

Committee 30.5.07

Site Visit Applications

Application No: CH/07/0124 Received: 20-Feb-2007
Location: Land at Towers Business Park, Brereton
Description: Proposed industrial building (11 metres high) (B2) (General Industrial Use) to include associated offices (14 metres high) car parking, external storage areas and HGV loading and unloading facilities
Application Type: Full Planning Application
RECOMMENDATION S 106, Then Approval with Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development
DPLE1: Employment Land Supply (Class B)
DPLE3: Design and Landscaping
DPLPE5: Outside Storage
DPLE6: Planning Conditions
DPLPEP1: Water Pollution Prevention
DPLPEP2: Development of Contaminated Land
SPD1: Car parking standards.

1.B2 Standard Time Limit

2. Prior to the commencement of development, details of parking for cars and lorries and the proposed internal traffic system shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed and maintained in accordance with the approved plans and details and retained for the life of the development.

Reason

In the interests of highway safety and in accordance with Policies T13, T16 and T18B of the Staffordshire and Stoke on Trent Structure Plan 1996 - 2011.

3.D2 Materials to be Specified

4.E2 Tree & Hedge Protection Details

5.E10 Landscape Details Required

6.E15 Landscape Maintenance

7. No part of the development hereby approved shall commence until the drainage for the site has been constructed in accordance with drawing numbers 06-234-500 rev T1, 06-234-501 rev T1 and 06-234-504.

Reason

To ensure the satisfactory drainage of the site in accordance with PEP1 of the Adopted Local Plan.

8. Prior to the commencement of development, details of a noise mitigation strategy to include vehicle movements and internal operations shall be submitted to and approved in writing by the Local Planning Authority. The approved strategy shall be implemented at the time the use commences and be maintained for so long as the development is in use.

Reason

In the interests of the amenity of the area and in compliance with Policy E6 of the Adopted Local Plan.

9. Prior to the development being brought into use, details of those parts of the site for the external storage of materials shall be submitted to and approved in writing by the Local Planning Authority. The height of any externally stored materials shall not exceed 4m in height.

Reason.

In the interests of the amenity of the area and of nearby residential properties in accordance with Policy E6 of the Adopted Local Plan.

10. There shall be no movements of HGV's within the site between the hours of 22.00 hrs and 06.00 hrs.

Reason

In the interests of the amenity of the occupiers of nearby residential properties and in accordance with Policy E8 of the Adopted Local Plan.

11. The provisions of the Green Travel Plan (as amended) shall be implemented at the time that the development is brought into use.

Reason

In order to provide sustainable transport options in accordance with SPD1, Parking Standards, Travel Plans & Developer Contributions for Sustainable Transport.

12. Prior to the development being brought into use, details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of the amenity of occupiers of nearby residential properties and in compliance with Policy E8 of the Adopted Local Plan.

13.K2 Site Investigation Required

EXTERNAL CONSULTATIONS

ENVIRONMENT AGENCY: Comments on additional information will be reported verbally to committee.

STAFFS COUNTY COUNCIL (HIGHWAYS): No objections subject to conditions.

BRERETON & RAVENHILL PARISH COUNCIL: No objection to the principle of development but raise concerns about the height of buildings in close proximity of residential properties, and suggest conditions pertaining to landscaping and lighting.

ADVANTAGE WEST MIDLANDS: Support the proposal.

LANDOR SOCIETY: No objections.

INLAND WATERWAYS ASSOCIATION: No objection subject to conditions pertaining to landscaping and external storage heights.

RUGELEY TOWN COUNCIL: No response.

STAFFORDSHIRE POLICE: No response.

INTERNAL COMMENTS

ECONOMIC DEVELOPMENT: No objections.

ENVIRONMENTAL HEALTH: Comments on additional information will be reported verbally to committee.

RESPONSES TO PUBLICITY

A site notice was posted, neighbours consulted and a notice placed in the local press.

- 3 petitions have been received comprising 31, 9 and 14 signatures respectively
- 24 individual letters have been received
- 67 letters, all the same format have been received

All the above object to the proposal on the following grounds:-

- Height of buildings
- Noise of vehicles and people on site
- Lighting pollution
- Bund height should be increased
- Acoustic hoardings required
- Inadequate road links
- Effect on wildlife in canal conservation area
- No new jobs - just relocation
- Loss of property values
- Other existing businesses are light industrial
- No hazardous waste provisions

HISTORY

CH/99/0647: Proposed development (B1, B2 and B8)
(outline) Approved 16.2.00
(Committee Decision)

OBSERVATIONS

1.0 The Site

1.1 The application site comprises approximately 3 ha of land within Towers Business Park, at its north-western corner. The site's boundary is irregularly shaped, to the north and the west following an earth bund which in turn follows the line of the Trent and Mersey Canal, then swinging east to the rear of properties in Bridgewater Road. The eastern boundary of the site follows the line of an as yet, unconstructed access road. The site is level throughout.

1.2 The site is part of Towers Business Park which was granted outline consent in 2000 (CH/99/0647 refers). This application related to the redevelopment of the former Lea Hall Colliery for B1 (Light Industrial), B2 (General Industrial) and B8 (Storage and Distribution). The reclamation of the site was completed prior to this approval being granted, the consent having been granted for this in 1996. The site of the former colliery was considered appropriate for redevelopment for employment purposes in particular as a means of addressing the loss of employment opportunities following the closure of Lea Hall and Huntington Collieries.

2.0 The Proposal

2.1 The application seeks consent to erect a single building with a floor area of 7,500m², to be used for the manufacture of reinforcements for concrete. No concrete is manufactured or used on site, the actual reinforcing taking place as concrete is poured on building sites. The proposal would relocate an existing

manufacturer from Lichfield to Rugeley replacing unsatisfactory premises with a larger facility to cope with a rapid increase in demand for the goods.

2.2 The process involves the delivery of rolls of metal cable, which goes through a stretching and smoothing process, is rolled into lengths and cut to size to form open girds which provide the reinforcement for poured concrete. The whole process would take place within the building.

2.3 Lorries offload the basic metal then leave the premises. Other lorries come to the premises where the finished article is loaded and taken off-site. The nature of the business does not involve the parking of HGV's on site other than as described above.

2.4 Access to the site is off a spur of the Power Station Road roundabout, vehicles load and unload at the northern end of the site adjacent to the roundabout, then pass along the western boundary of the site to exit onto the yet to be constructed link road at the south-eastern corner of the site. Car parking for stall is also at the northern corner of the site, comprising 109 spaces.

2.5 The manufacturing part of the proposed building, which is the larger element, has a maximum height of 11m. Eaves level is 9m. The office component is 14m in height, situated on the north-eastern corner of the building facing into the business park. The materials are metal cladding with panel features. The elevation onto the estate road is proposed to be screened by a 4m high screen fence with decorative panels, set back 3m from the footway to allow extensive landscaping along the road frontage. The remainder of the site is to be secured by a black weldmesh fence, 2.4m in height.

3.0 Response to Objections

3.1 Height of Building: The height of the building is that of an average industrial manufacturing facility. The upper parts of the building will be visible from nearby residential properties (those in Bridgewater Road being approximately 100m distant), the majority however, will be screened by the existing landscaped bund. It is not reasonable or feasible to require buildings within an approved industrial area to be completely screened.

