

Please ask for: Mrs. W. Rowe

Extension No: 4584

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22 July 2025

Dear Councillor,

Planning Control Committee

3:00pm, Wednesday 30 July 2025

Council Chamber, Civic Centre, Cannock

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

Application Number	Application Location and Description	Start Time
CH/25/0178	192, Rooms Above, Walsall Road, Cannock, Staffordshire, WS11 0JL Retrospective Planning Application for the conversion of first floor above restaurant to 6-bedroom, 9-person (Sui Generis) House of Multiple Occupancy (HMO).	2:25 pm

Members wishing to attend the site visit are requested to meet at the **car park entrance next to 192 Walsall Road, Cannock, WS11 0JL, at 2:25pm**, as indicated on the enclosed plan.

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

Yours sincerely,



Tim Clegg
Chief Executive

To Councillors:

Fisher, P. (Chair)
Cartwright, S.M. (Vice-Chair)

Aston, J. Mawle, D.
Elson, J. Samuels, G.
Fitzgerald, A. Sutherland, M.
Hill, J. Thornley, S.J.
Jones, V. Wilson, L.
Lyons, N.

Agenda Part 1

1. Apologies

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

To declare any personal, pecuniary, or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Disclosure of Details of Lobbying of Members

4. Minutes

To approve the Minutes of the meeting held on 2 July 2025 (enclosed).

5. Members' Requests for Site Visits

6. Report of the Development and Policy Manager

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

Details of planning applications can be accessed on the Council's website by visiting www.cannockchasedc.gov.uk/residents/planning-and-building-control/development-control/11-view-planning-applications-and-make

Site Visit Application

Application Number	Application Location and Description	Item Number
1. CH/25/0178	<i>192, Rooms Above, Walsall Road, Staffordshire, Cannock, WS11 0JL</i> Retrospective Planning Application for the conversion of first floor above restaurant to 6-bedroom, 9-person (Sui Generis) House of Multiple Occupancy (HMO).	6.1 - 6.20

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

Held on Wednesday 2 July 2025 at 3:00pm
in the Council Chamber, Civic Centre, Cannock

Part 1

Present:
Councillors

Fisher, P. (Chair)
Cartwright, S. (Vice-Chair)

Aston, J.	Mawle, D.
Elson, J.	Samuels, G.
Fitzgerald A.	Sutherland, M.
Hill, J.	Thompson, S. (Sub)
Lyons N.	Thornley, S.J.

1. Apologies

Apologies for absence were received from Councillors V. Jones and L. Wilson.

Notification had been received that Councillor S. Thompson would act as substitute for Councillor Jones and Councillor S. Thornley would act as substitute for Councillor Wilson. However, apologies had also been received from Councillor S. Thornley.

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

Member	Interest	Type
Aston, J.	Application CH/24/0037 - 258 Office, Walsall Road, Cannock, Staffordshire, WS11 0JL: Section 73 Application to remove condition 2 on planning permission CH/13/0162 restricting change of use from daycare centre to nursery. <i>The member would be the owner of the nursery should the application be approved.</i>	Disclosable Pecuniary Interest

3. Disclosure of Details of Lobbying by Members

None

4. Minutes

Resolved:

That the Minutes of the meeting held 30 April 2025 be approved as a correct record.

5. Members Requests for Site Visits

None.

6. Application CH/25/0061 - 243 Hill Street, Hednesford, Cannock, W12 2DP: Proposed erection of a detached dwelling and double garage following demolition of existing dwelling

Following a site visit consideration was given to the report of the Development and Policy Manager (Item 6.1 - 6.22) (*presented by the Planning Officer*).

The Planning Officer provided a presentation to the Committee outlining the application showing photographs and plans of the proposals. She then provided the following update which had been circulated to members prior to the meeting:

“Following compilation of the report for the Committee agenda, Officer’s recommendation has been altered to the following:

Resolution to grant planning consent, subject to the completion of a 21-day notice being served upon the landowner, in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015: Notice Under Article 13 of Application for Planning Permission.

The applicant has confirmed that notice was served upon the landowner on 13th June 2025 and so this will be complete on 4th July 2025.

A small error was noted at paragraph 4.4.3 of the Officer’s report; only the first-floor side windows will be obscure glazed, serving bedroom 1 at the western elevation and an en-suite at the eastern elevation. The ground floor side facing windows will not be obscured and will serve a utility room and the lounge area.”

Following this a member made reference to the development for the erection of 9 houses that had been approved by Committee on 20 September 2024 (Application No. CH/24/091). Confirmation was sought regarding the provision for access to the driveways of all 10 properties at the site. The Planning Officer commented that she would need to check the site plan in order to confirm the arrangements. The meeting therefore adjourned for 5 minutes to enable the Officer to check the site plan.

The meeting reconvened and the Planning Officer circulated a copy of the site plan to members and confirmed that access to all of the 10 driveways was via the same access road. She advised that some highways improvements had also been agreed as part of the scheme for the 9 houses; these included road widening and a pedestrian crossing.

Prior to consideration of the application representations were then made by Parish Councillor Phil Hewitt. At this point Councillor A. Fitzgerald declared that she was related to the speaker. The Principal Solicitor asked whether either of them had a personal interest in the application. They both confirmed that they had no interest in the application and they had not discussed it with each other prior to the meeting.

As part of his representations the speaker made reference to S106 contributions being sought for developments of 10 properties or more and raised concern that as two separate planning applications had been submitted for this site it had not been possible for the Council to seek a S106 contribution.

The Development Management Team Leader clarified that although the land owner for this application was the same as for the application for 9 dwellings to the rear of the site, the applicant was not the same. The applicant had followed the correct procedures and submitted a self build project declaration and would be required to provide evidence of this and to occupy the property for 3 years. The Officer confirmed that it would be possible to clawback the CIL contribution if the correct procedures were not followed. She confirmed that this application was to replace an existing dwelling on the land and added that the sale of the land to the applicant was subject to planning permission being granted. Following legal advice, she confirmed that it was considered unreasonable to seek a S106 contribution for this application.

In response to a further question the Officer confirmed that there was a system in place via local land charges which would flag up the property if it was sold within the 3 year period. It was confirmed that this would not apply should the property be rented.

A member requested that the comments made during the debate and the concerns that had been raised be noted in the minutes as, although she was not entirely happy with the application, there were no grounds for refusal given that the correct procedures had been followed.

Resolved:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and subject to the completion of a 21-day notice being served upon the landowner, in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015: Notice Under Article 13 of Application for Planning Permission.

(Having declared a disclosable pecuniary interest in the following application Councillor J. Aston left the meeting at this point and took no part in the decision-making process).

7. Application CH/24/0037 - 258 Office, Walsall Road, Cannock, Staffordshire, WS11 0JL, Section 73 Application to remove condition 2 on planning permission CH/13/0162 restricting change of use from daycare centre to nursery

Consideration was given to the report of the Development and Policy Manager (Item 6.23 - 6.35) *(presented by the Planning Officer)*.

The Planning Officer provided a presentation to the Committee outlining the application showing photographs and plans of the proposals. She then provided the following update which had been circulated to members prior to the meeting:

“Following compilation of the report for the Committee agenda, an objection has been received. It should be noted however, that the objection references the proposal as a HMO. There is a separate planning application for a retrospective HMO by a different applicant currently under consideration by the Council (reference CH/25/0178). Officers have contacted the objector to clarify this, however, have not received a response. Whilst it is highly likely that the objector has commented on the incorrect application, for clarity, their objection is as follows:

As a resident of Bridgtown, I have serious concerns about the impact such a development would have on the safety, wellbeing, and overall character of our village. Bridgtown is a small, close-knit and up-and-coming community that values its cohesion, public safety, and shared amenities—particularly its local park, which is heavily used by families and children.

