the proposed All Through School; and
 - iv) Improved pedestrian facilities including gaurdrailing outside of the accesses to the All through School.
- 15) Before the development hereby approved is commenced, within any relevant phase of development (as approved by condition 5), the trees and hedgerows that are to be retained as part of the approved landscape and planting scheme for that phase of the development shall be protected in accordance with BS 5837:2012, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The agreed tree/hedge protection measures shall be put in place prior to the commencement of any construction works within a particular phase and, shall be retained for the duration of construction works within that phase (including any demolition and / or site clearance works), unless otherwise agreed in writing by the Local Planning Authority. No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development within that phase have been completed, and all equipment; machinery and surplus materials have been removed for that phase of development, unless otherwise agreed in writing by the Local Planning Authority.

- 16) Before the development hereby approved is commenced, within any relevant phase of development (as approved by condition 5), details of all proposed boundary treatments within the respective phase, including full details of any treatment within Public Open Spaces, and a trespass proof fence to be erected adjacent to the railway boundary, shall be submitted to and approved in writing by the Local Planning Authority. The approved trespass proof fence shall be implemented prior to the first occupation of any dwelling within the phase and thereafter be retained for the life of the development. The Public Open Space boundary treatment shall be provided before first use of that Public Open Space. The residential boundary treatments shall be implemented in accordance with the approved details, prior to the occupation of the dwelling(s) to which the respective boundary treatment(s) is to serve.
- 17) Before the development hereby approved is commenced, within any relevant phase of development that includes buildings (as approved by condition 5), full details of the proposed foul water drainage system for the specific phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall thereafter be provided before the first occupation of any of the buildings in that phase.
- 18) a. Recognising that separate remediation works, which are not part of this development, are being undertaken on the site to surrender environmental permits under the exclusive jurisdiction and control of the Environment Agency and that this condition is not intended to conflict with such works, before the development hereby approved is commenced, within any relevant phase of development (as approved by condition 5), a site redevelopment remediation strategy to ensure the particular phase in question is suitable for its intended use, that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:
- (i) A preliminary risk assessment which has identified:
 - i. all previous uses
 - ii. potential contaminants associated with those uses
 - iii. a conceptual model of the site indicating sources, pathways and receptors
 - iv. potentially unacceptable risks arising from contamination at the site in the context of this development.
 - (ii) A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
 - (iii) The results of the site investigation and detailed risk assessment referred to in (i) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
 - (iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the site development remediation strategy are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- b. A validation report shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the approved development remediation being completed, to ensure that all contaminated land issues on the specific phase of

development have been adequately addressed prior to the first occupation of any part of that phase of the development. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site development remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

- 19) Before the development hereby approved is commenced, within any relevant phase of development (as approved by condition 5), a Water Framework Directive Enhancement Opportunities Plan for that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include the following elements:
- i. details of enhancement proposals for all affected water bodies;
 - ii. details of design and management of buffers around on site water bodies; and
 - iii. details on how SUDs will be maintained in the long-term to ensure no deterioration in outfall water quality.

The Water Framework Directive Enhancement Opportunities Plan for that phase shall be carried out as approved.

- 20) Before the development hereby approved is commenced within the phase of development (as approved by condition 5), which incorporates the artificial pitches and multi-use games areas, details of their design and layout shall be submitted to and approved in writing by the Local Planning Authority. The hockey artificial grass pitch, 3G artificial grass pitch and multi-use games areas shall not be constructed, other than in accordance with the approved details and shall thereafter be maintained for the life of the development, in accordance with the approved details.
- 21) Before the development hereby approved is commenced within the phase of development (as approved by condition 5), which incorporates the proposed bowling green, details of floodlighting (including location, specification, maintenance and hours of operation) shall be submitted to and approved in writing by the Local Planning Authority. The floodlighting for the bowling green shall be installed in accordance with the agreed details, before the bowling green is operational, and the floodlighting shall thereafter be managed and maintained in accordance with the approved details.
- 22) Before the development hereby approved is commenced within the phase of development (as approved by condition 5), which incorporates the proposed Sports Pitches (as defined in the Section 106 Agreement), the following documents shall be submitted to and approved in writing by the Local Planning Authority:
- (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field, which identifies constraints which could adversely affect playing field quality; and

ITEM NO. XX

(ii) Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints.

The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the approved scheme.

23) Before the development hereby approved is commenced, an overarching written scheme of investigation (WSI), which sets out a proportionate programme of archaeological work for all relevant phases of the development, shall be submitted to and approved in writing by the Local Planning Authority. The WSI shall provide details of a programme of archaeological works, including details of a programme of archaeological earthwork survey to be carried out across surviving areas of ridge and furrow within the site. The WSI shall include post-excavation reporting and appropriate publication. The WSI shall thereafter be implemented in full in accordance with the approved details and timescales.

24) Before the development hereby approved is commenced within any relevant phase of development (as approved by condition 5), a scheme of any proposed external lighting for that phase, shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme for that phase shall thereafter be implemented in accordance with the approved details.

25) Before the development hereby approved is commenced, within any relevant phase of development (as approved by condition 5), a Site Waste Management Plan for that phase (which shall accord with the mitigation measures identified within the 'Outline Solid Waste Management Strategy' produced by Savills dated April 2020) shall be submitted to and approved in writing by the Local Planning Authority. The development of that phase shall thereafter be undertaken in accordance with the approved Site Waste Management Plan.

All other CONDITIONS to be complied with:

26) The off-site highway improvements shall be broadly in accordance with the works shown on drawings:

- i. J32 – 3955 – PS - 100 D (Proposed Infrastructure Improvements – Overview Plan),
- ii. J32 – 3955 – PS – 101 D (Proposed Pedestrian and Cycle Infrastructure Improvements – Rugeley Trent Valley Approach),
- iii. J32 – 3955 – PS – 102 D (Proposed Pedestrian and Cycle Infrastructure Improvements – Northern Site Access),

ITEM NO. XX

- iv. J32 – 3955 – PS – 103 C (Proposed Pedestrian and Cycle Infrastructure Improvements – Armitage Road and Rugeley Town Station),
- v. J32 – 3955 – PS – 104 D (Proposed Pedestrian and Cycle Infrastructure Improvements – A513/A51 and Canal Proposals) [or any subsequent revision agreed via condition 50],
- vi. J32 – 3955 – PS – 105 C (Proposed Pedestrian and Cycle Infrastructure Improvements – Brereton Hill Roundabout),
- vii. J32 – 3955 – PS – 106 A (Proposed Off-Site Junction Improvements A51/RWE Roundabout),
- viii. J32 – 3955 – PS – 107 A (Proposed Off-Site Junction Improvements A51/Wheelhouse Road Roundabout),
- ix. J32 – 3955 – PS – 108 B (Proposed Off-Site Junction Improvements A51/A513 Armitage Road Roundabout),
- x. J32 – 3955 – PS - 109 A (Proposed Off-Site Junction Improvements A51/Wheelhouse Road Roundabout),
- xi. J32 – 3955 – PS – 111 A (Proposed Pedestrian and Cycle Infrastructure Improvements – Power Station Link Road)

The development shall be carried out in accordance with a phased approach as set out in the Section 106 Agreement.

- 27) The cycle parking for any apartments, commercial premises (including showers and lockers for B Class Uses), All-Through School or primary school, health facility or community hall shall be implemented in accordance with the approved details pursuant to Condition 6, prior to the first occupation of those buildings and shall thereafter be retained for their designated purpose for the life of the development.
- 28) Prior to the formation of building foundations in a particular phase (as approved by condition 5), a detailed noise and vibration assessment for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. This shall include an assessment of all sources of noise and vibration, including that associated with the railway and existing road network, electricity infrastructure, the sports uses and any classes within Use Class A, B and D (as defined under the Town & Country Planning (Use Classes) Order 1987, as amended, and the Town and Country Planning (General Permitted Development) Order 2015, as amended) forming part of the development, and details of any mitigation required. The approved mitigation for the phase shall be carried out in full prior to first occupation of any building within that phase, or other use of approved sports pitches or A, B and D Use Class within the development.
- 29) The distributor road between the A51 and A513 shall be broadly in accordance with the Access and Movement Parameter Plan as approved under Condition 3. The distributor road as shown on the Access and Movement Parameter Plan shall be completed to a level to allow for Passenger Carrying Vehicles to deliver a service, in accordance with the approved details, on or before the first occupation of the 301st dwelling served from either the A51 or A513 access in the development.

- 30) The development hereby approved shall be carried out in strict accordance with the Reasonable Avoidance Measures (RAMS), which are detailed in Section 9.7 Additional Mitigation, Compensation and Enhancement Measures of the Environmental Statement and Chapter 9 Ecology (May 2020). The measures shall be implemented in accordance with the approved timetables and shall thereafter be retained throughout construction works.
- 31) Prior to undertaking any vibro-impact works or piling on site, a risk assessment and method statement shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved measures.
- 32) Prior to the first occupation of any dwellings and apartments, within each phase of development (as approved by condition 5), details of active Electric Vehicle Charging Points to serve 5% of the publicly available visitor parking spaces, which will serve these uses, along with appropriate passive infrastructure to serve up to a further 15% of the publicly available visitor parking spaces (that is a total provision of up to 20% of spaces), shall be submitted to and approved in writing by the Local Planning Authority. Details of passive Electric Vehicle Charging infrastructure to serve each individual dwelling shall be submitted to and approved in writing by the Local Planning Authority.
- The active Electric Vehicle Charging Point (in the case of 5% of visitor spaces) and passive Electric Vehicle Charging infrastructure shall be installed prior to first occupation / use of the dwelling / visitor spaces to which they relate and thereafter be retained for the life of the development.
- 33) Prior to the first use of the commercial and community buildings, details of active Electric Vehicle Charging Points to serve 5% of the parking spaces, which will serve these uses, along with appropriate passive infrastructure to serve up to a further 15% of these spaces (that is a total provision of up to 20% of spaces), shall be submitted to and approved in writing by the Local Planning Authority. The active Electric Vehicle Charging Points and passive infrastructure shall be installed prior to first use of the respective unit of the phase to which it relates and thereafter be retained for the life of the development.
- 34) Prior to erecting any scaffold within 10 metres of a boundary of the railway line, a method statement, including details of measures to be taken to prevent construction materials from the development reaching the railway (including protective fencing) shall be submitted and approved in writing by the Local Planning Authority. The approved measures shall be retained in place throughout the construction phase on the specified buildings.
- 35) Before the first occupation of any dwellings hereby approved, the parking and turning areas associated with each respective property shall be provided and thereafter retained for their designated purposes for the life of the development.