3.2 Noise: The industrial process is to take place within the building, and storage is to be external. The delivery of raw material and collection of finished goods is to be undertaken at the northern end of the site. Whilst the premises are proposed to operate on a 24-hour, 7-days a week basis, the late night "shift" is for maintenance. There were no hours restrictions attached to the outline consent, however a condition allowing for individual consideration of any subsequent proposals was attached to the consent. Accordingly, a condition pertaining to the delivery and collection of materials and goods is proposed. The incidence of noise during hours when a level of quiet may be reasonably expected can therefore be minimised. The bund will also provide substantial protection from noise. The conditions requested by your Environmental Health Officers for further noise attenuation (e.g. vehicle reversing signals and sound and vibration dampers under machinery) are proposed to be attached. It is considered that the bund height is acceptable at its present level, and the addition of acoustic hoardings is not recommended by your Environmental Health Officers.

3.3 The completion of the Rugeley By-Pass will provide major infrastructure improvements to facilitate the movement of non-local traffic around the periphery of Rugeley. The road system is of a standard to properly serve existing and proposed industrial and commercial uses, without the necessity for traffic generated by these uses passing through Rugeley Town Centre. The applicant has submitted a Green Travel Plan, and has agreed to enter into a

Section 106 Agreement to pay for monitoring costs (£5,525). Staffordshire County Council raised no objections to the proposal.

3.4 The proposed development will not impinge on that part of the Trent and Mersey Canal Conservation Area, and no adverse effects on the wildlife of the area will occur as a result of the segregation of the site by the bund and perimeter fencing. Views of the building from the canal will be limited and the integrity of the canal will not be prejudiced. No objections have been raised by the Landor Society or the Council's Conservation Officer.

3.5 The proposed development will provide 100 jobs Whilst it is accepted that existing staff will transfer from the Lichfield premises, the mid to long-term job creation will benefit Rugeley.

3.6 Property values are not a material planning consideration. The site has consent for B1, B2 and B8 uses, and was never proposed purely for B1 (light industrial) use. The proposed use does not produce hazardous waste and the disposal of waste is in any event controlled under separate legislation. With respect to lighting, a condition is proposed so that it can be satisfactorily controlled to secure the amenity area.

4.0 Human Rights Act Implications

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, the issues arising have been considered in detail and it is considered that the proposals comply with Local Plan Policy and are proportionate.

5.0 Conclusion

The proposed development represents a significant employment generating use on an existing employment site. The siting and design is such that within the context of the locality, effect on residential properties is minimised. The existing bund and landscaping provides a definitive screen, both physically and visually from the Trent and Mersey Canal Conservation Area and from residential properties. Issues raised through the consultation process can be satisfactorily addressed through suitable conditions attached to any consent. On this basis, what is proposed accords with Local Plan policies and the Towers Development Brief. On this basis, approval is recommended.

Applications Deferred for Further Information

Application No: CH/07/0058 Received: 25-Jan-2007
Location: Lodge Hill Farm, Sevens Road, Cannock Wood.
Description: Replace temporary dwelling with permanent two storey dormer dwelling

Application Type: Full Planning Application
RECOMMENDATION Approve subject to Conditions
Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLC2: Dwellings in the Green Belt

1. B2 Standard Time Limit
2. D1 Materials - Details Required

3. I2 Exclusion of Extensions
4. C12 Turning Space
5. E6 Tree Retention
6. E1 Landscaping Details required
7. E3 Landscaping Maintenance
8. No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason

To prevent pollution of the water environment and in accordance with policy PEP1 of the adopted Local Plan.

9. The occupation of the dwelling shall be limited to a person solely or mainly working or last working in the adjacent lairage, marked accordingly on the approved plans, or a widow or widower of such a person and to any resident dependants.

Reason

To ensure compliance with paragraph 15 of Annexe A of the Planning Policy Statement 7- Sustainable Development in Rural Areas.

10. The approved landscape works 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 B8, C8 and C15.

EXTERNAL CONSULTATIONS

PARISH COUNCIL: Object as the proposal is not on the existing footprint, is within the Green Belt and would set a precedent.

ENVIRONMENT AGENCY: No objections subject to conditions.

INTERNAL COMMENTS

LANDSCAPE: No objections subject to conditions.

ENVIRONMENTAL HEALTH: No objections subject to conditions.

RESPONSES TO PUBLICITY

Site Notice - 1 letter received questioning a proposed condition which, in the original report referred to agricultural occupancy, and questioning the validity of accounts submitted with the application. No condition requiring removal of existing temporary dwelling; the provision of a 4th bedroom for a relief worker suggests a further dwelling in the future may be required.

HISTORY

CH/98/0669 - Erection of lairage buildings and associated - O/L Approved temporary dwelling 22/6/2000 (Cttee)

CH/00/0434 - Erection of lairage buildings and associated - Approved temporary dwelling (reserved matters) 2/11/02 (Del)

CH/04/0200 - Retention of temporary building for - Approved
residential accommodation 23/4/04 (Del)

CH/05/0599 - Residential dwelling - Withdrawn

OBSERVATIONS

1.1 Members will recall that at the previous meeting of the Planning Control Committee, an objection was submitted the day before the meeting and its contents reported verbally to the Committee. It was determined that, due to the need to consider the matters raised in the objection that the application be deferred until this meeting. This revised report reflects the consideration given to the matters raised.

2.1 The application site comprises land to the south east of Cannock Wood, immediately adjacent to and accessed off Sevens Road. The site is level, land then rises upwards by approximately 5 m to the north eastern boundary. The road frontage of the site is screened by a substantial and mature hedge, principally hawthorn. There is a barn within the site and a second one under construction, the uses of which are directly related to the applicant's occupation, in particular supervising the lairage, which accommodates live animals during transport providing approved standards of rest and care during breaks in their journey. Within the site stands a mobile home, the temporary approval for which has now expired. The permanent dwelling is required to provide proper levels of supervision of these facilities and the animals within.

2.2 The site is within the Green Belt where PPG2 - Green Belts (1995) - states that new dwellings are not normally permitted unless there is a clearly proven need that the development is required to house an agricultural or forestry worker. More recent advice on the subject is contained in Planning Policy Statement 7 (2004) - Sustainable Development in Rural Areas. The PP5 states that:-

"isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time workers to live at, or in the immediate vicinity of their place of work."

It goes on to say in relation to rural businesses other than agriculture and forestry that:-

"There may also be instances where special justification exists for new isolated dwellings associated with other rural-based enterprises. In these cases, the enterprise itself, including any development necessary for the operation of the enterprise, must be acceptable in planning terms and permitted in that rural location, regardless of the consideration of any proposed associated dwelling. Local planning authorities should apply the same stringent levels of assessment to applications for such new occupational dwellings as they apply to applications for agricultural and forestry workers' dwellings."

The lists relate to the functional connection between the dwelling and the business and the financial liability of the business.

2.3 A lairage does not fall within the definition of agriculture but is a use that requires a rural location. It requires grazing land and buildings to be available for the feeding and sheltering of animals. Accordingly, the applicant was required to submit both functional and financial tests in accordance with PPS7. These were submitted, and again, in accordance with PPS7 the documentation was scrutinised by external consultants.

2.4 The assessment concluded that a State Veterinary Licence allows for the premises to hold up to six varieties of animals up to a total of 1,460 beasts which can arrive in separate deliveries up to three times in a 24 hour period. The proper welfare of the animals including feeding and watering etc. is of paramount importance in the retention of the licence. To this end, the consultants report concluded that the extent of the business required at least one full-time worker to be based at the site 24/7. With regard to the accounts and the financial viability of the business was examined and the conclusions were that the enterprise appeared to be financially sound and could support a full-time worker and the cost of a new dwelling. The principle of the acceptability of this business enterprise in this location was agreed with the permanent permission granted for the lairage buildings and a temporary dwelling to enable the long term viability of the business. This has now been shown to be sound.