My main concerns include:

1. Safeguarding of Residents and Children

The proposed facility is in close proximity to residential homes, public areas, and the local school. The potential safeguarding risks, particularly for children, cannot be ignored. A sudden and large influx of adult residents with unknown backgrounds into such a sensitive area raises legitimate safety concerns.

2. Impact on Community Cohesion and Public Resources

Bridgtown is not equipped to handle the strain this proposal may place on local services and infrastructure. We lack the necessary resources and support frameworks to responsibly accommodate individuals in this capacity, particularly under a House in Multiple Occupation (HMO) model.

3. Local Opposition and Community Wellbeing

There is a strong and growing feeling among residents that this change is being forced upon a village that neither wants nor needs this facility. This decision appears to have been made without adequate consultation or consideration of local views. The development risks bringing unrest, discontent, and a loss of public trust in local governance.

While we understand the broader challenges facing local authorities and government, imposing such a facility in a quiet village like Bridgtown is not a fair or responsible solution. It is vital that decisions of this nature are made with genuine local engagement, proper safeguarding plans, and respect for the community's character and future.

I urge you to reconsider this proposal and explore more appropriate locations with suitable infrastructure, safeguarding measures, and public support”.

Resolved:

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

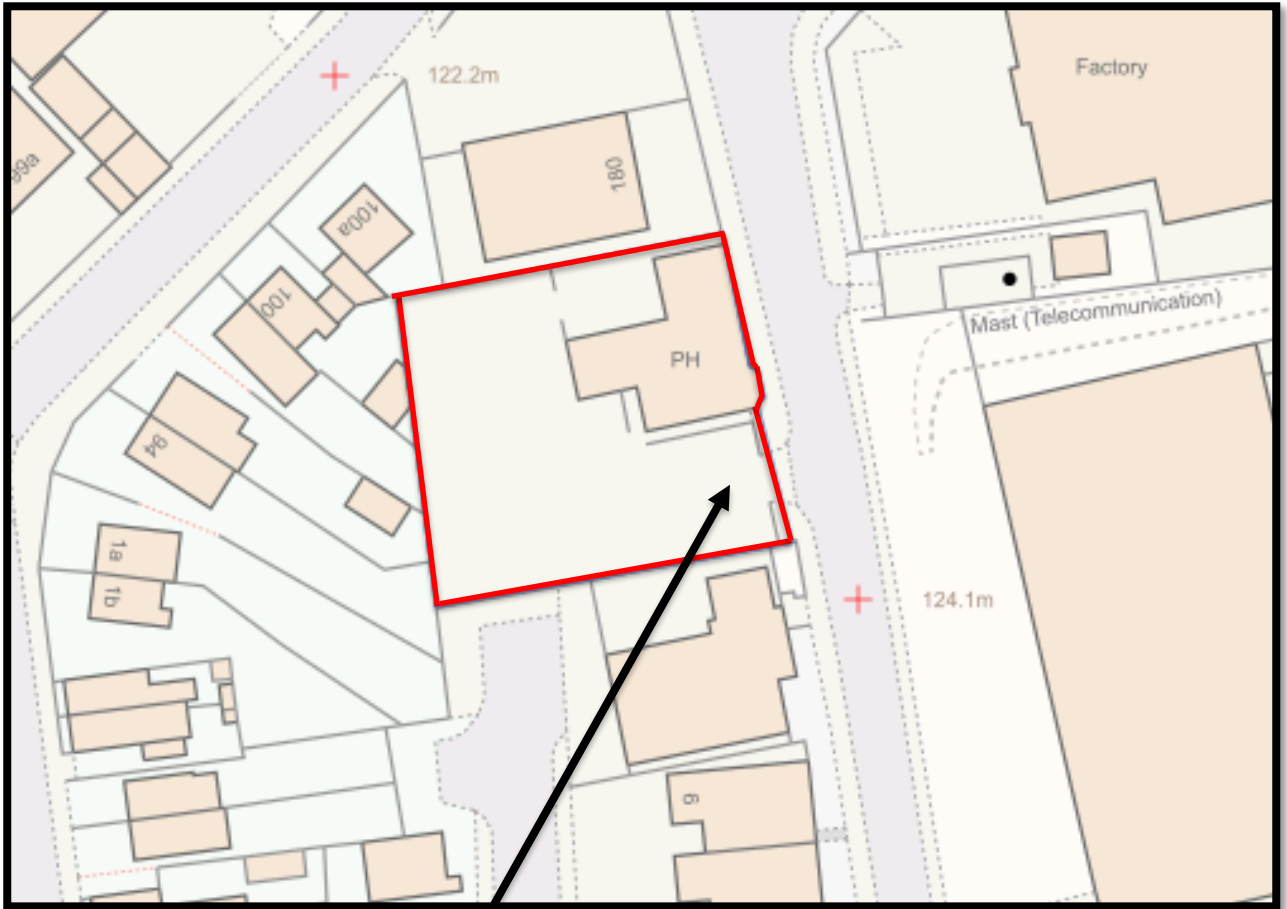
The meeting closed at 4:02pm

Chair

Application No: CH/25/0178

Location: 192, Rooms Above, Walsall Road, Staffordshire, Cannock, WS11 0JL

Proposal: Retrospective Planning Application for the conversion of first floor above restaurant to 6 bedroom, 9 person (Sui Generis) House of Multiple Occupancy (HMO)

