

EXTERNAL CONSULTATIONS CH/06/0241

HEDNESFORD TOWN COUNCIL – to be reported.

INTERNAL COMMENTS

ENVIRONMENTAL HEALTH ADVICE – to be reported.

RESPONSE TO PUBLICITY

Adjacent occupiers notified and site notice posted. Any comments to be reported.

HISTORY

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

OBSERVATIONS

- 1.1 The application seeks consent for a variation of condition 7 attached to CH/04/0235 to allow access to Unit 3 for collection of parts for off-site use 7 days a week, 24-hours a day.
- 1.2 The condition attached to the consent for the small industrial units required that no plant or machinery be operated, no loading or unloading or movement of commercial vehicles to take place outside the hours of 7 a.m. to 7.00 p.m. weekdays and 8.00 a.m. to 1.00 p.m. Saturdays. The condition was attached to avoid detriment to the amenity of residents near the site on Sharon Way.
- 1.3 The site is part of a small industrial/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 63m away.
- 1.4 A prospective occupier of Unit 3, involved in the supply and distribution of conveyor belting and associated components, also need to provide an out of hours service to customers in the event of a conveyor breakdown, and sometimes access to the premises to obtain replacement parts is necessary. This does not involve the operation of any machinery and visits would normally last no longer than a few minutes. Based on current frequency it is unlikely the number of visits would exceed one per week, although due to the nature of the business the frequency can vary from one week to the next. Vehicles would be long larger than transit type vans. The company currently operate from a unit on Ridings Park at Eastern Way, Cannock. The submitted information suggests that this will not cause a problem, however, to ensure that this is the case a temporary condition is proposed to enable the situation to be reviewed.
- 1.5 Some nearby units have had hours extensions to include working during daytime hours on Saturdays, Sundays and Bank Holidays.

1.6 Human Rights Act Implications

The proposals set out in the 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.

1.7 Conclusion

The proposed variation of condition would allow flexibility in operation of a small business without the likelihood of any adverse impact on occupiers of nearby residential properties, and approval is recommended.

EXTERNAL CONSULTATIONS - CH/05/0848

STAFFS COUNTY COUNCIL (PROPERTY) -	No developer contribution for education required
SEVERN TRENT WATER -	No objection subject to condition
STAFFS COUNTY COUNCIL (HIGHWAYS) -	No objection subject to condition
STAFFS POLICE -	No objections
STAFFS COUNTY (DEVELOPMENT SERVICES) -	No strategic observations
RUGELEY TOWN COUNCIL -	Objection to original scheme on following grounds:- <ol style="list-style-type: none">1) 2.5 storey buildings not in character with surroundings2) Is this suitable for the elderly with nearby clubs having late opening hours3) Providing 5 parking spaces for local residents means there is no visitor parking for proposed apartments4) Little parking remains for Vine Inn5) Existing congestion problem in Lion Street and other streets in area are busy with traffic going to bars in the area6) Drainage/sewerage could be a problem
LANDOR SOCIETY -	Principle of using this vacant land for apartments for the elderly is good and scale of proposal appears to relate reasonably well to surrounding buildings and Conservation Area. The arched vehicle way, car parking hidden from the street, stepped roof line with upper dormer windows, low roadside wall and planting are all positive features. Vehicular access for the proposed use may cause less of an additional problem by the steadier driving habits and lower car ownership of elderly residents. Changing the Sheepfair end of Lion Street to 2 way flow may help. Amended plans are considered to be satisfactory, the illustrative elevation appears much improved, particularly in respect of windows and doors and will be complementary to the existing properties resulting in enhancement of the Conservation Area.

ENGLISH HERITAGE -

Proposal appears to be a well considered scheme which would preserve or enhance the character and appearance of the Conservation Area.

INTERNAL COMMENTS

LEISURE SERVICES -

Contribution to off-site leisure facilities (Elmore Park) required.

ENVIRONMENTAL HEALTH -

Possibility of conflict between noise-sensitive residential development and use of adjacent licensed premises, to the detriment of future residents' amenity.

RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. 6 letters of objection received to original scheme on the following grounds:-

- 1) Proposal out of character with area, concentrated in smaller area than previous refusals, over-development.
- 2) Intrusive to adjacent dwellings, 3 storeys, loss of light, outlook and privacy, overbearing, very close to 6 and 8 Lion Street and directly facing 3 Lion Street.
- 3) Worsen existing traffic problems in area. Even if car ownership low for elderly residents, would still be increased traffic from health providers and service vehicles. Increased traffic would threaten children's safety en route to park. 2 access points in narrow one-way street near sharp bend. Proposed 5 parking spaces for local residents would not improve problem as too far from houses without off-road parking. Vine Inn parking proposed insufficient. Temptation to access Vine Inn against the one-way system. 2 access points reduce on-street parking availability and worsen access to property opposite. Current users of site will be displaced onto roads.
- 4) Loss of peace and increased air pollution affecting residents right to enjoy their properties.
- 5) Detrimental impact on wildlife in area, well established trees along boundary. New planting and boundary treatment needs more consideration.
- 6) Drainage/sewerage system may not cope with proposal.
- 7) How will the development be restricted to elderly occupation?
- 8) Site visit by Committee requested.

Following receipt of amended plans (dated 30 March) additional comments received from 3 neighbours on the following grounds:-

- 1) Request block closest to 6 Lion Street amended to single storey.
- 2) Spatial separation to 3 Lion Street short, also overlooking of rear garden.
- 3) Implore developer and Council to find suitable compromise, as some form of development welcomed.

The applicant has since discussed with neighbours and proposed further amendments and any further comments will be reported to Committee.

HISTORY

CH/04/0112 -	Residential development – 3 x 2/3/4 storey blocks of 36 apartments and demolish Vine Inn	Withdrawn 30/3/04
CH/04/0680 -	Residential development – 5 x 2/3 storey blocks of 19 apartments and demolish Vine Inn	Refused 8/12/04

OBSERVATIONS

- 1.1 The application seeks outline consent for residential development comprising 2 blocks of apartments for the elderly (total 18 units) with associated parking. Approval is sought for siting and means of access. Illustrative design details have also been submitted.
- 1.2 The site comprises land, partly occupied by a car park, to the rear of the Vine Inn at the junction of Sheepfair and Lion Street, close to Rugeley town centre. The site lies within the Sheepfair/Bow Street Conservation Area. There is an existing vehicular access from Lion Street. Licensed premises adjoin the site to the south-east, otherwise the area is predominantly residential, comprising mainly 2 storey dwellings, with some 3 storey. Buildings include terraces, detached and semi-detached properties dating from Victorian and more recent times.
- 1.3 The proposal comprises a 1, 2 and 3 storey block fronting Lion Street with the 3rd floor in the roofspace having a vehicular access through an archway to a rear car park and a further smaller 2 storey block beyond. The Vine Inn would be retained with a small staff parking area behind off a separate access. Previous applications for complete redevelopment of this site have raised concerns at the loss of the Vine Inn, and the design impact of the proposals, and have either been withdrawn or refused.
- 1.4 The current scheme seeks to address these concerns as far as possible, retaining the Inn, which is of some historic interest, and proposing a smaller scheme of improved design and layout. The development is aimed at the

elderly independent person and the applicant highlights a shortage of such purpose-built accommodation in Rugeley. The apartments would have 2 bedrooms and be fully independent, but with a communal meeting room for the residents and treatment room for visiting hairdresser, chiropody etc. Lifts are proposed to allow disabled use. The site is close to town centre amenities including public transport. 24 parking spaces are proposed to serve the 18 apartments, 5 of these intended to be made available to nearby residents without their own parking. A high standard of noise insulation is proposed and the applicant hopes that the development would be a moderator of the existing anti-social behaviour associated with local pubs and clubs.