2.5 With respect to the design of the property, it comprises a four bedroomed dormer style dwelling, the ground floor area of which is 85 sq.m. One of the bedrooms is to accommodate a relief worker. The existing mobile home has a floor area of 90 sq.m. Its siting is well screened from Sevens Road and the adjacent public open space which is at a higher level in any event. The design is appropriate for its location and is not considered to diminish the quality and appearance of this particular part of Cannock Chase AONB. There are sufficient parking and turning facilities within the site.

2.6 With regard to the objections raised, the proposed dwelling is closer to the lairage facilities than the existing temporary dwelling, thus forming a more cohesive and less intrusive development. Issues pertaining to the Green Belt have been referred to elsewhere in the report. The provisions for dwellings in the Green Belt are specific and accordingly the construction of this dwelling would not set a precedent, being mindful and having regard to the provisions of PPS7, referred to above. The condition referred to by one objector in respect of occupancy has been amended to refer specifically to an employee directly linked to the use of the site as a lairage. The functional and financial tests required by PPS7 were examined by competent specialists and the Local Planning Authority has no reason to doubt the conclusions drawn by them in respect of the proposal. A condition requiring the removal of the temporary dwelling is proposed to be included.

2.7 Human Rights Implications

The proposals contained in the 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.

2.8 Conclusion

The proposed dwelling for a person employed in connection with lairage business has been proven to be both functionally and financially viable and therefore satisfies the criteria in PPS7 which is the policy guidance relevant to the determination of this application. The siting and design is appropriate to its location within that part of Cannock Chase AONB. Approval is recommended.

Description: Residential Development one block of flats (illustrative layout) (Outline including access) Demolition of existing residential property. (Resubmission of planning application CH/06/0739)

Application Type: Outline Planning APP

RECOMMENDATION: S 106, Then Approval with Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

DPLDCP6: Space about Dwellings

SPD1: Car parking standards.

SPG1: Residential Extensions Design Guide

SPG2: Staffordshire Residential Design Guide

1. A1 - Time Limit (Outline Permission)
2. A3 Outline-Access Specified
3. This permission does not grant or imply approval of the site layout details accompanying the application which have been treated as being for illustrative purposes only.

Reason

The application is in outline form with these details reserved for subsequent approval, which shall be in accordance with Local Plan Policy B8.

4. C5 Closure of Access

5. Before the proposed development is brought into use the access drive onto Littleworth Hill shall be built with surface water drainage interceptors which shall be sited across the access immediately to the rear of the highway boundary.

Reason

In the interests of highway safety in accordance with Structure Plan Policy T18A.

6. The proposed soakaway shall be sited a minimum of 5 metres from the highway boundary.

Reason

In the interests of highway safety in accordance with Structure Plan Policy T18A.

7. Development shall not commence until drainage details incorporating sustainable drainage principles and an assessment of the hydrological context of the development have been submitted to and approved by the Local Planning Authority. The scheme shall subsequently be implemented strictly in accordance with the approved details before the development is occupied.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Local Plan Policies PEP1 and PEP3.

8. C9 Surfacing of Access Drive

9. H9 No Burning

10. K2 Site Investigation Required

11. No part of the existing building shall be demolished until a photographic record of its exterior, in particular its decorative shopfront and other

detailing, has been implemented, submitted to and approved in writing by the Local Planning Authority.

Reason

To create a record of a building of local historic interest in accordance with Local Plan Policy B5.

EXTERNAL CONSULTATIONS:-

Environment Agency - no comments to make

Hednesford Town Council - raises concerns about this proposal because it puts more traffic into an area where access to a school and the Raceway already causes problems and where another housing development will eventually add more vehicles. The block of flats is out of keeping with the street scene.

Staffs County Council (Property) - no developer contribution towards education required.

Staffs County Council (Highways) - no objection subject to conditions.

Natural England - no objection as legally protected species are not likely to be adversely affected.

Severn Trent Water - no objection subject to condition.

INTERNAL COMMENTS:-

Environmental Health - no adverse comments subject to conditions

Environmental Services - contribution to off-site leisure provision required.

RESPONSE TO PUBLICITY:-

Since notice posted and adjacent occupiers notified. 5 letters of objection received on the following grounds:-

1. Worsening of existing traffic situation at the junction of Wood Lane, Reservoir Road, Church Hill and Littleworth Hill. During the morning the junction is impossible due to the volume of traffic, including St Peters School and Kingsmead Technical College. During the day cars fly over the junction. Race meetings at Hednesford Raceway and 2 churches in the vicinity add to the traffic. A few years ago a planning application for change of use to nursery at 1 Wood Lane was refused, objector believes on traffic grounds. The access/exit off Littleworth Hill is dangerous to both traffic and pedestrians.

2. It would be a shame to demolish the existing property.

3. No information is provided regarding number of flats which affects the parking situation.

4. Concern that the fencing and garden planting would become damaged by land erosion caused by the number of vehicles parked. Would be better to have parking adjacent to building rather than adjacent to fence, requires a retaining wall.

5. Loss of privacy and restriction of enjoyment of neighbours garden due to noise and vehicle emissions.

6. A block of flats would be out of keeping and over intensive development, intensive in the surroundings.

7. If the flats were not properly managed there would be bins left on the pavement and the grounds could become an eyesore. Plenty of new flats already

being built in Hednesford, nearer the station, bus and shops, there seems no need to build flats on this plot too.

RELEVANT PLANNING HISTORY:-

CH/89/0177 - Outline residential development (retained existing building) - approved

CH/90/0798 - Conversion dwelling to 2 flats - approved 13/2/90

CH/03/0470 - Change of use to day nursery - withdrawn 11/8/03

CH/03/0182 - 1 bungalow and 2 houses - withdrawn 2/6/03

CH/06/0739 - Residential development - one block of 10 flats, demolition of existing dwelling (outline including access) - withdrawn 14/2/07

OBSERVATIONS:-

1.1 The application seeks outline consent for residential development comprising one block of flats and demolition of the existing dwelling. It is a resubmission of the previous application which was withdrawn due to insufficient information being submitted within the normal determination period. Consent is sought for Access only, with all other matters reserved. An illustrative layout plan has been submitted, together with an indication of scale of the proposed building.

1.2 The site comprises land at the junction of Reservoir Road and Littleworth Hill, a hilltop crossroads. The site is currently occupied by an attractive and substantial 2 storey Victorian building with an old timber shop front and interesting detailing standard at the back of pavement at the corner. There is an existing conifer hedge along the boundary with 9 Littleworth Hill which is at a slightly lower level, and a tree overhanging the site at the rear of the building. The area is predominantly residential, with detached and semi detached properties, although significant adjacent frontages are occupied by a school, church and commercial premises.

1.3 The illustrative layout shows an L-shaped block along the two road frontages, the central part being 3 storey and dropping to 2 storey at each end. An access off Reservoir Road under an archway would lead to a parking and turning area at the rear of the block, with traffic leaving the site under another archway onto Littleworth Hill. A 1 metre wide planted strip would separate the parking at the rear from the boundaries with adjacent existing rear gardens. The maximum height of the building would be 10.25m for the 3 storey and 8.25m for the 2 storey. A low wall with railings would define the boundary with the road frontages with planting behind.

1.4 There are no issues regarding spatial separation and the number of parking spaces which can be achieved will determine the number of flats possible at reserved matters stage. Although concerns are raised by the Town Council and neighbours at the traffic impact, no objections have been raised by the Highways Authority, based on the proposed one-way traffic flow through the site.

