

Application No: CH/22/0233

Item No. 6.40

Location: Former Sycamore Working Mens Club, 272 , Hednesford Road, Norton Canes, WS11 9SA

Proposal: Proposed Development to consist of one Apartment Block with 6 apartments, 1 two bedroom bungalow and Four Houses to an existing Development. New application includes parking arrangements to existing and proposed Development



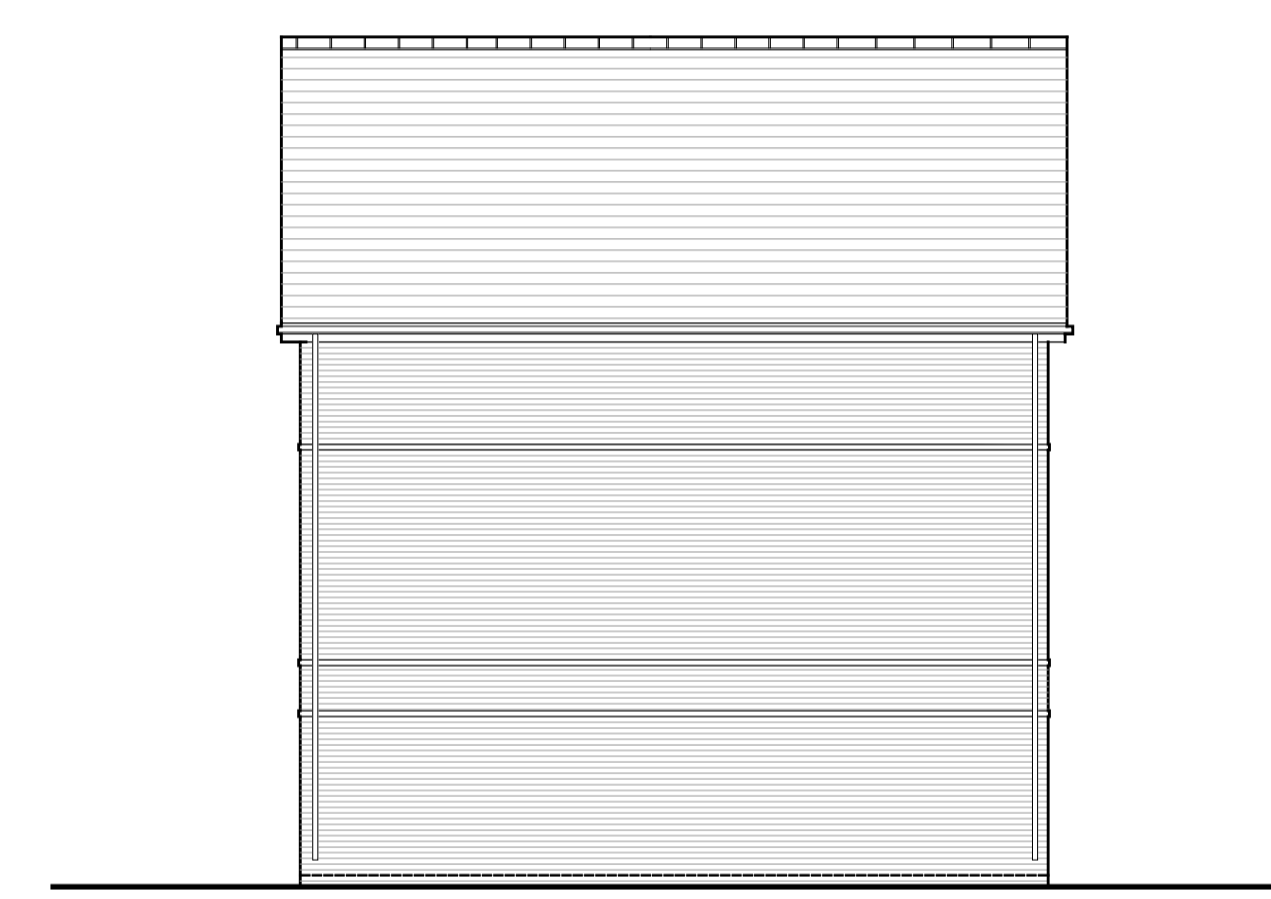
Location Plan



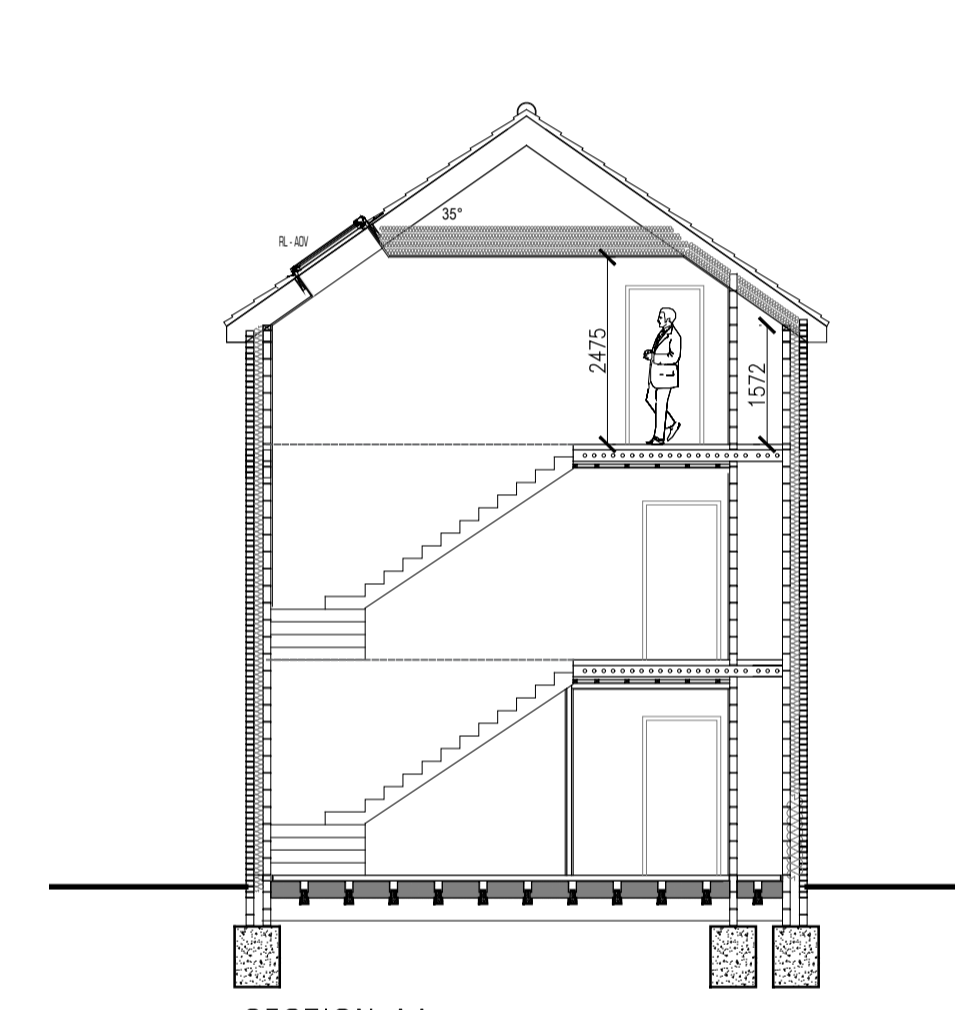
FRONT ELEVATION



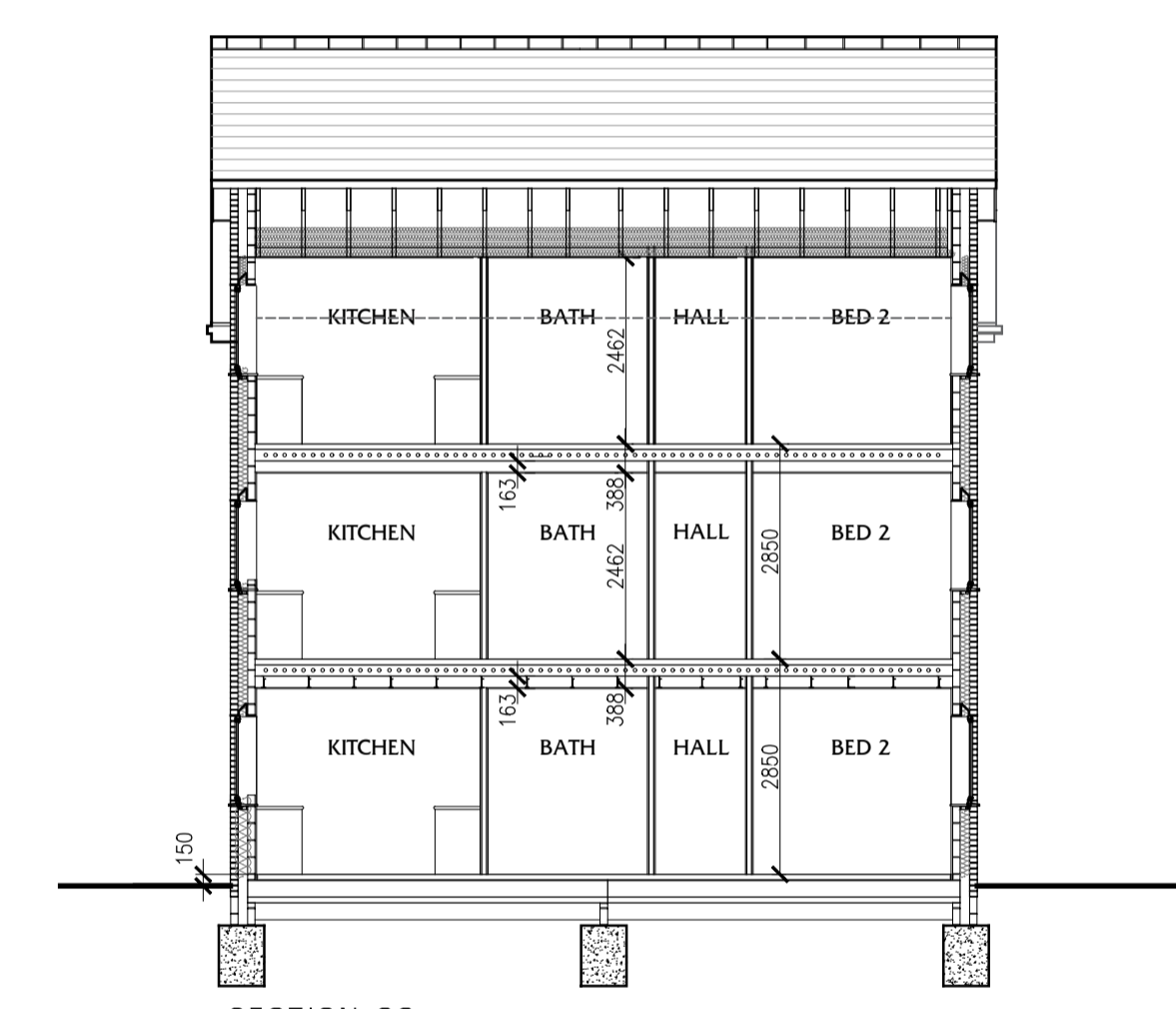
REAR ELEVATION



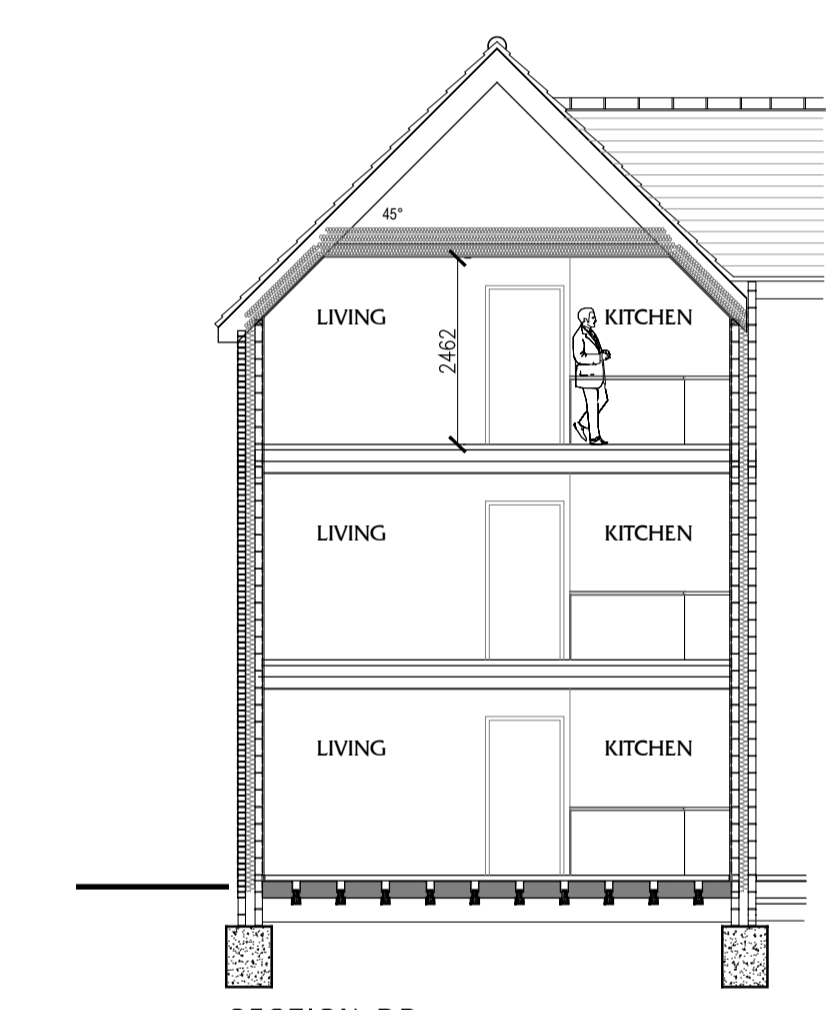
SIDE ELEVATION



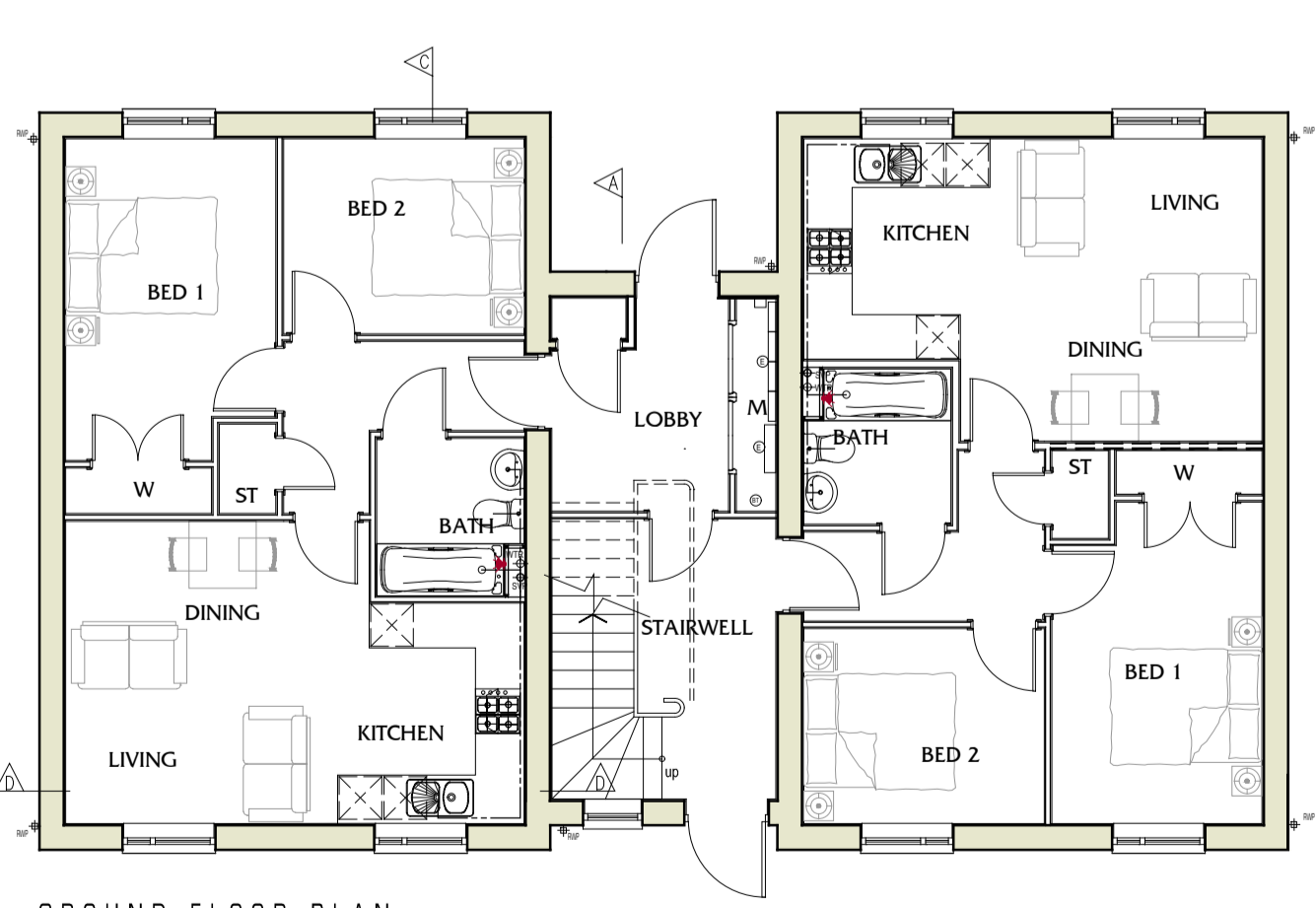
SECTION AA



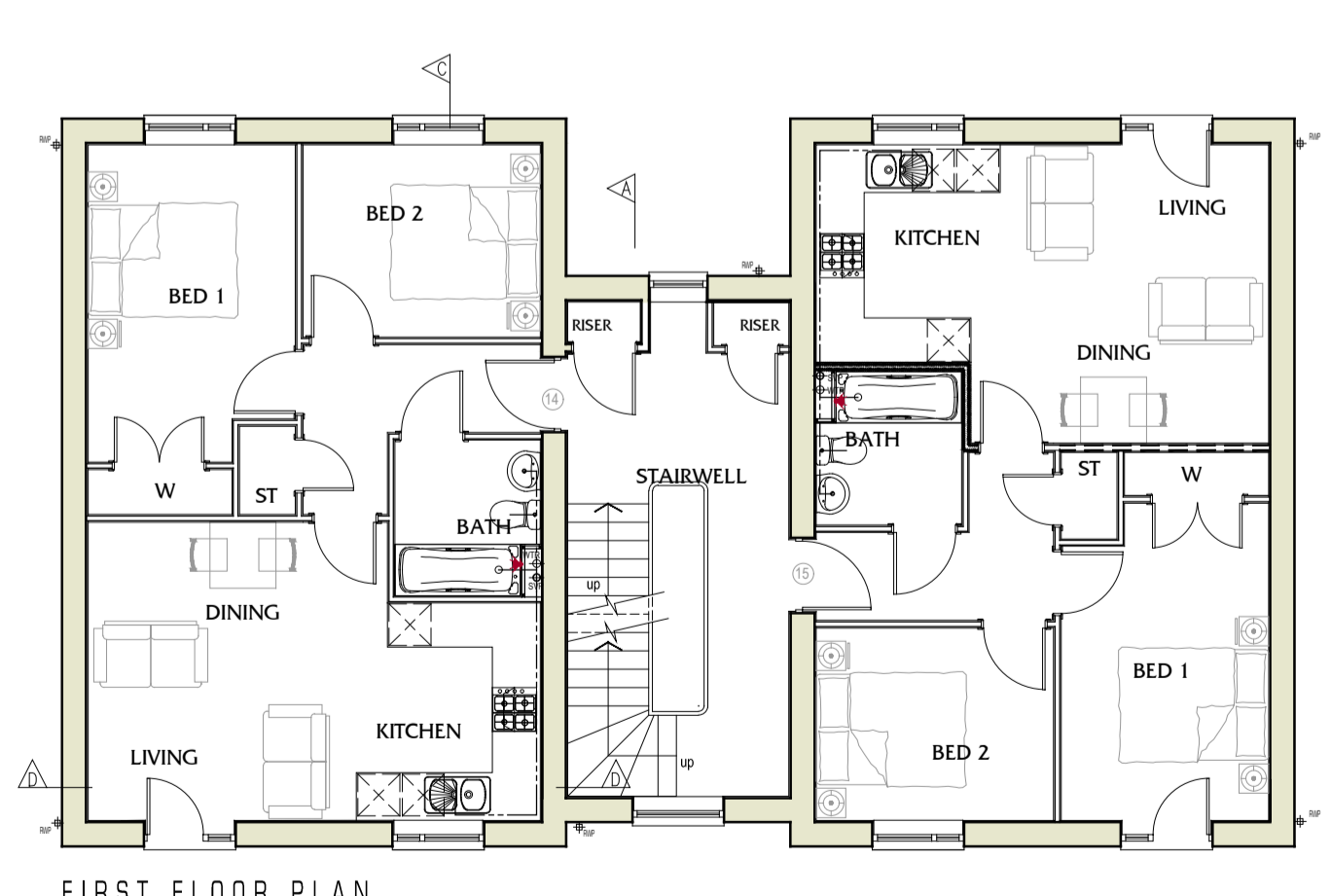
SECTION CC



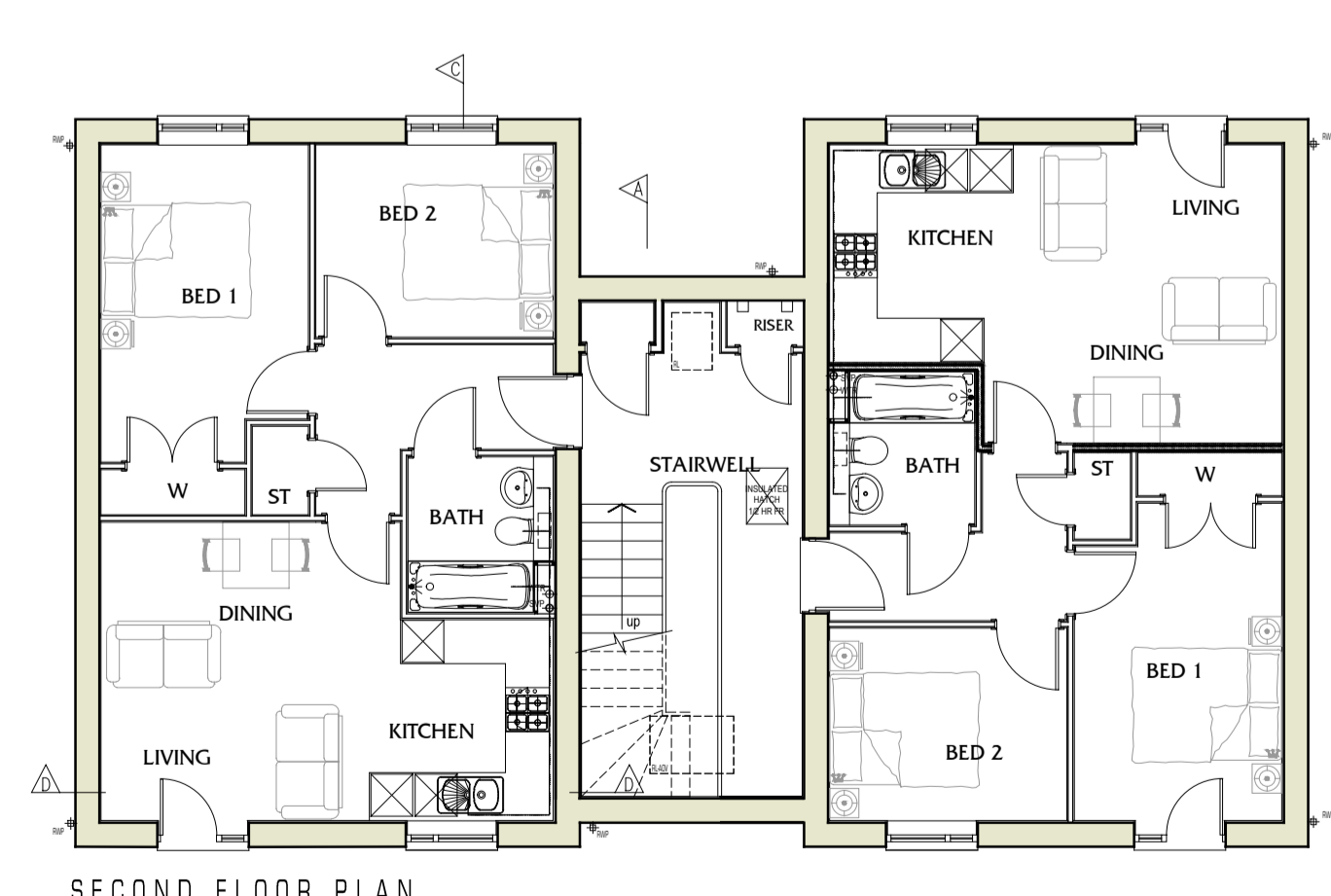
SECTION DD



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN

REV C	REVISED SCHEME FOLLOWING PLANNERS COMMENTS	17/06/22	FB
REV B	DO NOT SCALE DIMENSIONS REMOVED	16/05/22	FB
REV A	SECTION PLANS ADDED	03/04/22	FB
Rev	Amendment	Date	Dim



Drawn by:
 Craig Watts

Site:
 Proposed Residential Development off Hednesford Road, Former Sycamore WMC, Norton Canes

Title:
 Apartment Block
 Plots 12 - 17- Floor Plans, Elevations, Section