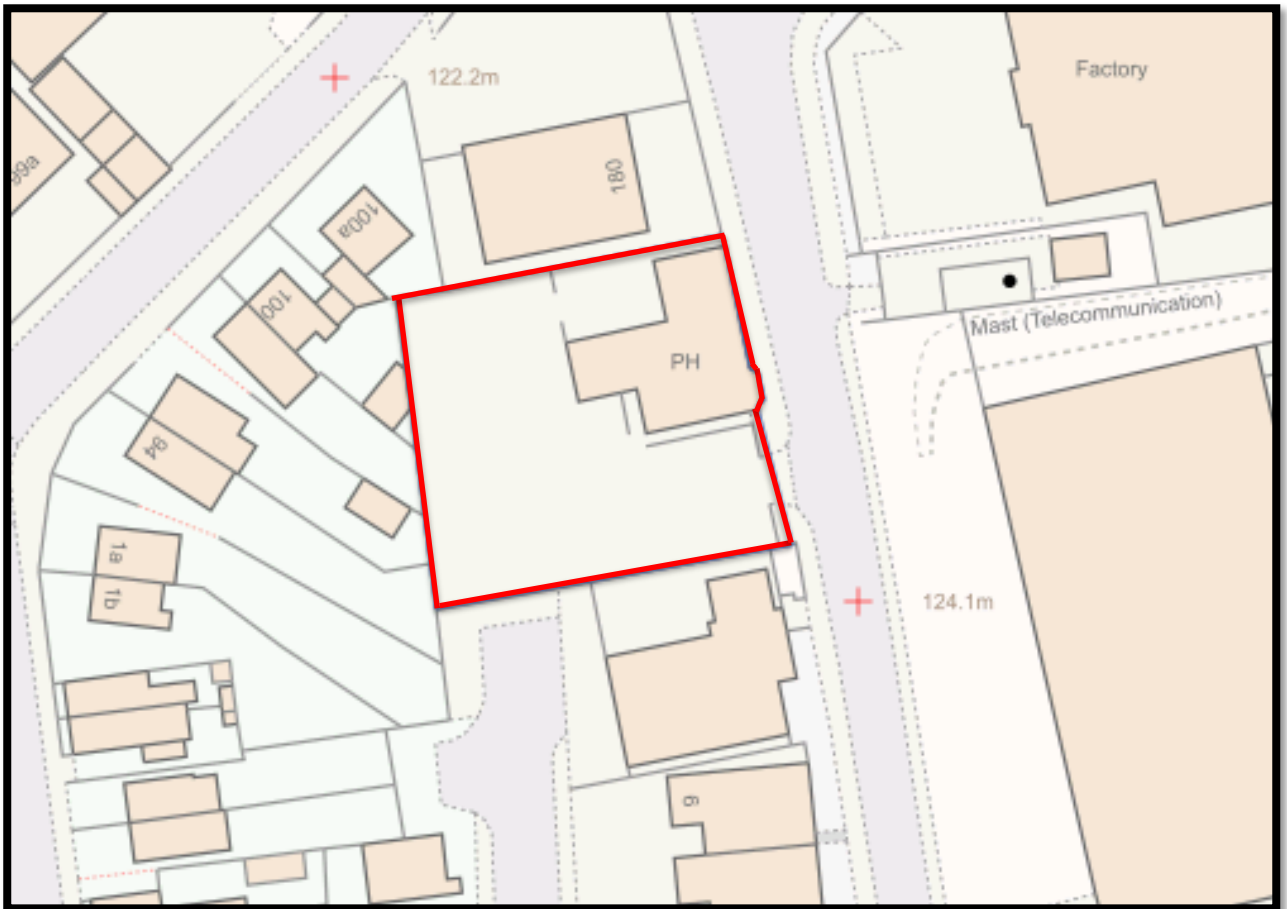


Site Visit Plan - meeting point

Application No: CH/25/0178

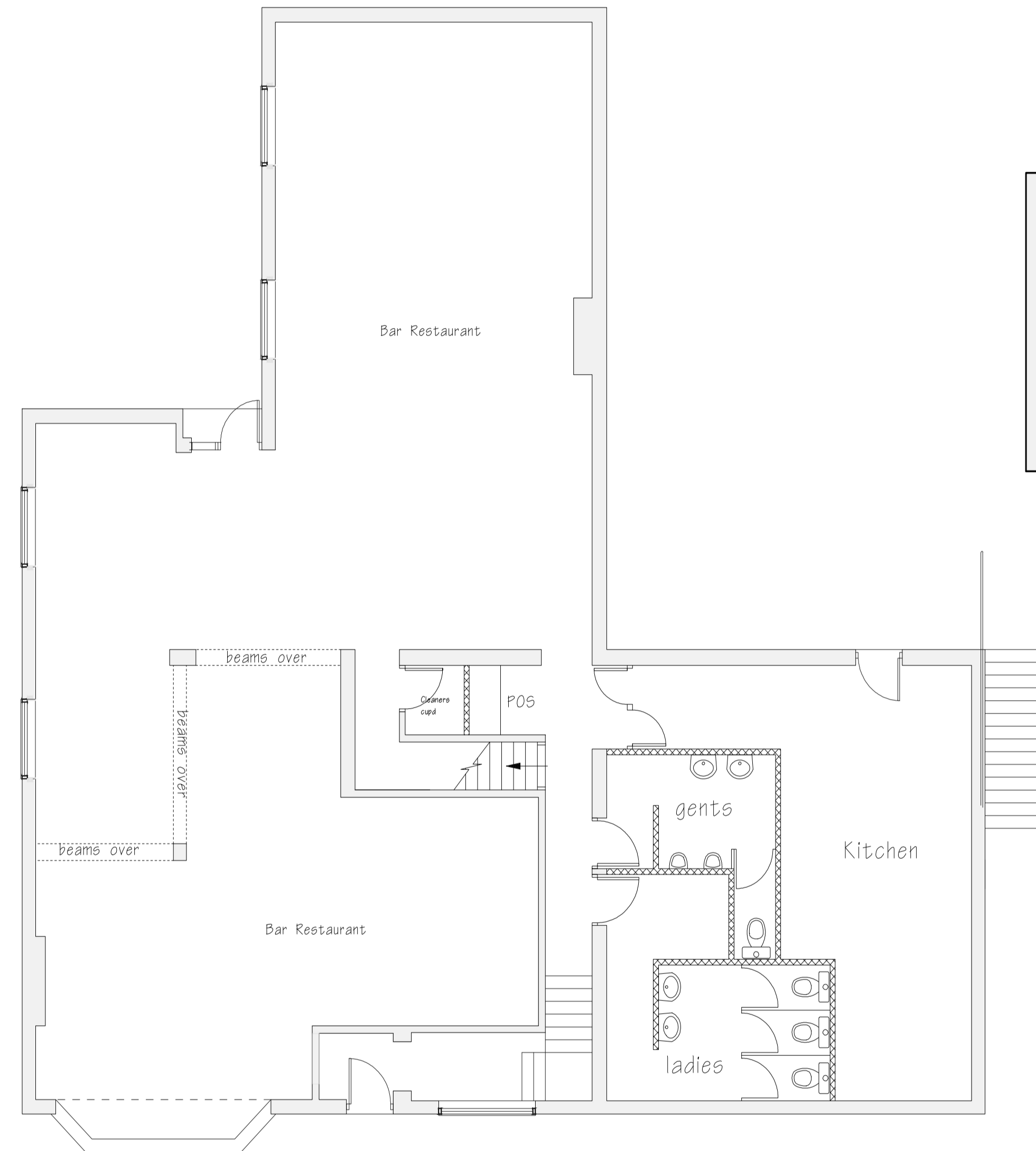
Location: 192, Rooms Above, Walsall Road, Staffordshire, Cannock, WS11 0JL

Proposal: Retrospective Planning Application for the conversion of first floor above restaurant to 6 bedroom, 9 person (Sui Generis) House of Multiple Occupancy (HMO)