1.5 Bearing in mind the significant visual contribution to the street scene made by the existing building, the applicant was originally asked to amend the scheme to retain it. A structured report from a qualified engineer has been submitted which is considered to provide sufficient evidence about the poor structural condition of the building to warrant demolition. This view is supported by Building Control, and in their opinion due to differential settlement it would be difficult to incorporate it into the new scheme. Since the last Planning Control Committee meeting Building Control have inspected the property and agree with the reports findings and details without exception. They conclude that retention is not practical and the proposal for demolition is reasonable. If this building is to be removed then it is essential that its replacement in

design and layout should be of high quality and make a positive contribution to the street scene.

1.6 At the time of the previous application a neighbour raised a possibility of bats using the roof space of the building to roost. A bat survey has therefore been submitted with the current application and sent to Natural England who now raise no objections.

1.7 The existing boundary hedge would be retained, however there are no trees within the site to be affected, new landscaping would be required as part of the reserved matters application. The future management of the flats is not a planning issue.

1.8 The site is of a size where a contribution is likely to be necessary towards provision of off-site public open space, however the number of flats proposed does not form part of this application. A S106 Agreement is therefore recommended with an appropriate wording to cover this eventuality.

1.9 Human Rights Act Implications

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with Local Plan Policy and are proportionate.

2.0 Conclusions

In principle the redevelopment of this site for residential purposes in the manner illustrated is considered acceptable and approval is recommended.

Applications Recommended For Approval

Application No: CH/07/0198 Received: 21-Mar-2007

Location: Land fronting, The Plaza, Horse Fair, Rugeley

Description: Change of use of paved forecourt area to pavement cafe (A4)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB3: New Development in Conservation Area

DPLB8: Design Principles of New Built Development

1. B2 Standard Time Limit

2. The development shall be carried out strictly in accordance with the deposited plans and drawings with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details in accordance with Local Plan Policy B8.

3. All external furniture and screens shall be stored within the premises outside licencing hours and when in position shall not extend beyond the area shown on the approve dplan 2006/176(M)/001A.

Reason

In the interests of visual amenity in accordance with Local Plan Policy B3.

EXTERNAL CONSULTATIONS

Staffs County Council (Highways) - no objections. The proposed seating area does not appear to extend beyond the highway boundary

Landor Society - caution is advised bearing in mind the late night licencing hours, potential for increased noise and litter, removal of the planters and redirection of passing pedestrians towards the edge of a busy road. Smokers could be attracted to the seating area adding noise and litter. No objection, but suggest a trial period, no smoking and no use of patio heaters etc.

Rugeley Town Council - objection, it is felt that this encroaches onto the public footpath and causes safety concerns for pedestrians walking to and from town next to a busy main road.

INTERNAL COMMENTS

Environmental Health - no adverse comments.

RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. One letter of objection received from proprietor of adjacent business on the following grounds.

- Wetherspoons has a large beer garden and additional drinking at the front of the premises would put off older people, young women and families from entering objectors premises.
- there are flats above objectors property and adjacent shops and the occupiers would be affected by noise.
- proprietors of adjacent businesses feel the same.

HISTORY

CH/97/0214 - change of use to restaurant/bar within A3 - approved 2/7/97 (Committee)

CH/97/0627 - external alterations - approved 28/1/98 (Delegated)

CH/05/0813 - vary hours condition - refused 28/2/06 (Delegated)

OBSERVATIONS

1.1. The application seeks consent for a change of use of a paved forecourt area to a pavement café (A4) in connection with the existing public house.

1.2. The site comprises the paved forecourt between the front elevation of the building and the rear of the footway/public highway, at present occupied by

bollards and planters. The building is a former cinema dating from the 1930's, converted to a public house, now operated by Wetherspoons. It stands within the Talbot/Street/Lichfield Street Conservation Area on the edge of Rugeley Town Centre. This forecourt area was originally enclosed with chains between the bollards where the cinema was in operation and is not part of the highway.

1.3 Information submitted to support the application indicates that Wetherspoons have been developing their pavement café's in response to a trend towards 'café culture' in the UK, and they are integral to their wider operation. They state that they have so far acquired consent to establish pavement café's on 77 of their sites, together with a further 80 premises with outside drinking facilities. They feel that they deliver carefully managed areas sympathetic to the premises and to the surrounding environment, designed to ensure minimal impact on the public using the public highway.

1.4 Local Plan Policy B3 seeks to preserve or enhance the special character or appearance of conservation areas. Development should be of the highest standard of design and materials respecting the character of existing architecture. The Conservation Area Appraisal highlights the architectural interest of the building but indicates that the cluttered frontage including a mixture of surfacing, bollards and planters does little to benefit its setting.

1.5 No objections are raised by the Highways Officer who confirms that the land is not within the public highway. In regard to the concerns of the Landor Society and Town Council, the use of the proposed seating area would be during the premises licensing hours and there would be some increased potential for noise however, the site is next to a busy road with restaurants and hot food takeaways nearby where background noise levels would be expected to be relatively high in any case, even during the evening. The nearest residential properties are flats above the adjacent shop units and on the opposite side of Horsefair, however this is the edge of the commercial area. The removal of several concrete flower planters, although reducing plant cover, would reduce forecourt clutter. Pedestrians have the full width of the public footway to pass the site, and no objections are raised by the Highways Officer. The use of the seating area by smokers is not a planning matter, and appropriate cleansing arrangements would be the responsibility of the management.

1.6 Human Rights Act Implications

The proposals set out in this report are considered to be compatible with the Human Rights Act, 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with the Local Plan Policy and are proportionate.

1.7 Conclusion

Approval is recommended.

Application No: CH/07/0203 Received: 22-Mar-2007
Location: Unit 3, Key Point, Keys Park Road, Hednesford
Description: Variation of condition 7 of planning permission CH/04/0235 to allow access for collection of parts for off-site use

7 days a week 24 hours a day on a permanent basis

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

1. This permission enures for the benefit of Ammeraal Beltech Ltd only.

Reason

To enable the specific amenity impact from any other user to be properly assessed in accordance with Local Plan Policy B8.

2. This permission shall relate to access for the collection of parts for off-site use only.

Reason

In the interests of amenity of the nearby residential properties in accordance with Local Plan Policy B8.

EXTERNAL CONSULTATIONS

HEDNESFORD TOWN COUNCIL: No objections.

INTERNAL COMMENTS

ENVIRONMENTAL HEALTH ADVICE: No complaints have been received regarding the "out of hours access" to date, therefore no adverse comments are made in respect of the application. Recommend that any permanent permission relates to the current applicant only.

RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. Two letters of objection received from residents on Sharon Way to the rear of the site on the following grounds:-

1. This will have significant and permanent effects on the quality of life of nearby residents. Increased traffic noise and noise due to loading/unloading during the night will disturb families.

2. Increased traffic will cause deterioration of already poor road surfaces leading to delays and costs during repairs.

3. Increased noise will lower property values making the area less desirable.

4. Increased activity may disrupt wildlife inhabiting adjacent copse.

HISTORY

CH/04/0235 - One block of 7 industrial units, - Approved including associated car parking and 12/5/04 landscaping (Committee)

CH/06/0241 - Variation of Condition 7 of planning - 10/5/06 permission

CH/04/0235 to allow access(Committee) for collection of parts for off-site use 7 days a week 24 hours a day - Approved for 1 year

OBSERVATIONS

1.1 The application seeks the lifting of a temporary time limit condition (1 year) to allow access to unit 3 for the collection of parts for off-site use only, 7 days a week, 24 hours a day. The condition was imposed to allow the impact of the proposal on the surrounding area to be assessed.