ITEM NO. XX

- 36) Before the first use of the non-residential building to which it relates, the car parking, servicing and circulation areas, for each respective building, shall be provided. The car parking space, servicing and circulation areas shall be sustainably drained, hard surfaced in a bound material, lit and marked out and thereafter, shall be retained in accordance with the approved plans, for the life of the development.
- 37) Before the first occupation of any dwelling in phases 2a, 2b and 2c (as shown on Illustrative Phasing Plan reference 01585_PP_06 Revision P5), the proposed roundabout access onto the A513, shown illustratively on drawing J32-2608-PS-111 rev A, shall be complete.
- 38) All site clearance works associated with the development hereby approved, shall take place and be completed outside of the bird nesting season (March to August inclusive) or if works are required within the nesting season, an ecologist will be present to check for evidence of breeding birds immediately prior to the commencement of works. Works could then only commence if no evidence is recorded by the ecologist. If evidence of breeding is recorded, a suitable buffer zone would be set up to avoid disturbance until the young have fledged.
- 39) The Reserved Matters within each phase of development to be submitted pursuant to Condition 4 of this permission (with the exception of the Western Gateway and the Riverside Park) shall include details of noise attenuation measures designed to protect future occupants of that particular phase from noise nuisance arising from external noise sources, including road and rail traffic and existing and future residents from potential noise sources from uses and activities within the site, including the sports pitches. Any required approved noise mitigation measures shall thereafter be implemented, in accordance with the approved details, prior to the occupation of any dwelling.
- 40) All phases of development (as approved by condition 5) that deliver Class C3 dwellings shall deliver a minimum of 15% of the Class C3 dwellings as affordable housing, with an overall minimum provision site wide of 17.6%.
- 41) There shall be no more than 2,300 dwellings / residential units provided on the site.
- 42) Prior to the first occupation of any dwellings and apartments, within each phase of development (as approved by condition 5), high speed broadband infrastructure shall be installed.
- 43) Should the southern mixed use area (as identified on the approved Land Use Parameter Plan pursuant to Condition 3, provide more A1 floor space than the threshold in the adopted Local Plan (currently 100 sq m), the relevant reserved matters to be submitted pursuant to condition 4 of this permission, shall be

accompanied by a retail impact assessment, in order to justify the level of retail proposed. The development shall thereafter be carried out in accordance with the approved details.

- 44) Within the northern mixed use area (as identified on the approved Land Use Parameter Plan pursuant to Condition 3), a maximum of 2,499sqm gross external floorspace of main town centre uses (as defined in Annex 2 of the NPPF 2019) excluding Class B1a offices shall be provided, with no more than 500sqm gross external floorspace of Main Town Centre Uses provided in any one unit.

Within the southern mixed use area (as identified on the approved Land Use Parameter Plan pursuant to Condition 3), a maximum of 1,000sqm gross floorspace of main town centre uses (as defined in Annex 2 of the NPPF 2019) excluding Class B1a offices shall be provided, with no more than 99sqm gross floorspace of Class A1 retail floorspace to be provided.

The total amount of A1 Use Class Retail floorspace should not exceed 2,499sqm across the whole site.

- 45) The All-Through School or Primary School, and any B1 or B2 unit, erected within the employment area (located within Lichfield District) which has a floor area greater than 1,000 square metres, shall within 6 weeks of the completion of the shell and core works, have a certificate of compliance, from an accredited assessor confirming that the school buildings and units have achieved a minimum BREEAM rating of Very Good (2018), submitted to and approved in writing by the Local Planning Authority.
- 46) Before the first use of any buildings approved by a reserved matters application, as a Restaurant or Café (Class A3), a Drinking Establishment (Class A4) or a Hot Food Takeaway (Class A5), details of a scheme for the control of odour and other emissions shall be submitted to and approved in writing by the Local Planning Authority. The approved odour mitigation shall be installed before the development is first brought into use and shall thereafter be retained for the life of the buildings use as a Restaurant or Café.
- 47) Prior to the first use of any external plant or water storage tanks, associated with the approved employment uses, details of these machines and structures and any associated enclosures shall be submitted to and approved in writing by the Local Planning Authority along with full details of any noise mitigation measures. Any approved mitigation or enclosure shall be installed prior to the first use of the plant or water tank and shall thereafter be maintained for the life of the development.
- 48) Prior to the occupation of the first dwelling, details of a pedestrian and cycle link between the A51 and Power Station Road shall be submitted to and approved by the Local Planning Authority. These details shall include a timeframe for the delivery of the link and measures for its long-term maintenance. The link shall be carried out in

ITEM NO. XX

accordance with the agreed details and shall thereafter be retained for public access in perpetuity.

- 49) There shall be no more than a total of 150 Use Class C2 bedspaces provided across two campuses on the site.
- 50) Prior to the commencement of the 50th dwelling, details of the towpath improvements as shown indicatively on drawing number J32 – 3955 – PS – 104 D shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the towpath surfacing, including its width and material, and details of safety measures for the pinchpoint underneath the A513 Armitage Road Bridge 62. The agreed details shall be carried out in accordance with the timescales as set out in the Section 106 Agreement.
- 51) Prior to the removal of the Kidney Ponds, and as set out in Section 7.1 of the Flood Risk Assessment (April 2020), details of the replacement fluvial flood storage lost by the removal of the Kidney Ponds shall be submitted to and approved by the Local Planning Authority. These details shall include hydraulic modelling of the compensatory storage and details of its design and location. The agreed works will be completed prior to the first use of the former Kidney Pond site and retained thereafter for the life of the development.

REASONS FOR CONDITIONS

1. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
2. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
3. For the avoidance of doubt and in the interests of proper planning and accordance with the applicant's stated proposals.
4. The application has been made for outline permission only with these matters reserved for subsequent approval. Therefore, such details are required to be submitted and agreed in order to ensure a satisfactory form of development, safeguard the character of the area and amenity of future residents in line with Cannock Chase Local Plan Policies CP1 and CP3 as well as the Rugeley Power Station Development Brief Supplementary Planning Document.
5. To ensure the appropriate timing of delivery of housing, green infrastructure, highway and transport improvements and social infrastructure, to promote a sustainable development, to safeguard residential amenity and the appearance of the development, in accordance with Lichfield Core Policies 3 and 4, and Policies BE1, IP1, HSC1 and East of Rugeley of the Local Plan Strategy, Policy R1 of the Local Plan Allocations Document, the Rugeley Power Station Development Brief and

ITEM NO. XX

Cannock Chase Local Plan Policies CP1, CP3, CP5, CP6, CP7 and the Design SPD and Developer Contributions and Housing Choices SPD.

6. To ensure the high quality form and appearance of the development, ensure continuity in use of the site within the electricity network and to enhance natural habitat, in accordance with the requirements of Lichfield Core Policies 3 and 13, and Policies NR3, NR4, BE1 and East of Rugeley of the Local Plan Strategy, Policy R1 of the Local Plan Allocations Document, the Rugeley Power Station Development Brief and Cannock Chase Local Plan Policy CP3 the Design SPD and the adopted Developer Contributions and Housing Choices SPD.
7. To ensure a high quality and cohesive form and appearance of development, and in the interests of highway safety; to comply with Staffordshire County Council requirements for access; and to safeguard the amenity of future occupiers, in accordance with the requirements of Lichfield Core Policies 3, 4 and 10, and Policies BE1, IP1, HSC2, NR3 and East of Rugeley of the Local Plan Strategy, Policy R1 of the Local Plan Allocations Document, the Rugeley Power Station Development Brief and Cannock Chase Local Plan Policy CP3, the Design SPD and the adopted Developer Contributions and Housing Choices SPD.
8. In order to safeguard the arboriculture and ecological interests of the site, secure biodiversity enhancements and to ensure the long term management of the site in preparation of significant public use, in accordance with the requirements of Lichfield Core Policies 3, 11 and 13 and Policy NR3 of the Local Plan Strategy and Cannock Chase Local Plan Policies CP3, CP12 and the National Planning Policy Framework.
9. In order to safeguard the ecological interests of the site and encourage enhancements in biodiversity and habitat in accordance with Lichfield Core Policies 3 and 13 and Policy NR3, Cannock Chase Local Plan Policies CP3, CP12 and the National Planning Policy Framework.
10. In order to safeguard the ecological interests of the site and encourage enhancements in biodiversity and habitat in accordance with Lichfield Core Policies 3 and 13 and Policy NR3 of the Local Plan Strategy, Cannock Chase Local Plan Policies CP3, CP12 and the National Planning Policy Framework.
11. To ensure the provision of satisfactory means of drainage to serve the development, to reduce the risk of creating or exacerbating flooding problems, to minimise the risk of pollution and protect controlled waters, protect the on-going operation of the railway network and to ensure that sustainability and environmental objectives are met, in accordance with provisions of Lichfield Core Policy 3, and Policy BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policy CP16 and the National Planning Policy Framework.
12. In the interests of highway safety and to protect the amenity of existing and future residents, in accordance with the requirements of Lichfield Policies BE1 and ST1 of the Local Plan Strategy, the Rugeley Power Station Development Brief, Cannock Chase Local Plan Policy CP3 and the National Planning Policy Framework.
13. To promote the use of sustainable modes of transportation in accordance with Policies BE1 and ST1 of the Lichfield Local Plan Strategy, the Rugeley Power Station

Development Brief, Cannock Chase Local Plan Policy CP10 and the National Planning Policy Framework.

14. To promote the use of sustainable modes of transportation in accordance with Policies BE1 and ST1 of the Local Plan Strategy, the Rugeley Power Station Development Brief and Cannock Chase Local Plan Policy CP10 and the National Planning Policy Framework.
15. To ensure the high quality form and appearance of the development and to enhance the natural habitat, in accordance with the requirements of Core Policies 3, 13, and 14 and Policies NR3, NR4, BE1 and East of Rugeley of the Local Plan Strategy, the Rugeley Power Station Development Brief, Cannock Chase Local Plan Policy CP3 and the adopted Cannock Chase Design SPD.
16. To ensure the high quality form and appearance of the development and to safeguard the on-going operation of the railway network, in accordance with the requirements of Lichfield Core Policies 3, 13, and 14, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policy CP3 and the National Planning Policy Framework.
17. To ensure the provision of satisfactory means of drainage to serve the development, to reduce the risk of creating or exacerbating flooding problems and to minimise the risk of pollution and to ensure that sustainability and environmental objectives are met, in accordance with provisions of Lichfield Core Policy 3, and Policy BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policies CP3 and CP12 and the National Planning Policy Framework.
18. To ensure protection Controlled Water Receptors, to ensure remedial works where required are completed to a satisfactory standard and to safeguard future residential amenity, in accordance with the requirements of Lichfield Core Policy 3 and Policy BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policies CP3, CP12 and CP16 and the requirements of the National Planning Policy Framework and Water Framework Directive.
19. In order to safeguard the ecological interests of the site, secure biodiversity enhancements and to secure opportunities for improving the Water Framework Directive status of the River Trent Catchment use in accordance with the requirements of Core Policies 3, 11 and 13 and Policy NR3 of the Local Plan Strategy, the Biodiversity and Development Supplementary Planning Document and the National Planning Policy Framework.
20. In order to assure a good and safe standard of replacement sports facilities provision in accordance with the requirements of Lichfield Core Policies 3, 10 and 11 and Policies HSC2 and BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policy CP3 and the National Planning Policy Framework.
21. To protect the amenity of future resident, provide suitable replacement sports provision and limit any impact upon protected species, in accordance with the requirements of Lichfield Core Policies 3, 10 and 11 and Policies HSC2 and BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policies CP3 and CP5 and the National Planning Policy Framework.