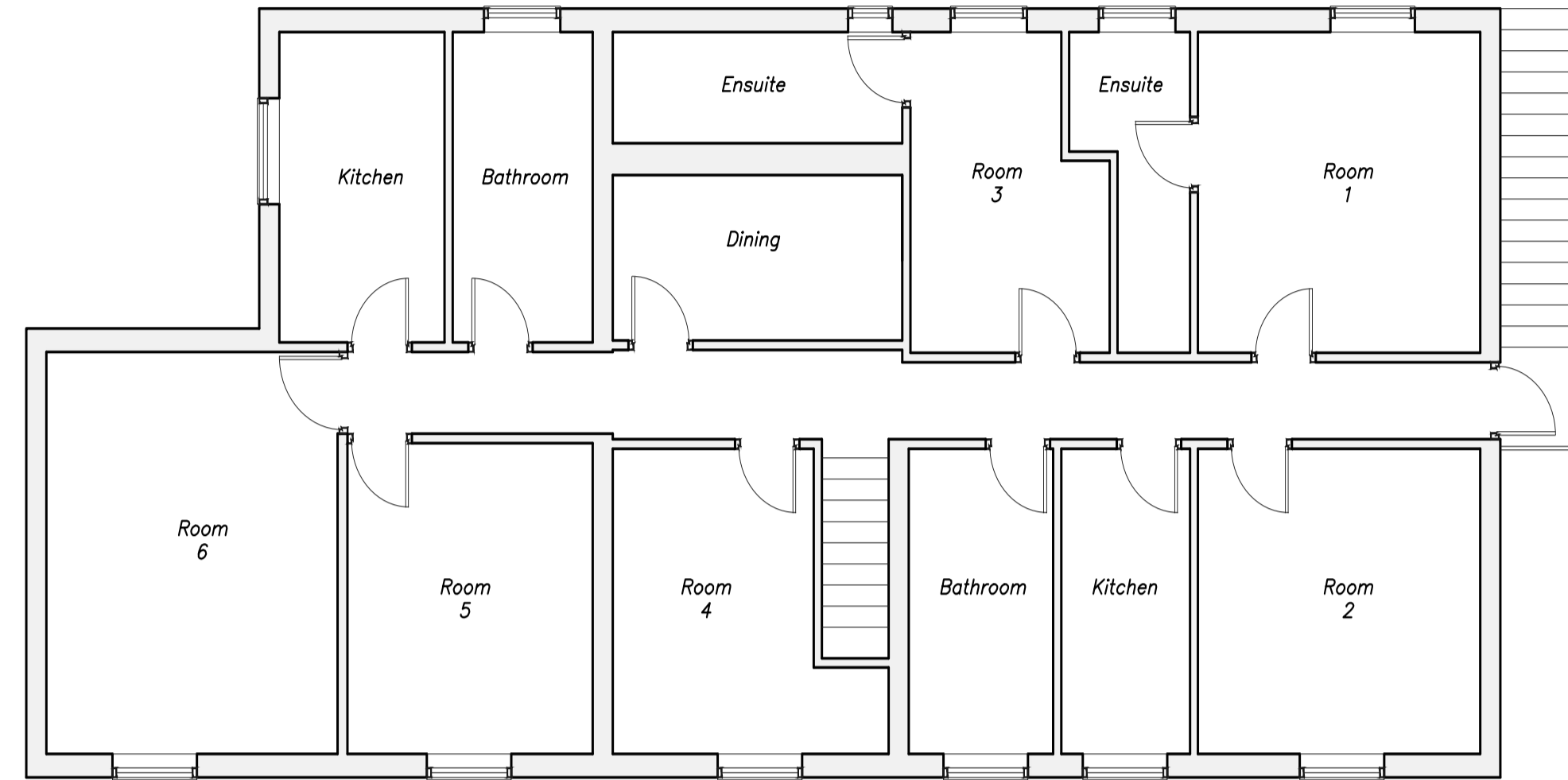


Site Location Plan

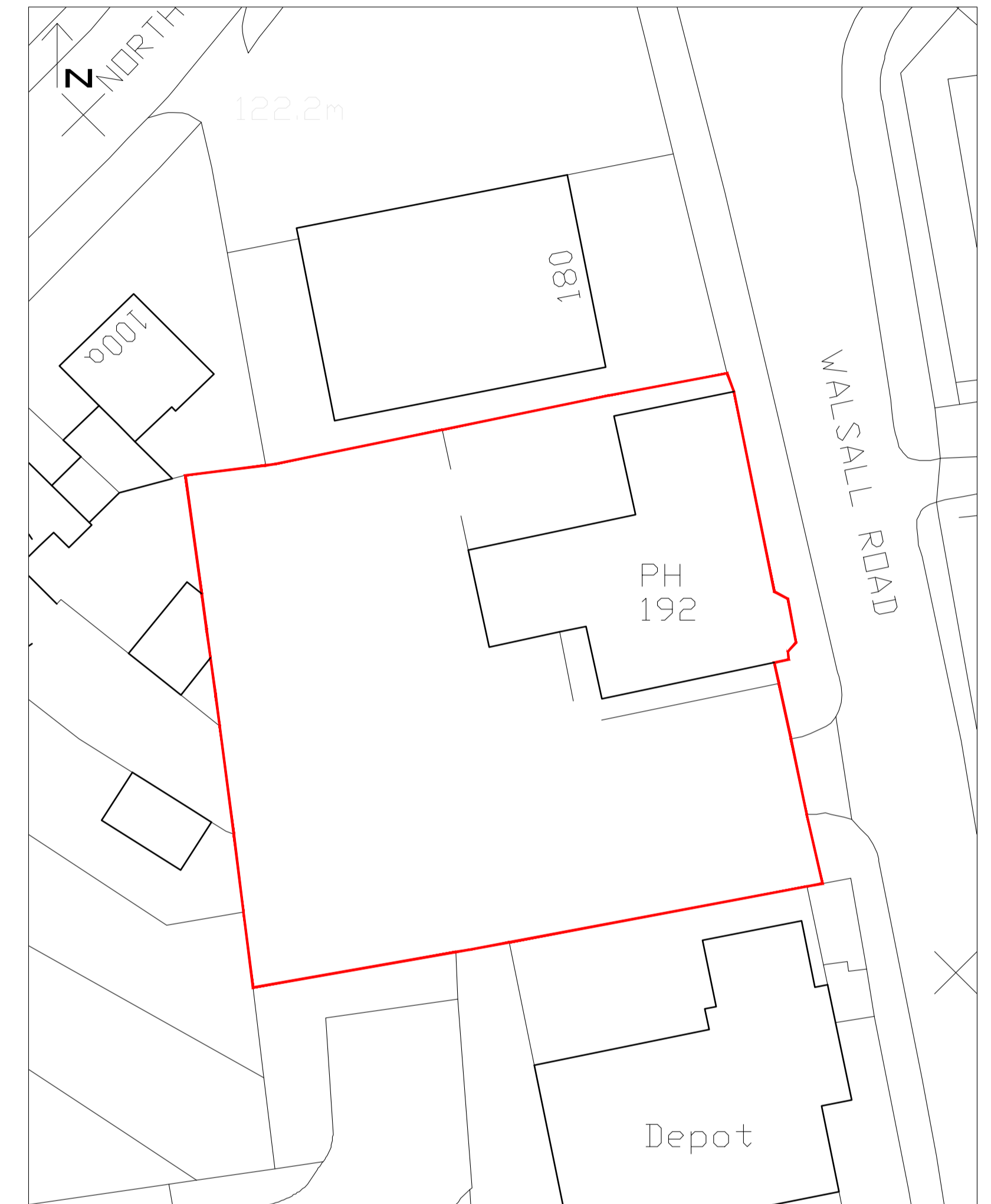
CH/25/0178 PLANS AND LAYOUTS



EXISTING GROUND FLOOR PLAN 1:100
TO REMAIN UNALTERED



EXISTING 1st FLOOR PLAN 1:100
TO REMAIN UNALTERED



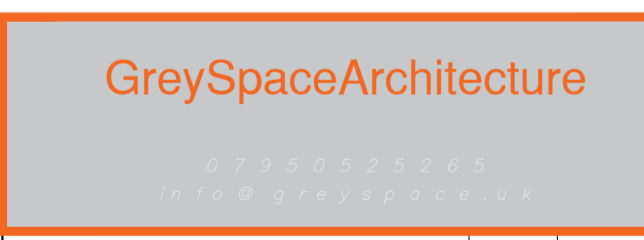
SITE PLAN 1:500



LOCATION PLAN 1:1250

GENERAL NOTES

- Do not scale from this drawing.
- All dimensions must be checked on site and any discrepancies verified with the architect.
- This drawing is the sole copyright of Grey Space Architecture Ltd and no part may be reproduced without the written consent of the office.
- Client to commence with construction work only upon receipt of full and unconditional building regulations approval.