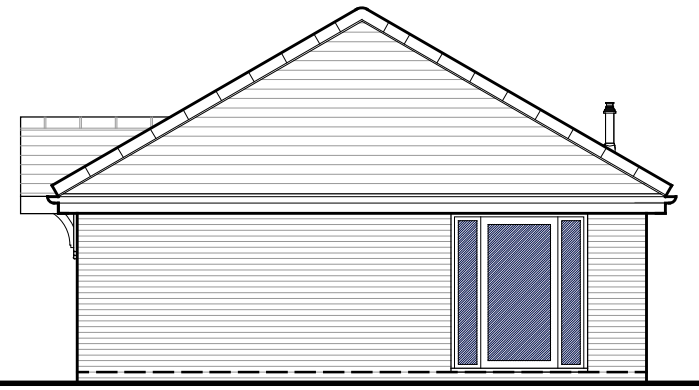
Scale:
 1:100 @ A1
 Date:
 03/03/22
 Dwg No:
 2207-APT12-17: 02
 Rev:
 C



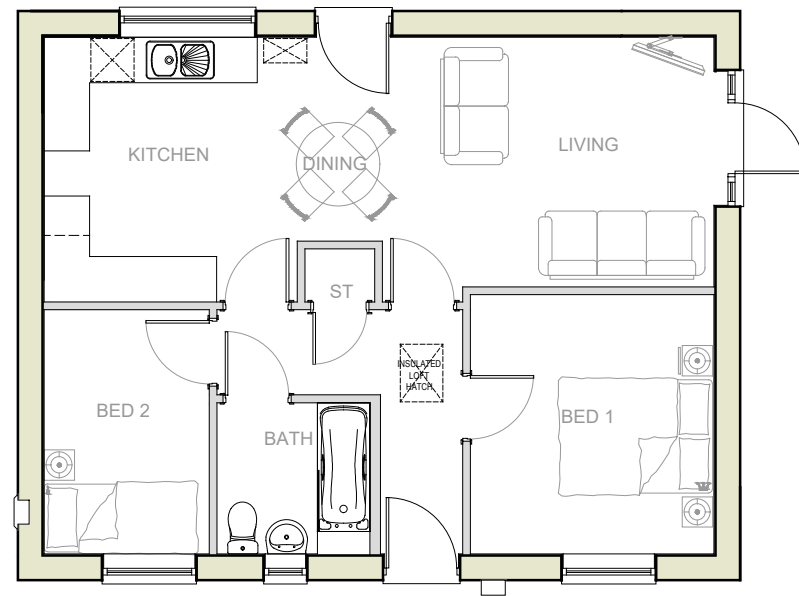
FRONT ELEVATION



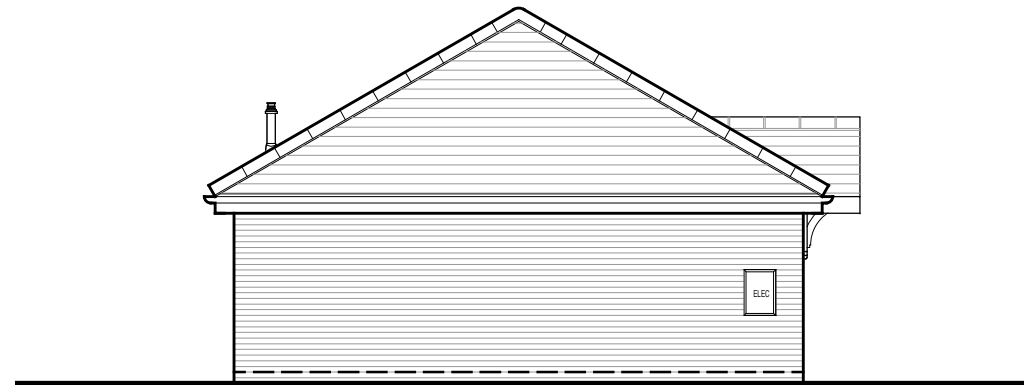
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



SIDE ELEVATION

REV A			
Rev	Amendment	Date	Drn Chk
Revisions:			

Client:
Craig Watts

Site:
Proposed Residential Development off Hednesford Road,
Former Sycamore WMC, Norton Canes

Drawing Title:
Plots 20 - Floor Plans & Elevations

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION(S)
WHEREVER POSSIBLE USE SITE DIMENSIONS PRIOR TO FABRICATION
REFER ANY DISCREPANCIES FOUND TO THE ARCHITECT
WHETHER SPECIFICALLY STATED OR NOT ALL WORKS ARE TO COMPLY WITH:
i) THE BUILDING REGULATIONS
ii) THE REQUIREMENTS OF THE NHBC
iii) THE CLIENTS BRIEF WHERE RELEVANT

Drawing Number:
2207-TYPE 654-02

Revision:
-

Drawing Status:
Planning

Scale:
1:100
@ A3

Date:
16.08.22

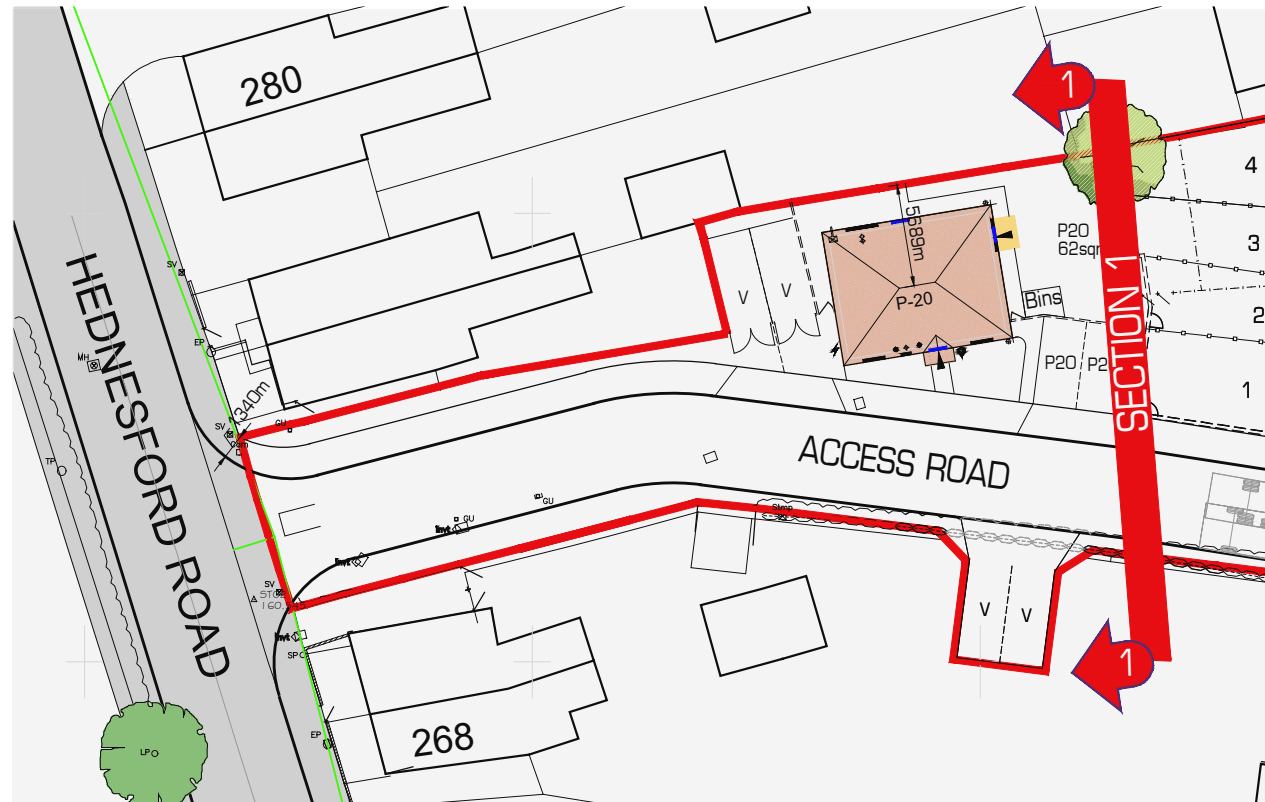
white ridge
architecture
urban design
masterplanning

hilton hall hilton lane esseington staffordshire wv11 2sq tel:01902 728866
e: info@whiteridgearchitecture.com w: whiteridgearchitecture.com



