

**Cannock Chase District Council**

**Planning Control Committee**

**20<sup>th</sup> April 2022**

**Officer Update Sheet**

**Application No:** CH/21/0402

**Received:** 17-Sep-2021

**Location:** Cannock Chase Forest Centre, Rugeley, Birches Valley, WS15 2UP

**Parish:** Brindley Heath Parish Council

**Ward:** Etching Hill and The Heath

**Description** Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing

**Additional Comments Received from Brindley Heath Parish Council**

Following compilation of the agenda a representation has been received from Brindley Heath Parish Council stating: -

Thank you for your letter dated 9 March 2022 inviting Brindley Heath Parish Council to make further observations on the above planning application.

The Parish Council has raised the following road safety concerns in respect of the newly created access point from the temporary car park at Four Oaks Farm to the Commonwealth Games event area (via Shooting Butts Road):

- The access is on to a fast national speed limit road (Shooting Butts Road).
- The access is very close – approximately three metres – from the junction with Penkridge Bank Road.
- Blind turning for vehicles into Shooting Butts Road from Penkridge Bank Road, to the new entrance.
- There are no pedestrian walkways or pathways on Penkridge Bank Road or Shooting Butts Road, providing safe passage to the Birches Valley event site.

The Parish Council would like to ask the following questions:

- Has the County Highways Department conducted a risk assessment on pedestrian safety?
  - Has the County Highways Department conducted a live experience (feet on the ground) assessment of the access (to and from the new entrance) or has a theoretical assessment been done?
  - What are the physical marshalling plans in place for both pedestrians and vehicles on all days that the parking facility is being used?
  - How many days will the new entrance be used and what are the start and finish dates?
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**Application No:** CH/20/0381

**Received:** 26-Oct-2020

**Location:** Land used as a pony paddock, field to the north of Rawnsley Road, Cannock

**Parish:** Non-Parish Area

**Description:** Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure.

### **Amendment to the Wording of the Recommendation**

Following discussions with Legal and Strategic Housing Officer the recommendation has been amended as follows: -

It is recommended that the application be Approved subject to the conditions and informtives set out below and the completion of a Section 106 agreement to secure:

- (i) A contribution towards the mitigation of recreational pressures on Cannock Chase for that part of the scheme over and above the 20% affordable housing required under policy, equating to (48 dwellings x £290.58 per dwelling) £13,947.48.
- (ii) A contribution of £20,000 towards towards “Local Nature/ Recreation Projects in mitigation of impacts on Hednesford Hills SSSI to be paid on the completion of the 1<sup>st</sup> dwelling.
- (iii) To provide an 100% affordable housing scheme subject to the Council’s standard provisions.
- (iv) An obligation to provide each household on the first occupation of a unit annual membership to the Cannock Chase Birch Valley Forest Centre (at a total cost of £3600 for the 60 homes).

## **Additional Letters of Objection**

Following the publication of the Agenda 2 additional letters of objection have been received. These state:

1. These comments are in addition to the comments previously made.

### **Response to the amendments to the above application**

There seems to be too many instances where issues might, or might not, be resolved after a more detailed design process.

### **Road Safety**

The foot paths along Rawnsley Road are narrow and while cutting back some of the undergrowth could add to the width no significant improvement can be made without impacting on the hedgerow.

Beyond the junction of Rawnsley Road with Rugeley Road there is only a foot path on one side of the road, which is also narrow.

Along Rugeley Road, a short distance from its junction with Rawnsley Road there is no foot paths on either side of the road.

The access to the new estate would be half way down a steep hill. The widening of the proposed junction will do little to improve the visibility into that junction for the residents living in close proximity to it. To manoeuvre a car onto Rawnsley Road is difficult enough now, the road is narrow and the traffic comes at speed.

The snowfall, on 27<sup>th</sup> November last year, saw Rawnsley Road littered with vehicles not able to get up the hill.

### **Flooding**

There are some areas north west of the site which are already subject to flooding. They are recognised as being medium to high risk. With surface water being directed away from the new development and into Bentley Brook to prevent flooding on the estate surely this will increase the risk elsewhere. Highways have already said that to this is unacceptable because of risk of flooding to the road.

Is the site sufficiently large enough to allow the soakaways to be placed 5m from the nearest building as recommended?

With the large number of soakaways and retaining walls required to make building here possible doesn't it prove the topography of the site is unsuitable for development?