FLOOR PLANS TO REMAIN UNALTERED	A	04.06.2025
Revision:	Issue:	Date:

Drawn By:	Scale:	Date:
NB	A1 - AS SHOWN	May 2025

client:

job:
192 Walsall Road
Cannock
WS11 0JL

drawing:
As built layout plan

Job No:	Drw No:	Issue:
2025/150	PL01	A

Contact Officer:	Amy Jackson
Telephone No:	01543 464 577

<p>Planning Control Committee 30 July 2025</p>
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Application No:	CH/25/0178
Received:	2 nd June 2025
Location:	192, Rooms Above, Walsall Road, Cannock, Staffordshire, WS11 0JL
Ward:	Cannock Longford & Bridgtown
Parish:	Bridgtown
Description:	Retrospective Planning Application for the conversion of first floor above restaurant to 6-bedroom, 9-person (Sui Generis) House of Multiple Occupancy (HMO).
Application Type:	Full Planning Application

This application has been reported to Planning Control Committee due to Parish Council objection.

Recommendation:

That delegated authority be given to the Development and Policy Manager / Development Manager Team Leader to allow the provision of the financial contribution for the Cannock Chase Special Area of Conservation (SAC) mitigation and that the application be approved subject to conditions.

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions):

1. Within one month of the grant of planning permission, details of on-site waste management, including bin storage details, shall be submitted to, and approved in writing by the Local Planning Authority. The details shall thereafter be retained as such, unless otherwise agreed by the Local Planning Authority.

Reason:

To protect the residential amenity of neighbouring occupiers and ensure compliance with Local Plan Policies CP3 Chase Shaping - Design, and the NPPF.

2. The development hereby permitted shall be retained in accordance with the following approved plans:
 - As built layout plan - 2025/150-PL01-A

Reason:

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

Notes to the Developer:

Staffordshire Police

Whilst Staffordshire Police have no objections to the proposal, they have provided further guidance regarding safety and Secured by Design Standards. The applicant is advised to view this guidance, which is available at: [Citizen Portal Planning](#).

Consultations and Publicity

Statutory Consultations

Bridgtown Parish Council - Objection

1. Inadequate living conditions
 - Room sizes and floor area not meeting minimum space standards
 - Lack of natural light and ventilation
 - Potential noise and odour transmission from restaurant below
 - Insufficient shared facilities
 - No outdoor amenity space for residents
2. Overdevelopment in small parish setting
 - Proposal represents a clear case of overdevelopment
 - The parish is a small, close-knit community with limited infrastructure and housing stock. Densely packing nine people into single unit in this context could:
 - Place strain on local resources and services
 - Detract from the village character and residential amenity
 - Increase noise, waste, and potential antisocial behaviour
3. Approving such a high-density, poor-quality housing may set a dangerous precedent for similar developments in unsuitable locations, which could undermine the parish's long-term development.

Staffordshire County Council (Highways) - no objection

Requested site plan showing allocated parking spaces for residents of HMO. Site is within a sustainable location. No objection.

Internal Consultations

Environmental Health - No objection.

Private Sector Housing - No objection.

Premises complies with HMO Standards and the HMO Licence has been issued.

Planning Policy

- Council's current housing supply is 1.88 years.
- It is considered that the proposed development should respect the character of the area and promote the creation of better places in which to live and work. In determining the application, the Case Officer should consider the design of development, impact on amenity of the occupants and the surrounding area, parking, and housing need. If the application is permitted, then SAC contributions will be required.

CIL Officer

No response.

Waste and Engineering Services

No response.

Housing Strategy

The proposed development falls into Sui Generis and therefore does not attract the requirement to provide an affordable housing contribution.

External Consultations

Crime Prevention Officer - No objection.

Response to Publicity

The application has been advertised by neighbour letter.

7no letters of objection have been received and are summarised as follows:

Material Planning Considerations

- Noise issues from carpark area until 22:00
- Bin areas overflowing and rats on carpark
- Concerns regarding impact on sons sleep and in turn his studies, due to his room being located facing the restaurant and carpark. This would create stress and trauma for the family.
- Ongoing issues with restaurant including dumping of rubbish in carpark, bins overflowing, rats seen in carpark, music played by existing resident and burning of rubbish.
- Bridgtown's tight-knit identity relies on stable residents. An HMO's transient occupants could disrupt this cohesion.
- Infrastructure Strain - Our village's limited waste and public services cannot support an HMO's high occupancy, reducing quality of life.
- Noise and Disturbance - Multiple unrelated occupants may increase noise, disrupting Bridgtown's peaceful environment.

- Safety Risks - Bridgtown's low crime rates, supported by South Staffordshire CSP's Ring doorbells and Smart Alert, are at risk. HMOs can raise anti-social behaviour and theft, as seen in Bridgend, Wales (35/1,000 violence rate, 2023). Residents fear unfamiliar occupants could undermine our safety programs.
- Inadequate Space - The small space at 192 Walsall Road may not meet HMO standards (e.g., fire safety, sanitation), risking poor conditions and local impact.
- No Local Need - No evidence supports an HMO need in Bridgtown. Approval could erode our family-oriented housing mix.
- Could cause stress and traumatise baby whose room faces the site.
- Impact sleep of neighbours.
- Concerned that HMO could affect wellbeing, possibility of vandalism, verbal abuse, unnecessary noise levels if permission is granted.

Non-material Considerations

- Complaints regarding previous site operating as a HMO in 2015 under a different owner - including cooking on unsafe fires near boundary fences, urinating against neighbouring property wall, loud music played outside until early hours, use of fire escape as means to access and exit the first-floor HMO, smoking cannabis, drunk and disorderly residents and antisocial behaviour. Concerned similar issues will arise with new residents if approved.
- Police and Environmental Health previously visited property due to number of residents living in the HMO. Were informed it was agreed with owner that one resident was to live in the property which lasted approx. 6 months. This person resided with a partner. After that many comings and goings were witnessed until recently.
- Previous application for a car washing facility at the site was refused by Planning Authority. Neighbours wrote in with concerns and petition regarding this.

Relevant Planning History

CH/19/222

Proposed car wash (09:00 - 17:00)

Refused - 1st August 2019

CH/14/0430

Part change of use from car park to hand car wash including siting of amenity building. Temporary consent for two years.

Refused - 18th February 2015

CH/12/0053

Change of use from public house (A4) to a restaurant (A3) and erection of one block of two commercial units (B1)

Granted - 24th April 2012

1. Site and Surroundings

- 1.1. The application site comprises a large, detached building located on Walsall Road, Bridgtown.
- 1.2. The ground floor operates as a restaurant, with the opening hours being 17:30-23:00. The first floor previously operated as one flat.
- 1.3. The site is surrounded by hardstanding, utilised as a carpark and outdoor space associated with the restaurant, including benches and bin storage. There is an existing vehicular access from Walsall Road located to the front of the site.
- 1.4. The site is located on a busy main road, with the wider street scene comprising of mixed uses including commercial, residential and sui-generis. There are residential dwellings located to the rear boundary of the site. The immediate neighbours of the site are retail uses.
- 1.5. The site is located within a Mineral Consultation Area, on a road subject to high levels of noise, an historic landfill site and is considered low risk by the Mining Remediation Authority.