Plot 20

SECTION 1:100



SITE PLAN NTS



SHADOW STUDY NTS - 30TH JUNE 12PM

Client:
CRAIG WATTS DEVELOPMENTS
 PROPOSED DEVELOPMENT,
 FORMER SYCAMORE
 WORKING MENS CLUB,
 HEDNESFORD ROAD

Drawing Number:
2207 - SECTION

Revision:
 -
 Scale:
1:100
@ A3

Drawing Title:
PROPOSED SECTION

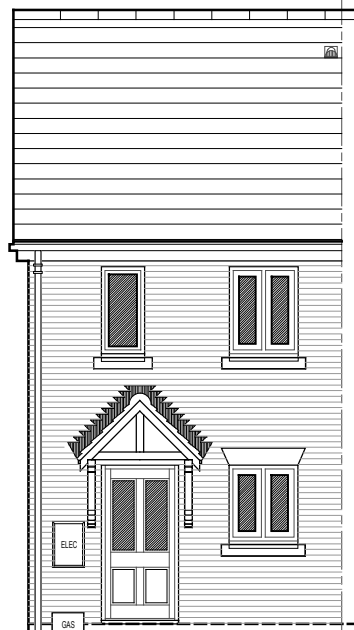


Note: The materials and colours shown on this drawing are indicative only. Refer to materials layout for exact materials, door & fascia colours etc

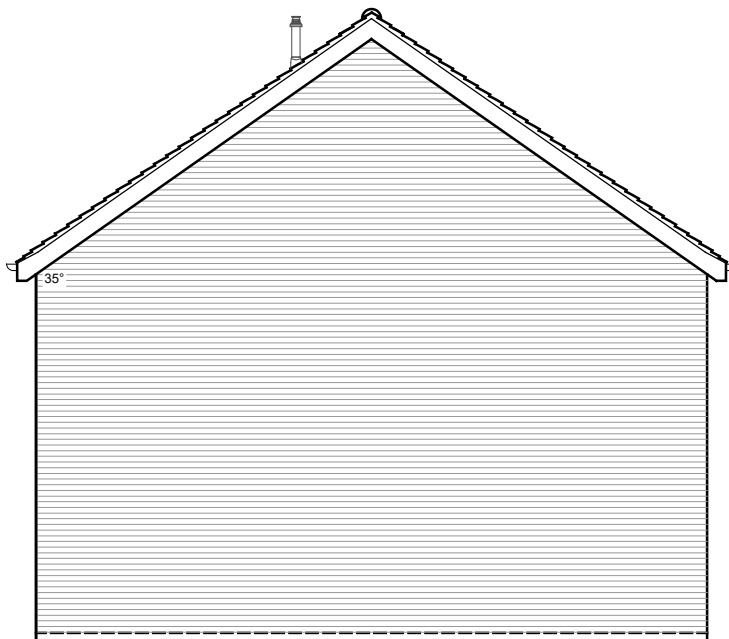


hilton hall hilton lane essington staffordshire wv11 2aa tel: 01902 728866
 e: info@whiteridgearchitecture.com w: whiteridgearchitecture.com

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION(S)
 WHEREVER POSSIBLE USE SITE DIMENSIONS PRIOR TO FABRICATION
 REFER ANY DISCREPANCIES FOUND TO THE ARCHITECT
 WHETHER SPECIFICALLY STATED OR NOT ALL WORKS ARE TO COMPLY WITH:
 i) THE BUILDING REGULATIONS
 ii) THE REQUIREMENTS OF THE NHBC
 iii) THE CLIENTS BRIEF WHERE RELEVANT



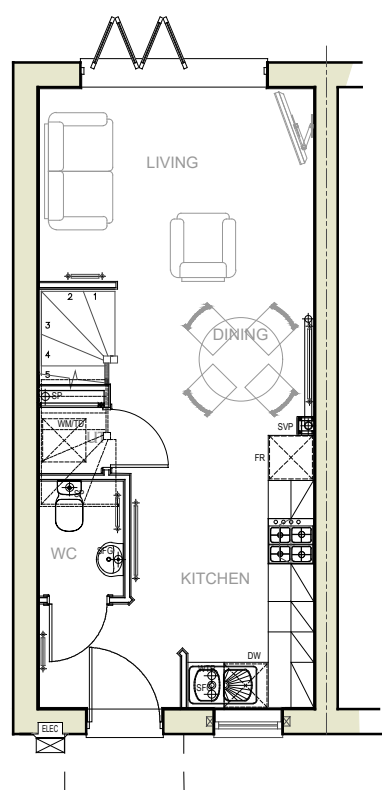
FRONT ELEVATION



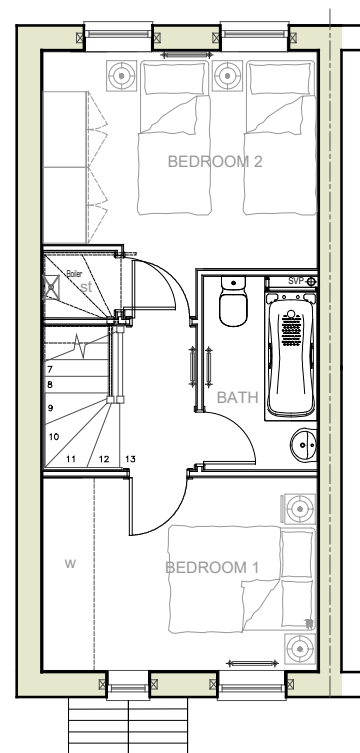
SIDE ELEVATION / SECTION



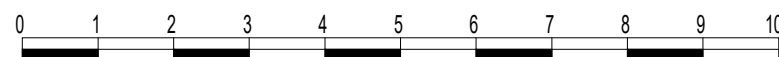
REAR ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



REV A DO NOT SCALE DISCLAIMER REMOVED. 16.05.22 PB

Rev	Amendment	Date	Dm	Chk
Revisions:				

Client:
 Craig Watts

Site:
 Proposed Residential Development off Hednesford Road,
 Former Sycamore WMC, Norton Canes

Drawing Title:
 'Housetype 649' - Plots 5 & 11
 Floor Plans & Elevations

Drawing Number:
 2207-649-01

Revision:
 A

Drawing Status:
 Planning

Scale:
 1:100
 @ A3

Date:
 04/04/22



white ridge
 architecture
 urban design
 masterplanning

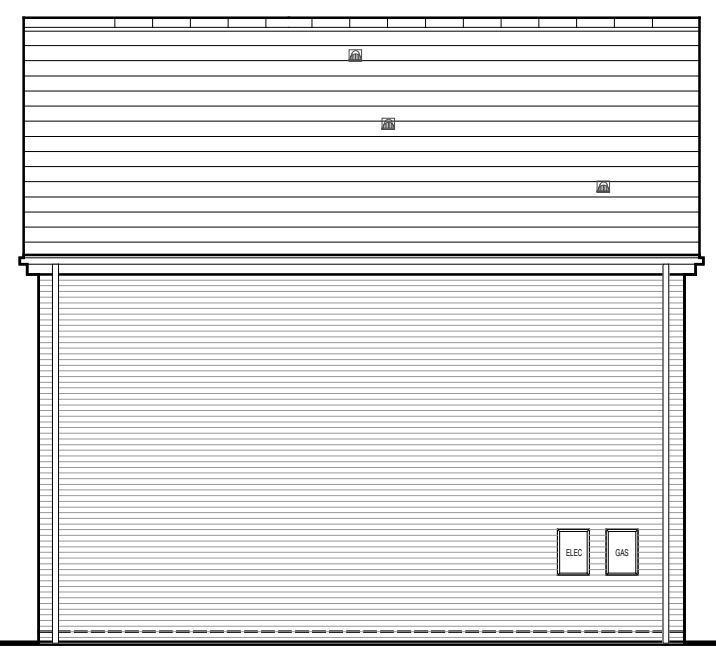
hilton hall hilton lane essington staffordshire wv11 2ba tel: 01902 728866
 e: info@whiteridgearchitecture.com w: whiteridgearchitecture.com



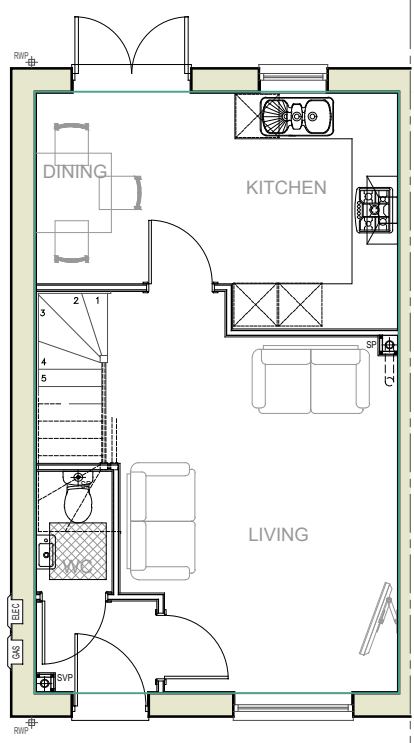
FRONT ELEVATION



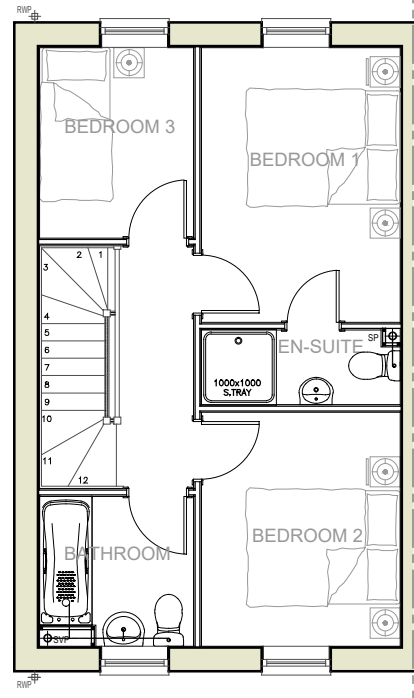
REAR ELEVATION



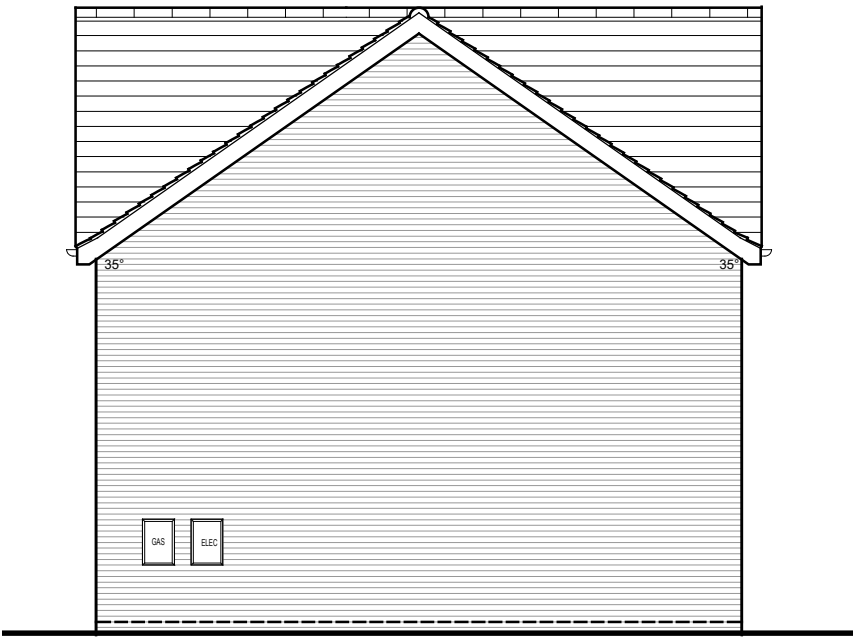
SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SIDE ELEVATION

REV A	DO NOT SCALE DISCLAIMER REMOVED.	16.05.22	PB
Rev	Amendment	Date	Drn Chk
Revisions:			

Client: Craig Watts

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATION(S)
 WHEREVER POSSIBLE USE SITE DIMENSIONS PRIOR TO FABRICATION
 REFER ANY DISCREPANCIES FOUND TO THE ARCHITECT
 WHETHER SPECIFICALLY STATED OR NOT ALL WORKS ARE TO COMPLY WITH:
 i) THE BUILDING REGULATIONS
 ii) THE REQUIREMENTS OF THE NHBC
 iii) THE CLIENTS BRIEF WHERE RELEVANT

Site: Proposed Residential Development off Hednesford Road,
 Former Sycamore WMC, Norton Canes

Drawing Number: 2207- Type A - 01

Revision: A

Drawing Status: Planning

Scale: 1:100 @ A3

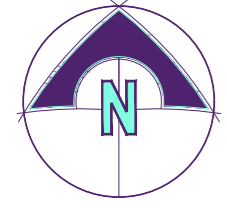
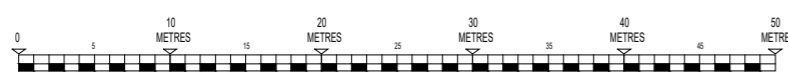
Date: 04/04/22

Drawing Title: 'Housetype A' - Plots 18 & 19
 Floor Plans & Elevations

white ridge
 architecture
 urban design
 masterplanning

hilton hall hilton lane essington staffordshire wv11 2sq tel: 01902 728866
 e: info@whiteridgearchitecture.com w: whiteridgearchitecture.com

ALL DRAWINGS TO BE READ IN CONJUNCTION WITH SPECIFICATIONS
 WHEREVER POSSIBLE USE SITE DIMENSIONS FROM TO FABRICATION
 REFER ANY DISCREPANCIES FOUND TO THE ARCHITECT
 WHETHER SPECIFICALLY STATED OR NOT ALL WORKS ARE TO COMPLY WITH:
 1) THE BUILDING REGULATIONS
 2) THE REQUIREMENTS OF THE NHBC
 WITH THE CLIENT'S BRIEF WHERE RELEVANT