1.2 The site is one of a block of small industrial units on a business park, separated from the rear gardens of dwellings on Sharon Way by a mature landscaped buffer area. The nearest dwelling to the site is a distance of 63 metres away. The original planning permission for the site included a condition to prevent the operation of plant or machinery and the loading/unloading or movement of commercial vehicles outside the hours of 7 a.m. to 7 p.m. weekdays and 8 a.m. to 1 p.m. Saturdays.

1.3 The current occupier of Unit 3, Ammerael Beltech, supplies and distributes conveyor belting and associated components. They provide an out of hours service to customers in the event of a conveyor breakdown, sometimes requiring access to the premises to obtain replacement parts. Experience has shown that on average they require access 3-4 times per week, including weekends. Visits are brief, usually for no longer than approximately 20 minutes. Vehicles used are no larger than Transit type vans. They state that they are not aware that the variation of the condition in accordance with the approval in 2006 has disturbed any neighbours and request that the permission is now made permanent.

1.4 No concerns were raised by residents of Sharon Way when the previous application was publicised and the comments received now do not suggest that they have been disturbed by the out of hours access carried out by the company to date. The Environmental Health Officer advises that no complaints have been received, so in accordance with his advice a permanent consent is recommended on a personal basis only. A further condition is recommended to limit access to the collection of parts only. These two conditions were also applied to the temporary consent in 2006.

1.5 Human Rights Act Implications

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with Local Plan Policy and are proportionate.

1.6 Conclusion

Approval subject to conditions is recommended.

Application No: CH/07/0248 Received: 03-Apr-2007
Location: Land adjacent to, 13, Bideford Way, Cannock
Description: Residential development - One detached dwelling with accommodation in roof space
Application Type: Full Planning Application
RECOMMENDATION Approve subject to Conditions
Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

DPLH5: Infill Development

SPD1: Car parking standards.

SPG2: Staffordshire Residential Design Guide

1 B2 Standard Time Limit

2. D1 Materials - Details Required

3. E2 Tree & Hedge Protection Details

4. E8 Programme of Work-Tree & Hedge Retention, Protection & Works

5. I2 Exclusion of Extensions

6. Prior to the development being brought into use, access and parking areas to no.13, Bideford Way, and to the approved dwelling shall be surfaced in a bound material and shall thereafter be retained for the life of the development.

Reason

In the interests of highway safety and in accordance with policy T13 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011.

7. Prior to the development hereby approved being brought into use, pedestrian visibility splays of 1.5m x 1.5m shall be provided each side of the access. The visibility splay shall thereafter be kept free of any obstruction over a height of 600mm above the adjacent carriageway level.

Reason

In the interests of highway safety and in accordance with policy T13 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011.

8. Prior to the development being brought into use, that part of the existing site access made redundant as a result of the development shall be reinstated as verge and highway in accordance with plans to be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in accordance with policy T13 of the Staffordshire and Stoke on Trent Structure Plan 1996-2011.

EXTERNAL CONSULTATIONS:-

SCC Highways - No objections subject to conditions.

INTERNAL CONSULTATIONS:-

Landscape - Response to amended landscaping scheme will be reported verbally to Committee.

RESPONSES TO PUBLICITY:-

Site Notice/neighbour consultations - 1 letter received stating that the previous occupiers of the property fenced the boundary incorrectly; that building contractors' plant and materials will not be granted access to the church car park, and that due to levels differences, the church car park may slip.

HISTORY:-

CH/04/0714 - Residential development - 1 detached dwelling (outline) - Approved
3 November, 2004 (Committee).

OBSERVATIONS:-

1.1 The application site comprises approximately 340 sq. m of land currently forming part of the garden on no. 13 Bideford Way. The site is generally level, rising 1m from the road frontage to the rear boundary throughout a plot depth of 48m, and is approximately 0.6m lower than the adjacent church and associated car parking area. The area in the vicinity of the plot is residential, with local facilities close by. Outline planning consent was granted in 2004 with siting, design, external appearance of the building and landscaping as reserved matters.

1.2 The proposal is for the construction of a 4 bedrooomed detached property with integral garage, and a study and attic area in the roof space with roof lights on the south east and south western roof planes. The roof is hipped having a 50 degree pitch. The proposed dwelling is of a traditional design incorporating brick features. A conservatory is proposed to the rear.

1.3 The dwelling meets all relevant spatial and car parking standards and will not cause loss of amenity to immediate properties and buildings. It is proposed to attach a condition removing permitted development rights in order that any future extensions can be properly assessed in relation to adjacent properties.

1.4 With respect to the objections raised, the site has been accurately surveyed and the applicants are not aware of any boundary discrepancies.

1.5 Whether consent is granted for access or to facilitate building works is not a planning consideration. The existing boundary treatment to the front of the proposed dwelling is not proposed to be changed.

1.6 Human Rights Implications

The proposals contained in the 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.

1.7 Conclusions

The proposed development is considered to be acceptable, meeting all relevant policy guidance whilst being of a satisfactory design and will not impinge on the privacy or amenity of nearby buildings. Approval is recommended.

Application No: CH/07/0254 Received: 04-Apr-2007

Location: 5, St. Johns Close, Slitting Mill.

Description: Two storey side and rear extension, conservatory to rear

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

SPG1: Residential Extensions Design Guide

1. B2 Standard Time Limit

- 2. D3 Materials to match
- 3. I3 Additional Fenestration

EXTERNAL CONSULTATIONS:-

Rugeley Town Council - No objections subject to no loss of light to neighbouring property.

RESPONSES TO PUBLICITY:-

Neighbour Consults - Two letters have been received objecting on the grounds that the extension would compromise light through the church's stained glass windows, loss of amenity, intrusion on a boundary, and that it is out of character with the area.

HISTORY:-

CH/01/0660 Two and one storey extension to bungalow A 29/11/01 (del).

OBSERVATIONS:-

1.1 The application site comprises what was originally a bungalow, previously extended to provide two bedrooms, two storey accommodation with a single storey extension to the rear. The property is sited in an elevated position on the southern side of St. Johns Close, within which are dwellings of various designs, many having been extended. To the rear is open farm land, immediately to the north a detached dwelling, and to the south St. Johns Church, a very small building attached to which is a residential property, currently the subject of a separate application.

1.2 It is proposed to construct a first floor over the existing single storey rear extension, whilst extending outwards towards the boundary on the western elevation, erecting a conservatory on the north eastern side of the rear elevation, and providing a pitched roof over the existing garage, situated to the front of the dwelling.

1.3 The church to the side of the application site has windows directly overlooking the rear garden of the application site. The extension would not be in direct line of sight of these windows, or cause loss of light. The land to the front of the church onto St. Johns Road forms part of the domestic curtailage of Church Cottage.

1.4 The extension increases the size of the property considerably, however all spatial standards are met. The adjacent property no. 7 is set at an angle to the application site and it is not considered that the proposal will cause an unacceptable loss of amenity or light. With regards to the garden of Church Cottage, there are no principal windows in the side elevation and a condition is proposed to preclude any additional fenestration. The proposed extension is well within the boundaries of the curtailage of the site.

1.5 Human Rights Implications

The proposals contained in the 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.

1.6 Conclusion

The proposal meets spatial guidelines and it is not considered to prejudice the amenity or appearance of the locality to any great degree, there being a diverse building style in the close. Approval is recommended.

Application No: CH/07/0270 Received: 12-Apr-2007

Location: 7, St. Andrew Close, Hednesford.