2. Proposal

- 2.1. The application seeks retrospective permission for the conversion of first floor above restaurant to 6-bedroom, 9-person HMO. The first-floor has been operating as such since 2022.
- 2.2. Resident access would be available to the front and side of the property. Vehicle access would remain as is, with direct access from Walsall Road to the site car park, which is also utilised for the ground floor restaurant. The applicant has not indicated which spaces would be allocated for residents; however the car park is utilised by both restaurant customers and staff and residents of the HMO.
- 2.3. The internal layout comprises of 6 bedrooms, two kitchens, one dining area, two ensembles and two bathrooms. The applicant has not indicated there would any designated outdoor amenity space for residents of the HMO, separate to the outdoor space provided for the restaurant. However, there is a small courtyard located to the rear of the site, separate from the car park.
- 2.4. The site has been granted a HMO License from Cannock Chase Council's Private Sector Housing department and complies with the space standards required.

3. Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1 (2014), the draft Neighbourhood Plan and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan Part 1

Relevant policies within the Local Plan include: -

CP1: Strategy – the Strategic Approach

CP3: Chase Shaping – Design

CP5: Social Inclusion and Healthy Living

CP6: Housing Land

CP7: Housing Choice

CP10: Sustainable Transport

CP12: Biodiversity and Geodiversity

CP13: Cannock Chase Special Area of Conservation (SAC)

CP16: Climate Change and Sustainable Resource Use

Minerals Local Plan for Staffordshire

3.3 Relevant Policies within the Minerals Plan Include:

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

National Planning Policy Framework

3.4 The NPPF (2024) sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social, and environmental terms, and it states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking.

3.5 The NPPF (2024) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.6 Relevant paragraphs within the NPPF include paragraphs: -

8: Three dimensions of Sustainable Development

11-14: The Presumption in favour of Sustainable Development

48-51: Determining Applications

115-118: Considering Development Proposals

131-141: Achieving Well-Designed Places

198: Ground conditions and pollution

231-243: Implementation

3.7 Other relevant documents include:

(i) Design Supplementary Planning Document, April 2016.

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

(iii) Manual for Streets.

4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and Impact on the character of the Conservation Area/Listed Buildings
- iii) Impact on residential amenity.
- iv) Impact on highway safety.
- v) Impact on nature conservation
- vi) Affordable Housing
- vii) Drainage and flood risk
- viii) Waste and recycling facilities
- ix) Crime and the fear of crime
- x) Mineral safeguarding

4.2 Principle of the Development

4.2.1. Both paragraph 11 of the NPPF (2024) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

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

'For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay.
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless
 - (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

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

"In Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. The

urban areas will accommodate most of the District's new housing and employment development, distributed broadly in proportion to the existing scale of settlement."

- 4.2.4. 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.
- 4.2.5. 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 within flood zones 2 or 3. Therefore the application does not engage any policies in the Framework that protect areas or assets of particular importance. As such the application 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.

Housing Land Supply

- 4.2.6. The NPPF emphasises the Government's objective of significantly boosting the supply of homes indicating that it is important that a sufficient amount and variety of land can come forward where it is needed. The NPPF (December 2024) sets out at paragraph 78 the need for LPAs to identify and update annually a supply of deliverable sites.
- 4.2.7. The purpose of a five-year land supply position statement is to provide a listing of the currently deliverable sites across the District and an assessment (having set out the timescales for their delivery) as to whether they are sufficient to meet the five-year requirement. The statement is a material consideration which should be considered when dealing with planning applications and appeals. The Planning Practice Guidance requires that for the period within five years of a plan being adopted (or where a plan housing target has been subsequently formally reviewed) the strategic housing requirement of that plan should be used to calculate the five-year supply.
- 4.2.8. In the case of Cannock Chase District, the last strategic housing requirement was set in the 2014 Local Plan (Part 1) which was adopted on 14th June 2014. Therefore, the strategic housing requirement is more than five years old as of the 14th of June 2019. A Local Plan Review has been commenced which identified a need for a review of the strategic housing requirement. Planning practice guidance states that where there is no adopted strategic housing requirement policy, the authority's local housing need figure must be used for calculating a five-year housing land supply.
- 4.2.9. The Council's 2024 position statement provides an updated summary of the Council's five-year land supply for the period 1st April 2024 to 31st March 2029. It identifies that the Council currently has a housing land supply of 1.88 years and thus does not have a five-year supply of housing land. The deficit is 1,695.86 dwellings.

4.2.10. Paragraph 73 of the NPPF states that:

‘Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes;’

4.2.11. Paragraph 61 of the NPPF states policy should:

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

4.2.12. In this instance, the first floor of the building has previously been used as C3 residential, albeit at a lesser capacity, as such the principle of residential units in this site has been established. In respect to the location of the site, it is within a mixed-use location, close to Bridgtown Local Centre, within close proximity to the local amenities such as, shops, public transport, and public open space. 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.

4.2.13. An objector has stated that there is no local need for such development, however, as stated above, there is a clear, evidenced need for housing within the district, which includes HMOs. The objector has provided no evidence to demonstrate there is no need, contrary to the Councils Five Year Supply Position Statement 2024.

4.2.14. In this instance, the application site is located within an established mixed-use area, which includes mixed residential dwellings. Cannock Council currently has a housing supply of 1.88 years and as such great weight should be given to the modest contribution towards the Councils housing shortfall, given the limited harm the application would have, outlined within this report.

4.3 Design and Impact on Character of the area

4.3.1. In respect there are no external alterations proposed as part of the change of use.

4.3.2. Objectors have stated that the application represents a clear form of overdevelopment and would detract from the village character and residential amenity. In this regard, the application does not include any extensions to the building or any external alterations, as such would not be considered as overdevelopment in built capacity terms. The use as a HMO is also not considered to be overdevelopment of the site given that the persons can be accommodated within individual bedrooms, with bathroom, kitchen, and dining facilities within the existing building.

- 4.3.3. It should be noted that the first floor of the application building has been operating as a HMO since its new ownership in 2022, and no complaints have been received by the Local Planning Authority (LPA) or Environmental Health Department. Indeed, comments received have been as a consequence of the public consultation process for the application which made neighbours aware of the use. As such, it is not considered that the application has had a significant impact on the village character.
- 4.3.4. The application building is assimilated into the already varied street scene and having had regard to Policy CP3 of the Local Plan and the above mentioned paragraphs of the NPPF it is considered that the application would be well-related to existing buildings and their surroundings, successfully integrate with existing features of amenity value, maintain a strong sense of place and visually attractive such that it would be acceptable in respect to its impact on the character and form of the area.

4.4 Impact on Residential Amenity

- 4.4.1. In respect to the impact on amenity, the comments of the neighbouring occupiers are noted. Policy CP3 of the Local Plan states that the following key requirements of high-quality design will need to address 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.
- 4.4.2. No's 96-101a North Street are located to the rear of the site, with their rear elevations and gardens being orientated toward the rear of the site. There are no external alterations proposed as part of the development and including no additional windows. As such it is not envisioned that the change of use has led to a loss in privacy, as the first-floor windows previously served a residential space, albeit with fewer occupants. The distance between these elevations is between 30-55m and would therefore comply with distances required between rear first floor elevations in the Councils Design SPD.

