

Application No: CH/06/0619 Received: 07-Sep-2006
Location: Hawthorne House, Ironstone Road, Rawnsley
Description: Single storey extension to front and walk-in bay to side.
Application Type: Full Planning Application
RECOMMENDATION Refuse for the following reason:-

1.The addition of further extensions to an already extended property would be visually detrimental to the character and appearance of the dwelling and the openness of this part of the Green Belt. Accordingly, the proposal is contrary to Policy C2 of the Adopted Cannock Chase Local Plan 1997.

RESPONSE TO PUBLICITY

Near neighbours notified and no responses received.

PLANNING HISTORY

339/77 – New septic tank and drainage system. Approved 18.8.77. (Delegated).

CH86/222 – Extensions and alterations. Approved. 4.6.86. (Delegated).

CH/88/655 – Conversion of garage into granny flat. Approved. 19.11.93
(Delegated).

CH/93/0536 – Renewal of permission CH/88/655. Approved. 14.11.88. (Delegated).

OBSERVATIONS

1.1This detailed application seeks planning permission for the erection of a single storey pitched roof kitchen extension measuring 4.2m wide x 3.6m long x 4m high to its ridge and a single storey tiled roof bay window lounge extension measuring 1.8m long x 3m wide x 3.6m high to the ridge at Hawthorn House, Ironstone Road, Rawnsley, Staffs.

1.2The original submission has been amended by reducing the proposed kitchen extension by 0.6m in length so that it no longer impinges on the kitchen window to the new extension currently under construction at Hawthorn Cottage adjoining.

1.3The application site is within the Green Belt. Policy C2 of the Local Plan confirms that proposals for residential development in the Green Belt in the form of extensions to a dwelling will not be permitted unless the ground floor area of that proposed extension does not exceed that of the original property by more than 50%.

1.4The original modest dwelling has had the benefit of previous extensions. The original dwelling had a floorspace of 49 square metres. The previous extensions in 1986, added a further 53 square metres. The extensions now proposed will add a further 20 square metres, giving a combined total of 122 square metres.

1.5Although the extensions proposed are small-scale in their nature, they will effectively increase the floorspace of the original dwelling by 150%.

1.6The previous large –scale extensions to the property were originally approved in 1986, some 20 years ago. The consideration of proposals in policy terms has hardened over the course of time and your officers take the view that the cumulative 150% increase in floorspace is now unacceptable and will have a detrimental impact on the character and appearance of the Green Belt in this particular location.

1.7 HUMAN RIGHTS ACT

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to refuse the application accords with the adopted policies in the Development Plan and the applicant has the right of appeal against this decision.

1.8 CONCLUSIONS

The proposal is contrary to adopted planning policy guidance and the recommendation is one of refusal.

Application No: CH/06/0622 Received: 11-Sep-2006

Location: Unit 2 Keys Point, Lower Keys Business Park, Keys Park Road, Hednesford.

Description: Change of use from light industrial (B1) and storage and distribution (B8) to health and fitness facility (D2)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLE4: Parking and Manoeuvring

DPLPE5: Outside Storage

SPD1: Car parking standards.

1.B2 Standard Time Limit

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

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

3.H1 Hours Restriction

4.H4 External Storage

5.No sound amplifying equipment which would produce noise outside the premises shall be used without the consent in writing of the Local Planning Authority.

Reason: To protect the amenities of adjoining development and to comply with Policy B8 of the Adopted Local Plan.

6.The premises shall be used for a health and fitness facility and for no other purpose including any other purpose in Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In order to restrict the use of the premises in the interests of the amenities of the area to comply with policy B8 of the Adopted Local Plan.

7. The car parking arrangements to serve the unit shall be retained and maintained for their designated use at all times.

Reason: In the interests of traffic safety and to comply with the requirements of Policy T16 of the Adopted Staffordshire and Stoke-on-Trent Structure Plan.

EXTERNAL CONSULTATIONS

Hednesford Town Council has no objections to the proposals.

Staffordshire County Council Highway Engineer has no objections to the proposals.

INTERNAL COMMENTS

The Environmental Health Officer has no objections subject to conditions.

The Economic Development Officer has no objections to the proposals.

RESPONSE TO PUBLICITY

Near neighbours notified and a site notice posted. The proposal has generated two letters of objection from the occupants of neighbouring units. The grounds of objection are as follows:

1. The submitted information is inaccurate in terms of car parking provision for the estimated number of users;
2. There is a potential for increased traffic danger;
3. Health and safety users of the new facility and fork lift trucks/HGV etc;
4. Security issues if public access allowed on a private industrial estate, and
5. The units were built for industrial purposes only.