1.5 The main issues raised by the proposals are:-

- 1) The height and siting of the buildings in relation to adjacent dwellings.
- 2) The impact on existing traffic and parking problems in the area.
- 3) Possibility of conflict between noise-sensitive proposal and existing adjacent pubs and clubs.

1.6 The most recent amendment plans (dated 19 April, 2006) show the siting of the main block moved 0.8m further away from Lion Street. In addition, all but two of the units would now have bedroom windows facing Lion Street rather than living rooms, reducing potential for overlooking from above ground floor level. The spatial separation from 3 Lion Street would be 21m and from 13 Lion Street 16.5m. Although this is less than the 21.3m required between 2 storey buildings, with a greater distance normally required for higher buildings, any amenity impact from overlooking is likely to be minimal. Most of the existing dwellings in Lion Street stand close to or on the road frontage, and therefore to move the building further back would be out of character with the street scene.

1.7 In addition, the end unit nearest 6 and 8 Lion Street has been reduced to single storey with a hipped roof. This more than achieves the required spatial separation distance. In other respects spatial separation standards are met. The shortfall is on the public side of dwellings fronting Lion Street. The layout seeks to minimise overlooking of the private rear elevations and gardens of adjacent properties. The design details, although illustrative only, seek to reflect the architecture in the area which includes properties with original dormer windows at second floor level, as well as including some contemporary detailing.

1.8 Parking is proposed on a ratio of 1 space per flat. In locations close to town centres and public transport facilities Government advice is to reduce parking provision. Parking requirements for the elderly are also likely to be lower. Adopted Supplementary Planning Guidance on parking requires 1.5 spaces per 2 bed flat and Local Plan Policy B3 permits flexible application of parking standards. The proposed car park would be well laid out and landscaped with tree planting and the access design and location would satisfy the Highway Authority. The small car park to serve the Vine Inn would provide staff parking between the buildings. Customer parking displaced onto the street in the evenings is most likely on Crossley Stone and Sheepfair rather than Lion

Street, once daytime parkers have left. No significant adverse impact is therefore considered likely on existing traffic and parking problems in Lion Street.

- 1.9 The proposed flats closest to the Vine Inn have been amended to move bedrooms to the rear elevation furthest away from any disturbance. The applicant states that the development would employ appropriate noise insulation methods to minimise disturbance to residents.
- 2.0 The application has been amended to resite the rear block to improve the relationship to the adjacent dwelling, provide additional highway information and improve the design detailing. A S106 Agreement would be required to cover an off-site leisure contribution to upgrade facilities at Elmore Park and to restrict occupation of the proposed dwellings to the elderly, to ensure that future occupiers are likely to have low car ownership commensurate with parking provision.

3.0 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 Articles 8 and 1 of the First Protocol, however, the issues arising have been considered in detail in the report and are considered proportionate.

4.0 Conclusion

The siting and means of access are considered acceptable and approval is recommended.

EXTERNAL CONSULTATIONS - CH/06/0016

One of the three Ward Councillors for Norton Canes has written to confirm his full support for the proposals, citing that there is a proven need for this facility within the area and that it can only benefit the residents within the Community.

Norton Canes Parish Council has raised a number of issues in respect of car parking provision and the impact of the building on the immediate neighbours. These issues have been re-iterated in the consideration of the first submitted revised layout plan incorporating the additional 5 car parking spaces and improved landscaping.

The Environment Agency has no objections to the proposals.

Severn Trent Water has no objections subject to conditions.

Staffordshire County Council Development Services Directorate has no objections to the proposals.

Cannock Chase Primary Care Trust (PCT) is in full support of the proposals to construct a health centre in this location.

Staffordshire County Council Highway Engineer raises no objections to the proposals to increase the car parking spaces by 5no, subject to conditions (including the submission of a Travel Plan to include a contribution towards the monitoring fee for the Travel Plan) but subject to this Council being satisfied that the proposals comply with the Adopted car parking standards. The Highway Engineer has been re-consulted on the latest revised submission which includes the provision of a further 11no. car parking spaces and the slight relocation of the access to the site off Brownhills Road to accommodate this increase and further comments will be reported verbally at the meeting.

INTERNAL COMMENTS

The Environmental Health Officer has no objections subject to conditions.

RESPONSE TO PUBLICITY

Near neighbours notified and a site notice posted. On the basis of the originally submitted plans, the proposal has generated a total of 13 letters of objection. The grounds of objection are as follows:

- a) The proposals will have a severe shortfall of car parking and will result in increased traffic congestion;
- b) The height and design of the building is out of character with the area;
- c) The development will result in a loss of privacy and amenity to neighbouring residents;
- d) The requirement for additional expansion space has not been adequately explained and there could be a likelihood that the building could be used for other purposes;
- e) There will be an increase in pollution;

- f) The lack of security arrangements are of a concern and there could be an increase in anti-social behaviour;
- g) The site boundaries include land not within the ownership of the applicants;
- h) The proposals will increase noise and disturbance to the local area.

Amended plans have been received indicating an increase in car parking provision, a Travel Plan and revised landscaping details. All neighbours were re-consulted on the amended plans and 8 letters of objection were received. All letters confirming that the revised proposals had not overcome the original objections in any way.

Local residents have again been re-consulted on the revised details and an update will be available at the meeting.

PLANNING HISTORY

CH/92/0548 – Health Centre – Approved 02.12.92 (Ctte).

CH/01/0718 – Temporary Medical Centre extension and additional car parking.
Approved 13.3.2002. (Del).

BACKGROUND TO PROPOSALS

The applicants have confirmed the following details.

- a) The village of Norton Canes is served by three practices, all of which plan to relocate into the proposed new development. All three practices have maintained stable list sizes over recent years and together have a combined patient list in excess of 10,500.
- b) All current premises are cramped and not able to accommodate extended team members, nor are they able to develop their patient services further;
- c) The three premises wish to relocate to this new development which would facilitate all team members working in the local area to be able to be based or to be able to work within the new building in order to be able to extend the quality of healthcare services on offer.
- d) The existing building has been assessed and the conclusion reached that it cannot be extended or adapted. Hence the need for a new purpose built facility.
- e) The car parking area has been deliberately split into two distinct areas, with public parking to the front and staff car parking to the rear. The rear car park will also facilitate the turning area for delivery and refuse vehicles.
- f) The development was first discussed at a public meeting of the PCT in June 2004 and has been the subject of discussion at a number of meetings (Community Forums, the Council's Overview and Scrutiny Committee, the PCT's Board meetings and Parish Council meetings), public consultation exercises including drop-in sessions and press releases.

- g) The PCT has taken on board the concerns raised by all interested parties and requires the facility as quickly as possible as without the delivery of improved facilities within the Cannock Chase PCT area, they are unlikely to recruit and retain the staff required to deliver General Practice and Primary and Community Health Services in the future. The development is therefore of crucial importance in this area of high health need.