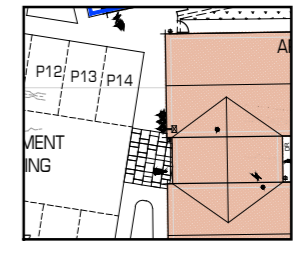


LEGEND

- INDICATES EXISTING TREES / SHRUBS TO BE RETAINED
- INDICATES EXISTING TREES / SHRUBS TO BE REMOVED
- PROPOSED INDICATIVE TREE PLANTING SUBJECT TO DETAILED LANDSCAPING DESIGN
- INDICATES EXTENT OF EXISTING BUILDINGS / STRUCTURE TO BE DEMOLISHED
- INDICATES ENTRANCE DOOR POSITIONS
- INDICATES GARAGE DOOR POSITIONS
- INDICATES DRIVE UNDER TO PARKING COURT
- INDICATES GATED ACCESS
- INDICATES POSITION OF GAS METER BOX (ALTERNATIVE POSITIONS MAY BE INDICATED TO SUIT PLOT SPECIFIC SITUATION)
- INDICATES POSITION OF ELECTRIC METER BOX (ALTERNATIVE POSITIONS MAY BE INDICATED TO SUIT PLOT SPECIFIC SITUATION)
- INDICATES GROUND FLOOR WINDOWS
- INDICATES FIRST FLOOR WINDOWS
- INDICATES DOOR POSITIONS AND WIDTHS
- INDICATES 1.8m HIGH LARCH LAP FENCE
- INDICATES 1.8m HIGH CLOSE BOARDED FENCE
- INDICATES 1.8m HIGH SCREEN WALL
- NEW HEDGEROW PLANTING
- RETAINING STRUCTURE TO STRUC ENGINEERS DETAILS
- BAT BOX - TYPE C



EXISTING PLOTS



NEW PLOTS

Rev	Amendment	Date	Dm	Chk
REV G	CYCLE STORAGE SHEDS ADDED TO REAR OF APARTMENT BLOCK.	16.11.2022	PB	
REV F	PLOT 20 / 21 REPLACED WITH 2 BED BUNGALOW. APARTMENT BLOCK MOVED AWAY FROM TREES AND ROTATED 10 deg	16.08.2022	PB	
REV E	DO NOT SCALE DISCLAIMER REMOVED.	16.04.2022	PB	
REV D	PLOTS 20 & 21 ADDED. REVISED RED LINE.	12.04.2022	PB	
REV C	PLOTS 20 & 21 REMOVED. REVISED RED LINE. PARKING TO PLOT 18 REVISED. BLUE LINE ADDED. REFUSE TRUCK TRACKING ADDED. BIN LOCATIONS ADDED TO HOUSES. BIN STORE TO APARTMENTS ADDED. BIN COLLECTION POINT ADDED.	07.04.2022	PB	
REV B	PLOTS 5 & 11 REVISED. PARKING TO PLOTS 2,3,4,5,11 REVISED.	04.04.2022	PB	
REV A	DRAFT REVISIONS. CAR PARKS REVISED. APARTMENT BLOCK PLOTS 12-17 ADDED. MARCH 2022 PLOTS 5 & 11 REVISED. PLOTS 20 & 21 ADDED. PLOTS 18 & 19 REVISED. CAR PARKING REVISED.			

white ridge architecture
 hilton hall hilton lane essington staffordshire wv11 2sq
 telephone : 01902 728886
 w : whiteridgearchitecture.co.uk
 e : info@whiteridgearchitecture.co.uk

Client:
Mr C. Watts

Site:
PROPOSED DEVELOPMENT, FORMER SYCAMORE WORKING MENS CLUB, HEDNESFORD ROAD

Title:
PROPOSED SITE LAYOUT REVISIONS 2022

Scale:
1:500@A2

Date:
02/02/22

Dwg No.:
03

Rev:
G

DWG File Ref:
 DRAWN: PB

Proposed Residential Development off Hednesford Road

Minor inaccuracies may occur due to printing processes.



30th March - 10am



30th March - 12pm



30th March - 2pm



30th March - 4pm



30th June - 10am



30th June - 12pm



30th June - 2pm



30th June - 4pm

Rev	Amendment	Date	By	CHK

white ridge
 architecture
 urban design
 masterplanning

hilton hall hilton lane easington staffordshire wv11 2so tel: 01902 728886
 e: info@whiteridgearchitecture.com w: whiteridgearchitecture.com

Client:
 Mr C. Watts

Site:
 PROPOSED DEVELOPMENT, FORMER SYCAMORE WORKING MENS CLUB, HEDNESFORD ROAD

Title:
 Shadow Study

Scale:
 NTS @ A1

Date:
 16-09-22

Drawn No:
 2207-SHADOW STUDY

Rev:
 -

Drawn: RT
 MHP: INCLOSURES MAY OCCUR DUE TO PRINTING PROBLEMS

Planning Control Committee

27 March 2024

Application No:	CH/22/0233
Received:	2 June 2022
Location:	Former Sycamore Working Mens Club, 272 Hednesford Road, Norton Canes, WS11 9SA
Parish:	Norton Canes
Ward:	Norton Canes Ward
Description:	Proposed Development to consist of one Apartment Block with 6 apartments, 1 two-bedroom bungalow and Four Houses to an existing Development (Original Development was 9 Plots). New application includes parking arrangements to existing and proposed Development
Application Type:	Full

The application is being presented to Members as a neighbour has requested to address planning committee.

Recommendation:

It is recommended that Delegated Authority be granted to the Head of Economic Development & Planning to grant permission subject to the completion of a s106 agreement to secure:

- a contribution for education provision
- a financial contribution for off-site provision of affordable housing

Reason 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.

Conditions (and Reasons for Conditions)

Time Limits and General Implementation Conditions

Approved plans

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

03 Rev G Proposed Site Layout

2207-APT-17:02 Rev C Apartment Block - Plots 12-17 Floor Plans, Elevations, Section

2207-Type A-01 Rev A House Type A - Plots 18 & 19 Floor Plans & Elevations

2207-649-01 Rev A House Types 649 - Plots 6 & 11 Floor Plans & Elevations

2207-Type 654-02 Plot 20 - Floor Plans & Elevations

2207-Shadow Study

2207- Section Drawing

Reason

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

Time limit

2. 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.

Materials

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

Reason

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

Pre-commencement conditions

Construction Environmental Management Plan

4. The development hereby permitted shall not be commenced until a Construction Environment Management Plan and Construction Surface Water Management Plan have been submitted to the Planning Authority and approved in writing. The details shall include a construction surface management plan and should address noise, vibration, dust, and waste issues.

The CEMP should have due regard to BS 8225, Code of practice for noise and vibration control on construction and open sites.

Reason

In order to evidence that adequate provision for surface water management, both in terms of runoff quantity (flows and volumes), as well as quality (pollution mitigation) and to protect the amenity of adjacent occupiers.

Drainage

- 5 The development permitted shall be carried out in strict accordance with the approved Drainage Strategy documents (listed below), and the following mitigation measures detailed within:

- Surface water drainage system(s) designed in full accordance with the Non-Statutory Technical Standards for sustainable drainage systems (SuDS), DEFRA, March 2015).
- Sustainable Drainage Systems designed in full accordance with the Staffordshire County Council SuDs Handbook.

- The incorporation of adequate surface water treatment in accordance with CIRA C753 – The Simple Index Approach, to mitigate water quality pollution.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained and managed for the lifetime of the development.

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

1. RPS – Sycamore Club – Drainage Strategy Ref No. CLE30309 – Sycamore Club- V2 – 4 April 2023 – Dated (version 2) 04/04/2023.
2. RPS – Drainage Strategy Plan – Sycamore Club, Norton Canes – Fig. No. CLE30309/05/001 – Rev D Aug 2022

Reason

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

7. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority.

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

Reason

To ensure that the development is provided with a satisfactory means of drainage in accordance with the NPPF.

Pre-Occupation or Use Conditions

Landscaping

8. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including native mitigation planting, fencing, walls, and hard surfacing details for the site has been submitted to and approved by the Local Planning Authority.

The details shall be in the form as specified in Annex C of the Supplementary Planning Guidance 'Trees, Landscape and Development'.

Reason

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

9. The approved landscape works shown pursuant to Condition 8 above shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

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

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

Reason

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

Ecological Enhancements

11. No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of bat roosts has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide integrated bat roosts in the south or west facing walls for each new dwelling (11 in total). The details for the bat roosts shall be provided together with the position on each dwelling and the proposed height.

Thereafter, the development shall be completed in accordance with the approved details and maintained for the lifetime of the development.

Reason

In the interests of enhancing bat breeding habitat in accordance with Policy CP12 of the Cannock Chase Local Plan and the NPPF.

12. No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of bird boxes has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide integrated bird boxes in the north or east facing walls for each new dwelling (11 in total). The details for the bird boxes shall be provided together with the position on each dwelling and the proposed height.

Thereafter, the development shall be completed in accordance with the approved details and maintained for the lifetime of the development.

Reason

In the interests of enhancing bird breeding habitat in accordance with Policy CP12 of the Cannock Chase Local Plan and the NPPF.

13. No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of hedgehog friendly fencing has been submitted to and approved in writing by the Local Planning Authority.

The submitted scheme shall provide fencing with 13x13cm access points to all new gates / fences (one per neighbouring boundary).

Thereafter, the development shall be completed in accordance with the approved details and maintained for the lifetime of the development.

Reason

In the interests of enhancing hedgehog habitat in accordance with Policy CP12 of the Cannock Chase Local Plan and the NPPF.

Lighting scheme

14. Notwithstanding the approved details, prior to the commencement of the development above ground level, a scheme for all external lighting at the site,

including street lighting, domestic lighting, and any security lighting, shall be submitted to, and approved in writing by the Local Planning Authority.

The development shall then be carried out in accordance with the approved details.

Reason

To ensure a good standard of development is provided in the interests of residential amenity and crime prevent and in the interests of ecology to accord with policies CP3 and CP12 of the Local Plan and the NPPF.

Bin Store Details

15. Notwithstanding the approved plans, prior to first occupation of the development hereby approved, details of the bin store areas shall be provided to and approved in writing by the Local Planning Authority.

Thereafter the approved details shall be implemented and retained for the lifetime of the development.

Reason

To ensure development is appropriate to the residential location in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF.

Conditions to be Complied with At All Times

16. The approved protective fencing shall be erected in the positions shown on the approved Tree Protection Plan layout drawing Ref Dwg. No.BALDS020-22 TPP Rev A.

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

Reason

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

17. No plant or machinery shall be operated, no loading or unloading of vehicles and no movement of commercial vehicles to or from the site and no construction works shall take place outside the hours of 08:00hrs to 18:00hrs Monday to Friday and 08:00hrs to 13:00hrs on Saturdays. None of the above operations shall be carried out at any time on Sundays or Bank or 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 Local Plan Policy CP3.

Notes to the Developer:

1. 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

Designing Out Crime

The applicant should familiarise themselves with the recommendations set out within the full consultation response.

Consultations and Publicity

External Consultations

Norton Canes Parish Council

No objection

Natural England

No objection - subject to appropriate mitigation being secured.

Local Lead Flood Authority

No objection subject to conditions recommended.

Coal Authority

The Coal Authority records indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth.

The Coal Authority notes the submitted Geotechnical Assessment (March 2020, prepared by SP Associates), which confirms the undertaking of a rotary borehole investigation to confirm ground conditions. The Coal Authority is able to confirm that the relevant permission was obtained from us for the works undertaken (Permit 17773).

Whilst the report is able to confirm that two thin coal seams were encountered, on the basis that the report confirms that no workings were encountered, the Coal Authority has no objections to this planning application.

Staffordshire County Education Authority

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

Designing Out Crime Officer

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

No objections to this application, however it is important that a high level of physical security is incorporated in these proposals and the applicant should familiarise themselves with the recommendations set out within the full consultation response.

Severn Trent Water

No objection

Staffordshire Highway Authority

Request for cycle storage to be provided and number of spaces queried for the development - 41 stated however 40 indicated on the plan. Cannock parking guidance provided.

Internal Consultations

Environmental Health

No objection to the application, but would make the following comments:

I note that the phase 2 site investigation report (SP Associates report S1152-3), submitted in support of planning application CH/19/248, demonstrated that neither soil contamination or ground gas presented a significant risk. Therefore, no further action is required on these matters.

To protect the amenity of local residents during the construction phase, I would request that a construction environment management plan is provided, which should address noise, vibration, dust, and waste issues. The CEMP should have due regard to BS 8225, Code of practice for noise and vibration control on construction and open sites. Construction hours should be limited to 8am-6pm Monday Friday, 8am-1pm Saturdays & no working Sundays/ Bank Holidays).

Landscape Officers

No objection in principle to the development, pending clarification of the following:

- Tree protection fencing location and specification acceptable and to be conditioned for whole construction period.
- Recommend apartment building is moved minimum 1m north to negate future pressures on tree pruning & allow more light to amenity space.
- Clarification of potential root damage to hard surfaced areas, recommend root barrier is incorporated where appropriate.
- Tree pruning instructions to include remaining canopy radius to guide tree surgeon.
- Details for all hard & soft landscaping and habitat features for review.
- Long-term management plan for Site required for review.
- Recommend lighting is designed to minimise impact on adjacent woodland & habitat features.

CIL Officer

The proposed development would be CIL Liable.

Strategic Housing

On sites of 10-14 units a financial contribution is required

Planning Policy

The site already has planning permission CH/19/248 for residential development which is currently being built.

A portion of the site sits within the Coal Authority Development High Risk Area and Green Space Network. The front of the site is within AQMA3, and the site forms an existing SHLAA site; N67 (0-5years).

Response to Publicity

The application has been advertised by site notice and neighbour letter with 7 letters of representation have been received including two letters of further comments following re-consultations. The objections are summarised below:

- Objection to the scale of the backland development proposed. The build density has no respect for the scale and would not reinforce the semi-rural village scale.
- The design of the 3-storey apartment would be out of keeping with the existing built form, unacceptable high density build and light pollution.
- Loss of outlook - outlook will now be urban when it was rural / semi-rural, will feel 'boxed in'.
- Loss of amenities, an increase in noise, overlooked, loss of privacy, loss of open aspect and loss of character off neighbourhood, loss of light,
- Impact to wildlife, and boundary hedge,
- Concern regarding the location of two parking spaces
- Effect value of property
- Hope the bins will be sufficiently maintained so there are no smells / rats.
- Lighting impact on residents and wildlife
- Increase in parking and pollution to air and noise.
- Addition of fencing along the south boundary at 8ft?
- Highway safety implications

Relevant Planning History

CH/19/248 Demolition of former Sycamore Bowling Club, erection of 9 dwellings with associated parking and amenity, new access road. Approved 30/9/2020.

1 Site and Surroundings

- 1.1 The application site comprises part of the former Sycamore Working Mans Club, which was demolished, and the previously approved development has commenced.
- 1.2 The wider site covers an area of approx. 3700m² and benefits from an existing access onto Hednesford Road. The application site is roughly triangular in shape and benefits from a depth of approx. 114m and a width at the rear of approx. 62m.
- 1.3 The existing access was provided for the existing new build dwellings and runs between Nos. 270 and 274 Hednesford Road terminating in a short cul-de-sac to the rear of the site. A driveway to No.270 runs adjacent this access.
- 1.4 The application site slopes down significantly from the adjacent highway to the rear, a drop of approx. 3m across the depth of the site. The land also slopes down from north to south; a total fall of approx. 3m. The application site is bound on all sides by a combination of walling, fencing and hedgerows. Other than the hedgerows which delineate the boundaries of the site, there are no discernible building or landscape features of particular significance.

- 1.5 The works commenced on the site relate to planning permission CH/19/248 which allowed the demolition of the former Sycamore Bowling Club, erection of 9 dwellings with associated parking and amenity, new access road.
- 1.6 The application site is located within an established residential area which contains a mixture of two storey and single storey dwellings. The majority of buildings are of modest proportions, set within limited plots. To the east lies public right of way along the former railway line which now forms part of the Green Space Network.
- 1.7 The site is located within the existing settlement boundary of Norton Canes, a Minerals Consultation area, a portion of the site sits within the Coal Authority Development High Risk Area and Green Space Network. The front of the site is within AQMA3, and the wider site forms an existing SHLAA site; N67 (0-5years).