Noise

- 4.4.3. Many objectors' comments received are in relation to previous issues encountered from an unlawful HMO which was operating at the site in 2015, with concerns the current HMO will result in similar issues. No complaints have been received by the LPA or Environmental Health in regard to noise, since the beginning of operation of the current HMO, which began in 2022.

- 4.4.4. Paragraph 198 of the NPPF states that planning decisions:

'...should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'

- 4.4.5. Whilst it is acknowledged that there has been an increase in occupiers, the site is located within a mixed-use area, including residential dwellings. It would be unreasonable to assume that HMO occupants would lead to unacceptable levels of noise, considerably over above existing residential dwellings who utilise their rear garden spaces. Furthermore, the first-floor use as an HMO has been in operation for 3 years with no complaints in regard to noise received by the Council.
- 4.4.6. The ground floor of the site is located above a restaurant which is open 17:30-23:00 every day, with some noise from comings and goings and use of outdoor seating area being present in relation to this use. Additionally, the location is considered by DEFRA as an area already subject to significant levels of noise from vehicles, as such it is unlikely the proposed would result in noise significantly over and above this.
- 4.4.7. The Planning Statement submitted with the application states:
'The applicants have a service user agreement and company policies which cover unacceptable behaviour. This includes, though not limited to - offensive language, noise, aggression, zero tolerance to alcohol or illicit drugs on premises, signs of intoxication or inebriation. These matters are taken very seriously and the applicants have a fair, firm, and formal approach.'
- 4.4.8. The Environmental Health Officer (EHO) was consulted on the application raised no concern in relation to potential noise disturbance to neighbouring properties.
- 4.4.9. As such, it is considered that taking all matters into consideration, including the existing levels of noise produced from neighbour uses, adjacent highways, the existing restaurant use and distance from residential properties, it is considered that the change of use of the first floor would be unlikely to result in levels of noise significantly over and above existing.

HMO Occupiers Amenity

- 4.4.10. The HMO in situ complies with HMO standards set out in The Management of Houses in Multiple Occupation (England) Regulations 2006 and local standards set by Private Sector Housing. This, however, is separate to guidance and policy set out in respect to Planning decisions. In this regards paragraph 135 of the NPPF sets out that *'Planning policies and decisions should ensure that developments:*
- f) create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'*
- 4.4.11. Additionally, Policy CP3 of the Local Plan requires developments to provide and retain a high level of amenity for occupants.
- 4.4.12. In this instance, the only non-bedroom living spaces within the HMO are the kitchens (x2) and dining room which serve all the occupants. This provides limited space for seating, other than when dining, and therefore, occupants would use their rooms for living activity, such as relaxation, as well as sleeping. Additionally, the applicant has not indicated there would be any designated outdoor amenity space for occupants of the HMO. As such it is considered that the first-floor HMO

does not provide high-quality amenity space for occupants, and this would be limited to their private bedrooms. This would increase time spent in private bedrooms, limiting socialising and integration of residents, which is important for mental health and wellbeing. As such, it is considered that the proposal would not comply with paragraph 135(f) of the NPPF or Policy CP3 of the Local Plan.

- 4.4.13. Notwithstanding, recent appeal decision *GFU Construction Ltd vs Coventry City Council*, determined on 23rd April 2025, for a 6-bed HMO was allowed despite the Inspectorate concluding that the amenity space provided would create a poor-quality living environment. In this instance, the proposed only provided one shared kitchen, with no shared dining space and failed to provide sufficient outlook for all occupiers. Coventry City Council could not demonstrate a 5-year housing land supply with only a 1.8-year supply of housing evidenced, which represents an acute shortfall. This housing shortfall was given great weight in the determination of this application when the planning balance was applied, whilst the insufficient amenity space was given limited weight. As such, the appeal was allowed, and permission was granted.
- 4.4.14. Cannock Chase District Council currently have a housing land supply of 1.88 years and thus does not have a five-year supply of housing land. The deficit is 1,695.86 dwellings which equates to 3.12 years supply. This results in a requirement of 518 dwellings per annum. In respect to the application, this provides two kitchens and one dining space, with all bedrooms benefitting from a window, with sufficient outlook.
- 4.4.15. Objectors have raised concerns regarding light, ventilation, and impact from odour from the restaurant below in respect to the HMO occupiers. In this regard, there are windows provided for each bedroom and most communal areas, providing natural lighting and ventilation. The EHO raised no concerns in regard to odour from the restaurant as this is extracted via a commercial flue.
- 4.4.16. On balance, it is therefore considered that the proposal would adequately protect the amenity of existing residents and considering this recent appeal decision, it is considered that whilst the amenity provided would not be deemed high-quality, this would be outweighed by the contribution made to the Councils housing supply.

4.5 Impact on Highway Safety

- 4.5.1. Paragraph 116 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.5.2. In this instance, the proposal would retain the existing access and the off-road parking spaces is provided within the existing car park. Cycle parking has been provided on site. Whilst allocated resident spaces have not been explicitly shown on plans, Highways are satisfied there is sufficient parking spaces for both ground floor and first floor uses. Additionally, the site is within a sustainable location, close to local shops and public transport links.
- 4.5.3. As such, it is therefore considered that the proposal would not have an adverse impact upon highway safety, and that the level of parking is acceptable at this town centre location paragraph 116 of the NPPF.

4.6 Impact on Nature Conservation Interests/Cannock Chase SAC

- 4.6.1. 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.
- 4.6.2. 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 6 No. such that SAC mitigation contributions are required.
- 4.6.3. Cannock Chase SAC is principally an area of lowland heathland, one of twelve European dry heaths In Britain, and the most extensive such habitat in the Midlands. The SAC contains the main British population of the hybrid bilberry, a plant of restricted occurrence, and important populations of butterflies and beetles. Also found within the SAC are the European Nightjar and five bat species. As the application site is near the SAC, and residential development is of a type that is likely to result in recreational visits to the protected habitat, it is necessary for the Council, as the competent authority for the purposes of the Regulations, to conduct an appropriate assessment in relation to the effect of the development on the Integrity of the SAC.
- 4.6.4. The application site is situated close to Cannock Chase SAC, and its residential development both of itself, and in combination with other developments in the area is likely to give rise to additional recreational activity within the SAC, which would materially increase the risk of disturbance to the protected habitat. Such disturbance could include the creation of new paths, path widening, erosion and nutrient enrichment. As a result, the proposal would be likely to cause significant adverse impacts to the Integrity of the SAC.
- 4.6.5. Policy CP13 of the Local Plan sets out that all development within the District that leads to a net increase In dwellings would be required to mitigate adverse effects on the integrity of the SAC.
- 4.6.6. In such a circumstance, mitigation will be secured by a S111 agreement. An obligation that sought mitigation would be directly related to the adverse effect that the application scheme would cause to the SAC and would be proportionate to the scale of the development proposed. Consequently, it is considered that such an obligation would be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to it, and thus meet the requirements of the Community Infrastructure Levy Regulations 2010 (as amended) in these regards. Subject to this, the proposal would not have an adverse impact on nature conservation interests off site. In this respect the proposal would be compliant with Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.
- 4.6.7. 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.