OBSERVATIONS

- 1.1 Members will be aware that this application was deferred at the last meeting of the Planning Committee on 19th April to enable officers to discuss with the applicant and the PCT whether or not the floor area of the proposed building could be rationalised to reduce its overall footprint and to subsequently provide some additional car parking on site and for further clarification on the proposed expansion space issue within the building.
- 1.2 As a result of further discussions with your officers, the applicant and the PCT have now increased the patient car parking arrangements to the front of the site by a further 11 no. spaces. This has been achieved by slightly relocating the existing access along Brownhills Road (within the site boundary) and then reducing the footprint of the two storey entrance area of the front of the building.
- 1.3 The two storey wing block to the rear of the site will also be reduced in part by the deletion of one half of the proposed expansion space floor space at first floor level. This has then enabled the height of part of this wing block to be reduced to a single storey element. Finally, the applicant and the PCT have agreed to enter into a Section 106 Agreement to ensure that before the remaining expansion space is required to be taken up, a further planning application will be submitted for consideration by the Council to enable the merits of this to be considered, particularly in relation to any traffic/travel implications. A further letter of explanation and clarification on the anticipated use of this remaining expansion space is being prepared by the applicant and the PCT and this will be reported to the Committee. The S106 will also include provision for the making of a Traffic Regulation Order at the applicant's expense to prevent on-street parking on Brownhills Road in the vicinity of the site and/or alternative proposals for dealing with overspill parking and/or improvements to accessibility by means other than the private car in the event that an overspill parking problem occurs.
- 1.4 This detailed application seeks planning permission for the demolition of the existing single storey brick and tile health centre and temporary portacabin building to the site frontage and the erection of a detached two storey pitched roof building, 9.5m high, developed around two interconnecting wing blocks rather than a single volume, which aims to ensure that the scale and massing of the Health Centre has a more domestic quality in keeping with its immediate surroundings. The front façade of the building will however comprise a two storey flat roof feature linked to the pitched roof element by a smaller flat roof block.

- 1.5 It is proposed to use a mixture of materials including brick, tile, timber and coloured rendering, with all windows on the side elevations facing towards the modern residential properties that adjoin the site, to be opaque glazing.
- 1.6 The ground floor of the building will comprise a reception area, consulting rooms, waiting areas, treatment rooms, offices, health education rooms, storage rooms, toilets and a teenager's room. The first floor will comprise more treatment and consulting rooms, a staff room, toilets, meeting rooms, offices and a reduced area of expansion space. Externally, a new children's play area will be constructed between the first and second building block.
- 1.7 The applicants' intention is to retain the existing building and to erect the replacement building behind it, demolishing the existing building when the new one is completed. As a consequence of this, the new building is set well back from the road frontage, to the rear of the site.
- 1.8 The site is surrounded by residential development on all sides. The new building will be located 16.4 metres from the rear elevation windows of those houses to the north-western boundary of the site, 6m from the blank gable wall of the closest dwelling to the south-eastern boundary and 22 metres from the blank gable wall to the closest dwelling to the southern boundary. Additional planting has been provided to attempt to soften the impact of the development on the adjoining residents.
- 1.9 Whilst local residents are not opposed to the principles of increased health care provision on the site, they have strong concerns relating to the perceived over-intensive use of the site and the additional activity such as increased traffic and general disturbance to what is predominantly a residential area. Residents also are concerned that the parking provision within the site will not be enough to be able to accommodate all the services that will be undertaken from the new building.
- 1.10 The Council's Adopted Supplementary Planning Document: Parking Standards, Travel Plans & Developer Contributions for Sustainable Transport confirms that 1 car parking space per professional member of staff plus 1 space for every 2 other employees at the busiest times plus 3 spaces for each consulting room or surgery is required to service the proposed development. On this basis, the proposed development would require a parking provision of 87 spaces. Only 60 spaces were shown on the originally submitted drawings, giving a shortfall of 27 spaces. The number of spaces has now been increased to 76, a shortfall of 11 (see below).
- 1.11 These standards are applied throughout the District to new development, extensions and changes of use. There may however be occasions when lower levels of on-site parking could be supported such as for developments located within town or local centres (where access to other modes of transport is available and realistic) or when an enforceable Travel Plan is in place by means of a Section 106 Agreement.

- 1.12 In an attempt to overcome the concerns about parking and traffic, the applicants have submitted a Travel Plan to seek to demonstrate that the proposals will not have an adverse impact on traffic safety and have increased the number of car parking spaces on site (25 no. for staff parking and 51 no. for the public). This, together with anticipated public transport usage and further clarification on how the new facility will operate in terms of usage at particular times i.e it is not anticipated that all clinics and surgeries will run concurrently, with a maximum of 14 out of 18 consulting rooms being in use at any one time, is considered to provide a satisfactory package to manage travel/parking demand.
- 1.13 However it should be borne in mind that the new Hednesford Health Centre is not directly related to this case as it is located within easy walking distance of public car parks, a bus station and railway station, whereas Norton Canes is not.
- 1.14 The local residents have also expressed concerns about the proposed future expansion details. In order to try and allay their fears, the applicants have confirmed that the expansion space will not be used for anything other than existing staff and services within the building being able to expand internally (such as additional storage space) and will not be used for additional services that may result in additional service provision requiring more staff etc. This issue can now be controlled by the terms of a Section 106 Agreement.
- 1.15 The issue of security has also been raised. The applicants have confirmed that a CCTV system will be installed, together with external lighting. Furthermore, a 1m high bow topped fence will be erected on the Brownhills Road frontage to replace the existing unattractive 2m high palisade fencing, which will be integrated into a new planting scheme.
- 1.16 A number of residents have also queried whether or not the whole of the application site area is within the ownership/control of the applicants. In this respect, the applicants have confirmed that it is their view that this is the case and that they are satisfied that there are no ownership issues. In any event, this is a private matter between the applicant and the respective householders who have raised the issue.

1.18 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.

1.19 Conclusions

It is considered that the negotiated amendments to include the provision of an additional 11no. car parking spaces for patients together with the submission

of a suitable Travel Plan and the reduction in the area of the proposed expansion space culminating in a reduction in height of part of the building is acceptable and it is now recommended that the application is approved subject to a Section 106 Agreement to secure a contribution for the monitoring fee for the Travel Plan (£2100) and to ensure that the future use of the expansion space is covered by the requirement for a planning application.

Finally, it is considered that the design, siting and landscaping of the proposed development is acceptable and in compliance with the relevant Local Plan Policy context.

RESPONSE TO PUBLICITY – CH/06/0103

Near neighbours notified – One objection received in relation to amended plans, raising the issues of loss of privacy and overlooking.

HISTORY

CH/05/0798 – Two storey extension to front, refused 16/11/2005.

OBSERVATIONS

- 1.1 The applicant seeks consent for the construction of a two storey extension to the front of 28 Williamson Avenue, Prospect Village, in addition a new 6 ft half brick half panel fence will be erected along the eastern boundary adjacent to neighbour number 26 Williamson Avenue . The property is constructed in light brown brick, being one of a pair of differently designed detached dwellings set within a private drive.
- 1.2 The application is a re-submission to a previously refused proposal (CH/05/0798). The re-submitted proposals are for the creation of a basement room, office to ground floor and a further bedroom to the first floor, making the property four bed. The proposed ground floor measurements are 4.7 metres in width and 4m in depth, the first floor will measure 4.7m in width and 3m in depth. The proposal will see the creation of two gable's with pitched roofs above, the ground floor pitch being to a height of 4m to pitch, 2.5m to eaves, while the first floor height will be 6.7m to pitch, 5.1m to eaves. Windows into the extension on both floors will be through 1.8m x 1.2m windows situated to the western side elevation, leaving two blank gables to the front elevation.
- 1.3 Amendments to the original plans were requested and received, with the proposed first storey reduced from 3m in depth to 2.5m in depth. The front elevation has been amended to show a canopy style roof replacing the ground floor pitched roof and windows inserted to the front elevation to break up the mass of brickwork, however these windows will be conditioned to be of obscure glazing.
- 1.4 The property in question and neighbour number 26, although off-set face each other front to back, number 26 lies on a lower level by approximately 1.5m with no boundary treatment/screening. The front area of the curtilage consists of a shared access drive and landscaped garden areas, within the front gardens lies two large detached garages servicing the two dwellings. Once the proposal is complete plenty of amenity space will remain to the front, and the existing private amenity space to the rear will not be affected.
- 1.5 In response to the objection received regarding loss of privacy and overlooking. The amended plans show obscure glazed windows to both the ground and first floor, on the proposed northern front elevation, the proposed wall/fencing will partially screen the proposal from neighbouring property number 26 therefore the

issues of overlooking and loss of privacy will not occur as a condition to retain the windows as obscure will be placed upon any approval.