2 Proposal

- 2.1 The applicant is seeking consent for the construction of one apartment block comprising 6 apartments, 1 two-bedroom bungalow and four houses, parking arrangements to existing and the proposed new dwellings.
- 2.2 The proposed apartment block, identified as plots 12-17 would be sited to the rear of the site and would comprise 6 x two-bedroom dwellings. The design of the block is three storeys with two frontage gables with hipped roof. There would be communal parking to the front and amenity space for the occupiers to the sides and rear.
- 2.3 The proposed dwelling sited to the rear of No. 274 Hednesford Road and adjacent the side boundary of No. 276, identified as plot 20 was initially proposed as a two-storey building however the design has been reduced given neighbours' concerns. As such, the dwelling now comprises a bungalow design with 2 bedrooms and private amenity to the side. Two parking spaces are also proposed to the side in front of the private amenity space.
- 2.4 The four dwellings within the site, identified as plots 18 -19 and 5 & 11 comprise of two pairs of semi-detached dwellings. These would be two storeys in design with parking to the front or sides and private gardens areas to the rear. These dwellings would provide 2x two-bedroom dwellings and 2 x three-bedroom dwellings.
- 2.5 Overall, the proposal would provide parking for 40 vehicles; 6 being within a plot curtilage and the rest on a communal basis. The existing access for the previous development would be used and the proposed bin stores provided within the curtilage of the apartments as well as bin collection points for the individual dwellings. Communal cycle storage units are also proposed for the apartments.

3 Planning Policy

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

3.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1 (2014) and the Minerals Local Plan for Staffordshire (2015 – 2030).

3.3 **Cannock Chase Local Plan Part 1**

- CP1: - Strategy – the Strategic Approach
- CP3: - Chase Shaping – Design
- CP5: - Social Inclusion and Healthy Living
- CP10: – Sustainable Transport
- CP12: - Biodiversity and Geodiversity
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- CP16: - Climate Change and Sustainable Resource Use

3.4 **Minerals Local Plan for Staffordshire**

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

3.5 **Relevant paragraphs within the NPPF:**

- 8: Three Dimensions of Sustainable Development
- 11-14: The Presumption in favour of Sustainable Development
- 47-50: Determining Applications
- 60, 74, 75, 76, 77: Delivering a Sufficient Supply of Homes
- 115: Highway Safety and Capacity

- 131, 135, 136, 137: Achieving Well-Designed and Beautiful Places
- 157-159, 165, 168-175: Planning and Flood Risk
- 180, 186 -188: Landscaping and Biodiversity
- 189, 190, 191: Ground conditions and Pollution
- 224, 225: Implementation

3.6 Other relevant documents include: -

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

4 Determining Issues

4.1 Both paragraph 11 of the NPPF (2023) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

- 4.2 The presumption in favour of sustainable development as set out in paragraph 11 of the NPPF states: -
- 'For decision taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay.
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless
 - (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.'
- 4.3 The starting point of the assessment is therefore whether the proposal is in accordance with the development Plan and whether that plan is up to date. In that respect it is noted that Policy CP1 of the Local Plan states: -
- "In Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. The urban areas will accommodate most of the District's new housing and employment development, distributed broadly in proportion to the existing scale of settlement."
- 4.4 In this instance, the proposal relates to an existing development site. Although the Local Plan has housing policies (CP6 and CP7), it is silent in respect of its approach to windfall sites on both greenfield and previously developed land. As such, in accordance with Policy CP1 of the Local Plan, the proposal falls to be considered within the presumption in favour of sustainable development, outlined in paragraph 11 of the NPPF. The proposal is however in accordance with the thrust of Policy CP1 insofar as it would provide new housing within an existing settlement.
- 4.5 With regard to Habitat Sites, such as the Cannock Chase SAC and SSSI, the presumption does not apply where the project is likely to have a significant effect either alone or in combination with other plans or projects, unless an appropriate assessment has concluded that the proposal will not adversely affect the integrity of the habitats site.
- 4.6 In this case it is confirmed that an appropriate assessment has been undertaken and it has concluded that subject to mitigation in the form of a payment towards SAMMS, either through CIL or a section 106 agreement the proposal will not adversely affect the integrity of Cannock Chase SAC. As such it is concluded that the 'presumption in favour of sustainable development' applies to this proposal.
- 4.7 The proposal does not engage any of the policies in the NPPF that protect areas or assets of particular importance (e.g., Green Belt, AONB, habitats sites). This being the case the application should be determined on the basis as to whether any adverse impacts of granting approval would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 4.8 The site is located within a residential location within Norton Canes, in close proximity to shops, facilities and services of Norton Canes District centre. The site is also close to the local primary school and served by bus routes giving access by public transport. As such the site has good access by public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development. The site is not located within either Flood Zone 2 or 3, and it is not designated as a statutory or non-statutory site for nature conservation nor is it located within a Conservation Area or affect the setting of a designated or undesignated heritage asset.
- 4.10 The application site is included within the SHLAA for development within 0-5 years. Furthermore, the application site is allocated in the Local Plan Review which has now reached Pre-Submission Stage. The Regulation 19 public consultation period is currently underway and will run until 18th March 2024. Within the Local Plan Review Policy N67b is a site-specific policy relating to the application site which allocates the site for housing. Whilst the new Local Plan is not yet adopted, it cannot hold full weight, however now that it has reached pre-submission stage it is considered some weight can be given to the aspiration for this site to be developed for housing.
- 4.11 Given the above the proposal is considered to be acceptable in principle. However, proposals that are acceptable in principle are still subject to all other policy tests. This report will now go on to consider the proposal in the light of these policy tests.

4.2 **DESIGN AND THE IMPACT ON THE CHARACTER AND FORM OF THE AREA**

- 4.2.1 In this instance the development site is identified as being located within the Norton Canes Character Areas; this character area is identified as being in a suburban area Character Area Density Zone. This former agricultural and mining village largely developed to its current form from the post-war era. Dominated by post-war housing estates but with remnants of historic elements and a substantial 20th century/modern commercial business park area. Agricultural use remains a feature of the area, but on a smaller scale.
- 4.2.2 The Character Area Description identifies key local design principles and/or design principles new development should consider, including reinforce semi-rural 'village' scale with development reflecting existing built form with largely low-medium density and detached/semi-detached properties; and scope for variety of good quality design and materials through area whilst respecting scale of existing development.
- 4.2.3 The proposed site plan and elevation drawings demonstrate that the design of layout and form would not be dissimilar to the previous approval which indicated additional plots within the wider site. Notwithstanding this, the comments of an objector in terms of scale, the design of the 3-storey apartment being out of keeping with the existing built form and unacceptable high-density build are noted.
- 4.2.4 In this respect, the proposed development would result in a density of 36 dwellings per hectare which is considered an appropriate and medium density in this location. The proposed additional dwellings would be within an existing

development site which is bound on two sides by existing residential development. The land gives way to a corridor of Green Space Network with a public footpath at the rear with further housing beyond.

- 4.2.5 It is noted that there are no existing three storey developments within the wider location. The introduction of a three-storey development to this site is not in itself considered to be incongruous providing it assimilates into the existing plot with no detrimental impact to the character and appearance of the wider area. In this instance, the provision of the three-storey building to the rear is considered acceptable given the differing levels between the front and the rear of the site (3m) and the distance of the building from the main highway (approx. 100m) and its proposed position behind existing frontage dwellings.

Housing Mix

- 4.2.6 Overall, the development will provide a mix of housing types and sizes in accordance with Policy CP7 of the Local Plan. This policy seeks to provide smaller dwellings more suited to younger people, housing for people with specific needs and larger 3- and 4-bedroom houses. Of the 11 dwellings proposed, 2 will be 3-bedroom houses (plots 18 & 19) with 9 being 2 bedrooms (plots 5 & 11 - 17). A further 2-bedroom detached bungalow is provided at Plot 20. The provision of a mix of 2 and 3 bedrooms across detached, semi-detached and apartment accommodation will provide options for both smaller families and those wishing to meet aspirational needs for the future as set out in Policy CP7.
- 4.2.7 It is therefore considered that the site can comfortably accommodate the 11 additional dwellings and that they are in keeping with the pattern of adjoining development and character of the area, allowing for reasonable separation distances, garden areas, car parking, and landscaping.

Landscaping

- 4.2.8 The application has been submitted with a Tree Survey and Root Protection Plan with which to inform the proposal. The Landscape Officer was consulted on the application and, in line with the comments received, the applicant has amended the original scheme. The amendments included the moving of the apartment block a minimum of 1m away from the trees to reduce the pressure on the trees from pruning every 5 years. The parking and remaining landscaping were not impacted by these amendments.
- 4.2.9 Overall, the landscape Officer raised no objections to the proposal and confirmed the protective fencing was acceptable and made some recommendations to the pruning instructions and the use of tree root barriers along hard landscaping surrounding parking spaces.
- 4.2.10 There would be a loss of planting and hedgerow within the site. As such, compensatory native planting would be required to mitigate the loss of biodiversity. This would be secured via condition.
- 4.2.11 Given the above, having had regard to Policies CP3 and CP14 of the Local Plan and the appropriate sections of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings and would successfully integrate with existing features of amenity value such that it would be acceptable in respect to its impact on the character and form of the area.

4.3 IMPACT ON RESIDENTIAL AMENITY

- 4.3.1 The main issues in this case are the potential for overlooking and loss of light to neighbouring dwellings and whether the proposal would appear overbearing. The further objections raised by the neighbours in respect to light, pollution and noise are also noted.
- 4.3.2 In this instance, the proposed apartment block and the two pairs of semi-detached dwellings are sited to the rear of the site. The proposed apartment block would be to the south-east corner of the plot. Whilst the design would be three storeys, the land to the rear of the site is on lower ground than the properties fronting Hednesford Road (Nos. 262-270). The proposed apartment block would remain approx. 70m from these neighbouring dwellings. The Design SPD seeks development to remain 21.3m between facing principle elevations. Even with the third storey, the proposed separation distance is well in excess of this required distance and as such would not result in a significant impact to the privacy of these neighbouring dwellings. It is noted that one of the pairs of proposed semi-detached dwellings would be sited between the apartment block and the neighbouring properties. These would have a side elevation facing the neighbouring properties and the proposed apartment block at a distance of approx. 37m.
- 4.3.3 The proposed apartment block would be sited along the side boundary of the gardens associated with the frontage properties. A distance of 6m would be retained between the proposed apartment block and this shared boundary with the development separated by the existing trees and hedgerows. The boundary of the application site with this neighbouring garden measures approx. 58m with the proposed side elevation of the flats measuring 11m to the rear of the garden and separated by a 6m buffer. As such, the proposed apartment block is not considered to be overbearing to the neighbouring dwellings or their private gardens. Furthermore, there are no windows proposed in the side elevation of the proposed apartment block that would give rise to overlooking.
- 4.3.4 The proposed two storey dwellings to the front of the proposed apartment block (plots 18 & 19) would be orientated with front elevations into the site and rear elevations facing the boundary. Whilst there would be windows in the first-floor rear elevation of the proposed dwellings these would remain 11m from the shared boundary and separated by the proposed private garden. The design SPD generally seeks a separation distance of 10m to protect neighbouring amenity.
- 4.3.5 The proposed two storey dwellings to the rear of the site adjacent the side boundary with No. 18 Laurence Grove (plots 5 & 11) would be constructed to the side of No. 18 and the side of existing plot 6. These dwellings would have communal parking to the front and private gardens to the rear. The proposed dwellings comply with the daylight / outlook standards in respect to the two adjacent dwellings.
- 4.3.6 Finally, the proposed dwelling adjacent the entrance into the site (plot 20) would be a single storey, two-bedroom dwelling, constructed with a hipped roof to a maximum height of 5.2m. This dwelling would have parking to the side and a private garden beyond. This dwelling would remain 2m from the shared boundary with No. 276 Hednesford Road.

4.3.7 In this instance the neighbour has raised concern regarding the impact to their amenity area which is currently used as a seating area (to the immediate rear of their outbuilding). Concern has been raised that the sun will be blocked out due to the proximity of the proposed dwelling and the orientation of the garden. The applicant has submitted a daylight / sunlight assessment which shows this impact would be minimal. The objector noted that this assessment only covered a two-day period however the of the two days covered, one was during the height of summer and the other the height of winter and adequately covers the potential impacts. Notwithstanding, it is also noted that the hipped design of the roof means the total height of the proposed dwelling would not be reached until it was 5.7m into the application site and not immediately adjacent the boundary. As such whilst the roof slope would be visible from the neighbouring garden, the impact to daylight / sunlight would be limited (see fig 1 below).

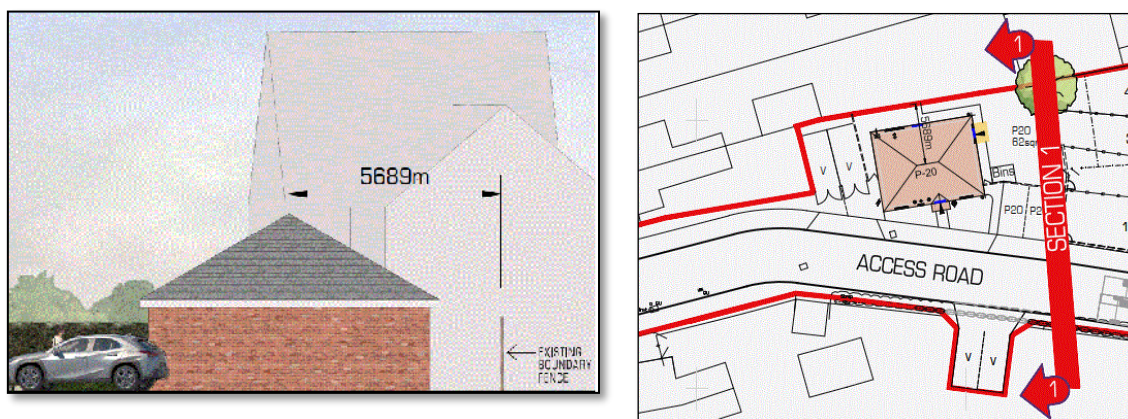


Fig 1 showing section through the site.

4.3.8 In terms of the concerns raised regarding potential lighting pollution, officers considered the use of the site as residential would be acceptable however given there are areas of communal space and the site backs onto a sensitive use (Green Space Network), a condition has been recommended for lighting details to such areas to be submitted to and approved to ensure they are appropriate to his location.

4.3.9 Neighbour objections were also received in regard to noise from the site. In respect to the development noise, whilst unfortunate this occurs only during construction and as such is considered temporary in nature. The potential future noise of the site will be noise as associated with general residential uses and as such would not result in a significant detrimental impact to the adjoining occupiers.

4.3.10 A neighbour objected to the additional pollution from vehicles that would result from the development. In this instance, the access and road within the development already exists to serve the existing dwellings. There would be an increase of 11 dwellings only with the site used for residential purposes. Whilst it is noted that the proposed development would result in some additional noise to the rear of properties fronting Hednesford Road, it would not be so significant that would warrant a refusal. Environmental Health was consulted on the application, and they raised no concerns with regard to potential impact from additional vehicle noise.

Future occupiers of the proposal

- 4.3.11 The proposed development would be provided with adequate private amenity space and off-street parking accordance with the Council Design SPD. As such, it is considered that the proposal would provide a high quality of amenity for occupiers of existing dwellings as well as for the future occupiers of the proposed dwelling in accordance with the Design SPD and Local Plan Policy CP3

4.4 IMPACT ON HIGHWAY SAFETY

- 4.4.1 Paragraph 115 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. The comments of the neighbours in regard to parking and highway implications are noted.
- 4.4.2 In this instance, the proposal seeks to utilise the existing access and to create some additional parking areas within the site. The road has been constructed to adopted standards and it has been demonstrated via swept path plans that the proposal will be able to adequately accommodate refuse vehicles.
- 4.4.3 The Local Highway Authority have assessed the proposals and raised no objection to the use of the existing access. Additionally cycle storage has been provided for the apartment development and considered the proposals acceptable and complies with their standards.
- 4.4.4 The Highway Officer queried the number of spaces the development proposed. Your Officers confirm that a total number of 40 spaces is demonstrated on the proposed layout plan. This would be provision for both the proposed and the existing development. Based on the Parking SPD, the number of spaces required in total would be 18 and a further 16 for the existing which gives a total of 34.
- 4.4.5 It is noted on the previous permission for the existing dwellings that 4 spaces were proposed to serve the existing properties fronting Hednesford Road (Nos. 170 & 174). The agent has confirmed that these spaces would still be provided on that basis. As such, even with the parking for the frontage properties, the proposed development would still accommodate the required number of spaces to serve the proposed and existing development in accordance with the Parking SPD.
- 4.4.6 Given the above, in this instance, the proposed development would not result in an unacceptable impact on highway safety and as such would accord with paragraph 115 of the NPPF.