22. To ensure the provision of suitable replacement sports pitches, in accordance with the requirements of Lichfield Core Policies 3, 10 and 11 and Policies HSC2 and BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policies CP3 and CP5 and the National Planning Policy Framework.
23. To ensure full evaluation of and protection of any archaeological remains within the site, in accordance with Lichfield Core Policies 3 and 14, Cannock Chase Local Plan Policies CP15 and the National Planning Policy Framework.
24. To ensure the high quality form and appearance of the development and to protect natural habitat, in accordance with the requirements of Lichfield Core Policies 3, 13, and 14, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policies CP3, CP12 and CP14 and the National Planning Policy Framework.
25. To protect the water environment, reduce the transportation of waste off-site and to safeguard residential amenity, in accordance with the requirements of Policy 1.2 of the Staffordshire and Stoke on Trent Joint Waste Local Plan, Lichfield Core Policies 3 and 14, Cannock Chase Local Plan Policies CP16 and the National Planning Policy Framework.
26. To ensure the appropriate timing and delivery of the off-site highway works and in the interests of highway safety and capacity, in accordance with the requirements of Policies BE1 and ST2 of the Lichfield Local Plan Strategy, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policies CP1, CP3 and CP10 and the National Planning Policy Framework.
27. To promote the use of sustainable modes of transportation in accordance with Lichfield Policies BE1 and ST1 of the Local Plan Strategy, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policies CP10 and CP3 and the National Planning Policy Framework.
28. To protect the amenity of the future residents and safeguard the on-going operation of the railway network and electricity infrastructure, in accordance with the requirements of Lichfield Core Policies 3 and 14, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policy CP3 and the National Planning Policy Framework.
29. To ensure an acceptable form of development and in the interests of highway safety and connectivity, in accordance with the requirements of Lichfield Core Policies 5 and 14, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policy CP10 and the National Planning Policy Framework.
30. In order to safeguard the ecological interests of the site in accordance with Lichfield Core Policies 3 and 13 and Policy NR3 of the Local Plan Strategy, the Biodiversity and Development Supplementary Planning Document, Policy AH2 of the Armitage with Handsacre Neighbourhood Plan and the National Planning Policy Framework.
31. To prevent any piling works and associated vibration from destabilising or impacting upon the railway network and to ensure the protection of Controlled Waters, in accordance with the requirements of the National Planning Policy Framework.

32. To promote the use of sustainable modes of transportation and to help mitigate the development's impact upon the Cannock Chase Special Area of Conservation, in accordance with Policies BE1, NR7 and ST1 of the Lichfield Local Plan Strategy, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policies CP12 and CP13 and the National Planning Policy Framework.
33. To promote the use of sustainable modes of transportation and to help mitigate the development's impact upon the Cannock Chase Special Area of Conservation, in accordance with Policies BE1, NR7 and ST1 of the Lichfield Local Plan Strategy, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policies CP12 and CP13 and the National Planning Policy Framework.
34. In the interests of the safe operation of the railway network, in accordance with guidance contained within the National Planning Policy Framework.
35. In the interests of the safe and efficient function of the highway and to protect the amenity of existing and future residents, in accordance with the requirements of Policies BE1 and ST1 of the Lichfield Local Plan Strategy, Cannock Chase Local Plan Policy CP10 and the National Planning Policy Framework.
36. In the interests of the safe and efficient function of the highway and to protect the amenity of existing and future businesses, in accordance with the requirements of Policies BE1 and ST1 of the Lichfield Local Plan Strategy, Cannock Chase Local Plan Policy CP10 and the National Planning Policy Framework.
37. In the interests of the safe and efficient function of the highway and to protect the amenity of existing and future businesses, in accordance with the requirements of Policies BE1 and ST1 of the Lichfield Local Plan Strategy, Cannock Chase Local Plan Policy CP10 and the National Planning Policy Framework.
38. In order to safeguard the ecological interests of the site, in accordance with the requirements of Lichfield Core Policies 3 and 13, and Policy NR3 of the Local Plan Strategy, Cannock Chase Local Plan Policy CP12 and the National Planning Policy Framework.
39. To protect the amenity of the future residents in accordance with the requirements of Lichfield Core Policies 3 and 14, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policy CP3 and the National Planning Policy Framework.
40. To ensure an inclusive mix and tenure of dwellings throughout the development, in accordance with Policy H2 of the Lichfield Local Plan Strategy, Cannock Chase Local Plan Policy CP7, the Cannock Chase Design SPD and paragraph 62 of the National Planning Policy Framework.
41. In accordance with the applicants stated intentions and in order to meet the requirements of Lichfield Policy R1 of the Local Plan Allocations Document, the Rugeley Power Station Development Brief SPD.

42. To promote home-working and thereby help to mitigate the development's impact upon the Cannock Chase Special Area of Conservation.
43. In order for the development to reflect the basis on which this application has been assessed, to minimise the impact on existing, committed and planned commercial investment in Lichfield District, and to protect the vitality and viability of Armitage with Handsacre, in accordance with Core Policy 6, Strategic Policy 9 and Policy E1 of the Local Plan Strategy and the National Planning Policy Framework.
44. In order for the development to reflect the basis on which this application has been assessed and to minimise the impact on consumer choice and trade as well as existing, committed and planned commercial investment in Rugeley and neighbouring areas in accordance with Lichfield Core Policy 6, Strategic Policy 9 and Policy E1 of the Lichfield Local Plan Strategy, Cannock Chase Local Plan Policies RTC1-3, CP1 and CP4 and paragraphs 85-90 of the National Planning Policy Framework.
45. To ensure that the development is constructed in a sustainable manner, in accordance with Lichfield Core Policy 3 and Policy SC1 of the Local Plan Strategy, the Sustainable Design Supplementary Planning Document and the National Planning Policy Framework.
46. To safeguard the amenity of existing and future residents in accordance with the requirements of Lichfield Core Policy 3, Cannock Chase Local Plan Policy CP3 and paragraph 127(f) within the National Planning Policy Framework.
47. To safeguard the amenity of existing and future residents in accordance with the requirements of Lichfield Core Policy 3, Cannock Chase Local Plan Policy CP3 and paragraph 127(f) within the National Planning Policy Framework.
48. To promote the use of sustainable modes of transportation in accordance with Lichfield Policies BE1 and ST1 of the Local Plan Strategy, the Rugeley Power Station Development Brief SPD, Cannock Chase Local Plan Policies CP3 and CP10, the Cannock Chase Design Guide and the National Planning Policy Framework.
49. In order to set an upper limit to the quantum of C2 bedrooms proposed in the interests of ensuring housing delivery and avoid the potential for overprovision of C2 uses broadly in line with the Rugeley Power Station Development Brief SPD, Lichfield Policies BE1 and ST1 of the Local Plan Strategy, Cannock Chase Local Plan Policies CP3 and CP10 and the National Planning Policy Framework.
50. In the interests of addressing concerns with proposed canal towpath improvements and to improve and enhance their functionality in line with the Rugeley Power Station Development Brief SPD
51. To ensure fluvial flood storage compensation to reduce the risk of creating or exacerbating flooding problems, to minimise the risk of pollution and protect controlled waters and to ensure that sustainability and environmental objectives are met, in accordance with provisions of Lichfield Core Policy 3, and Policy BE1 of the Local Plan Strategy, Cannock Chase Local Plan Policy CP16 and the National Planning Policy Framework.

Notes to the Applicant

1. The applicant is advised that any archaeological works or ancillary archaeological works, survey of existing structures, demolition, site clearance, site preparation, site reclamation, site remediation works, preliminary landscaping, service diversions or decommissioning, laying of services (including in relation to street furniture for the temporary trialling of automated vehicles within the site), the erection of fences or hoardings and scaffolding, site or soil investigations, ground modelling and other works of site establishment preparatory to the commencement of construction and works associated with the construction of the spine road and operations permitted by the Town and Country Planning (General Permitted Development) Order 2015 are considered as exempt development and such would not comprise the commencement of development in the terms of this decision.
2. The applicant's attention is drawn to the comments of Central Networks as detailed within their e-mail dated 24th October 2019.
3. The applicant is advised to note and act upon as necessary the comments and requirements of Network Rail dated 13th June 2019. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.
4. The applicant is advised to note and act upon as necessary the comments from the Council's Operational Services Customer Relations and Performance Manager specific to waste services dated 28th October 2019.
5. The applicant is advised to note and act upon as necessary the comments from the Police Architectural Liaison Officer dated 19th November 2019. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.
6. The applicant is advised to note and act upon as necessary the comments from the Environment Agency dated 4th July 2019.
7. The applicant is advised to note and act upon as necessary the comments from the Staffordshire Fire and Rescue Service dated 19 May 2020.
8. The applicant is advised to note and act upon as necessary the comments from the National Grid contained within the letter provided by RPS group dated 12th July 2019. In particular, regard should be had to the location of internal access road and when considering landscaping details, to guidance contained within the National Grid Document 'A Sense of Place: Design Guidelines for Development Near Pylons and High Voltage Overhead Power Lines'.
9. The applicant is advised to note and act upon as necessary the comments from Western Power contained within the letter provided by Pegasus Group dated 12th July 2019. In particular, regard should be had, when considering sport pitch design, to guidance contained within HSE Guidance Note GS6.

10. The applicant is advised to note and act upon as necessary the comments from the Coal Authority dated 24th October 2019.
11. The applicant is advised to note and act upon as necessary the comments from South Staffs Water dated 15th June 2020.
12. The accesses and off-site highway works will require a Major Works Agreement with Staffordshire County Council and the applicants are therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Major Works Information Pack and an application form for the Major Works 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 nmu@staffordshire.gov.uk) <http://www.staffordshire.gov.uk/transport/staffshighways/licences/>.
13. This consent will require approval under Section 7 of the Staffordshire Act 1983 and also require a Section 38 approval of the Highways Act 1980. The applicant is advised therefore to contact Staffordshire County Council to ensure that approval and agreements are secured before the commencement of development.
14. The applicant is advised that when seeking to discharge condition 12, it is likely that during the period of construction of any phase of the development, no works including deliveries will be permitted outside of the following times: 0730 ' 1900 hours Monday to Friday and 0800 ' 1300 hours on Saturdays and not at any time on Sundays, Bank and Public holidays (other than emergency works).
15. The applicant is advised to refer to the 'Code of Practice for Works affecting the Canal & River Trust' to ensure that any necessary consents are obtained.
16. The applicant is advised that any new access points to the canal corridor / towpath or other encroachment will require the agreement of the Canal & River Trust and is advised to contact Canal & River Trust's Estate Surveyor to discuss any commercial agreements / licenses that may be required.
17. The applicant is advised that any surface water discharge into the canal will require prior consent from the Canal & River Trust. As the Trust is not a land drainage authority, such discharges are not granted as of right and where they are granted they are subject to completion of a commercial agreement. Contact the Utilities Surveyor at the Trust to discuss further.
18. The applicant is advised that this permission does not absolve them from their responsibilities in relation to protected species. If evidence of bats, badgers or other protected species are found during clearance works / demolition / construction, all work should cease and the services of a licensed ecologist procured to ensure an offence is not committed under the habitats legislation.
19. With reference to the provision of cycle storage at residential dwellings, if it is proposed to include this in a garage then the minimum internal dimensions of the

ITEM NO. XX

garage will need to be 6.0m x 3.0m in order for it to be considered suitable for the storage of a bicycle and a motor car.