1.6 The street scene comprises of 8 dwellings of various designs, with a split in building lines between numbers 26 & 28, , adjacent lies the Prospect Village Hall and sports/recreation ground. It is considered that the issues surrounding the refusal of application CH/05/0798 have been satisfactorily addressed and the amended plans are now acceptable in terms of Council policy

HUMAN RIGHTS

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.

CONCLUSION

The proposal accords with Council policies and daylight standards, it is not considered that the proposal will significantly affect the visual amenity of the street scene or neighbouring properties, therefore approval is recommended subject to the conditions set out above.

EXTERNAL CONSULTATIONS - CH/060126

HIGHWAYS: Comment rec'd – No objection subject to conditions.

INTERNAL ADVICE

LANDSCAPE & COUNTRYSIDE MANAGEMENT Objection to proposals due to lack of information to determine effects on protected trees.

RESPONSES TO PUBLICITY

Site Notice/Neighbour Notification - Two responses rec'd to date – Objections on the grounds of detrimental impact upon visual and residential amenity, and the trees within the plot.

HISTORY

No relevant planning history within the confines of the site.

OBSERVATIONS

- 1.1 The application seeks consent to erect a detached house in what is currently garden area for 60 Hatherton Road.
- 1.2 The area is characterised by a mixture of residential tenures and styles with a uniform plot pattern in the locality.
- 1.3 This application is for residential development and should be judged against the relevant planning policies mentioned above and then any other material considerations.
- 1.4 In this particular case the most relevant policies are B8 (Design Principles of New Development) and H3 (Design). The main criteria that arise from this policy that the application should be judged against are density, character of the area, impact on residential amenity and traffic implications.
- 1.5 Density and character of the area.
The character and density of the area remains relatively low with a mixture of tenures within a largely uniform plot pattern. The site forms an undeveloped area in an otherwise built up frontage with protected trees located on the highway boundary with Gorse Lane. The applicant has not demonstrated that the unit could be located on site without having a detrimental impact upon the Protected Trees to the satisfaction of the Landscape Section. However with the correct application of conditions protecting these trees there is non reason to withhold consent especially as all matters are reserved for future consideration including access.
- 1.6 Impact on residential amenity.

The application by virtue of development in close proximity to single storey residential development will need to be carefully controlled at reserved matters stage to avoid an overbearing development in relation to adjoining properties. However with the attachment of a condition requiring development to be restricted to single storey development as well as the removal of permitted development rights this issue can be partly addressed now at outline stage.

1.7 Highways.

It is noted at this stage Staffordshire County Council have no objections subject to the correct visibility splay and amount of parking is present on site. With this in mind I have attached a condition requiring the details of access be to Local Authority Approval and parking provision will be an issue at reserved matters stage as the exact design will play an important part in determining the level of provision. In light of this the scheme is acceptable in this respect with the attachment of the said condition.

1.7 Human Rights Act Implications

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.

1.8 Conclusion.

The application site is located within an established residential area. With the correct application of conditions governing the scale of future development and tree protection there is no reason to withhold consent.

Therefore Approval is recommended.

RESPONSE TO PUBLICITY – CH/06/0176

Adjacent occupiers notified with one letter received from a neighbour stating they object to the proposal on the grounds that due to the height of the extension, light to the side facing dining room window will be restricted, with this window sited only 3ft 3ins from the boundary.

OBSERVATIONS

- 1.1 The applicant seeks consent for single storey extension to side and rear incorporating a garage at 271 Longford Road, Cannock. The side extension proposed would be 2.8m wide, 13m in length and a maximum height of 2.5m. The side extension will incorporate a garage and bedroom to rear. The rear extension will be 8.7m wide, 3.5m in length and 2.5m high accommodating a dining room and extension to an existing bedroom. The property already has a garage to the side being 2m high, so there will be an increase in height of 0.5m.
- 1.2 The extensions proposed have been designed to meet council design guidance. The neighbouring property of 269 Longford Road extends further back than 271 Longford Road having one side window already facing the side of the existing garage of no.271 and there is a walkway between the properties measuring 1.1m. Therefore it is considered that the impact on this side facing window will not be significant with a flat roof extension proposed to the side and rear. The neighbour of 273 Longford Road has a veranda to the rear of the garage that will screen views to the proposed development.
- 1.3 In regard to the objection received, as referred to earlier, the side facing dining room window of no. 269 Longford Road faces the side of the existing garage of the application site and the proposed side and rear extension will be a flat roof reducing the impact of the side extension. There is also a small secondary window to the neighbours dining room into the rear verandah that offers an additional small amount of light to enter this room. Therefore it is considered that the proposed side extension being only 0.5m high will not have a significant detrimental impact on the amenity of the neighbouring property.
- 1.4 It is not considered that the extensions will reduce amenity to the neighbouring properties to any significant degree, being designed to be in keeping with the scale of the property and therefore approval is recommended.
- 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 proposal will not have an adverse affect on the neighbouring properties or the character of the area and as such, is acceptable.

EXTERNAL ADVICE:- - CH/06/0178

Parish Council - Object on the grounds of the proposal being an over intensive development which would affect road safety in proximity to a school.

INTERNAL ADVICE:-

Landscape - No objections subject to conditions.

RESPONSES TO PUBLICITY:-

Site Notice & Neighbour Consults - 1 response objecting on the grounds of loss of amenity, extra vehicle movements close to the school, and loss of property values.

PLANNING HISTORY:-

CH/02/0672 Res. Dev (o/l) Approved subject to a Section 106 Agreement (not entered into) (cttee)

CH/05/0161 Res. Dev (full) Approved subject to a Section 106 Agreement (not entered into) (del)

OBSERVATIONS:-

- 1.1 The application site comprises a former petrol filling station and car sales situated opposite the junction of Hednesford Road and Langholm Drive, Heath Hayes. The site is within a predominantly residential area with school premises to the east on the opposite side of Hednesford Road, and a small builders' yard immediately to the north. To the rear of the site is an area of open space 21m in depth with a public footpath running centrally along it. The site measures approximately 0.15 h.a. in area and slopes away from Hednesford Road in a south westerly direction, the land reducing in level by 2.4m over a distance of 80m.
- 1.2 The application seeks consent for a substitution of house types to those it was resolved to approve under CH/05/0162. This application was for a block of 3 storey flats on the northern boundary of the site and 2, four bedroomed detached dwellings to the rear, with parking to the front, and parking to the flats on the southern side of the boundary. A new access was proposed and a comprehensive landscaping scheme submitted. The revised application is identical to the previous one with the exception that the two 4 bedroomed detached properties are replaced by 2 two bedroomed semi detached properties and one 3 bedroomed detached property. All the dwellings are to have rear gardens and private parking.
- 1.3 With regard to the objections raised, the site was previously a petrol filling station and car sales premises. The amount of traffic entering and leaving the premises would be much reduced, including that of a commercial nature (i.e. petrol tankers) and on this basis the objection cannot be upheld. The proposal

has been assessed with regard to relevant design guidance and policies and meets them in all respects. The objectors' property is 40m distant from the application site and it is not considered that any undue loss of amenity will occur. Property values cannot be considered when determining a planning application.