4.5 IMPACT ON NATURE CONSERVATION INTERESTS

- 4.5.1 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts.
- 4.5.2 In this instance there will be a net increase in 11 dwellings on this site and as such, a Habitat Regulation Assessment has been carried out and SAC mitigation

contributions are required. There is a net increase in dwellings of 11 No. such that SAC mitigation contributions are required. If the application were to be approved, the proposal will become CIL liable, and the SAC mitigation will be top sliced from the CIL payment.

- 4.5.3 The objections raised in regard to the impact on wildlife and the existing hedgerows are noted. The application site is not however, subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection, or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.5.4 The proposal would result in the loss of hedgerow/shrubs as per the proposed site layout. As such, compensatory native planting will be required to compensate the loss of biodiversity. This has been included within the recommended conditions.
- 4.5.5 It is also recommended that an inbuilt bird box is incorporated for each new building unit, to be positioned on a north or east facing wall whilst providing flight access. A condition has been recommended to secure bird boxes and would also require them to be retained and maintained in working order for the life of the development.
- 4.5.6 An inbuilt bat box has also been recommended to be incorporated to the building for each new dwelling, to be positioned on a south or west facing wall whilst providing flight access. A condition has been recommended to secure bird boxes and would also require them to be retained and maintained in working order for the life of the development.
- 4.5.7 Hedgehog highway access points 13x13cm are also recommended to be incorporated to all new gates & boundary fencing, one per neighbouring boundary. A condition for this has been recommended that would also require them to be retained and maintained in working order for the life of the development.
- 4.5.8 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. With the mitigation and enhancement measures set out in the reports and in the conditions to be attached if planning permission is granted, it is considered that the proposal will meet the redevelopment aspirations and accord with Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.6 DRAINAGE AND FLOOD RISK

- 4.6.1 The site is located in Flood Zone 1 which is at least threat from flooding. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to help inform the submission. The Staffordshire County Flood Risk Team was consulted on the application and raised no objection, subject to the conditions recommended, to the proposal.
- 4.6.2 A neighbour raised concerns regarding the increase in pressure on the sewage drains. Officers confirm that Severn Trent was consulted on the application, and they raised no objection to the proposal subject to the recommended condition.

4.7 MINERAL SAFEGUARDING

- 4.7.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.
- 4.7.2 In this instance, the site lies within a mineral safeguarding area for coal fireclay. However, its location in the middle of an urban area and adjacent to a school means that it would not be a suitable site for mineral workings as it would not be practical or environmentally viable as set out in Policy 3. The planning benefits of making efficient use of this site for new housing development also outweighs the loss of the site for mineral workings.

4.8 WASTE AND RECYCLING FACILITIES

- 4.8.1 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required). The comments of an objector regarding the bins being sufficiently maintained so there are no smells / rats are noted.
- 4.8.2 In this instance, bin storage / collection points have been identified on the layout plan and bin collections will already be in place in this existing and established urban area. Any occupier of the new dwellings will be able to bring the bins to collection points within the site on bin collection day before returning them to their private gardens.
- 4.8.3 The apartment block has a designated bin store area sited within the application site. The details for the bin store area have been recommended via condition to ensure they are suitable in this location.

4.9 GROUND CONDITIONS AND CONTAMINATION

- 4.9.1 The application site lies in a historic landfill and site investigation history area and is also in a Coal Authority High and Low Risk Area. The application is supported by a Mining Risk Assessment, Site Investigation and Ground Gas Risk Assessment. These have been reviewed by the Coal Authority and the Council's Environmental Health team, both of whom are content with the proposals and the reports submitted, subject to conditions relating to construction hours and submission of a Construction Environmental Management Plan.
- 4.9.2 The development will ensure appropriate mitigation measures are in place given the site's location in a Coal Authority High Risk Development Area. The proposal will also be in accordance with Policy CP16 of the Local Plan and the NPPF.

4.10 S106 REQUIREMENTS

Affordable Housing

- 4.10.1 In accordance with Policy CP7, a financial contribution is required towards off-site affordable housing on sites of 10-14 dwellings, based on a formula derived from

the Economic Viability Assessment of Future Development of Affordable Housing in Cannock Chase report. The final financial contribution payable would be calculated by the Council's Property Service at the time of the S106 undertaking.

Education

- 4.10.2 Based on the location of the proposed development and current demographics the impact on school places at the following school(s)/planning areas has been considered:
- Norton Canes Primary Academy
 - Norton Canes Primary planning area
 - Norton Canes High School
 - Cannock High planning area
- 4.10.3 In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that the proposal would require 2 primary school places, 2 secondary places and 0 Post 16 places. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 7-year groups for Primary, 5 for secondary and 1 for Post 16 places.
- 4.10.4 The primary school education contribution has been calculated as follows:
- £17,450 x 2 places required for development = £34,900 (index linked)
- 4.10.5 In accordance with the Developer Contributions and Housing Choices SPD, it is not considered that any other financial contributions are required in connection with this proposal. The measures set out above are considered to adequately mitigated the impacts of the development and make it acceptable in planning terms. The proposal is therefore in accordance with Policy CP2 of the Local Plan.
- 4.11 Other Issues Raised by Objectors not covered above**
- 4.11.1 An objector has stated that the outlook will now be urban when it was rural / semi-rural and will feel 'boxed in'. You officers have assessed the application against all relevant policies and note that the location of the site within a residential location is within the settlement boundary of Norton Canes. The proposal meets all relevant policy requirements and relates to an existing site.
- 4.11.2 An objection was raised regarding the effect value of property. This is not a material consideration for the determination of the planning application.
- 4.11.3 An objector queried whether the addition of fencing along the south boundary could be provided at 8ft instead of 6ft. The determination of this application is based on the plans submitted. However, a condition has been recommended for further details of soft and hard landscaping to be provided and as such the applicant could provide such fencing at this stage.
- 4.11.4 An objector has queried the crown lifting of their trees and potential damage to their hedgerows and planting. Your officers confirm that the planning permission does not grant permission for works to third party property. The applicant would need to seek further permissions from the owner in this respect.

- 4.11.5 An objector has raised concern that the location of the parking proposed for plot 18 will attract youths to gather and play. The parking is well overlooked by the wider development. How persons may or may not use a space which in this instance is for the parking of vehicles in the future is not a reason for refusing the planning application as there is other legislation that exists outside the remit of planning to control anti-social behaviour if required.

5 Human Rights Act 1998 and Equality Act 2010

Human Rights Act 1998

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

Equality Act 2010

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

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

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

6 Conclusion

- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the 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 for the above reasons.

Application No: CH/23/0367

Item No. 6.68

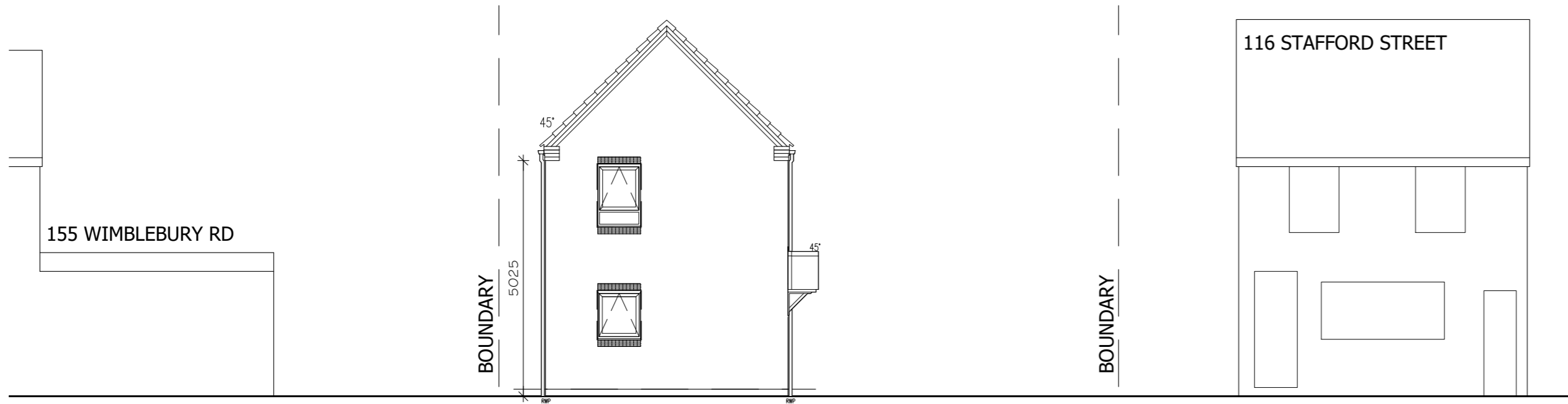
Location: 155, Wimblebury Road, Heath Hayes, Cannock,
WS12 2EW

Proposal: Erection of a 2bed dwelling (resubmission of
CH/23/0013)

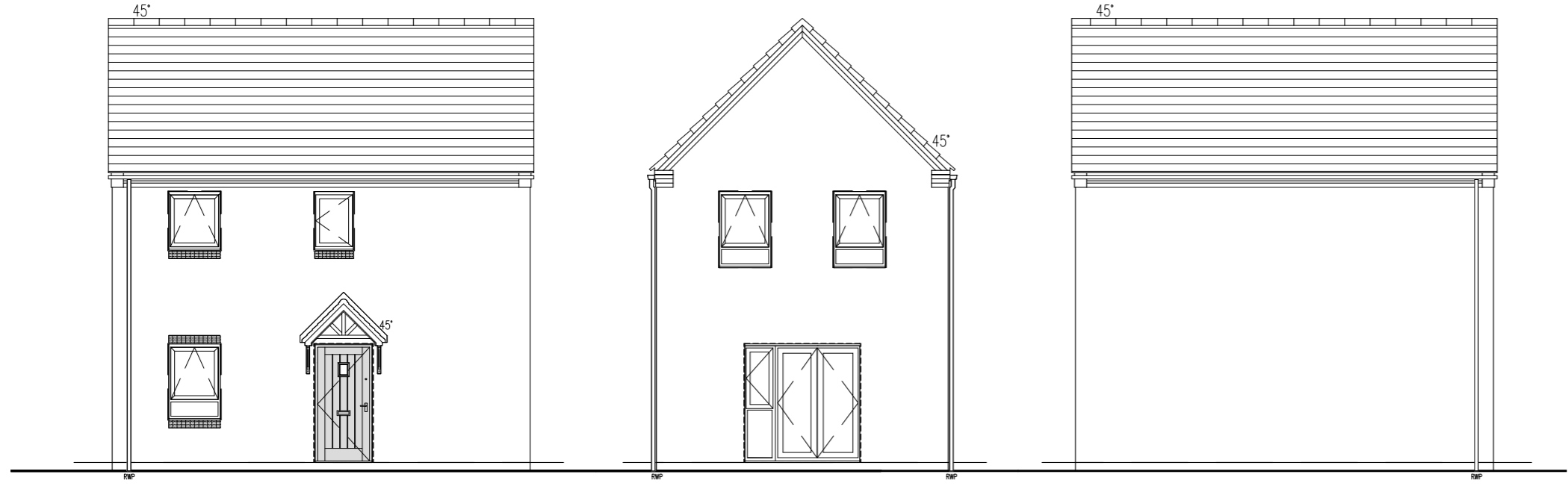


Location Plan

© This drawing is the property of the applicant and may not be copied or used for any purpose other than that for which it is supplied without their express written authority.



FRONT ELEVATION

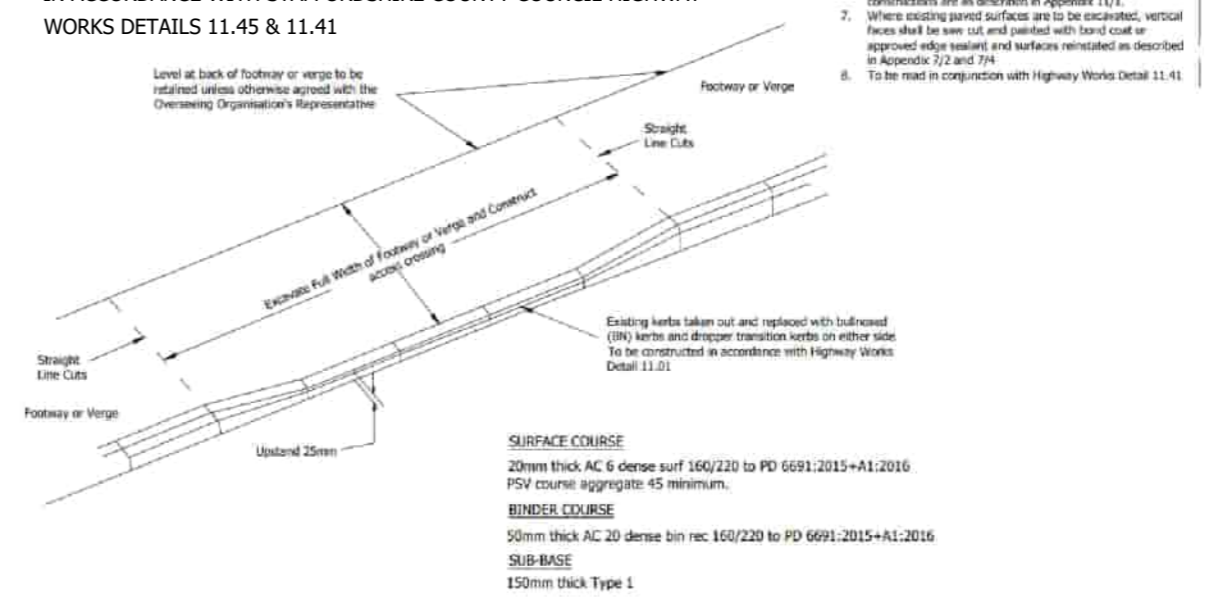


SIDE ELEVATION

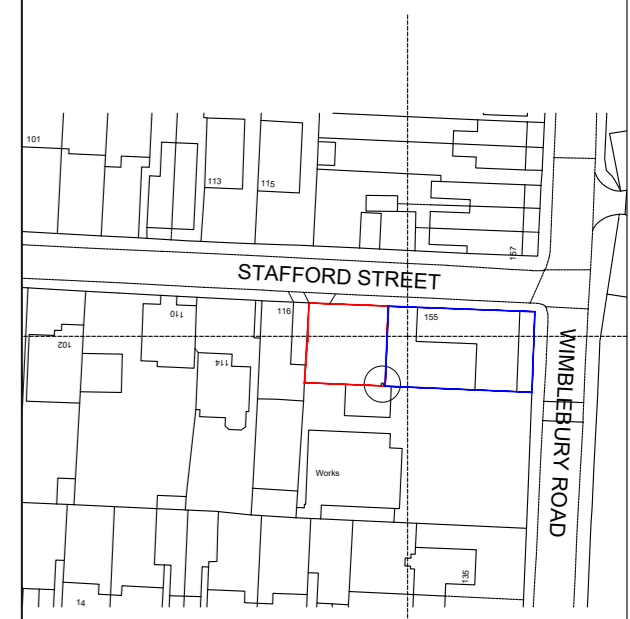
REAR ELEVATION

SIDE ELEVATION

ACCESS CROSSING DETAIL
IN ACCORDANCE WITH STAFFORDSHIRE COUNTY COUNCIL HIGHWAY WORKS DETAILS 11.45 & 11.41



- NOTES**
1. Kerbs constructed in accordance with Highway Works Detail 11.01
 2. Dropper kerbs are included in measured lengths of Type H&Z kerbs.
 3. Cut kerbs are not permitted within lengths of Type H&Z kerbs. Setting-out points for changes in kerb types shall be identified on kerbing layout plans.
 4. Alignment of back of Footway or paved area is not depressed unless otherwise stated in the Contract.
 5. Footway, Paved area, and Light Vehicular Crossing constructions are as described in Appendix 1 (1.1).
 6. Where existing paved surface area to be excavated, vertical faces shall be saw cut and jointed with board coat or approved edge variant and surfaces reinstated as described in Appendix 2.2 and 2.4
 8. To be read in conjunction with Highway Works Detail 11.41



LOCATION PLAN

Revisions:

Rev	Description	Date	Drawn	Check
A	GF WC WINDOW SHOWN ON PLAN, DROP KERB DETAIL ADDED, ROAD NAMES TO LOCATION PLAN ADDED	23/11/2023		
B	EX. DROP KERB REF OMITTED. FRONT DOOR RELOCATED TO WEST ELE. WINDOWS REPOSITIONED TO SUIT NEW LAYOUT. FORWARD VIS REDUCED TO 2x43 & VIS SPLAY ADDED TO WEST.	07/02/2024		
C	FORWARD VISIBILITY TO WEST REDUCED TO NOT CROSS 3RD PARTY LAND	23/02/2024		

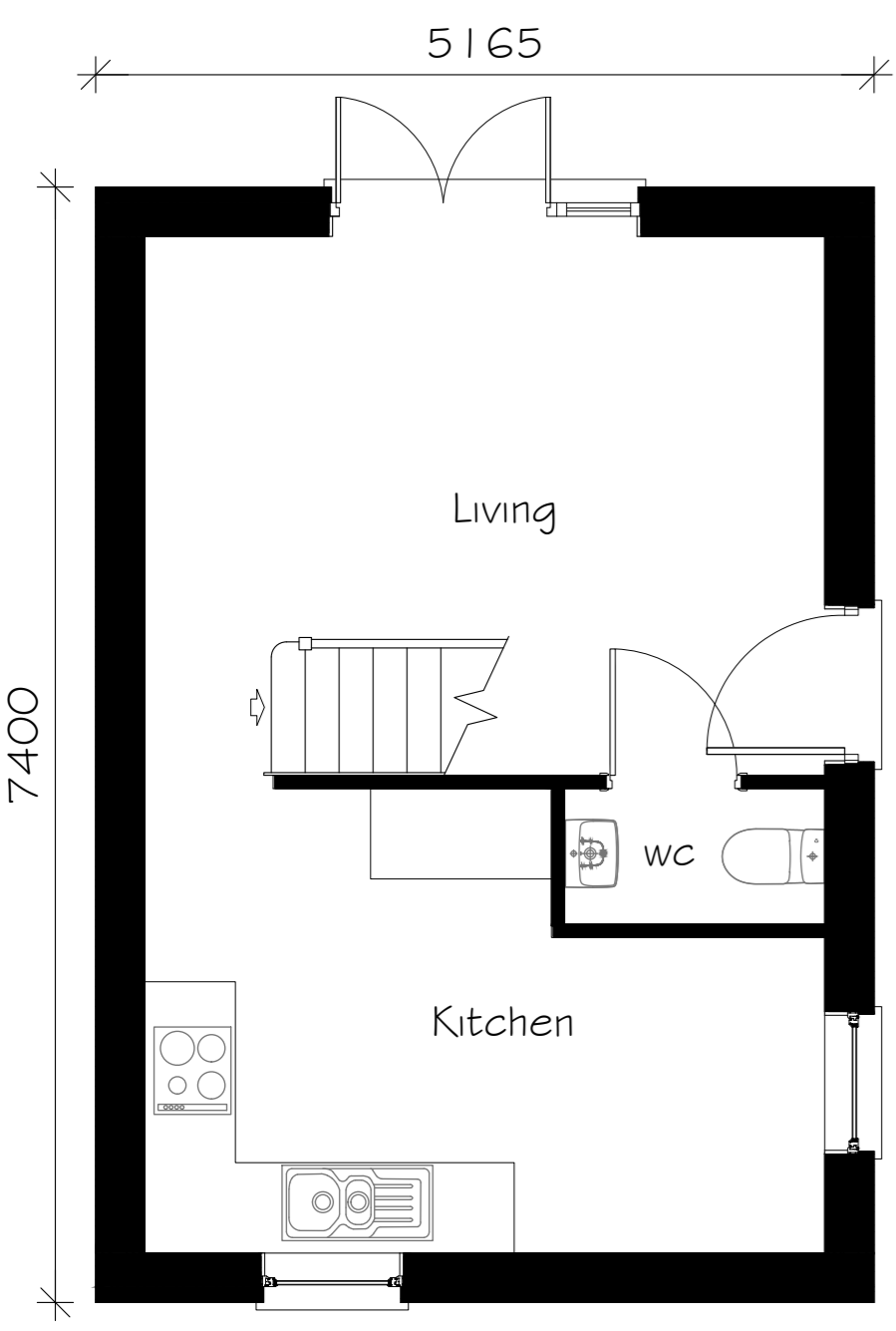
Drawing Status:
PLANNING

Project:
155 WIMBLEBURY ROAD
HEATH HAYES

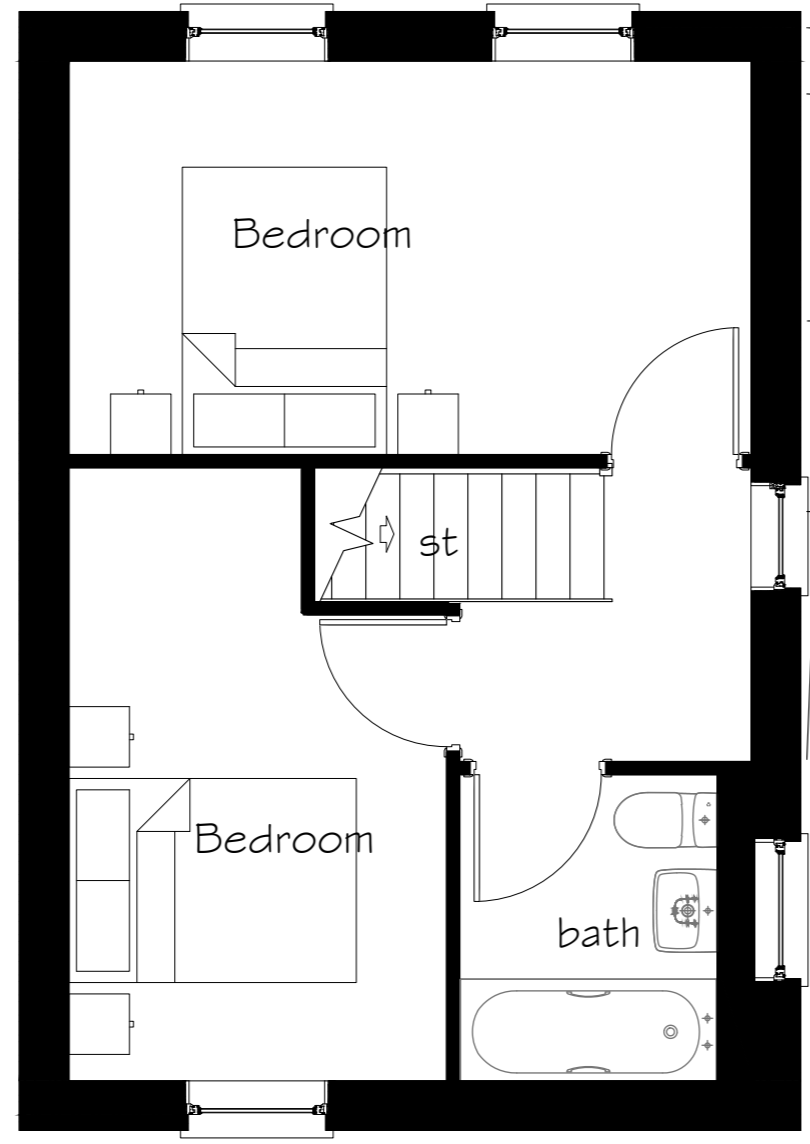
Title:
PLANNING PROPOSED FLOOR PLANS & ELEVATIONS, BLOCK PLAN & LOCATION PLAN

Job Number. ELM/20/014
Drawing No. PLN_001
Revision. C

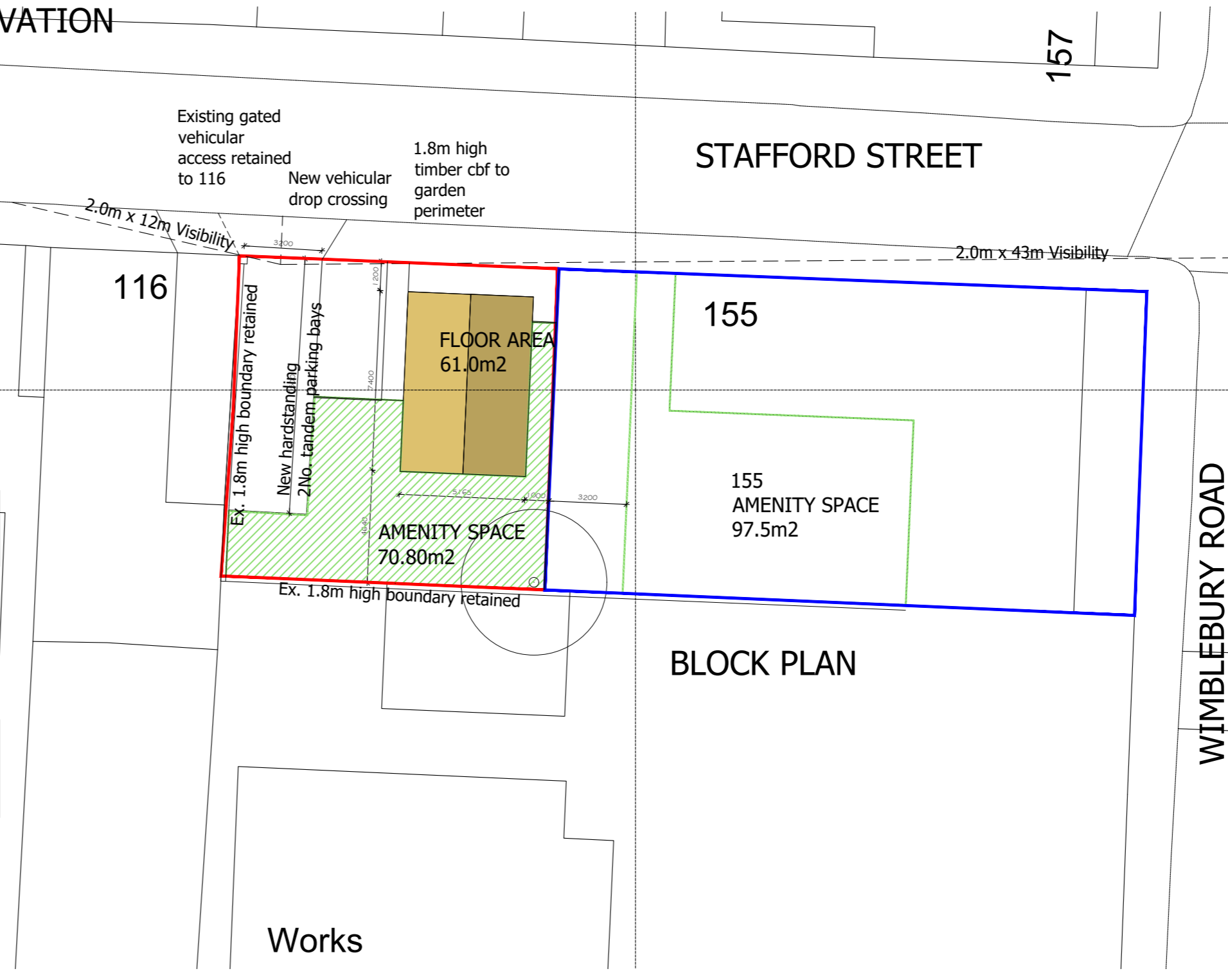
Scale: 1:50 @ A2
Date: May '23
Drawn by: ELM
Checked by: #



GROUND FLOOR PLAN



FIRST FLOOR PLAN



BLOCK PLAN



Planning Control Committee

27 March 2024

Application No:	CH/23/0367
Received:	16 Nov 2023
Location:	155, Wimblebury Road, Heath Hayes, Cannock, WS12 2EW
Parish:	Heath Hayes and Wimblebury
Ward:	Heath Hayes East and Wimblebury
Description:	Erection of a 2-bed dwelling (resubmission of CH/23/0013)
Application Type:	Full Planning Application

Reason for Committee decision

The application is being presented to Members for determination, as the Heath Hayes and Wimblebury Parish Council have objected to the proposals on the grounds of access and parking issues.

The Parish Council confirmed their objection on 28th February 2024, following the Staffordshire County Council Highways Team removing their objection to the scheme.

Recommendation:

It is recommended that the planning application is approved, subject to planning conditions as detailed below:

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

Reason:

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

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

- Proposed Block Plan, Location Plan, Plans and Elevations REF WIM-PL-01 Rev C

Reason:

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

3. No part of the development hereby approved shall commence until:
 - (a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - (b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented

on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance. The approved scheme shall thereafter be implemented prior to and throughout the duration of any works on site.

Reason:

To ensure that risks from past coal mining activity to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems in accordance with the National Planning Policy Framework.

4. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including planting, fencing, walls, surface treatment & construction details for the site has been submitted to and approved by the Local Planning Authority. The details shall be in the form as specified in Annex C of the Supplementary Planning Guidance 'Trees, Landscape and Development'. Thereafter the development shall be carried out in accordance with the approved details.

Reason:

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

5. Prior to the commencement of the development a Construction and Environmental Management Plan and details of an intended Programme of Works shall be submitted to an agreed in writing by the Local Planning Authority. The Construction and Environmental Management Plan shall include details of site compounds, site hours, types of vehicles, proposed delivery hours, provision for parking of vehicles for site operatives and visitors, loading and unloading of plant and materials and storage of plant and materials used in constructing the development and the method of piling should piling be used. The approved scheme shall thereafter be implemented prior to and throughout the duration of any works on site.

Reason:

To comply with the objectives and policies contained within the NPPF. In the interests of site sustainability and highway safety.

6. Where the desk study has identified an unacceptable risk from land contamination, suitable and sufficient site investigations, carried out in accordance with Environment Agency Land Contamination: Risk Management guidance, shall be undertaken to determine the significance of that contamination. A report on the findings of such investigations shall be submitted to the Local Planning Authority for approval. The approved scheme shall thereafter be implemented prior to and throughout the duration of any works on site.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems in accordance with the National Planning Policy Framework.

7. Where site investigations have confirmed unacceptable risks from land contamination, potential remediation options should be appraised and a remediation strategy, prepared in accordance with Environment Agency Land Contamination: Risk Management guidance, shall be submitted to the Local Planning Authority for approval.

The developer shall implement the approved remediation strategy in accordance with Environment Agency Land Contamination: Risk Management guidance, following which a verification report shall be submitted to the Local Planning Authority for approval. The approved scheme shall thereafter be implemented prior to and throughout the duration of any works on site.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems in accordance with the National Planning Policy Framework.

8. Identification of contamination that was not previously identified by site investigations shall be reported to the Local Planning Authority as soon as is practicable. Details on how the identified contamination is to be addressed shall be submitted to the Local Planning Authority for approval. Remediation shall be undertaken in accordance with the approved submission. Following development, if no further contamination was identified then comment to this effect shall be submitted to the Local Planning Authority for approval prior to first occupation. The approved scheme shall thereafter be implemented prior to and throughout the duration of any works on site.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems in accordance with the National Planning Policy Framework.

9. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:

To ensure that risks from past coal mining activity to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property, and ecological systems in accordance with the National Planning Policy Framework.

10. The development hereby permitted shall not be brought into use until the access and parking have been provided in a bound and porous material in accordance with the submitted Drawing No: PLN_001 Revision C 'Planning Proposed Floor Plans & Elevations, Block Plan & Location Plan' and shall thereafter be retained for the lifetime of the development.

Reason:

In the interests of highway safety and the safe and convenient flow of traffic.

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

Reason

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

12. The development hereby permitted shall not be occupied until the window(s) indicated on the approved plan at the first floor of the western elevation are obscure glazed. The window(s) shall be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. Thereafter the window(s) will be retained and maintained as such for the life of the development.

Reason

In the interests of protecting the amenity of neighbouring occupiers to ensure compliance with CP13 of the Local Plan and relevant sections contained within the NPPF.

13. No dwelling hereby permitted shall be completed above ground floor level until a scheme for the provision of bat roosts has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall indicate the plots to be provided with bat roosts, which shall be integrated into the roof or elevations of the house in question, the details of each box and their proposed height. Thereafter, any dwelling shown to be host to such a bat roost shall be completed in accordance with the approved scheme and maintained for the lifetime of the development.

Reason

In the interests of enhancing bat breeding habitat in accordance with Policy CP12 of the Cannock Chase Local Plan and the NPPF.