20. The applicant is advised that if there remains a requirement to continue to extract and remove waste Pulverised Fuel Ash from the site, beyond the first implementation of the planning permission and the site is no longer operational, then a separate planning permission for such, from Staffordshire County Council will be required.
21. The applicant is advised that, as approved by condition 3, the height and density of the proposed buildings within the development shall not exceed those identified on plans 'Building Heights' reference 01585_PP_03 Rev P6 and 'Illustrative Density' reference 01585_PP_05 Rev P5.
22. The development is considered to be a sustainable form of development which complies with the provisions of paragraph 38 of the NPPF.
23. The applicant is advised that the playing field scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011).
24. The applicant is advised that the design and layout of the hockey artificial grass pitch, 3G artificial grass pitch and multi use games areas should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to: Sport England's Artificial Surfaces for Outdoor Sports; FA Guide to 3G Football Turf Pitch Design Principles and England Hockey's Gen2 Multi-Sports Areas Sports Pitch Design Guidance.
25. The applicant is advised that the 3G artificial grass pitch should be tested in accordance with The FA standard code of rules and be registered on the FA Register for 3G Football Turf Pitches. The pitch should also be built in accordance with FIFA Quality Concept for Football Turf - FIFA Quality or International Match Standard (IMS), as a minimum.

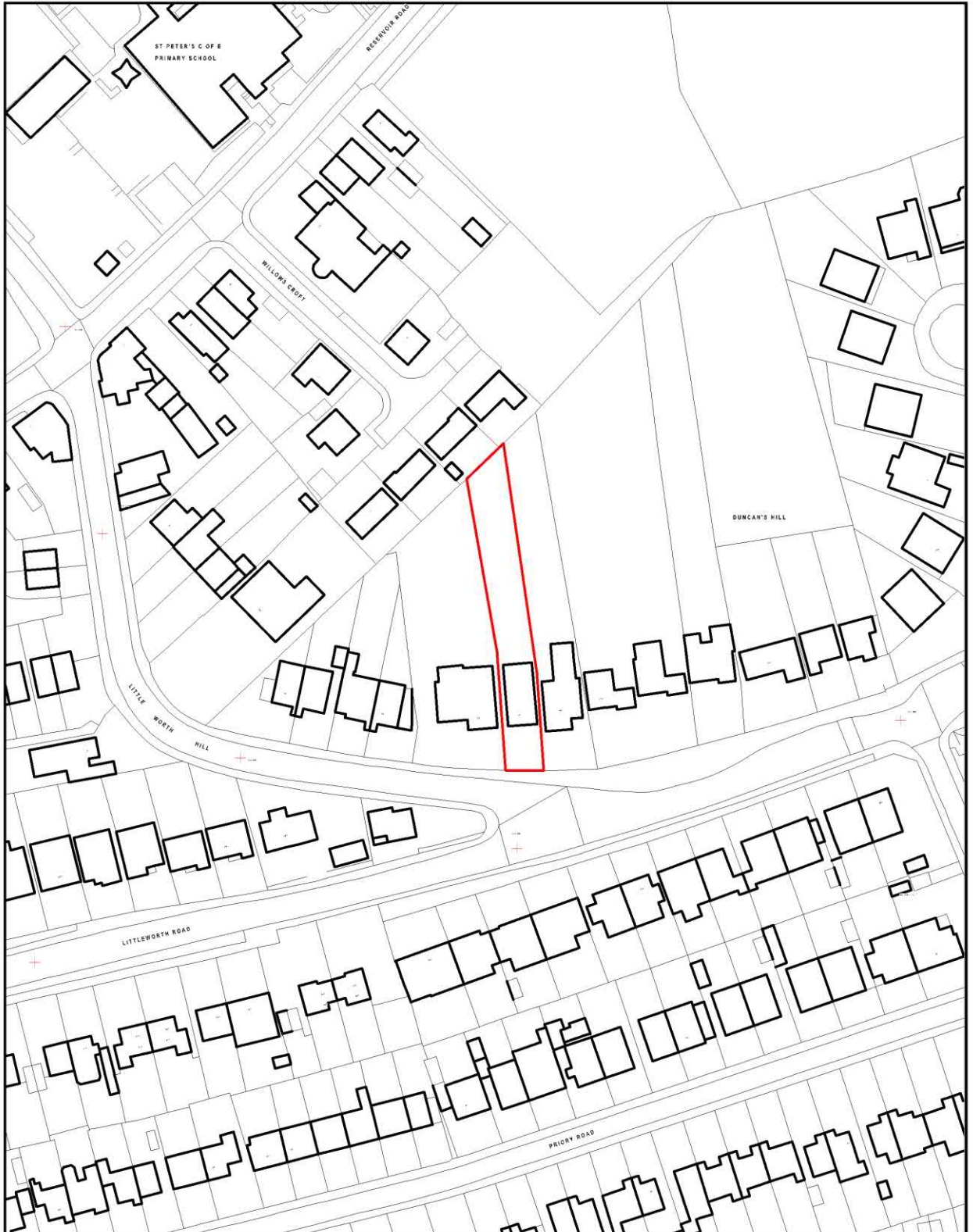


Application No: CH/20/161

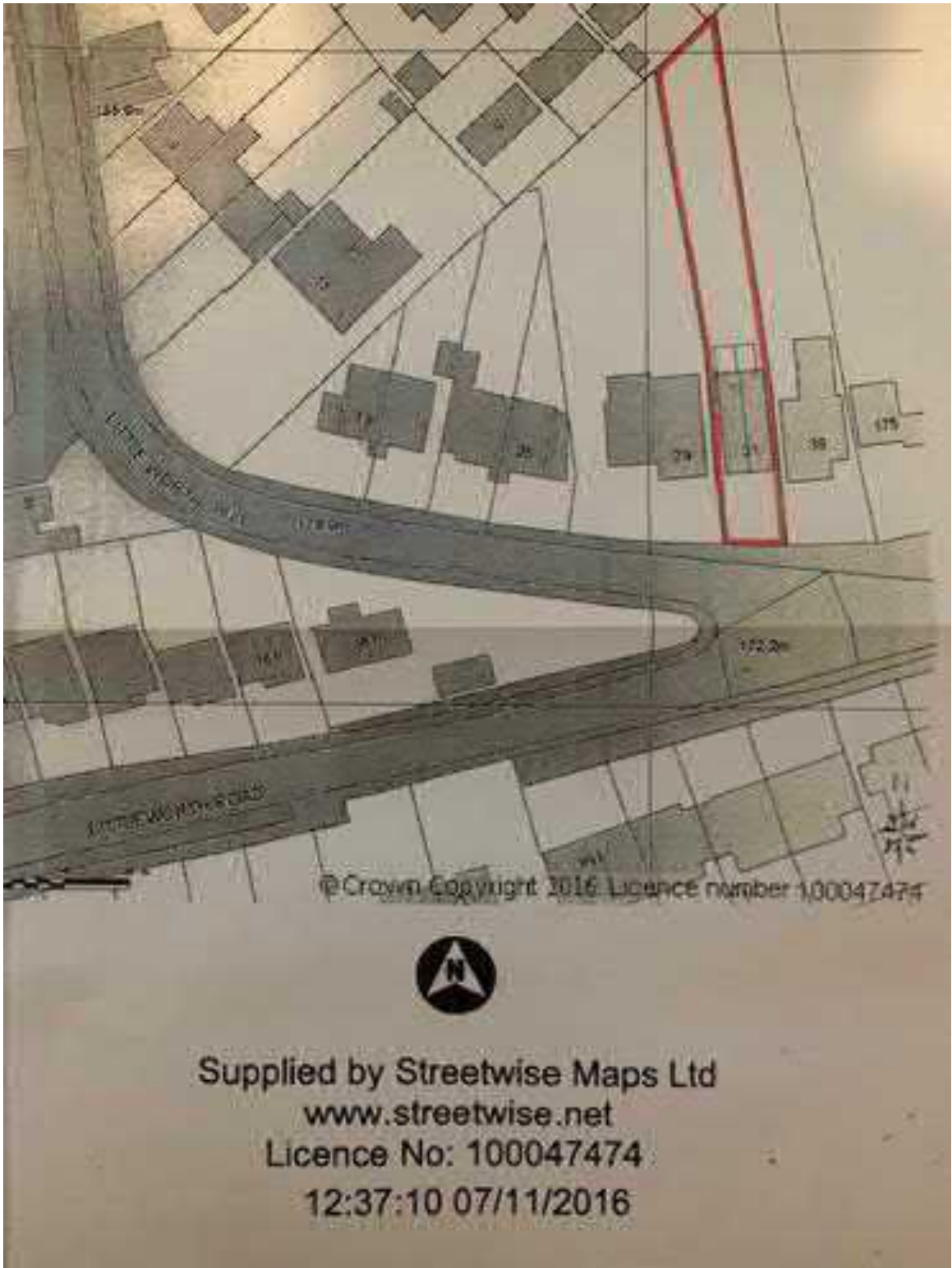
Location: 31, Littleworth Hill, Littleworth, Cannock, WS12 1NS

Proposal: Retention of works to the rear garden and retention of fence.

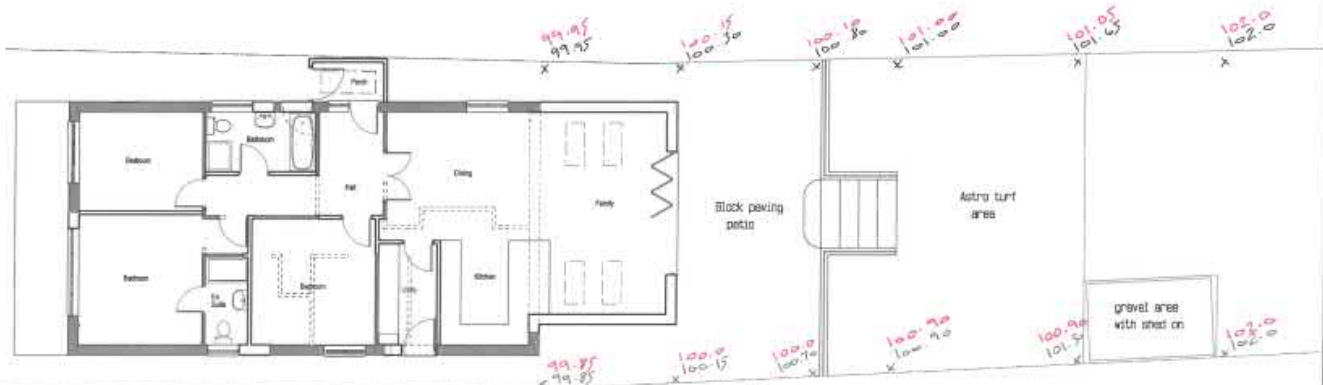
ITEM NO. 6.145



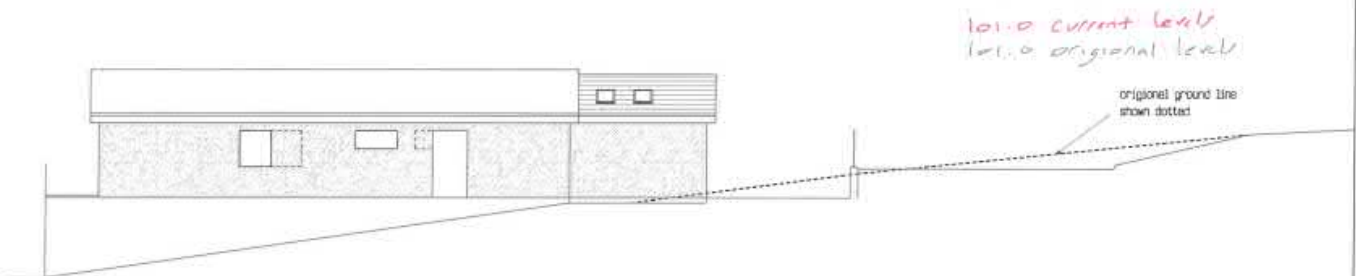
Block Plan



Levels Plan



FLOOR PLAN (PROPOSED)



SECTION SHOWING EXISTING & PROPOSED GROUND LEVEL

Contact Officer:	Claire Faulkner
Telephone No:	01543 464337

PLANNING CONTROL COMMITTEE	
22nd July 2020	
Application No:	CH/20/161
Received:	07-May-2020
Location:	31, Littleworth Hill, Littleworth, Cannock, WS12 1NS
Parish:	Hednesford
Description:	Retention of works to the rear garden and retention of fence.
Application Type:	Full Planning Application

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.