1.4 Human Rights Implications

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.

1.5 Conclusions

It is considered that the proposal is acceptable within the site, varying only slightly from the previously proposed scheme. It relates well to other premises in the vicinity and offers a variety of accommodation and is in relatively close proximity to local services and facilities. In consideration of the sites' previous use, there will be no adverse effects on highway safety. The relevant planning policies are met. If members are minded to approve the application, the application will be required to enter into a Section 106 Agreement in respect of a financial contribution of £8610.90 to off site play and recreation provision. On this basis, approval is recommended.

EXTERNAL CONSULTATIONS – CH/06/0185

RUGELEY TOWN COUNCIL:	No objection to the development itself but Members feel the development lends itself better to three flats. Existing parking problems in Talbot Street and three parking spaces for four flats is insufficient.
STAFFS COUNTY COUNCIL HIGHWAYS:	Proposal fails to make adequate provision for parking and turning of vehicles within the site curtilage.

INTERNAL COMMENTS

HOUSING ADVICE:	Proposal fully supported as four self-contained units. Continuation of previous use in multiple occupation with shared facilities would be likely to attract a sector with social problems which could impinge on neighbours. Appropriate bathroom/ kitchen ventilation and fire protection required.
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RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. Three letters of objection received on following grounds:-

- (1) Whilst delighted at refurbishment of the house, there are serious concerns about the proposed conversion to four flats.
- (2) Size of house is not considered too large for a single dwelling and four flats would be out of character with the area. Apart from the residential home all other properties are single family dwellings.
- (3) Impact on parking situation, as rear parking area looks difficult to access and manoeuvre within. Also pedestrian access to three of the flats would be from the front, so residents unlikely to use this parking. Other houses in area have no off-street parking, Talbot Street is narrow and the back lane is poorly lit and maintained. Also the decision to charge for town centre parking is resulting in more on-street parking in this surrounding area. Proposal could potentially generate eight cars.
- (4) Nearby residents have carried out improvements such as refurbishing/rebuilding coach houses, reintroducing railings and maintaining/replanting trees. The proposal to convert the rear garden into a small car park involves conversion of the coach house into nothing more than a hole in the wall, the felling of an ancient yew tree and turning the green space into hard landscape.

- (5) When the house was previously in multiple occupation there were problems with anti-social behaviour.

HISTORY

- CH/06/0186 - Current application for listed building consent for conversion to four flats
- CH/06/0064 - LBC – demolition rear second floor extension and replace with extended two storey roof Approved 24/3/06

OBSERVATIONS

- 1.1 The application comprises a proposed change of use from a single dwelling to four flats. A small parking area of three spaces is proposed in the rear garden, accessed via the coach house off the back lane.
- 1.2 The site comprises a three storey terraced dwelling with a short front garden and longer rear garden, and the remains of a former coach house on the rear boundary. The property is listed Grade II and stands in the Talbot Street/Lichfield Street Conservation Area, a short distance from Rugeley town centre.
- 1.3 The property was last used as a house in multiple occupation several years ago and became very dilapidated, with structural problems. The present owner has remedied the faults and is in the process of carrying out a complete refurbishment. The repairs have been carried out sensitively and are a major benefit in securing the long-term retention of this attractive building which is a prominent feature of the conservation area. Having repaired the exterior of the building the applicant proposes conversion to four flats.
- 1.4 The main issue in planning terms is the impact on the parking situation in the area. Local Plan Policy B3 allows planning standards in conservation areas to be applied in a flexible manner to ensure retention of historic buildings and townscapes. The flats would be one bedroomed, self-contained units, one on each floor of the house and a fourth in the existing two storey rear extension. Council parking guidance requires 1.5 spaces per flat, however, in conservation areas, particularly close to the town centre, one space per flat has been accepted in other cases. On the basis that the existing dwelling could generate several cars, and has no off-street parking at present, or that the existing dwelling could be occupied by up to six persons, all with cars, without any further planning permission, the proposal is considered beneficial.
- 1.5 The rear garden has sufficient space to easily accommodate three car parking spaces, with access through the former coach house, together with bin storage, pedestrian access and replacement tree planting. High brick walls form the side garden boundaries with adjacent gardens and use of this area for a limited amount of parking is not considered likely to detrimentally affect neighbours' amenity. The applicant's intention is to rebuild the coach house, subject to a

subsequent application being approved. Appropriate lighting of the area could be incorporated. A fourth parking space on the highway would not worsen the existing situation and, overall, by providing some off-street parking where non currently exists, could improve the existing situation.

- 1.6 The option of reducing the number of flats to three has been considered, however, as a result of the internal layout of the house, would require more extensive alteration of the building to link each floor and the rear extension via the communal stairway.

1.7 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.

1.8 Conclusion

Approval is recommended.

EXTERNAL CONSULTATIONS - CH/06/0186

RUGELEY TOWN COUNCIL: No objection to the development itself but Members feel the development lends itself better to three flats. Existing parking problems in Talbot Street, and three parking spaces for four flats is insufficient.

LANDOR SOCIETY: The important front elevation appears to be unaffected and if the internal alterations do not destroy or unduly affect any special internal architectural features then no objection. No objection to alterations to the coach house but no comment on the car parking.

RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. Two letters of objection received on following grounds:-

- (1) This is one of a very small number of listed buildings in Rugeley. The Landor Society regard it as architecturally the most important. Very little detail is provided about the proposed conversion which is disappointing. No details of alterations to meet building/fire regulations or affect on the listed building. The developer should come up with a more imaginative scheme.
- (2) Converting a house of this status which makes a significant contribution to the area, whilst in need of repair, would detract from its status.

One letter of support for the four flats stating appreciation of the restored appearance of the building.

HISTORY

CH/06/0185 - Current application for planning permission for conversion to four flats

CH/06/0064 - LBC – demolition rear second floor extension and replace with extended two storey roof Approved 24/3/06

OBSERVATIONS

- 1.1 The application for Listed Building Consent relates to the conversion from a single dwelling to four flats. The flats would be one bedroomed self-contained units, one on each floor of the house and a fourth in the existing two storey rear extension.

- 1.2 The site comprises a three storey terraced dwelling with a short front garden and a longer rear garden, and the remains of a former coach house on the rear boundary. The property is listed Grade II and stands in the Talbot Street/Lichfield Street Conservation Area.
- 1.3 The property was last used as a house in multiple occupation several years ago and became very dilapidated with structural problems. The present owner has remedied the faults and is in the process of carrying out a complete refurbishment. The repairs have been carried out sensitively and are a major benefit in securing the long-term retention of this attractive building which is a prominent feature of the conservation area. Having repaired the exterior of the building the applicant proposes conversion to four flats.
- 1.4 Information has been submitted to show a minimum impact on the physical fabric of the building, with limited internal partitioning, blocking of existing doors and insertion of new doors. Proposed fire safety and sound proofing information sufficient to indicate a limited impact on the physical fabric has also been submitted. The proposal will also need to comply with the Building Regulations in terms of fire safety.
- 1.5 The proposal would accord with Local Plan Policy in securing the continued use and restoration of the building and the alterations are not considered to adversely affect the qualities of the building. The change of use retains a residential use of the property compatible with the surrounding area and the proposed rear parking area is considered appropriate in conservation terms. Full details of works to the rear coach house are not yet available and would need to be the subject of further applications for listed building consent and planning permission.