It is not clear from the information given if piling will be used, this would be unsuitable in such a biologically sensitive area.

It seems the whole purpose of the exercise is to make it feasible to build, even if the properties are tiny and packed together. There seems to little or no consideration being given to the safety of the present residents.

2. As I mentioned I have grave concern with this application especially as it is my understanding that the application has now applied for all storm and surface water from the new development to flow into Bentley Brooke.

As I highlighted to you during our conversation, I am currently in dispute along with Beau Desert Golf Club about the current Culvert that was built by the council to divert water coming down stream as it is not sufficient to cope with the current water flow and is therefore causing major damage from flooding! Should you need further information on this dispute I would like to refer you to speak with the County Councils solicitor [name Redacted] , Interim Waste and Engineering Manager [Name Redacted] and [Names Redacted] of Stafford County Council as It looking very likely that is debate is heading to court.

Furthermore, as I briefly explained to you the previous works that were carried out by the council to control the flow of water coming down stream to prevent flooding has failed immensely and has caused considerable flooding and damage to my land at Bentley Brooke Stables. This has happened on numerous occasions. Therefore, if more water is to be diverted through the Brook from the proposed housing estate, I'm extremely concerned over the detrimental impact that this will have as the current culvert and Brooke cannot cope with present volume of water that flows! I appreciate and acknowledge that from your planning point of view that previous decisions made by the council cannot be taken into account but I am sure that you will find that within Case Law it very clearly states 'that if water is being discharged onto neighbouring land that the council has a responsibility'. Please correct me if I am wrong?! I would therefore once again propose to you that we arrange for a site meeting at my land so that I can show you in person the affect the Brooke has on my land and also show you video and photographic evidence the damage it has already caused.

Finally, I would like to request the opportunity to speak at the next meeting regarding the new development. If you could please inform me if this is possible and how I would arrange to do so I would be most grateful.

### **Officer Response**

Officers would respond that the issues of highway safety & capacity, and drainage & flood risk are addressed in the main body of the report and that the Highway Authority and the Lead Local Flood Authority have no objections to the proposal subject to conditions. As such these comments do not alter the officer recommendation to approve.

### **Amendments to the Schedule of Conditions**

Following comments from the applicant the draft conditions are amended as follows [amendments underlined]: -

5. Prior to the development being brought into use, the access road, parking and manoeuvring areas broadly indicated on the submitted Plan '32512-BGL-A1-XX-DR-A-1100-P-16 Proposed Site Plan', shall be completed and surfaced in a porous bound material, unless otherwise agreed with the local planning authority, which shall thereafter be retained for the life of the development.
15. The development hereby approved shall not be commenced until:

- i) Where the phase 1 report has identified potential contamination, an intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, water and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS/MCERTS accredited methods. The details of this investigation (including all technical data) shall be submitted to the Planning Authority, as a phase 2 report, for approval prior to any site demolition, remediation or construction works.
  - ii) Further site investigations shall be completed in accordance with the recommendations which are set out at section 12 of the Phase 1 and Phase 2 Site Appraisal report by GRM dated September 2019. The results of those further investigations shall be submitted to the Local Planning Authority.
  - iii) If during remediation works, any contamination is identified that has not been considered within the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to this Department for written approval. Any approved proposals shall thereafter, form part of the Remediation Method Statement.
  - iv) The development shall not be occupied until a validation/ phase 3 report has been submitted to and approved in writing by the Local Planning Authority. A Validation Report shall confirm that all remedial works have been completed and validated in accordance with the approved Remediation Method Statement.
22. No part of the development hereby approved shall commence until the tree and hedgerow protection fencing has been erected in accordance with the specification and locations which are set out in the Focus Environmental Arboricultural Survey and Impact Assessment dated October 2020.

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

26. The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy including the Levels & Drainage Concept - Drawing Ref AAC5537 RPS XX XX DR C 601 P09. (04/02/2022). Thereafter, the drainage scheme shall be retained and maintained in accordance with section 7.7 of the Flood Risk Assessment and Drainage Strategy (Maintenance and Adoption) by RPS group.
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**Application No:** CH/21/0434

**Received:** 10 November 2021

**Location:** 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock

**Parish:** Hednesford CP

**Ward:** Hednesford Green Heath

**Description:** Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues.

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