Description: Alterations to existing garage with first storey extension above. Double detached garage to side incorporating two dormers to front

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

SPD1: Car parking standards.

SPG2: Staffordshire Residential Design Guide

1. B2 Standard Time Limit
2. D3 Materials to match
3. E2 Tree & Hedge Protection Details
4. E10 Landscape Details Required
5. H16 Private Garage
6. Three car parking spaces shall be available at all times within the curtilage of the dwelling.

Reason

In the interests of highway safety and in compliance with SPD1.

INTERNAL COMMENTS

LANDSCAPE: No objections subject to conditions.

RESPONSES TO PUBLICITY

Neighbours were consulted and two letters received objecting to the proposal on the grounds of overlooking, loss of privacy, that a caravan is being stored in the garden contrary to covenants pertaining to the property, that the caravan may be parked in the drive and the neighbours would have to look at it, loss of parking in the street due to the provision of a new dropped kerb and loss of light.

OBSERVATIONS

1.1 The application site comprises a detached property, the side wall running parallel to the cul-de-sac and facing onto a footpath link with St. Thomas Drive. Beyond the rear boundary of the site is another similar property with its side elevation facing the rear wall of the application site. The rear garden is at a lower level than the road.

1.2 It is proposed to extend the property to provide specialist accommodation for a disabled person, incorporating the conversion of the majority of the existing integral garage to a physiotherapy room and a vertical access lift to a first floor, specially designed bedroom above. The extension at first floor level is set back from the main front elevation of the property.

1.3 It is also proposed to construct a double garage in the rear garden, with a new access crossing onto St. Andrew Close. The garage is proposed to have storage accommodation in the steeply pitched (50 degree) roof space, with two dormer windows to the front. The proposed garage would be at a lower level than the road.

1.4 With regard to the objections raised, the dormer windows meet spatial guidelines in respect of facing principle windows, being 24 m distant from properties opposite. With regard to the extension, this also meets spatial guidelines. The loss of on street parking is not a material consideration in the determination of this application. Covenants should be dealt with as a civil matter and again are not a material planning consideration. Notwithstanding this, the storage of a caravan on the drive would not require the benefit of planning consent. There is adequate parking provision within the site.

1.5 Human Rights Implications

The proposals contained in the 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.

1.6 Conclusions

The proposal meets all spatial guidelines, including parking and space about dwellings. The garage is at a lower level which will minimise its impact on facing properties. Notwithstanding the specialist nature of the extension it is considered acceptable and approval is recommended.

Application No: CH/07/0280 Received: 16-Apr-2007

Location: 3, Bristol Close, Heath Hayes

Description: First storey extension to side and porch to front elevation

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

SPD1: Car parking standards.

SPG1: Residential Extensions Design Guide

1. B2 Standard Time Limit
2. D3 Materials to match
3. I3 Additional Fenestration

EXTERNAL CONSULTATIONS:-

Parish Council - No objections.

RESPONSES TO PUBLICITY:-

Neighbours were consulted and 3 letters received, objecting on the grounds of loss of light and loss of privacy, and the trees appear to be closer than 10m.

OBSERVATIONS:-

1.1 The application seeks consent for a first floor extension over the existing garage and utility room, to provide a further bedroom and en suite facilities. The existing dwelling is a four bedroomed detached property situated within a small cul de sac, sideways on to properties in Ely Close. The land to the front of the dwelling is hard paved in its entirety, with sufficient parking for 3 vehicles. Properties in Ely Close, the rear window of which look onto the side elevation of the existing dwelling are 14m distant from the application site.

1.2 With regard to the objections raised, no principal windows to habitable rooms are proposed in the first floor extension. A bathroom window presently exists in the first floor side elevation of the property. The equivalent would be constructed in the extension which would be 2.4m closer than at present. With regards to loss of light and overlooking, spatial guidelines are met the distance between the extension and the properties in Ely Close being 14m on this basis it is not considered that loss of amenity, overlooking and loss of light would occur to an unacceptable degree. In consideration of the trees, these are very small not significant in the street scene and do not require any special protection.

1.3 Human Rights Implications

The proposals contained in the report are considered to be compatible with the Human Rights Act 1998. The recommendations 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.

1.4 Conclusion

The proposed extension meets all relevant guidelines and policies, and does not project nearer to properties in Ely Close than at present. The one window in the elevation is to be obscured glass, and it is proposed to attach a condition precluding any more windows being installed other than with the consent of the LPA. On this basis, approval is recommended.

Application No: CH/07/0284 Received: 18-Apr-2007

Location: 92a, Brownhills Road, Norton Canes.

Description: Conservatory to rear

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

1. B2 Standard Time Limit

2. The development shall be carried out strictly in accordance with the deposited plans and drawings with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with Local Plan Policy B8.

EXTERNAL CONSULTATIONS

Norton Canes Parish Council: Objection as the proposed conservatory would restrict access to the neighbouring property and not in keeping with the properties in the area.
It is also recommended that a site visit should be made.

RESPONSE TO PUBLICITY

Near neighbours were notified resulting in one letter of objection .The concerns expressed were that the conservatory would not be in keeping with the area and will look no better than a cheap greenhouse.The conservatory will also prevent access to part of the boundary fence and it is also felt that it will not be maintained as the property is covered in dust from a previous extension and there is still some building materials left over from the construction at the bottom of the drive.

OBSERVATIONS

1.1 The applicant seeks consent to construct a conservatory to the rear of 92A Brownhills Road Norton Canes.

1.2 The conservatory will have a white UPVC frame,glazed units and a polycarbonate roof .It will be approximately 2.9metres high,3.75 metres wide and have a depth of 2 metres.It will be sited 90mm from the boundary with the neighbouring property.

1,3 The concerns from the objector and Parish Council are similar other than the current condition of the applicants property which is not relevant to the application,and the recommendation that the site is visited.The depth of the conservatory will be only 2 metres and well within the Councils standard of 4 metres.The proposed materials are acceptable and a number of nearby properties including that of the objector have also constructed conservatories.A number of these are considerably larger than the proposal and most differ in design.Given that the conservatory will be positioned 90mm from the boundary with the neighbouring occupier there will be no restriction in access.

1.4 Human Rights Act.

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998.The proposals could potentially interfere with an Individuals rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol,however the issues arising have been Considered in detail in the report and it is considered that , on balance, the Proposals comply with Local Plan Policy and are proportionate.

1.5 CONCLUSION

In conclusion,it is considered that the proposed conservatory will have no adverse effect on neighbouring properties and is in accordance with Local Plan Policy.Approval is therefore recommended.

Application No: CH/07/0288 Received: 19-Apr-2007
Location: Land adjacent to, 38 Redhill Road, Cannock
Description: Residential development - One detached bungalow
Application Type: Full Planning Application
RECOMMENDATION Approve subject to Conditions
Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development
DPLC15: Protecting Trees
DPLDCP6: Space about Dwellings
SPG: Residential Extensions Design Guide.
SPG2: Staffordshire Residential Design Guide

1.B2 Standard Time Limit

2.C9 Surfacing of Access Drive

3.D1 Materials - Details Required

4.The development shall be carried out strictly in accordance with the deposited plans and drawings with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details and in compliance with the requirements of Policy B8 of the Adopted Local Plan.

5.3 Prior to the commencement of development on site the slab level of the proposed bungalow shall be agreed in writing with the Local Planning Authority.

Reason

To safeguard the general amenity of the neighbouring property and to ensure compliance with Local Plan Policies B8: Design Principles of New Built Development.