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 Local Plan Policy and are proportionate.

1.7 Conclusion

Approval is recommended.

EXTERNAL ADVICE:- CH/06/0188

- SCC Highways - No objections subject to conditions.
Parish Council - Object on the grounds that it is an over intensive development that would result in a strident feature, adversely affecting visual amenity and that the retrospective planning application be dealt with first prior to any further applications.

RESPONSES TO PUBLICITY:-

- Neighbour consults - No response.

OBSERVATIONS:-

- 1.1 The application site is one of a pair of semi detached properties on Hednesford Road, approximately 40m from its junction with Langholme Drive. There are residential properties to either side and to the rear of the site and on the opposite side of Hednesford Road. The site is level. The property was built 5m back from the adjacent, end of terrace property.
- 1.2 The application comprises two parts – retrospective consent for development already undertaken without the benefit of planning permission, and planning consent for a conservatory to the rear of the property. The existing extensions comprise a single storey side extension, a single storey extension to the rear and a dormer window in the rear roof. The applicant has also provided a vehicular access onto Hednesford Road which is a classified road, and therefore the access requires planning consent also.
- 1.3 With regard to the existing extensions, the total volume of them is 75.6 cubic metres, which exceeds permitted development rights in this instance by 4.4m. The extensions meet spatial guidelines other than in relation to the adjacent property no. 306, which has a small principle window to the rear nearest the boundary with the application site. Current spatial guidelines in respect of this window were not met at the time the original dwelling was constructed. In addition, there is a 2m fence between the two properties and no. 306 itself has an original substantial single storey extending out to the rear with a significant roof pitch which limits outlook from that window. The dormer to the rear is slightly below the ridge of the main dwelling and 1.2m in width, and is acceptable. It is considered therefore, that the extensions that have been undertaken on the application site do not compromise the amenity of neighbouring properties.
- 1.4 Consent for the access onto Hednesford Road is also retrospective. The area to the front of the property has been given over in its' entirety to two parking spaces which is in accordance with current parking guidelines. The Highway Authority has no objections to the access subject to conditions.

- 1.5 The conversion of the garage to living accommodation does not require the benefit of planning consent. Sufficient parking is maintained as referred to in 1.4 above.
- 1.6 The application also seeks consent for a conservatory, to be erected to the rear of the dwelling, set in from the boundary with the adjoining property by 1.4m, and extending out from the existing extension by 3m thereby achieving spatial guidelines in relation to that property. The conservatory is to have a 900mm brick wall, the remainder to be fully glazed. This will not prejudice the amenity of no. 306 and is considered acceptable.
- 1.7 With regard to the objections raised, it is not considered that the development is over intensive where it results in a strident feature. The neighbouring gardens are segregated by 2m fences limiting the impact of both existing and proposed development. There is no requirement for applicants to submit separate applications for what is existing and what is proposed.

1.8 Human Rights Implications

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 of the Development Plan which aims to secure the proper planning of the area in the public interest.

1.9 Conclusions

The existing extensions for which planning consent is being sought are considered acceptable, and do not prejudice the amenity of neighbouring properties nor do they provide an overly strident feature in the area. The access is considered acceptable and the proposed conservatory will not prejudice the amenity of neighbouring properties. Approval is recommended.

EXTERNAL CONSULTATIONS – CH/06/0189

Norton Canes Parish Council has recommended refusal on the grounds of over intensive use of the site and inadequate access.

The Environment Agency has no objections to the proposals.

Staffordshire County Highway Engineer has recommended refusal on the grounds that it appears impracticable to construct an access in the position indicated on the submitted plan that would allow the requisite visibility splays to be provided within land under the applicant's control.

INTERNAL COMMENTS

The Environmental Health Officer has no objections to the proposals.

RESPONSE TO PUBLICITY

Near neighbours notified and a site notice posted. No letters of objection have been received,

PLANNING HISTORY

CH/05/0373 – Demolition of existing detached bungalow and construction of 3 storey block consisting of 15 flats, conversion of existing semi-detached dwelling into 2 flats incorporating dormers with associated car parking and landscaping. Refused 4.8.05 (Delegated).

CH/05/0707 – Demolition of existing bungalow and construction of 3 storey apartment block comprising of 7 units, conversion of existing semi-detached house into 2 flats and construction of 3 bungalows. Refused 25.1.06 (Committee). Subsequently submitted appeal to Secretary of State is awaiting determination.

CH/05/0708 - Demolition of existing bungalow and construction of 7 bungalows. Approved 15.2.06 (Committee).

OBSERVATIONS

- 1.1 This detailed application seeks permission for the erection of 3no. two bedroom bungalows comprising one pair of semi-detached bungalows and one detached bungalow on land to the side and rear of 284 Hednesford Road, Norton Canes.
- 1.2 No, 284 is a large detached bungalow which is currently empty and which stands within a large garden curtilage. The area is residential in character, with a mixture of detached, semi-detached and terraced houses and detached and semi-detached bungalows.

- 1.3 This detached bungalow is to stay, with a large area of its rear curtilage area comprising a mixture of grass land and hardstanding being used to accommodate the proposed development. Access to the proposed development would be off a new access constructed off Hednesford Road and which is to be used to access the recently approved development of 7no. bungalows to the rear of the adjoining properties in Hill Street. A total of 6no. car parking spaces would be provided to serve the new development, with the existing bungalow retaining its current access arrangements off Hednesford Road.
- 1.4 The new windows in the proposed bungalows would be located between 16-18 metres from the rear windows in the existing bungalow. The bungalow would be enclosed by the provision of a 2m high close boarded fence, which would also retain a suitable amount of private amenity space.
- 1.5 The issue raised by the Highway Engineer is currently being addressed and an update will be available to members at the meeting. It is confirmed however, that these access arrangements have previously been approved by the Highway Engineer in conjunction with the development of the 7no. bungalows referred to in paragraph 1.3 above.
- 1.6 A comprehensive landscaping scheme and management plan etc is currently being finalised to serve both this current application site and the adjoining site for the 7no. bungalows. It is expected that this will be available prior to the meeting. Given this, the Landscape Officer has raised no objection to the proposals.

1.7 HUMAN RIGHTS ACT

The proposals set out in the 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 own 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.

1.8 CONCLUSIONS

Members will recall that this development originally formed part of the overall development proposed under CH/05/0707 and subsequently refused as there were concerns about the size and scale of the apartment block to the Hednesford Road frontage and its effect on the character and appearance of the area.

It is considered that the retention of the existing bungalow and the erection of the development proposed is in compliance with the relevant Local Plan Policy context and as a consequence, will not adversely affect the character and appearance of the area or the amenities of the adjoining residential properties.