Consultations and Publicity**External Consultations -**Hednesford Town Council

No objection.

Internal Consultations

None undertaken

Response to Publicity

The application has been advertised by site notice and neighbour letter. One letter of representation has been received:

- A substantial part of this Retrospective Planning Application includes Decking. But due to the height of this decking it has infringed on the privacy at the rear of my home, a privacy that my family have enjoyed for several years.
- It is a retrospective planning application and to grant approval would persuade others to proceed in similar fashion and ignore planning permission legal requirements. For this Retrospective Planning Application to be rejected would not be unusual. Between the years of 2017 to 2019 the total number of retrospective planning applications submitted to UK local authorities was 39,214, with 4,758 being rejected. The loss of privacy due to decking was one of the main reasons for rejection. The total number of retrospective planning applications rejected in the West Midlands was 347 from a total of 3.178 submitted applications.

Relevant Planning History

CH/16/442: Single storey rear extension, porch to side and other external alterations. Approved

1 Site and Surroundings

- 1.1 The application site comprises a modern 'bungalow' built into the slope of a hillside such that the garage is constructed as an undercroft at road level but the main living quarters is built one storey above which is level with the round level to the rear. The ground level continues to rise in the rear garden towards the rear fence such that the properties to the rear are several metres higher than the floor level of the bungalow.
- 1.2 The dwelling has been extended to the rear which has resulted in the levelling of part of the garden. To the immediate rear of the dwelling is a patio area with steps up to an astro turfed area which in turn leads back to the original sloping garden.

- 1.3 The sides and rear of the gardens are enclosed by a combination of wall and fence, with an approx 1.6m high stone lattice-work wall supported on brick pillars running along the shared boundary with 29 Littleworth Hill and a closeboard fence running along the boundary with No.39 Littleworth Hill.
- 1.4 It is noted that there is a difference in levels between the neighbouring properties with the ground level of No 29 being approx 0.75m higher than the application site and a slight drop between the application site and No39.
- 1.5 The property to the immediate east of the application site is 39 Littleworth Hill, which is a similar split level bungalow with what appears to be a single storey outrigger/extension to rear with two windows facing the application site.
- 1.6 The site is undesignated and unallocated within the Proposals Maps of the Cannock Chase Local Plan (Part 1). The site is also within a Minerals Conservation Area (MCA) and falls within the low risk development boundary as designated by the Coal Authority.

2 Proposal

- 2.1 The applicant is seeking consent for retention of levelling works to the rear garden and retention of the rear boundary fence.
- 2.2 The applicant confirms that the re-levelling of the garden was carried out following the implementation of planning permission for a rear extension. Once the extension had been constructed the applicant had to lower the level of the surrounding ground to enable use of the doors. The ground to the immediate rear which now forms the patio was excavated to a lower level than the original land by approx. 0.7m at the deepest point. The boundaries to the side of the patio area comprise of close board fencing.
- 2.3 The second level, sits approx. 1m higher than the lower level of the patio by approx. 1m. Notwithstanding this, this is approx. 0.2m above the original ground level at the front of this section and approx. 0.4m to the rear of this section (to the front of the shed). A 2m high close board fence runs along the shared boundary.

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:-

3.2 Safeguarding Minerals

3.3 National Planning Policy Framework

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

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

3.6 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
124, 127, 128, 130:	Achieving Well-Designed Places
212, 213	Implementation

3.7 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

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.

4.2 Principle of the Development

4.2.1 The application site is on undesignated land within a residential curtilage in Hednesford. The proposal is for the retention of works within the rear garden of the existing dwelling. As such, the proposal is 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;

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

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

Planning policies and decisions should ensure that developments:

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

create attractive, welcoming and distinctive places to live, work and visit;

- 4.3.4 Finally Paragraph 130 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.
- 4.3.5 The construction of patio areas and the levelling of gardens to provide an occupier with useable space is not uncommon within a residential curtilage. Also the works carried out are to the rear of the dwelling and therefore not visible from within the street scene.
- 4.3.6 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".
- 4.4.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 The main issue with regard to the application relates to the overlooking of the adjacent property and in this respect the comments of the neighbour are noted. The property at No.29 Littleworth Hill is sited on higher ground than that of the application site and is separated by 2 closeboard fences; one on the application site, and one on the higher ground of the adjacent property. It is noted that the original ground level has been excavated down immediately adjacent this boundary. As such, there are no issues of overlooking of No.29 Littleworth Hill.
- 4.4.5 With regard to No.39; this dwelling is sited on lower ground than the application site and benefits from two side facing windows which look towards

the side elevation of the dwelling. It is noted that a view of part of the side elevation and windows of this adjacent property is visible from the astro turf level / steps however, the distance to the neighbours side facing windows is approx.. 10.5m distant and screened by the intervening boundary treatment and wooden structure. Also, when compared to the original level of this part of the garden, the overlooking created as a consequence of the alterations in levels is not significant in planning terms.

- 4.4.6 A close board fence runs along the shared boundary with No.39 which follows the levels of the land. The applicant has (under permitted development) erected a wooden structure immediately adjacent the boundary with No.39 Littleworth Hill which further reduces the potential for overlooking of this adjacent property.
- 4.4.7 Whilst officers acknowledge that some degree of overlooking can occur as a consequence of the works carried out, the additional degree of overlooking that has occurred is marginal and insufficient to warrant refusal given the overall ground levels throughout the rear garden of the application property.
- 4.4.8 Given the above, it is considered that on balance, the works carried out to the levels of the rear garden are acceptable and have not resulted in a significant detrimental impact to the privacy of the adjoining occupiers. Therefore, the development as carried out is considered to be in accordance with Policy CP3 of the Local Plan and the relevant paragraphs of the NPPF.

4.5 Mineral Safeguarding

- 4.5.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.
- 4.5.2 Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.
- 4.5.3 As such, the proposal would not prejudice the aims of the Minerals Local Plan.

4.6. Ground Conditions and Contamination

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

4.7 Drainage and Flood Risk

4.7.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps. In this instance, the host dwelling already exists with the proposal being the retention of alterations to the levels of the garden. As such, the proposal has not created additional flood risk over and above the current situation.

4.8.1 Objections received not already covered above:

4.8.1 The objector stated that has this is a retrospective planning application to grant approval would persuade others to proceed in similar fashion and ignore planning permission legal requirements. The objector continued that for this Retrospective Planning Application to be rejected would not be unusual. However, officers would advise that whether an application is retrospective or not does not influence the way in which an application is assessed. It is therefore not appropriate to refuse an application merely because the application is retrospective. To do so would render the ability to lawfully submit a retrospective application otiose.

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.