6.5.The proposed development shall be undertaken in accordance with the revised plan received on 9th May 2007

Reason

To define the permission and to ensure compliance with Local Plan Policies B8: Design Principles of New Built Development.

7.6 Prior to the commencement of construction on site details of the means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and to ensure compliance with Local Plan Policies B8: Design Principles of New Built Development.

Reason

To safeguard surface water drainage issues

8.8 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, the dwelling shall not be extended nor any porch, garage or carport erected without the prior consent of the Local Planning Authority.

Reason

The Local Planning Authority considers that such development would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area. It is considered to be in the public interest to require an application to enable the merits of any proposal to be assessed and to ensure compliance with Local Plan Policies B8: Design Principles of New Built Development.

9. The use of the development hereby approved shall not commence until unobstructed visibility above a height of 600mm measured from the back edge of the footway has been provided within the 1.5 x 1.5m splays shown on the approved drawing. The splays shall thereafter remain unobstructed as described above for so long as the development remains in use.

Reason

In the interests of highway safety and to ensure compliance with Local Plan Policies B8: Design Principles of New Built Development

10. A minimum of 2 parking spaces shall be available at all times within the curtilage of the dwelling.

Reason

In the interests of highway safety.

EXTERNAL CONSULTATIONS

HIGHWAYS- awaiting response

INTERNAL COMMENTS

LANDSCAPE - None

RESPONSE TO PUBLICITY

Near neighbours have been notified and two letters of objection have been received making the following points:

- The proposed dwelling would be close to a neighbour's boundary, would affect existing trees in the adjoining garden, and would cause disturbance when access to the neighbours' property was required for maintenance.
- The construction of the proposed dwelling could cause damage to a neighbours' property
- The sewage from the adjoining bungalow is pumped through the application site, and the plans show that the drain from the proposed bungalow would be attached to this sewer. A maintenance charge is paid for this pump, and it is only designed to work for one property. The sewer has blocked in the past and with extra use is more likely to do so again.
- The proposed dwelling is at a higher level than the existing bungalow and this would lead to a loss of privacy.
- Being on lower ground the neighbouring bungalow could suffer from surface water draining off the application site.
- Any new trees planted on the site could eventually lead to branches falling on to the neighbour's cars.

OBSERVATIONS

1.1 The applicant seeks consent for a one bedroom bungalow, and an amendment to the existing vehicular access on land that was formerly the rear garden of 107 Edward Street. Following the receipt of letters of objection from neighbours, the agent was invited to amend the layout of the plot so that on the revised plan the proposed building would be further off the rear boundary fence by turning its siting through 90 degrees. This safeguards the willow and facilitates property maintenance. The agent has also submitted a cross section plan showing that the windows of the existing dwellings adjoining the site would not lose daylight from the proposed development. There is a high privet hedge at the front of the site, and this would be retained, but reduced in height to about 1.8 - 2.0 metres, and existing screen fences along the side boundaries of the proposed plot.

1.2 The application site is located between 107 Edward Street and a recent bungalow known as 38 Redhill Road. In the neighbour's garden just beyond the rear boundary of the application site there is an attractive willow tree.

1.3 It is considered that the main criteria to be considered are the design of the proposed bungalow, its effect on adjoining neighbours, the effect on the street scene, and the objections of residents.

1.4 The proposed small pitched roof bungalow is similar to that on the adjacent plot, and it is considered that its design would be satisfactory, subject to a condition requiring prior approval of the external finishes. Although the proposed garden would be quite small a condition can be attached preventing extensions in the garden without planning permission.

1.5 Regarding the effect on neighbours, it is considered that the adjoining willow tree can be safeguarded by the revised layout plan. The daylighting to the adjoining windows would be protected by a condition requiring the slab level of the proposed dwelling to be approved to ensure to daylight standards can be met.

1.6 It is considered that the proposed development would have a minimal effect on the street scene, because most of the privet hedge along the front boundary would be retained.

1.7 Regarding the issues raised by residents, it is considered that the safeguarding of the willow tree and property maintenance have been dealt with above. Regarding privacy it is considered that the existing screen fences and slab level condition would provide adequate protection for neighbours. The question of attachment to the foul sewer is considered to be a private matter, and the surface water drainage can be controlled by condition. Regarding any new trees planted along the boundaries, there is no planning requirement for this.

1.8 Human Rights Act

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with Local Plan Policy and are proportionate.

1.9 Conclusion

In conclusion, it is considered that the proposed development complies with the policies and guidance of the Local Plan and should therefore be approved.

Application No: CH/07/0290 Received: 19-Apr-2007

Location: Land off A460, Moor's Gorse, Brindley Heath

Description: Telecommunications installation consisting of 17 metre high 'pine tree' monopole and associated cabinets

Application Type: Full Planning Application

RECOMMENDATION: Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB7: Telecommunications

DPLC6: Green Belt and Area of Outstanding Natural Beauty- Design of Development

1. B2 Standard Time Limit

2. Prior to the commencement of any development on the site, details for the screening of the two cabinets shown on drawing no 63978/002 shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To preserve the appearance and integrity of that part of Cannock Chase Area of Outstanding Natural Beauty within which the apparatus is sited and in accordance with policy C6 of the adopted Local Plan.

EXTERNAL CONSULTATIONS:-

Parish Council - Object on the grounds of health concerns, the need for operators to share facilities, inadequate consultation with residents and that a "pine tree" is not appropriate.

AONB Unit - Appearance of ancillary equipment should be minimised.

SCC Police - No response.

INTERNAL CONSULTATIONS:-

Environmental Health - Proposal meets ICNIRP standards, therefore no objections.

RESPONSES TO PUBLICITY:-

A site notice was posted, all neighbours within a 100m radius were sent letters and the proposal was advertised in the local press in accordance with protocol for telecommunications proposals. 1 letter was received objecting on the grounds of visual intrusion.

OBSERVATIONS:-

1.1 The proposal is for full planning permission for a 17m high telecommunications mast and two associated equipment cabinets to be sited on land to the north of the pumping station 120m from the A460. The site is in an elevated position, and is adjacent to a track which follows the ridge above Marquis Drive. The site is surrounded by trees, principally conifers, growing in an informal and more sporadic manner and of varying heights, unlike neighbouring Forestry Commission plantations.

1.2 The proposed equipment comprises a mono pole and antennas, designed with the appearance of a pine tree, and to a height of 17m. Trees in the vicinity exceed this height and some have reached 20m in height. Two metal equipment cabins are also proposed at the base of the mono pole. The maximum height of the cabins is 1.6m. The applicant has submitted a schedule of other sites that have been considered, principally along the route of the A460. Applications have been received along the route in the past which have been refused because of their utilitarian and unsympathetic design and the loss of visual amenity which would have been caused.

1.3 The current proposal is in an elevated position away from the A460, and 90m distant from the nearest dwelling, the occupiers of which would have limited views of the mast. The design is unusual in that it is designed to appear like a conifer tree. Other such developments have been studied by your officers on land similarly designated and it is considered that the result is satisfactory, the actual equipment being indiscernible from natural vegetation, particularly with mid and long distance views.

1.4 The principle consideration in the determination of the application is the effect of the proposal on Cannock Chase AONB. In consideration of the mast's proposed appearance, and with regard to the surrounding trees and vegetation, it

is not considered that any harm will occur to the appearance and integrity of that part of the AONB, or to the surrounding areas.

1.5 With regard to the objections raised, the proposal is ICNIRP compliant, therefore objections on health grounds cannot be upheld. As stated earlier, the consultation has been extensive and in accordance with protocol. Whilst mast sharing is encouraged, there are no options for sharing in the vicinity, therefore this objection cannot be upheld. In consideration of the appearance, the proposal is of a similar appearance to trees in the vicinity.