EXTERNAL CONSULTATIONS:- CH/06/0218

- | | | |
|----------------------|---|---|
| Landor Society | - | The boundary wall is modern and partial removal is not thought to have any adverse effect on the Conservation Area. |
| Rugeley Town Council | - | To be reported. |

INTERNAL COMMENTS:-

Nil

RESPONSE TO PUBLICITY:-

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

1. Impact on parking and access at existing properties on St. Anthony's Close, increasing traffic, causing noise and difficulty accessing driveway opposite.
2. Existing parking problems resulting from rear access to other properties on Heron Street. Some residents on St. Anthony's Close have already had to widen their drives.
3. Flowerbed between boundary wall and kerb has been looked after by residents of St. Anthony's Close for more than 20 years.
4. Loss of value of properties in St. Anthony's Close.
5. Applicant already has access from Heron Street.
6. Overspill town centre parking already causes obstruction.
7. Partial demolition of wall will affect aesthetics of Conservation Area.
8. Council is investigating a 'parking permit scheme' in area.
9. Suggest Committee visit the site.

HISTORY:-

527/78 – stable – refused 12/9/78

220/81 – garden wall – approved 20/5/81

OBSERVATIONS:-

- 1.1 The application seeks Conservation Area Consent for partial demolition of the rear garden boundary wall at 47 Heron Street.

- 1.2 The site falls within Lichfield Street/Talbot Street Conservation Area, as a result of which Conservation Area Consent is required for demolition of a wall over 1m high next to a highway.
- 1.3 The wall is a modern brick structure with brick piers and fence panels, constructed following planning permission in 1981. It would be replaced by a similar wall and fence around a new parking space accessed off St. Anthony's Close. The new parking space does not require consent being within the curtilage of the dwelling. No adverse impact on the character appearance of the Conservation Area is expected as a result of part demolition of the wall. No objections are raised by the Landor Society.
- 1.4 Objections have been received from 5 neighbours in St. Anthony's Close, primarily concerned at the impact on parking and access. Although the wall demolition is proposed in order to create the parking area, the application strictly relates to the demolition only, and therefore the highway issues are not relevant in reaching the decision. The ownership of the planted strip is a legal matter.
- 1.5 The application has been amended to show a fence panel and post rather than a brick wall and pillar adjacent to the side boundary to avoid adversely affecting an existing holly tree within the garden.

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 Local Plan Policy and are proportionate.

1.7 Conclusion

Conservation Area Consent for partial demolition of the boundary wall is recommended.

EXTERNAL CONSULTATIONS CH/06/0219

Environment Agency -	No objection
Property Services - (S.C.C)	It is not current policy to request a developer contribution towards education from this type of development.
Travel Management & Safety - (S.C.C)	No objections
Development Services - (S.C.C)	No objection
Severn Trent Water -	No objection subject to conditions

INTERNAL COMMENTS

Environmental Health -	No adverse comments, but recommend site investigation for landfill gas.
Leisure Services -	Section 106 funds required for open space provision.

RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. One objection received from Four Seasons Health Care, owners of the Nursing Home, who object in regard to the encroachment onto their land incorporating several car parking spaces.

PLANNING HISTORY

89/0873	30 bed residential home and 45 bed nursing home.	Approved 21/03/90 (Committee).
94/0266	Phase II, Marquis Court Nursing Home	Approved 06/07/94
87/625	Private housing. Outline.	Approved 25/05/88 (Committee)
88/815	Commercial development, shopping, public house, public open space. Outline.	Approved 15/03/89. (Committee)
91/0741	Sign	Approved 07/01/92 (Delegated).
CH/03/0889	Residential development - 12 x 1 bed 2 storey flats (Outline siting and means of access)	Approved subject to S106 28/01/04. Delegated
CH/04/0830	Residential development - 10 flats (Outline siting and means of access)	Approved subject to S106 18/01/2005. Delegated

OBSERVATIONS

- 1.1 The application seeks consent for residential development of 12 flats comprising one block of 3 storeys incorporating dormers in the roof on land adjacent to Windsor House, Albert Davie Drive, Littleworth Road, Rawnsley.

- 1.2 Previous outline planning applications for residential development of 10 and 12 flats have been approved and the siting of this current planning application is similar to that approved under planning application CH/04/0830, with the building proposed being a maximum of 23m wide by 13.8m in length whereas the previous application showed a building being a maximum 21.2m wide by 14.2m in length.
- 1.3 Due to the fall in land level from north to south, there are to be four floors within the building, with two flats provided on the lower ground floor, four flats on the ground floor, four flats on the first floor and two flats provided in the roof space on the second floor with dormer windows in the roof slope. The height of the building from the front will be 9.6m whereas the height of the building from the rear will be a maximum of 12.5m. The materials of the building are to be brick and render with concrete tiles.
- 1.4 To the west is a three storey Nursing Home, to the north and east are two storey houses and to the southeast public open space. To the south is a business park. The site is overgrown, and covered by grass, self-set trees and shrubbery and the site slopes down towards the business park.
- 1.5 Policy H5 on infilling states that new housing development is acceptable where it does not result in the loss of significant open space, impinge upon the Green Space Network, detract from the residential character of the area or detrimentally affect the amenities of adjacent residents.
- 1.6 Although sited on what is currently an area of open land, it is not significant in terms of either area or amenity value. It is overgrown and unmanaged and the area of public open space to the east has not been developed and is unlikely to be in the near future. The site is however used as a footpath link to the housing to the east, and the proposal would not prevent this from continuing.
- 1.7 In terms of the amenity of adjacent residents although there are windows on the adjacent nursing home, none are, however, bedroom windows. The rooms are mainly used for laundry rooms, hairdressing, stores, dining room etc. There will be no loss of light or loss of privacy issues to the occupiers of the private dwellings on Albert Davie Drive either, which are effectively side on to the development.
- 1.8 In regard to parking on site, the proposal meets parking standards with a total of 18 parking spaces being provided for 12 apartments, 8 spaces directly in front and 10 opposite the site adjacent to the parking for the nursing home. In regard to the objection received, the applicant has shown on plans that five additional parking spaces are to be constructed on the Nursing Home grounds to compensate for the three spaces incorporated in the scheme for the flats and a condition has been recommended to ensure these spaces are implemented prior to commencement of the development.
- 1.9 The applicant will be required to enter into a Section 106 Agreement, to provide off site contribution funds which will be used to upgrade public open

space in the locality. Landscaping is to be provided on site with some further landscape details required and details of boundary treatment.

1.10 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.

1.11 Conclusion

In conclusion, it is considered that the site can be developed without adversely affecting the neighbouring properties or the character of the area and as such, is acceptable. The proposed development accords with Council policy and guidelines and therefore, subject to a s106 agreement for contributions towards public open space, approval is recommended.

EXTERNAL CONSULTATIONS - CH/06/0223

Hednesford Town Council - The Council objects to the first floor rear windows on this application as they will result in the loss of amenity to existing residents in Bradbury Court

INTERNAL COMMENTS

None

RESPONSE TO PUBLICITY

Adjacent occupiers notified with no letters of objection received.

OBSERVATIONS

- 1.1 The applicant seeks consent for a single storey extension to rear and to raise the height of the roof incorporating three dormers to the rear to provide habitable accommodation within the roof and to construct a new pitched roof to the side over the existing garage at 208 Mount Street, Hednesford.
- 1.2 The single storey rear extension will be in line with the existing single storey rear extension, being 6.2m in width and 3.9m in length accommodating an en suite and dressing room for an existing bedroom. The new roof will extend over the proposed rear extension changing from a hipped roof to a gable end roof with half hips. The roof will increase in height by approximately 1.8m with three dormers proposed in the rear to accommodate two bedrooms and a bathroom in the loft. Pitched roofs are proposed over the existing flat roof garage to the side, making the side extension 4.8m in height.
- 1.3 The extensions proposed have been designed so as to meet council design guidance with the rear dormers being over the 10m distance required from the boundary to protect privacy to neighbouring properties. The distance in this case is approximately 16m at the closest point to the rear boundary and therefore it is considered the impact on any loss of amenity to existing residents in Bradbury Court, as raised by the objection, will not be significant.
- 1.4 The neighbouring properties of 210 and 204 Mount Street are two storey properties whereas no.208 is a bungalow and the rear extension proposed meets daylight standards to the neighbouring property. The neighbouring property of 204 Mount Street has a side kitchen window that directly faces the existing garage of 208 Mount Street but it is considered that the proposed alterations will not have a detrimental impact on this window with the eaves height of the garage lowered as a result of the works and the roof slopes away from the neighbouring property.
- 1.5 It is not considered that the extensions and alterations will reduce amenity to the neighbouring properties to any significant degree, being designed to be in

keeping with the scale and character of the property and therefore approval is recommended.