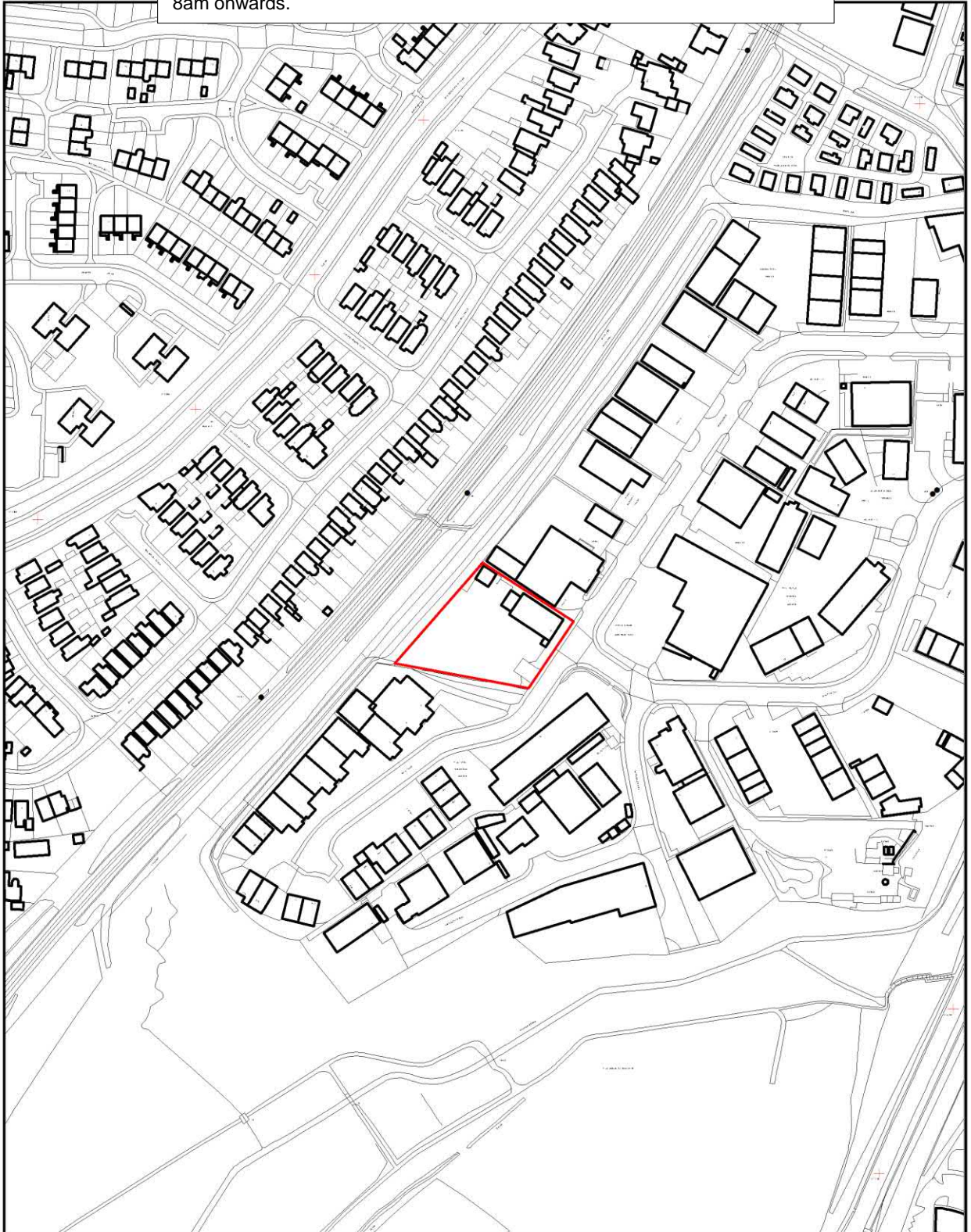


Application No: CH/20/165

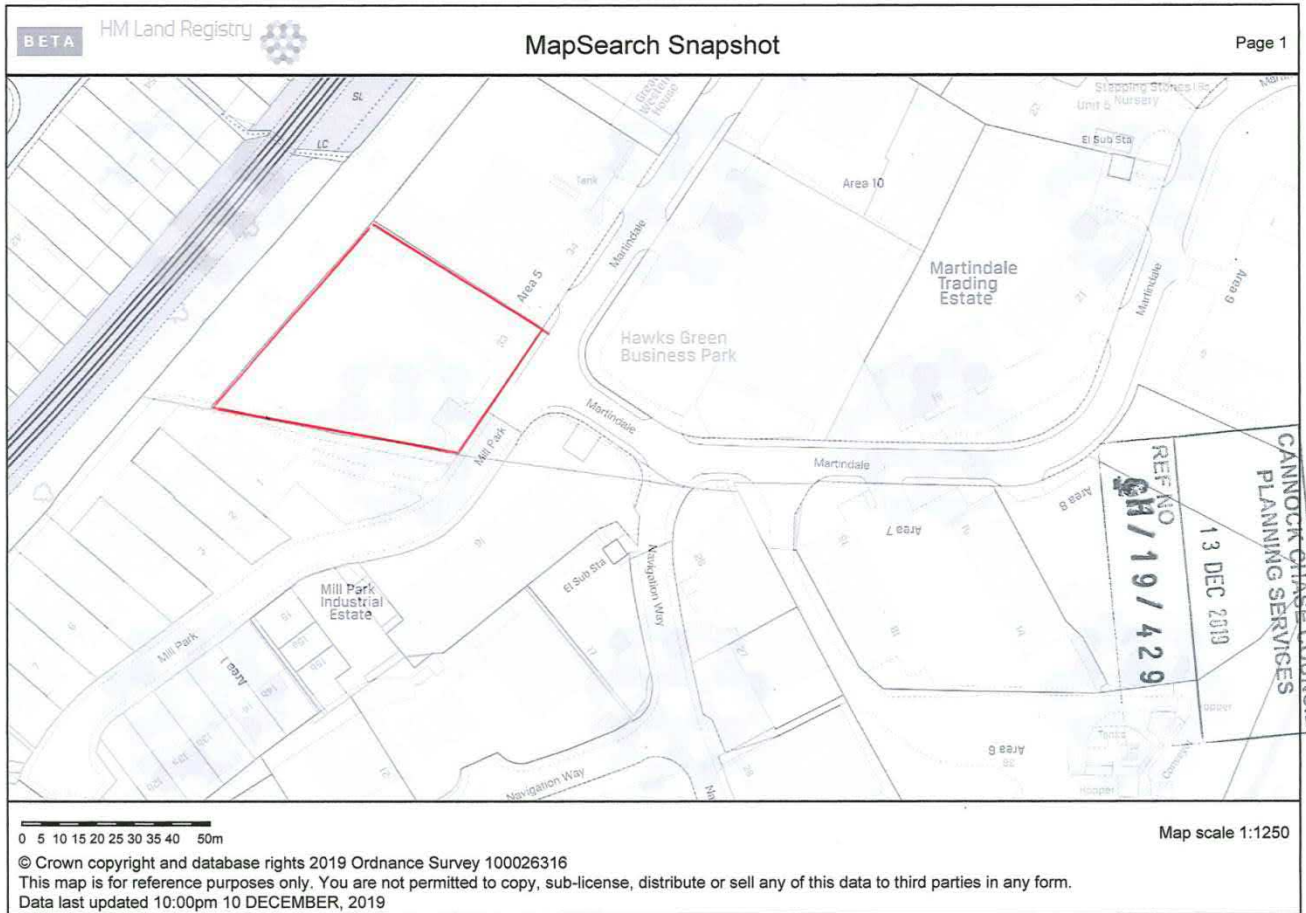
Location: Unit 33, Martindale Trading Estate, Martindale, Hawks Green, Cannock, WS11 7XN

Proposal: Re-submission - Variation of Condition (4) of Planning Permission (CH/99/0539) to allow movement of vehicles Mon-Fri 4am-6pm, Sat 8am-2pm, all other operations from 8am onwards.

ITEM NO. 6.157



Location Plan



Contact Officer:	Claire Faulkner
Telephone No:	01543 464337

PLANNING CONTROL COMMITTEE	
Application No:	CH/20/165
Received:	14-May-2020
Location:	Unit 33, Martindale Trading Estate, Martindale, Hawks Green, Cannock, WS11 7XN
Parish:	Non Parish Area
Description:	Re-submission - Variation of Condition (4) of Planning Permission (CH/99/0539) to allow movement of vehicles Mon-Fri 4am-6pm, Sat 8am-2pm, all other operations from 8am onwards.
Application Type:	Full Planning Application

RECOMMENDATION:

Approve Subject to Conditions

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions):

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

Reason

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

2. On no occasion between the hours of 04:00 and 07:00 shall the noise from the site be greater than the background noise at the nearest domestic property.

Reason

To ensure the continued protection of the nearby residential amenity.

3. This permission grants approval for 1 vehicle to leave the site between the hours of 04:00 - 07:00 and for a further 3 vehicles to leave the site between the hours of 07:00 - 08:00 Monday to Friday only.

The business shall be open for all other operations between the hours of 08:00 - 18:00 Monday - Fridays, 08:00 - 14:00 on Saturday and at no time on Sundays or public or Bank Holidays.

There shall be no vehicle movements on the site between the hours of 18:00 and 04:00hrs on any day

Reason

In order to protect the amenity of nearby residents.

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

Noise Impact Assessment
KCG Noise Policy / Good Neighbour Policy
Covering Letter

Reason

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

Consultations and Publicity

EXTERNAL CONSULTATIONS

None undertaken.

INTERNAL COMMENTS

Environmental Protections

Thank you for referring this matters for consideration. No adverse comments are offered from Environmental Protection in respect of the proposed variation.

RESPONSE TO PUBLICITY

The application was advertised by site notice and adjacent occupiers were notified. With 12 letters of representation received and 1 petition with 49 signatures. The representations are summarised as follows:

- Residents have been in correspondence with your department, regarding breaches of working hours and excessive noise levels from this site for a number of months;
- The new proposals relating to the changes in working hours is totally unacceptable as the residents are directly affected by noise due to vehicle movements on this site.
- The Pebble Mill Drive houses were constructed prior to the factory units and any application for the units took into account the need to respect the right of the existing residents to enjoy not only their homes, but their gardens and conservatories etc.
- The other factory units backing onto the railway have strict working hours and noise level restrictions as follows:
 - Working hours restricted to 7am-7pm Monday to Friday, 7am-1pm Saturday and no working on Sundays and Bank Holidays
 - 2 Maximum noise level at boundary with railway of 7SDb
- I feel that their general working hours should be restricted to the same as those at 1 above, in line with the other units on the estate, to protect the existing residents. This should not mean that they arrive on site at 6.30 and check their vehicles over and then leave at 7am, as their checking procedure involves metallic noises as inspection hatches and doors etc are closed and engines are running, which is clearly heard on our side of the railway.
- The use of their site based machine should remain at 8am as the original approval. The noise from this machine, metal scraping on

concrete together with banging and other noises from deliveries, causes great nuisance throughout the day and would be in breach of the 7SDB limits imposed on the other factory units.

- There is no need for this to start any earlier than 8am as the concrete wagons are loaded up each evening, so that they are ready to go first thing the next day, and they do not return to the yard for fresh supplies until after 10am most days.
- A maximum noise level at the railway boundary should also be imposed, in line with the other factories, as their type of noise is far more disruptive.
- The location of the storage areas, adjacent to the railway boundary, also intensify the noise levels for the residents and this problem could be greatly reduced if the storage was relocated away from this boundary.

Relevant Planning History

CH/99/0639 Change of use from general industrial (b2) to storage and distribution including packaging (b8).

1 Site and Surroundings

- 1.1 The KCG site is part of the Martindale Industrial Estate, and is located on the north-western edge of the industrial estate.
- 1.2 The application covers an area of 2,911m² and accommodates an office building, staff parking area and the industrial yard. The yard is used to store the aggregates and is where the loading of the vehicles takes place. Access into the site is from Martindale to the south-east.
- 1.3 The application site is bound on two sides by industrial uses; including, to the immediate south-west, a haulage company which utilises heavy good vehicles and operates on a 24 hour basis.

- 1.4 The nearest residential properties are sited to the north of the application site approx..60m distant (40m to the rear boundary of the gardens). These dwellings are separated from the application site by the railway line which lies in an elevated position to the immediate rear of the residential boundaries and approx. 28m from the rear boundary of the site. The raised railway line serves trains between Rugeley and Birmingham with a total of approx.. 80 trains passing per day between the hours of 06:00hrs and 23:00hrs Monday to Saturday and a reduced service on Sundays. There is an 18m deep intervening landscape buffer between the application site and the adjacent railway line which comprise of mature tree planting and shrubbery.
- 1.4 The application site is located within a Mineral Safeguarding Area and the Coal Authority consider it to be within a Low Risk Development boundary. The application site also falls within a landmark contaminated land boundary.

2 Proposal

- 2.1 The proposal is for the variation of condition (4) of planning permission CH/99/0539 which read as follows:
- “no movement of commercial vehicles to or from the site shall take place outside the hours of 08:00 and 18:00”.*
- 2.2 The application seeks to vary the condition to allow movement of vehicles Mon-Fri 4am-6pm, Sat 8am-2pm and all other operations from 8am onwards.
- 2.3 The applicant has confirmed the extension to the hours would be to facilitate the occasional movement of 1 vehicle that is required to leave the site by 04:30hrs and a further three vehicles between 07:00hrs and 08:00hrs.
- 2.4 The applicant has confirmed that there would be no other operations taking place within the site e.g. loading / unloading of vehicles, movement of aggregates during this time. The applicant has confirmed that the loading of the vehicles to leave the site early is carried out the day before.
- 2.5 The following documents have been submitted:

Noise Assessment

Good Neighbour Policy

Supporting Statement

3	Supporting Information
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3.1 The applicant has submitted the following statement in support of the application:-

“Following a noise complaint received from the council 12th November 2019 our organisation made immediate changes with the way we operate on a daily basis. Whilst we have a business to run, we still appreciate that the daily routine must be done with minimal disruption.

The main issues listed in resident’s diary and stated in objections emailed against our application are listed below-

Banging/Tipping - this happens when Gravel/ Sand is delivered. The tail gate falls shut when the material has been tipped. I have grouped these 2 complaints banging and tipping together as they are connected and happen at the same time. This is now resolved as our suppliers send in trucks with sound reducing gates to muffle any offensive bangs. We have also restricted these deliveries between the hours of 08:00 and 15:00.