Biodiversity Net Gain

- 4.6.8. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the biodiversity gain condition that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan.
- 4.6.9. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.
- 4.6.10. Based on the information available this permission is considered to be one which will not require the approval of a Biodiversity Gain Plan before development is begun because one of the statutory exemptions or transitional arrangements are considered to apply.
- 4.6.11. 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.

4.7 Affordable Housing and other Developer Contributions

- 4.7.1 Under Policy CP2 the application would normally be required to provide a contribution towards affordable housing for development of 10 or more dwellings. However, given the proposal is for a 6-room HMO in Sui Generis use, this would not trigger an affordable housing contribution. It is therefore considered that the proposal is acceptable without a contribution towards affordable housing.

4.8 Drainage and Flood Risk

- 4.8.1 The 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 within a predominantly built-up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area and is considered acceptable.

4.9 Waste and Recycling Facilities

- 4.9.1. 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).
- 4.9.2. The Council's Waste and Recycling Officer has been consulted on the application, but has not responded at the time of compiling the report. However, if comments are provided by the time of the Committee Meeting, an Officer Update Sheet will be provided for Members.

- 4.9.3. The Planning Statement submitted as part of the application states that the application includes separate storage areas for general waste and recycled waste. No further information has been provided in relation to waste facilities and how these will cope with the additional 9 occupants of the site. Based on objections and complaints to Environmental Health received April 2023, in regard to overflowing bins, there appears to be an ongoing issue in regard to waste overflow, whilst it is not clear whether this is restaurant or residential waste, it is considered appropriate and reasonable to require further information on how these uses combined will manage waste.
- 4.9.4. As such, an appropriate condition would be secured to provide details of waste and recycling facilities. Subject to condition, it is considered that the proposal would conform with Local Plan Policy CP16 and the NPPF.

4.10 Ground Conditions and Contamination

- 4.10.1 The site is located in a general area in which Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application, and it is advised that any risk can be managed by the attachment of an advisory note to any permission granted.
- 4.10.2 The Council's Environmental Health Officers were consulted on the application and raised no issue in terms of ground contamination.

4.11 Crime and the Fear of Crime

- 4.11.1 There have been a number of concerns raised by objectors relating to the proposal being perceived as leading to an increase in anti-social behaviour and crime. Many of these relate to a previous unlawful HMO, which ceased operation and was under different management/ownership to the existing. The current first-floor use has been in operation since 2022, and the Police have confirmed they have not received any reports regarding this premises since November 2019.
- 4.11.2 Whilst objectors' concerns are noted, it would be inappropriate and presumptuous to expect a property in use as a HMO to increase instances of anti-social behaviour and crime within the wider area in which it is located. To do so would conflict with the provisions of para 96a) of the NPPF which states that:
- planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.*
- 4.11.3 Additionally, the Police were consulted on the application and raised no objection to the proposal. No evidence has been provided contrary to the comments provided by the Police to evidence an increase in ASB or crime.

4.12 Other Issues Raised by Objectors

- 4.12.1 *An objector stated that Bridgtown's tight-knit identity relies on stable residents. An HMO's transient occupants could disrupt this cohesion.*
- In this instance the application facilitates one HMO, with the capacity for 9 residents. In terms of residential units, the majority of Bridgtown would still

comprise of C3 dwellings. HMO occupants are still likely to reside on a medium-long term basis, as with any rental property. As such it is not considered that this small-scale HMO would have a significant impact on the 'tight-knit identity' of the area.

- 4.12.2 *An objector has raised concerns that approving such a high-density, poor-quality housing may set a dangerous precedent for similar developments in unsuitable locations, which could undermine the parish's long-term development.*

In this instance the location of the HMO would be acceptable in principle. In respect to the concerns surrounding setting a precedent for similar development, each application would be determined on its own merits.

- 4.12.3 *Objectors have raised concerns regarding infrastructure strain and state the village's limited waste and public services cannot support an HMO's high occupancy, reducing quality of life.*

Officers confirm the application would allow 9 additional residents in Bridgtown and 6 bedrooms. This falls below the threshold for most developer contributions and the application is not CIL liable, as such it would not be reasonable to request contributions towards infrastructure. The proposed would be liable for SAC contribution, which will be secured via S111.

- 4.12.4 *Objectors have sent in complaints regarding previous site operating as a HMO in 2015 under a different owner - including cooking on unsafe fires near boundary fences, urinating against neighbouring property wall, loud music played outside until early hours, use of fire escape as means to access and exit the first-floor HMO, smoking cannabis, drunk and disorderly residents and antisocial behaviour. Concerned similar issues will arise with new residents if approved.*

Officers confirm it would not be reasonable to assume that the occupants of this HMO would cause the same issues as previous occupants. As such, any objections relating to previous occupiers/management would not be a material planning consideration. Notwithstanding, the current use has been in operation since 2022 with no complaints forthcoming from residents in this regard.

- 4.12.5 *Objectors state that Police and Environmental Health previously visited property due to number of residents living in the HMO. Were informed it was agreed with owner that one resident was to live in the property which lasted approx. 6 months. This person resided with a partner. After that many comings and goings were witnessed until recently.*

Officers confirm there are no planning conditions which required there to be one occupier of the flat located on the first floor. The LPA have received no complaints regarding this site since the beginning of operations in 2022, until this application was received. Police and EHO visits mentioned refer to a different HMO/owner. The applicant has submitted a retrospective application, as such the LPA is aware the HMO has been operating prior to submission of this application.

- 4.12.6 *Objectors refer to previous application for a car washing facility at the site was refused by Planning Authority. Neighbours wrote in with concerns and petition regarding this.*

Officers confirm this application is regarding a HMO and not a car washing facility. Any previous decisions made regarding this car wash facility are not material planning considerations for the determination of a HMO application.

4.13 Planning Balance and Weighing Exercise

- 4.13.1 Your Officers confirm that The Council does not have a five-year land supply and the application to retain the 6-bedrooms within the HMO, in a sustainable location would assist in the delivery of homes for the District. As set out within the NPPF (2024) Officers attach great weight to this matter.
- 4.13.2 The application has not resulted in a significant adverse impact to the neighbouring occupiers in terms of privacy, noise, or disruption in its three years in operation. The application has received no objections from Environmental Health Officers. As such, your Officers afford this matter considerable weight.
- 4.13.3 Your Officers confirm that there are no statutory objections from the Highway Authority, who support the sustainable location of the application proposal and again Officers afford this matter great weight in the planning balance.
- 4.13.4 Your officers confirm that the proposal would be liable to contribute towards the mitigation of the Cannock Chase SAC by financial contribution per bedroom. This element has been afforded modest weight by Officers.
- 4.13.5 Notwithstanding the above, it is acknowledged that the amenity space provided for HMO occupiers would not be considered as high-quality, as it results in more time being spent in private bedrooms and would be limited in terms of communal space for occupiers to sit, relax and socialise. However, in recent appeal decisions the Planning Inspectorate has given this limited weight in a similar scheme, which proposed less amenity. Therefore, officers attach modest weight to this matter.
- 4.13.6 Given the above, on balance, when considering the Councils current housing position outlined at section 4.2 of this report, the benefit of the scheme, in providing additional housing units for the district, together with no objections from the Highway Authority, Police or Environmental Health Officers, would outweigh the harm caused by the substandard amenity provided for the occupiers of the proposed HMO. As such, on balance, Officers recommend approval of the application.

5 Human Rights Act 1998 and Equality Act 2010

5.1 Human Rights Act 1998

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

5.2 Equality Act 2010

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 planning conditions.