1.6 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.

1.7 Conclusion

In conclusion, it is considered that the proposal will not have an adverse affect on the neighbouring properties or the character of the area and as such, is acceptable

REPONSES TO PUBLICITY:- CH/06/0226

Neighbour consultations - 1 e-mail received objecting to loss of outlook and amenity.

OBSERVATIONS:-

- 1.1 The application refers to a detached property off a cul-de-sac accessed off Wimblebury Road and subjacent to Littleworth Road. The rear of the property looks out on to Littleworth Road at first floor level. There are similar properties either side of the site. There are no properties along that part of Littleworth Road which overlook the site. The property has been previously extended with a 3m x 3m conservatory to the rear, and the garage has been converted to living accommodation. The front garden is principally brick paved and provides parking for 4 vehicles. The rear garden is level having been excavated and a retaining wall built.
- 1.2 The application seeks retrospective consent for the wall which is to replace the original 1.8m high wooden fence, and the erection of a garden room, proposed to be the full width of the garden and 4m in height to the top of the mono pitch glazed roof, and otherwise of brick construction. Two windows and a double door are proposed looking directly onto the existing dwelling.
- 1.3 With regard to the objections raised, the level of the garden has been lowered considerably, accordingly the building would not show above the fences along the side boundaries with adjacent properties, as the original fence heights are retained and follow the sloping levels in the gardens of the adjacent properties, and the room would not be visible from the ground floor windows of these properties.
- 1.4 The room would be visible from Littleworth Road travelling in a westerly direction for a short distance after the traffic lights at its junction with Wimblebury Road, however, the impact would be minimal. There exist two substantial detached double garages with pitched roofs 3 houses away from the application site which are more visible than the garden room will be. It is not considered therefore that the objections can be sustained.

1.5 Human Rights Implications

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.

1.6 Conclusions

The proposed room will, due to the reduction of the levels of the rear garden, be relatively unobtrusive and will not cause an unacceptable loss of amenity to neighbouring properties, nor if viewed from Littleworth Road, and does not conflict with relevant policies. The wall is built of brick to match the existing

dwelling and replaces a similar sized fence. This does not have any impact on the amenity of the site or the surrounding area and there are no highway implications. Approval is recommended.

EXTERNAL CONSULTATIONS CH/06/0229

HEDNESFORD TOWN COUNCIL:

The Council's objections to the original application still stand on the resubmission.

Comment on the original application – “The Council has concerns that the proposed extension is forward of the building line and extends up to the boundary with implications for maintenance. Otherwise it has no objections subject to sufficient car parking availability.”

STAFFORDSHIRE COUNTY COUNCIL HIGHWAYS:

Recommend refusal as three car parking spaces indicated on the drawing cannot be accommodated in the space available.

RESPONSES TO PUBLICITY

No responses received to date.

HISTORY:

CH/06/0067 Two-storey side extension refused on the grounds of lack of parking provision – 24.03.06.

OBSERVATIONS

- 1.1 The application seeks consent for the creation of a dining and kitchen room at ground floor with a bathroom extension and new bedroom added above. The proposal will extend to the common boundary with 162 Bond Way. The proposal will be set down and back from the front elevation and remain a subordinate feature to the main unit and match the architectural style of it.
- 1.2 Site comprises a semi-detached unit located in an area of existing residential development where two-storey semi-detached units predominate.
- 1.3 The main issue is whether the proposed extension represents an appropriate form of development in the present location when one considers the proximity of adjoining properties. The proposed extension must therefore satisfy criteria laid out for extensions in Policy B8 (Design Principles of New Development) of the Local Plan, and Supplementary Planning Guidance in respect of residential extensions.
- 1.4 With regard to policy B8 the proposal does satisfy criteria stated as the proposal will not adversely affect the existing amenities of adjoining occupiers by reducing light into adjoining properties or reduce levels of privacy in the locality.

- 1.5 The scale of the proposal would not lead to an unwelcome cramping effect within this part of the street scene or lead to an overbearing extension in relation to adjoining properties and as a consequence the proposal represents acceptable development within an existing residential area.
- 1.6 However with regard to the parking provision on site the unit is required to provide two spaces but with the extension using up the existing parking area only one was originally proposed leading to the earlier refusal. The revised proposal is now acceptable in terms of highway safety as it has been adequately demonstrated that two cars could be parked within the site curtilage, although the objection from Staffordshire County Council stems from the applicants drawings stating three cars can be accommodated within the site curtilage. In terms of their guidance regarding parking dimensions this cannot be achieved but two can hence the recommendation for approval as two spaces are all that is required under the District Council's own Supplementary Planning Guidance in respect of parking standards.

1.7 Human Rights Act Implications

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve the application aims to secure the proper planning of the area in the public interest. The potential interference with rights under Article 8 and Article 1 of the First Protocol has been considered and the recommendation is considered to strike an appropriate balance between the interests of the applicant and neighbouring property and therefore be proportionate.

1.8 Conclusion

Approval is recommended.

EXTERNAL CONSULTATIONS – CH/06/0230

Heath Hayes & Wimblebury Parish Council – No response at time of writing

INTERNAL CONSULTATIONS

Landscape – No response at time of writing

RESPONSE TO PUBLICITY

Near neighbours notified – One letter of objections received, regarding loss of visual amenity and questioning the ownership of the land to be enclosed.

HISTORY

CH/93/0167 – First floor extension over existing garage and single storey extension to side of dwelling, approved 19/05/1993.

OBSERVATIONS

- 1.1 The applicant seeks consent for the demolition of an existing boundary wall and replacement fence at 57 Meadow Way, Heath Hayes. The property is a previously extended modern detached dwelling lying on a residential estate in which other properties are of different designs.
- 1.2 The proposal will see the demolition of an existing boundary wall situated to the northern edge of the rear garden area and new 2 metre high fenced boundary, extending the properties rear amenity space outwards by 3.5 metres. The newly erected fencing will be 3 metres from back of kerb with a proposed Beech hedge to the front grown to fence height, an existing hedge to back of kerb will remain.
- 1.3 In relation to the objection received regarding loss of visual amenity and ownership of the land. The proposed fencing will be situated 24 metres in distance to the opposite side of the road to the property owned by the objector. An existing hedge is situated between the applicant property and objector's property, which will remain. The applicant has signed a certificate confirming that the land enclosed is in their ownership. Therefore they could enclose this land with a 1m high fence without requiring planning permission. It is considered that the proposal does not significantly adversely affect the visual amenity to neighbouring properties, therefore approval is recommended subject to the above conditions.
- 1.4 Human Rights

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

It is considered that the fence will not have a significant detrimental impact on neighbouring properties amenity or the character of the street scene.