For information purposes. KCG receive 2-4 of these deliveries per day and last no more than 1 minute 10 seconds per vehicle to unload from start to finish. Total 4minutes 40 seconds per day. The closer/bang of the tail gate 3 seconds per load. Total 12 seconds

Scraping - this happens only when Gravel loads have been spilled out of the bay and into the yard. A forklift with large brush has now been purchased to clear up any spillages. This will be the alternative to scraping the floor it will be swept instead.

Hammer - A hammer drill is sometimes operated for maintenance, but this is only on odd occasions and takes place between 08:00 and 18:00.

Since the Noise complaint received here is a list of the new measures we have put into place:

- No Noise Policy- attached document Ref:1 EMP-POL-104
- No reverse Beeper - all vehicles have had the beepers removed
- No loading of vehicles using plant before 08:00 or after 18:00
- No deliveries of Sand/Gravel before 08:00 or after 15:00
- Forklift in operation to sweep spillages instead of scraping

The complaints received are all regarding operations in the summer before we were made aware that our daily routines were causing upset to local residents in Pebble Mill Drive the new measures now in place are covering the complaints received.

We would also like to add that we were operating from this site since 2009 until July 2017 doing exactly the same operations that as we do now. We have never had any complaints before and worked here for 8 years previously. Nothing in our work pattern has changed. Where the sand and gravel bay is situated has not changed. Our operating times and our customers demand have not change.

Not all the noises on Martindale are from KCG MD Haulage in yard next to us, HGV Auto Commercials repairs grabs, concrete mixers, HGV's of all kinds. Cannock Gates. The MD Haulage & HGV Auto commercials company next door to us also moved in at the same time as we did. Maybe the noise is coming from them? The company next to us is an auto electrical company which fixes HGVS all day, several grab lorries and concrete mixers and arctic lorries drive in and out next doors yard every day. Cannock Gates opposite us is open from 6am most mornings and they have forklifts and lifting equipment with reverse beepers driving around Martindale from early hours. Deliveries and bins emptied.

If the planning alterations are accepted, we are NOT altering our new instructions to keep the scope of our works after 8am. We just simply need the opportunity for our trucks to leave the yard before those times as most builders require their concrete to arrive onsite between 7:30 and 8am so that they have all day to use it and time for it to set.

Our main aim is to ensure that we are not impacting any of our neighbours as we continue with our business. We are a just a small local

family company with no more than 5 vehicles and since being made aware of the issues that our neighbouring residents are facing, we are taking this very seriously and doing all that we can to avoid disturbing them throughout the day. We want to work with our council to make sure that we are keeping noise pollution to a minimum but also keeping ourselves in a position where we can look after our employees and local customers too.”

4 Planning Policy

- 4.1 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.
- 4.2 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

CP8 – Employment Land

CP9 – A Balanced Economy

Relevant Policies within the Mineral Plan include:-

3.2 Safeguarding Minerals

4.3 National Planning Policy Framework

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

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

3.6 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
124, 127, 128, 130:	Achieving Well-Designed Places
180	Impact from noise
212, 213	Implementation

3.7 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

4 Determining Issues

4.1 When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements. However, new issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are not fundamental or substantial, but still material in nature, a developer may seek to obtain approval for the changes through the provision of Section 73 of the 1990 Town and Country Planning Act.

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

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

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

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

4.4 The determining issues for the proposal are therefore whether the proposed variations to conditions to change hours of operation would be acceptable in respect of their impact on: —

- (i) The standard of amenity in the locality

4.5 Impact of the Standard of Amenity

4.5.1 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".

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

4.5.3 Paragraph 180 of the NPPF states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so (amongst others) (a) 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.

- 4.5.4 In this instance, it is noted that there is a raised railway line between the application site and the residential properties within Pebble Mill Drive. A distance of 60m (40m to the rear boundary of the gardens) and an 18m deep mature landscape buffer separate the application sites and the residential properties. Notwithstanding this, it is acknowledged that the landscape buffer would be less effective as a barrier to noise during the winter months when there are no leaves on the trees.
- 4.7.6 It is also noted that the north-western boundary of the wider industrial estate that abuts the landscape buffer then railway, measures some 400m and comprises of a variety of uses. Several of the neighbouring uses including the sites that immediately abut the application site are not restricted in hours of operation and already operate on a 24 hour basis.
- 4.7.3 The main issues arising from the proposed variation of hours is noise and this is also noted from the neighbour consultation responses received. As such, the applicant has submitted a Noise Assessment with which to inform the application. The normal method of assessing new sources of industrial noise is contained within British Standard BS4142:2014. The noise assessment submitted therefore considers the noise generated as a consequence of the proposed extended hours of operation only i.e. that is the potential noise generated from 1 vehicle movement between the hours of 04:00hrs to 07:00hrs and the 3 further vehicle movements between 07:00hrs and 08:00hrs.
- 4.7.4 The Noise Assessment concluded that the noise levels from the additional vehicular movements between 04:00hrs and 08:00hrs have been predicted to be 1dB and 4dB below the existing representative background noise level in the night period and day period respectively; this is a positive indication that the noise impact is low.
- 4.7.5 The Council's Environmental Health Officer (EHO) was consulted on the application and Noise Assessment and raised no objection to the proposed variation of condition subject to the imposition of conditions.
- 4.7.6 The EHO has gone on to state: -

"The noise report provided by the applicant sets out to demonstrate this point as evidence that the event noise (in this case vehicle movement) will not be so distinctive against the background as to cause disturbance. So I would say it passes the test of reasonableness on the basis that the applicant claims it to be the case.

It is certainly enforceable and testable to testable too. We are only ever likely to investigate this condition if a complaint is received, and therefore able to gain access to the resident's property to monitor. As this would apply to the nearest property as a worse case scenario, it would also apply to any other properties further away too. Measuring both background and site activity is easily enough done.

It is also important that they do not prolong their activities at sensitive times by idling engines for prolonged periods. Vehicle checks and preparation should all be done the day before, so I would keep the averaged values as follows. It allows for more activity between 0700 and 0800, but encourages them to avoid more disruptive activities such as aggregate handling, etc.. Please note that on reflection of the noise report I have adjusted the values to allow for the 5dB attenuation provided by the railway elevation and have adjusted the parameters to both being a 1 hour average, so is slightly more relaxed than my previous recommendation.

- 4.7.6 As such, the proposed variation of condition is considered to accord with Policy CP3 of the Cannock Chase Local Plan and the relevant paragraphs of the NPPF. However, the EHO has advised that the applicant should note that the EHO would still consider the use of Statutory Nuisance legislation if noise (or other nuisance matters) impacted on those living or working nearby.

4.8 Objections raised not covered above:-

- 4.8.1 Objections have been submitted based on the breaches of working hours and excessive noise levels from this site for a number of months. Your Officers confirm that the complaints received have led to the applicant submitting the current application in order to regularise the development.
- 4.8.2 An objector has stated that the Pebble Mill Drive houses were constructed prior to the factory units and any application for the units took into account the need to respect the right of the existing residents to enjoy not only their homes, but their gardens and conservatories etc. Your Officers confirm that any application submitted would consider the impact on the nearby residential properties in accordance with National and Local Planning Guidance.
- 4.8.3 Objectors have referred to the other factory units backing onto the railway having strict working hours and noise level restrictions. Your Officers confirm

that whilst a planning condition was imposed on the original planning permission subsequent planning permissions for individual units did not include such a condition and therefore a number of units, including the two adjacent units, do not have restrictions on the hours of operation.

- 4.8.4 An objector has suggested that a maximum noise level at the railway boundary should also be imposed, in line with the other factories, as their type of noise is far more disruptive. Your Officers agree and a condition has been recommended accordingly.
- 4.8.5 An objector has stated that the location of the storage areas, adjacent to the railway boundary, also intensify the noise levels for the residents and this problem could be greatly reduced if the storage was relocated away from this boundary. Your Officers confirm that the application seeks to vary the hours of operation and the case before members must be determined on its own merits and based on the current situation.
- 4.8.6 An objector stated that the use of their site based machine should remain at 8am as the original approval. The noise from this machine, metal scraping on concrete together with banging and other noises from deliveries, causes great nuisance throughout the day and would be in breach of the 7SDb limits imposed on the other factory units. Your Officers confirm that the application seeks consent to allow an earlier start for vehicle movements from the site. The applicant has confirmed that machinery would not be operated during the extended hours as the lorries are loaded up the evening before.

5 Human Rights Act 1998 and Equalities Act 2010

5.1 Human Rights Act 1998

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

5.2 Equalities Act 2010

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

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

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

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

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

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

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

6 Conclusion

6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the attached conditions, would not result in any significant harm to 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.

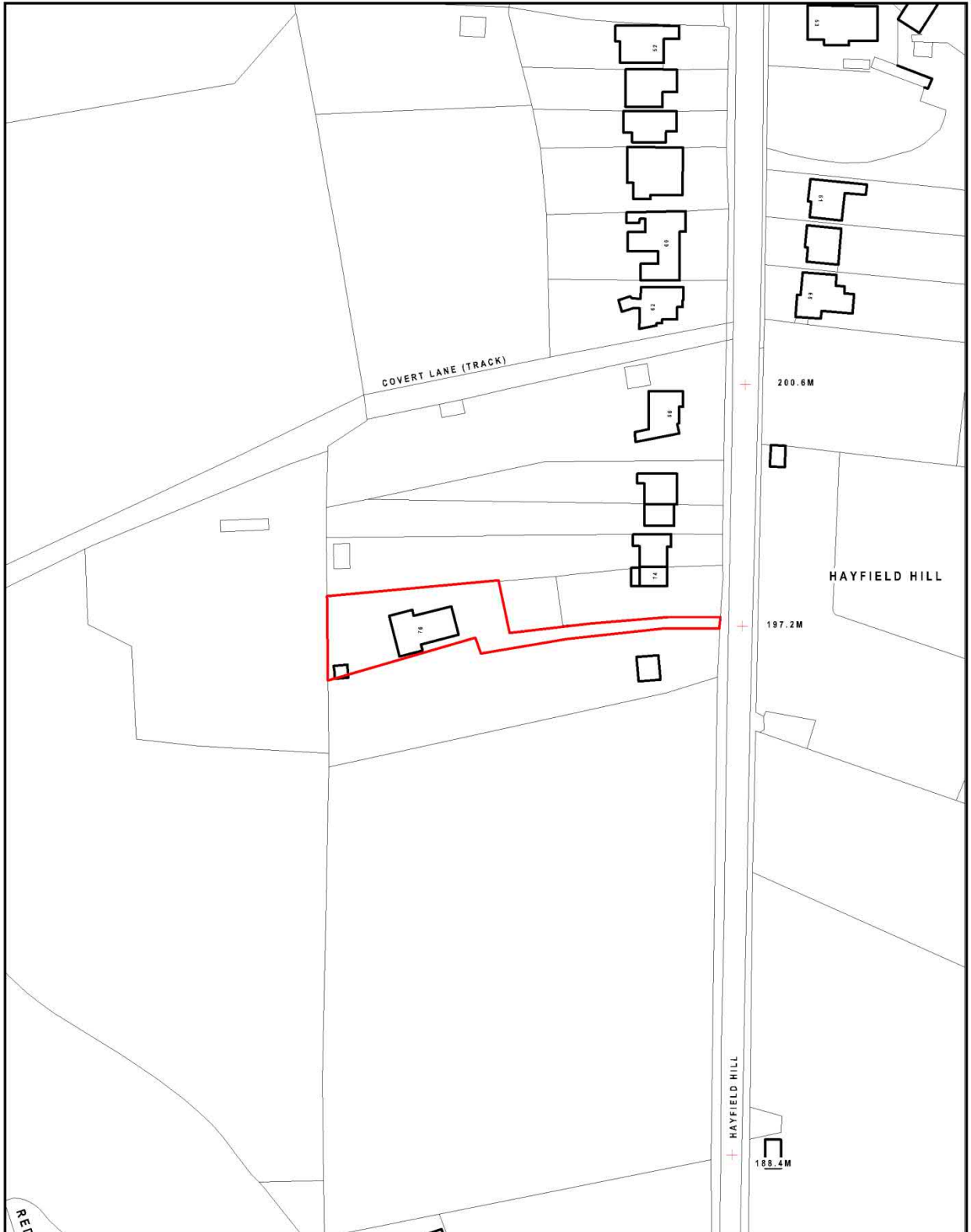


Application No: CH/20/183

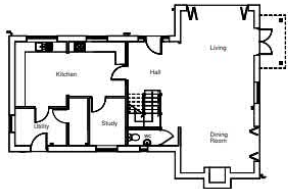
Location: 76 Hayfield Hill, Cannock Wood, WS15 4RS