1.6 Human Rights Implications

The proposals contained in the 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.

1.7 Conclusions

The proposed monopole is of a design which is sympathetic to its surroundings, and which is considered would not be easily identified as a telecommunications installation. It is considered that the appearance and integrity of that part of Cannock Chase AONB would be maintained and approval recommended.

Application No: CH/07/0293 Received: 23-Apr-2007
Location: Public footpath fronting 16, Mill Lane, Rugeley
Description: Installation of one Royal Mail double pouch box
Application Type: Full Planning Application
RECOMMENDATION Approve subject to Conditions
Reasons for the Grant of Permission
The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-
DPLB8: Design Principles of New Built Development

1.B2 Standard Time Limit

2.The development shall be carried out strictly in accordance with the deposited plans and drawings with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with Local Plan Policy B8.

EXTERNAL CONSULTATIONS

County Highways: No Objections
Staffordshire Police: No response within consultation period.
Rugeley Town Council: No Objections.

RESPONSE TO PUBLICITY

A site notice was posted and near neighbours notified resulting in one letter of objection containing the following concerns.

1. There is already a Post Box outside the property and since the property was developed it is now nearer and spoils the view.
2. The delivery of mail bags will cause an increase in traffic.

3. The Post Box could be sited on the opposite side of the road which comprises of more industrial buildings.

OBSERVATIONS

1.1 The applicant seeks consent to erect one double pouch box adjacent to 16 Mill Lane Rugeley.

1.2 The pouch box will be dark grey in colour and will measure approximately 1.35 metres high and 0.4 metres wide. It will be sited on the back of the footpath adjacent to the existing post box.

1.3 In response to the concerns of the objector, the pouch box will receive one delivery of post placed inside the box per day which is then collected for delivery by the postal worker. Therefore there will be no significant increase in traffic movements.

1.4 The position of the pouch box has already been moved in an effort to overcome the concerns of the objector, who has recently extended his property nearer to the footpath by approximately 7 metres. It is considered that the proposed position next to the existing post box is acceptable.

1.5 Human Rights Act.

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with Local Plan Policy and are proportionate.

1.6 CONCLUSION

In conclusion, it is considered that the proposed pouch box will have no adverse effect on the neighbouring properties or the street scene and is in accordance with Local Plan Policy. Approval is therefore recommended.

Application No: CH/07/0307 Received: 23-Apr-2007

Location: 68, Sevens Road, Prospect Village

Description: Retention of railings to front

Application Type: Full Planning Application

RECOMMENDATION Approve

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

EXTERNAL CONSULTATIONS

1.1 Highways - to be reported verbally

RESPONSE TO PUBLICITY

Near neighbours were notified and 4 letters of objection were received making the following points:

- The existing railings are an eyesore, too high and out of character with adjoining properties where hedges and fences are restricted to 1 metre high.
 - The railings reduce the number of car parking spaces available at the property from 3 or 4 to 2. Already visiting cars park on the pavement outside restricting visibility to adjoining accesses and forcing pedestrians to walk on the road.
 - The site is located on the brow of a hill where traffic is frequently speeding so that this situation is dangerous for the highway visibility of drivers, adjoining residents, visitors to the site and pedestrians.
 - To open the gates for a car to enter the front garden the driver must first park the vehicle on the main road, and such a manoeuvre is detrimental to highway safety.
 - The railings give the area the impression of being in a high crime area.
- A petition was also received containing 28 signatures objecting on the grounds that the proposal is unsightly and for safety reasons. Some of the signatories live away from the immediate vicinity of the site.

OBSERVATIONS

1.10 The applicant seeks consent to retain iron railings and gates approximately 1.8 metres high around the front garden of the application property. There is an attractive Magnolia tree in the front garden. The adjoining properties have hedges set back or open plan frontages. The site is located on the brow of a hill.

1.11 The applicant has submitted a supporting letter stating that the property would be used as a small residential care home for adults with learning difficulties. It is understood that this would consist of one occupant and one carer. The railings would form a barrier to prevent the occupant from straying on to the road perhaps when leaving for a trip and being excited at the prospect.

1.12 It is considered that the main criteria in the determination of the application are the appearance of the railings, their effect on neighbouring properties, the effect on the street scene, the effect on highway safety and residents' comments.

1.13 It is considered that the railings are slightly out of character with the application property and the immediate street scene, however there does not appear to be an adverse impact on the general amenity of adjoining neighbours. It is recognised that this location could be quite dangerous from a highway safety viewpoint, however the railings themselves do not impede highway or pedestrian visibility. There may be some visitors to the property but probably no more than to a residential property. In any case, the use of the house as a small care home does not in itself require planning permission.

1.14 Regarding residents' comments, it is accepted that the railings are slightly out of character with adjoining area, but not an eyesore. The loss of highway visibility due to visitors parking on the pavement would occur regardless of the existence of the railings or use of the property. It is not accepted that a possible reduction in car parking within the site would significantly undermine highway safety.

1.15 Human Rights Act

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with Local Plan Policy and are proportionate.

1.16 Conclusion

1.17 On balance, it is considered that whilst the character of the immediate area is slightly affected, there is no detriment to highway safety or the neighbour's general amenity resulting directly from the railings, and so the application is recommended for approval subject to conditions.

Application No: CH/07/0311 Received: 23-Apr-2007

Location: Public footpath fronting, 47, Ansty Drive, Heath Hayes

Description: Installation of one Royal Mail double pouch box

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

The proposed development complies in all material respects with the relevant policies in the Development Plan (DP) and (where applicable) Supplementary Planning Guidance (SPG) comprising:-

DPLB8: Design Principles of New Built Development

1. B2 Standard Time Limit

2. The development shall be carried out strictly in accordance with the deposited plans and drawings with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason

For the avoidance of doubt and to ensure that the development is carried out in accordance with Local Plan Policy B8.

EXTERNAL CONSULTATIONS

County Highways: No Objections

Staffordshire Police: No response within consultation period.

Parish Council: No response at the time of writing.

RESPONSE TO PUBLICITY

A site notice was posted and near neighbours notified resulting in one letter of objection containing the following concerns.

1. The pouch box should be located on the opposite side of the road where there would be improved highway visibility as the proposed location is near a bend.

2. The siting of the pouch box should be to the left of the lamp post as there is a garden wall on right side which would make maintenance of the wall more difficult.

OBSERVATIONS

1.2 The applicant seeks consent to erect one double pouch box adjacent to 47 Ansty Drive Heath Hayes.

1.2 The pouch box will be dark grey in colour and will measure approximately 1.35

metres high and 0.4 metres wide and will be sited on the back of the footpath.

1.3 In response to the concerns of the objector the siting of the pouch box has been slightly altered on the advice of Highways and the current proposed

location is considered acceptable in terms of highway safety. In addition the exact position of the pouch box will be determined by the location of the wiring to the lamp post. The maintenance of the wall would be possible as its height is below the bottom of the pouch box and therefore only its mounting post would be in front of the wall.

1.4 Human Rights Act.

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals could potentially interfere with an individual's rights to the peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however the issues arising have been considered in detail in the report and it is considered that, on balance, the proposals comply with Local Plan Policy and are proportionate.

1.5 CONCLUSION

In conclusion, it is considered that the proposed pouch box will have no adverse effect on the neighbouring properties or the street scene and is in accordance with Local Plan Policy. Approval is therefore recommended.