Notes to the Developer:

Coal Authority

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

Ground Investigations:

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for found at it permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

Shallow coal seams:

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

Highway Authority

Please note that prior to the access being widened you require a Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing.

Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk).

Environmental Health:

- (a) The site is known or suspected to be contaminated. The responsibility for safe development and secure occupancy of the site rests solely with the developer.
- (b) Please note that Environmental Health comments relate to risks posed from land contamination to human health only; the Environment Agency and other agencies may have additional requirements.
- (c) The Local Planning Authority will determine the application based on the information submitted to it. Please be aware that should a risk of harm from contamination remain post development, the applicant is likely to be liable under Part 2(a) of the Environmental Protection Act 1990 for any additional remediation.
- (d) The applicant is advised that should there be a requirement as part of the Remediation Strategy to treat, reuse or remove contaminated material on the site,

the Environment Agency should be consulted, as these activities may need to be licensed or permitted.

- (e) Cannock Chase Council is keen to liaise with all stakeholders involved in this application. As such, we recommend that a proposed scope of works is forwarded the Environmental Protection Department and agreed in principle prior to site investigation works being undertaken. Environmental Protection is also prepared to review draft copies of reports prior to final submission to the Local Planning Authority in order to ensure that works undertaken are sufficient to gain approval of contaminated land conditions. Further information regarding the requirements of Cannock Chase Council can be obtained from Environmental Protection (environmentalhealth@cannockchasedc.gov.uk / 01543 462621) ions, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority.

Consultations and Publicity

External Consultations (Latest)

Heath Hayes and Wimblebury Parish Council: Object

The Council object due to parking issues.

(Comments received 27th February 2024)

Staffordshire County Council (Highways): Conditional

The applicant has submitted a revised drawing omitting the proposed parking and vehicular access crossing for No. 155. Visibility splays have been re-drawn and show the full 43m to the east but a reduced visibility of 12m to the west. Given the relatively low speeds observed on Stafford Street, its low traffic volumes and the presence of on-street parking, this reduction is deemed acceptable. This response is not to set a precedent.

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

1. The development hereby permitted shall not be brought into use until the access and parking have been provided in a bound and porous material in accordance with the submitted Drawing No: PLN_001 Revision C 'Planning Proposed Floor Plans & Elevations, Block Plan & Location Plan' and shall thereafter be retained for the lifetime of the development.

(Comments received 28th February 2024)

The Coal Authority:

Planning team at the Coal Authority has no objection to this planning application in respect of the new Phase I Desk Study and Coal Mining Risk Assessment. However, you are directed to the comments and recommendation contained in our previous consultation letter of 7th December 2023, which remain valid and relevant to the decision-making process.

(Comments received 14th February 2024)

Internal Consultations (Latest)**Environmental Health:**

No objection, subject to conditions relating to land contamination.

(Comments received 2nd February 2024)

Planning Policy:

The Team notes that the planning application reference CH/20/0013 was refused permission at this location due to Highway issues and contrary to Local Plan policy CP3.

It is considered that the proposal should respect the character and density of the area and promote the creation of better places in which to live and work. With regards to the design of the proposed development and highway issues we are happy to leave this to the judgement of the Case Officer and Staffordshire County Council Highway team advice as to whether the revised plans address the previous reasons for refusal.

(Comments received 20th December 2024)

Response to Publicity

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

Relevant Planning History

CH/22/0076: Proposed New 3 bed bungalow. Refusal - 05/06/2022 on the following grounds:

1. The proposed scheme for a three bedroom bungalow would not provide an adequate visibility splay for the proposed new dwelling, to the detriment of pedestrian and highway safety contrary to the adopted Car Parking Standards SPD and paragraph 111 of the National Planning Policy Framework.
2. The proposal would not provide sufficient off-street parking provision for the existing dwelling at No.155 Wimblebury Road, to the detriment of pedestrian and highway safety contrary to the adopted Car Parking Standards SPD and paragraph 111 of the National Planning Policy Framework.
3. The proposed dwelling by virtue of its size and scale, particularly when viewed in the context of the plot to dwelling ratio would result in a building that would be too large for its plot to the detriment of the character of the streetscene. The proposal would therefore fail to be well-related to the existing buildings and their surroundings in terms of layout, density and scale contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 130 (b & c) of the National Planning Policy Framework.

CH/23/0013: Proposed new 3 bedroom dormer bungalow. Refusal - 13/04/2023 on the following grounds:

1. The proposed scheme for a three-bedroom dormer bungalow would not provide an adequate visibility splay for the proposed new dwelling, to the detriment of pedestrian and highway safety contrary to the adopted Car Parking Standards SPD and paragraph 111 of the National Planning Policy Framework.

2. The proposal would not provide sufficient off-street parking provision for the existing dwelling at No.155 Wimblebury Road, to the detriment of pedestrian and highway safety contrary to the adopted Car Parking Standards SPD and paragraph 111 of the National Planning Policy Framework.
3. The proposed dwelling by virtue of its siting, scale, and design, would result in a building that would be out of keeping with the character of the streetscene. The proposal would therefore fail to be well-related to the existing buildings and their surroundings in terms of layout, density, and scale contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and paragraph 130 (b & c) of the National Planning Policy Framework.
4. Insufficient information has been submitted to demonstrate that the development would not be at risk from ground gases, contrary to Policy CP3 of the Local Plan and paragraph 183 (a) of the National Planning Policy Framework.

1 Site and Surroundings

- 1.1 The site comprises a plot of rear garden land measuring approximately 13m wide x 13m depth, which is sited to the rear of No.155 Wimblebury Road. It is bounded with a 1.8m high brick wall and is accessed from Stafford Street.
- 1.2 No.155 Wimblebury Road is sited at the corner junction with Stafford Street. It is a 1900's semi-detached two storey house, comprising rendered brick and tiled roof construction. It has a 10m long rear wing that is constructed to the back of the pavement in Stafford Street. Part of this rear wing is single storey with a flat roof forming a workshop.
- 1.2 The surrounding area is mixed in design, age and building lines. However, garden lengths measure consistently between 10-22m long within the locality.
- 1.4 The site is within the SHLAA 2021 site C227 (Restricted and Excluded), adjacent to the Green Belt, but is otherwise undesignated. It is located within a Mineral Consultation - Coal Fireclay, Historic Landfill Site, Site Investigation History and Coal High Risk Area.

2 Proposal

- 2.1 The applicant is seeking consent for proposed new 2no bedroom two storey dwelling. The design would incorporate a pitched tiled roof and brick construction. The footprint of the building would be sited 1m back from the pavement fronting Stafford Street. The rear amenity space would be approximately 70.80 m².
- 2.2 The existing front boundary wall would be demolished. Two off street tandem parking spaces would be sited within the western section of the site, adjacent to the boundary with no. 116 Stafford Street, with an existing 1.8 boundary fence to be retained.
- 2.3 The scheme provides the existing dwelling with a rear garden measuring, approximately 97.5m². It would make no provision for off-street parking for the host dwelling.

- 2.4 The scheme has been changed to a 2no bedroom dwelling, since the refusal of a 3 bedroom bungalow CH/23/0013.

3 Planning Policy

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

- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1 (2014) and the Minerals Local Plan for Staffordshire (2015 – 2030).

3.3 Cannock Chase Local Plan Part 1

- CP1: - Strategy – the Strategic Approach
- CP3: - Chase Shaping – Design
- CP5: - Social Inclusion and Healthy Living
- CP10: – Sustainable Transport
- CP12: - Biodiversity and Geodiversity
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- CP16: - Climate Change and Sustainable Resource Use

3.4 Minerals Local Plan for Staffordshire

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

3.5 Relevant paragraphs within the NPPF:

- 8: Three dimensions of Sustainable Development
- 11-14: The Presumption in favour of Sustainable Development
- 47-50: Determining Applications
- 60, 75, 76, 77, 78: Delivering a Sufficient Supply of Homes
- 131, 135, 137, 139: Achieving Well-Designed and Beautiful Places
- 180, 191: Conserving and Enhancing the Natural Environment
- 189, 190, 191: Ground conditions and Pollution
- 224, 225 Implementation

3.6 Other relevant documents include:

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

4 Determining Issues

4.1 Principle of the Development

4.1.1 Both paragraph 11 of the NPPF (2023) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

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

‘For decision taking this means:

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

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

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

4.1.4 Other than the above general strategic approach there are no relevant policies within the Local Plan in respect to the approach to be taken with regard to the development of wind-fall sites. As such the proposal falls to be determined in accordance with the tests set out in subsection (d) (i) or (ii) of paragraph 11 of the NPPF show above.

4.1.5 With that in mind it is noted that the application site is not designated as Green Belt, AONB or as a SSSI or SAC, nor does it contain a listed building or conservation area or affect the setting of a designated heritage asset; nor is it located with flood zones 2 or 3. Therefore the proposal does not engage any policies in the Framework that protect areas or assets of particular importance. As such the proposal should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.1.6 In respect to the location of the site it is within a residential location within close proximity to the district centre, close to the schools and served by bus routes

giving access by public transport. As such the site has good access by public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development. The site is not located within either Flood Zone 2 or 3, and it is not designated as a statutory or non-statutory site for nature conservation nor is it located within a Conservation Area (CA), nor does it affect the setting of a designated or undesignated heritage asset.

4.1.7 It is therefore concluded that the proposal is acceptable in principle. However, proposals that are acceptable in principle are still subject to all other policy tests set out below.

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

4.2.1 The application site is undeveloped, comprising the rear amenity space of no. 155 Wimblebury Road. The site is partially screened by an existing boundary wall/fence of which fronts Stafford Street.

4.2.2 The prevailing character of the area is residential, and the proposal will introduce a use and development at the site that is compatible with development in the area and will assimilate well with the existing street scene.

4.2.3 The design and layout of the dwelling will mirror design features seen within the street scene, such as the provision of tandem parking as well as its orientation, with the front door facing inwards on the side elevation, of which mirrors no. 111 Stafford Street to the west of the site.

4.2.4 In terms of the appearance of the new dwelling, its design and general roof form proposed is reflective of the appearance of the neighbouring semi-detached properties. It is appreciated that the development scheme will cause a tighter grain of development to be implemented; however, this is acceptable due to the visual betterment of the site brought about by the development and bringing it into a more compatible use.

4.2.5 Taking the above into account, Officers consider that subject to conditions the proposals broadly accord with the guidance within the Design SPD and broadly accord with the aims of Local Plan Policy CP3 and the aims of the NPPF.

4.3 Impact on Residential Amenity

4.3.1 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 onto include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

4.3.2 Of note in relation to the assessment of amenity impacts is the proximity of neighbours at Stafford Street. To the rear of the site lies a light industrial site (Timberlux Buildings).

4.3.3 The dwelling's front elevation will face towards no 116 Stafford Street, with ground floor windows at this elevation serving the kitchen, and first floor serving a bathroom and landing area of which will be glazed, secured by planning condition.

- 4.3.4 As such, there are no concerns in respect of overlooking or having a detrimentally impact upon the privacy of no. 116 Stafford Street. No windows are proposed on the eastern (side) elevation, facing no. 155 and there are no amenity concerns in this regard.
- 4.3.5 The existing rear 1.8 metre boundary fence will be retained, of which will largely screen the site from the light industrial site to the rear. Furthermore, given the nature of the use of the site (a timber shed manufacturer), there are no outstanding concerns in respect of noise or odour pollution. As such, future occupiers of the new dwelling are considered to have an acceptable level of amenity.
- 4.3.6 No. 155 Wimblebury Road would retain an acceptable level of private amenity space, of which would measure 97.5 m². Furthermore, a public park lies across the road from the site to the east, approximately 20 metres away, allowing access to additional amenity space for recreational use.
- 4.3.7 Taking the above into account, it is judged the proposed dwellings would not cause an unacceptable degree of overlooking to neighbouring gardens. Taking the above factors into account, in accordance with the assessment criteria set out within the Council's adopted standards, it is considered that a good standard of amenity would be achieved for all existing and future occupiers of the existing and proposed dwellings in accordance with Policy CP3 of the Local Plan and the NPPF.

4.4 Impact on Highway Safety

- 4.4.1 Paragraph 115 of the NPPF states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' The concerns raised by the Parish Council in regard to access and parking are noted.
- 4.4.2 Following the submission of additional information by the applicant, the County Highway Authority have raised no objections to the proposals in terms of highway safety subject to conditions. The SCCH team provided the following comments:
- "The applicant has submitted a revised drawing omitting the proposed parking and vehicular access crossing for No. 155. Visibility splays have been re-drawn and show the full 43m to the east but a reduced visibility of 12m to the west. Given the relatively low speeds observed on Stafford Street, its low traffic volumes and the presence of on-street parking, this reduction is deemed acceptable".*
- 4.4.3 Whilst it is recognised there is currently some degree of on street parking on Stafford Street, it is not judged that 1 no. additional dwelling would pose a severe transport or highways issue at the location.
- 4.4.4 With regards to parking provision, the dwelling proposed is a 2-bedroom property and so, in total, 2no off-street spaces would be required. The scheme meets this, by providing 2no tandem spaces as shown on the site layout plan together with manoeuvring space. Accordingly, it is considered the proposals accord with the provisions of the Parking SPD.
- 4.4.5 Overall, it is concluded that the residual cumulative impacts of the proposal would not be severe in highway terms and would not create an unprecedented level of

additional vehicles on the surrounding highway network, nor encourage the displaced parking of vehicles. As such, the scheme is compliant with the provisions of the Local Plan and the NPPF.

4.5 **Impact on Nature Conservation Interests**

- 4.5.1 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. There is a net increase in dwellings of 1 No. such that SAC mitigation contributions are required. The site would be subject to CIL contributions; therefore, SAC contributions would be top-sliced from CIL in order to mitigate recreational impacts on Cannock Chase SAC.
- 4.5.2 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection, or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.5.3 In order to enhance the nature conservation opportunities for the site, such enhancements would provide a net gain to this location and would be secured via the relevant conditions that Officers have recommended.
- 4.5.4 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.6 **Drainage and Flood Risk**

- 4.6.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps.
- 4.6.2 The application site is located in a Flood Zone 1 which is at least threat from flooding. Although the applicant has not indicated the means of drainage it is noted that the site immediately abuts a main road and is on the edge of a predominantly built-up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area and is considered acceptable.

4.7 **Mineral Safeguarding**

- 4.7.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.
- 4.7.2 Policy 3.2 of the new Minerals Local Plan states that:
'Within a Mineral Safeguarding Area, non-mineral development except for those types of development set out in Appendix 6, should not be permitted until the prospective developer has produced evidence prior to determination of the planning application to demonstrate:

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

4.7.3 Given the scale and nature of the development proposal, it would not prejudice the aims of the Minerals Local Plan.

4.8 **Waste and Recycling Facilities**

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

4.8.2 In this respect, it is noted that the proposed dwelling would be sited within close proximity to the highway within a residential location where bins are already collected by the Local Authority. The bins would, in this instance, be collected from the pavement as per the existing situation for the neighbouring properties.

4.9 **Ground Conditions and Contamination**

4.9.1 The proposed development is located within 250m of two Environment Agency reported historic landfill sites, which present a risk to the proposed development as potential sources of ground gas.

4.9.2 The proposed development is also located in a 'high risk area' for abandoned coal mine workings, which may present a risk from coal mine gas.

4.9.3 The risks posed by ground gas should be assessed as part of the proposed development.

4.9.4 The Council's Environmental Health Officers were consulted on the application and following the submission of additional information in respect of land contamination and the development proposal has been assessed for the risk from ground gas. Having reviewed the addition information and surveys submitted by the applicant, the Environmental Health Team confirm that they have no objections to the scheme subject to conditions.

4.9.5 As such, it is considered that sufficient information has been submitted to demonstrate that the development would not be at risk from ground gases, in accordance with Policy CP3 of the Local Plan and relevant paragraphs contained within the National Planning Policy Framework.

5 Human Rights Act 1998 and Equality Act 2010

Human Rights Act 1998

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

The recommendation to approve the application accords with the adopted policies in the Development Plan which aims to secure the proper planning of the area in the public interest.

Equality Act 2010

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

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

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

6 Conclusion

- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the 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 for the above reasons.