Proposal: Two storey rear extension

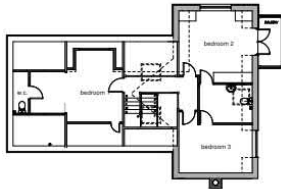
ITEM NO. 6.174



Plans and Elevations



EXISTING GROUND FLOOR PLAN (1:100)



EXISTING FIRST FLOOR PLAN (1:100)



EXISTING SOUTH ELEVATION (1:100)



EXISTING WEST ELEVATION (1:100)



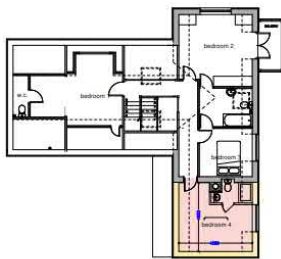
EXISTING NORTH ELEVATION (1:100)



EXISTING EAST ELEVATION (1:100)



PROPOSED GROUND FLOOR PLAN (1:100)



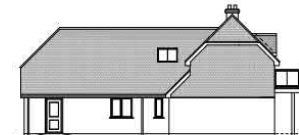
PROPOSED FIRST FLOOR PLAN (1:100)



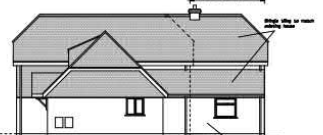
PROPOSED SOUTH ELEVATION (1:100)



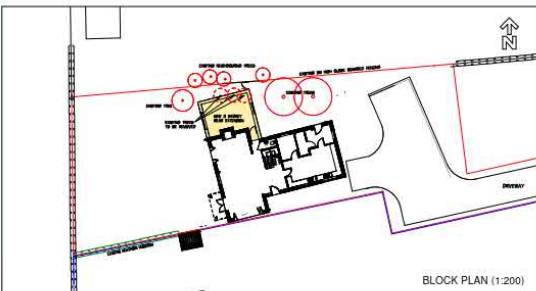
PROPOSED WEST ELEVATION (1:100)



PROPOSED NORTH ELEVATION (1:100)



PROPOSED EAST ELEVATION (1:100)



BLOCK PLAN (1:200)



LOCATION PLAN (1:1250)

J Mason Associates		Rev /	Drawn	1 /	No /	Date
Client:	M and Mrs Davila					
Project:	Proposed Rear Extension to 254 Reginald Rd, Cornwall West		Drawn To:	Existing and Proposed		
Stage:	Planning	Scale:	Sheet No:	Scale:	Date:	
			A1	1:100	16.04.20	
Job Number:	2479		01			Revision: C
<small> Drawings of this nature are based on the information furnished and should be treated as preliminary only. They should not be used for any other purpose. All dimensions and construction are subject to change without notice. The client/contractor is to be held responsible for any errors. All dimensions and construction are subject to change without notice. The client/contractor is to be held responsible for any errors. All dimensions and construction are subject to change without notice. The client/contractor is to be held responsible for any errors. </small>						

Contact Officer:	Claire Faulkner
Telephone No:	01543 464337

PLANNING CONTROL COMMITTEE	
Application No:	CH/20/183
Received:	04-Jun-2020
Location:	76 Hayfield Hill, Cannock Wood, WS15 4RS
Parish:	Cannock Wood
Description:	Two storey rear extension
Application Type:	Full Planning Application

This application has been brought to Planning Committee at the request of the ward councillor.

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.
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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 be carried out in accordance with the following approved plans:

2479 01 C Existing and Proposed
Arboricultural Tree Report Ref: THC/2020/05/19

Reason

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

Notes to Developer:

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

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

Consultations and Publicity

External Consultations -Cannock Wood Parish Council

No comments received.

Internal ConsultationsEnvironmental Health (Housing) Team

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

Response to Publicity

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

Relevant Planning History

CH/14/0175	Residential Development:- Erection of a detached 3 bedroom dwelling. Committee approval.
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1 Site and Surroundings

- 1.1 The application site is comprised of a recently constructed two storey dwelling located off Hayfield Hill, Cannock Wood.
- 1.2 The application site is located within the Cannock Wood Settlement Boundary as designated within the Local Plan. The application site is located within the Area of Outstanding Natural Beauty and lies adjacent to, but not within, the Green Belt.
- 1.3 The host dwelling is a modern two storey dwelling with the first floor rooms provided within the roof space. The dwelling comprises of a modest size, render and vertical hanging tiles
- 1.4 The topography of the wider area slopes down significantly from east to west which results in the properties fronting Hayfield Hill being sited on significantly

higher ground than the application site. The boundary to the north comprises of closeboarded fencing and dense landscaping which prevents any views through (during the summer). The southern and western boundaries give way to open countryside.

- 1.5 The application site is also located within a Low Risk Boundary as designated by the Coal Authority.

2 Proposal

- 2.1 The applicant is seeking consent for two storey extension to the rear of the dwelling.
- 2.2 The proposed extension would comprise a footprint of 4.5m x 5m and would be constructed to a height of 7m (4.2m to the eaves). The proposed extension would reflect the style and design of the existing dwelling and roof. The window proposed in the first floor bedroom would be sited in the western elevation and would comprise of a dormer style window with small pitch roof above.
- 2.3 The proposed extension would provide additional living space on the ground floor and an additional bedroom at first floor level.
- 2.4 The proposed extension would be constructed from materials that reflect the host dwelling.

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
 CP14 - Landscape Character
- 3.3 National Planning Policy Framework

- 3.4 The NPPF (2019) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.
- 3.5 The NPPF (2019) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.6 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 |
| 124, 127, 128, 130: | Achieving Well-Designed Places |
| 172 | AONB |
| 212, 213 | 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.

4.2 Principle of the Development

- 4.2.1 The site is located within the confines of the settlement of the Cannock Wood settlement and is an established dwelling. The site is located within the Area of Outstanding Natural Beauty and adjacent to, but not within, the Green Belt.

As such, it is considered that the principle of development is acceptable as AONB designation does not preclude extensions / alterations to dwellings as a matter of principle.

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

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

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

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

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

Planning policies and decisions should ensure that developments:

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

- 4.3.4 Finally Paragraph 130 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.
- 4.3.5 In this respect it is noted that Appendix B of the Design SPD sets out clear expectations and guidance in respect to extensions to dwellings.
- 4.3.6 Paragraph 172 goes further and suggests that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.
- 4.3.7 There are a number of trees sited within or adjacent to the rear garden. As such, the applicant has submitted a tree assessment with which to inform the application. This outlines that the quality of trees is categorised as follows: -A (high quality and value), B (moderate quality and value), C (low quality and value) and U which are considered as unsuitable for retention. In this respect it is noted that 3 individual trees and 2 groups of trees were assessed and were all classified as C1, that is of low quality.
- 4.3.8 The plans submitted indicate that three trees would be removed in order to facilitate the proposed extension. These trees are identified as Blackthorn and are overgrown and multi stemmed. The assessment continued that these trees were not arboriculturally significant being of class C. Furthermore, none of the trees within the rear garden are subject of protection orders (TPOs) and could, if within the applicant's ownership, be removed at any time.
- 4.3.9 The proposed extension is of a typical design, style and scale of domestic extension. The proposed extension comprises of a design and finish that would reflect the main dwelling and is of a proportionate scale.
- 4.3.10 In wider landscape terms and in terms of assessment of NPPF Para 172 and Local Plan Policy CP14, the proposed two storey extension would be positioned to the north of the host dwelling, which is, for the majority screened from the surrounding open countryside by the existing dwelling. The application site is enveloped on two sides by neighbouring development and gardens including their mature landscaping and as such, any views from the open countryside would be against the residential backdrop. In conjunction with boundary hedging and existing landscaping, these factors would ensure minimal effect upon the wider landscape as a consequence of the two storey

extension. As such the development is considered to be acceptable when considered in the context of heightened status of protection conveyed to AONB areas.

4.3.11 Therefore, having had regard to Policy CP3 and CP14 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 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

4.4.3 In this respect, the application site adjoins open countryside on two boundaries. However the proposed extension would be located adjacent the northern boundary of the site within close proximity to the shared boundary with No.72 Hayfield Hill. The host dwelling is sited approx.50m from the rear elevation of this neighbouring dwelling and is on significantly lower ground. The intervening boundary is delineated by 2m high closeboard fencing and benefits from dense planting (predominantly within the neighbouring garden) which would screen the proposed extension. Furthermore, the proposed extension would not introduce any windows at first floor level that would give rise to any additional overlooking this adjacent dwelling.

4.4.4 The property to the east backs onto the application site at a distance of approx..45m to the nearest elevation of the host dwelling. The application site is on significantly lower ground and the intervening boundary comprises of several layers of retaining walls and landscaping. The proposed extension would be to the rear of the host dwelling and for the majority, screened by the existing dwelling. As such any view of the proposed extension would be minimal and at distance over a significant difference in levels.

4.4.5 As such it is considered that a high standard of amenity would be retained for existing and future users and as such the proposal would be in accordance with Policy CP3 and paragraph 127(f) of the NPPF.

4.5 Impact on Highway Safety

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

4.5.2 The application seeks to erect a two storey extension to the rear of the host dwelling which would result in the provision of an additional bedroom. The total bedrooms proposed would be increased from 3 to 4 bedrooms. The Council's Supplementary Planning Document: Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport, states that new two or three bedroom dwellings should provide two off-street parking spaces and three spaces should be provided for four or more bedroomed dwellings. The Block Plan indicates that there is sufficient room for the parking of at least three vehicles on the driveway.

4.5.4 As such, the proposed development provides adequate parking for the proposed development. Therefore, it is concluded that the residual cumulative impacts of the proposal would not be severe.

4.5 Drainage and Flood Risk

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

4.7. Ground Conditions and Contamination

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

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.

ITEM NO. XX

- 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.