The proposal has also generated two letters of support from the occupants of neighbouring units.

HISTORY

CH/95/0436 – Distributor road/estate road construction. Approved 29.11.95. (Committee).

CH/96/0410 – Reclamation of former brickworks to include roads, drainage to commercial development. Approved 13.11.96. (Committee).

CH/97/0481 – Commercial buildings, roads and car parking. Approved 27.11.97. (Committee).

CH/04/0235 – Industrial units. Approved 12.5.04. (Committee).

CH/06/0241 – Variation of Condition 7 of planning permission CH/04/0235 relating to hours of operation. (Unit 3). Approved 10.5.06. (Committee).

OBSERVATIONS

1.1 This detailed application seeks permission to change the use of an existing industrial unit (B1 and B8) to a health and fitness facility (D2) at Unit 2, Lower Keys Business Park, Hednesford.

1.2 In support of the proposal, the applicants have confirmed that the premises will be used for a weight loss and exercise programme, with no external changes proposed. It is proposed to only use half of the available floorspace within the Unit i.e. 162.5 square metres for the facility, with the other half being used for storage purposes under the permitted use if so required.

1.3 The applicants envisage that the use will be 'low-key' with only eight pieces of equipment being used within the facility and that the facility works on the basis of a 30 minute exercise programme with no weights, treadmills or amplified music usually associated with traditional health clubs.

1.4 The Unit has the benefit of 12no. designated car parking spaces with the potential for an additional 2 spaces to be formed if so required.. The applicants also envisage that a number of people will cycle or use public transport (there is a bus stop opposite the site entrance), to visit the premises as this will be included into participants exercise programmes. The facility will employ 2no. full-time and 4no. part-time staff.

1.5 Occupants of other users within the industrial estate have cited parking and vehicle manoeuvring problems as the main concerns. In this respect, both the Council's Adopted Car parking standards and Planning Policy Guidance Note 13: Transport, recommends (as a maximum) that 1 car parking space should be available for each 20-25 square metres of floorspace for leisure facilities plus 1 space for every two full-time staff members and 1 space per 25 square metres of floorspace for storage/distribution purposes. This equates to 14no. car parking spaces, which is a shortfall of 2no. car parking spaces.

1.6 Whilst the concerns have been noted, it is considered that the proposed development will not have an adverse impact on the overall parking provision within the industrial estate, particularly given the type and nature of the facility proposed and the availability of public transport facilities in the locality.

1.7 The applicant has also provided supplementary information to demonstrate that there is a surplus of industrial and commercial premises available for rent/lease within the locality and the proposed change of use will not have an adverse impact on this employment sector.

1.8 HUMAN RIGHTS ACT

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 application and neighbouring property and is therefore proportionate.

1.9 CONCLUSIONS

The proposed development is acceptable and will not adversely impact on the character and appearance of the locality. Accordingly, the proposal is in compliance with the relevant policy context.

Location: Unit 2 Keys Point, Lower Keys Business Park, Keys Park Road, Hednesford.

Description: Change of use from light industrial (B1) and storage and distribution (B8) to health and fitness facility (D2)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLE4: Parking and Manoeuvring

DPLPE5: Outside Storage

SPD1: Car parking standards.

1. B2 Standard Time Limit

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

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

3.H1 Hours Restriction

4.H4 External Storage

5.No sound amplifying equipment which would produce noise outside the premises shall be used without the consent in writing of the Local Planning Authority.

Reason: To protect the amenities of adjoining development and to comply with Policy B8 of the Adopted Local Plan.

6.The premises shall be used for a health and fitness facility and for no other purpose including any other purpose in Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In order to restrict the use of the premises in the interests of the amenities of the area to comply with policy B8 of the Adopted Local Plan.

7.The car parking arrangements to serve the unit shall be retained and maintained for their designated use at all times.

Reason: In the interests of traffic safety and to comply with the requirements of Policy T16 of the Adopted Staffordshire and Stoke-on-Trent Structure Plan.

EXTERNAL CONSULTATIONS

Hednesford Town Council has no objections to the proposals.

Staffordshire County Council Highway Engineer has no objections to the proposals.

INTERNAL COMMENTS

The Environmental Health Officer has no objections subject to conditions.

The Economic Development Officer has no objections to the proposals.

RESPONSE TO PUBLICITY

Near neighbours notified and a site notice posted. The proposal has generated two letters of objection from the occupants of neighbouring units. The grounds of objection are as follows:

1. The submitted information is inaccurate in terms of car parking provision for the estimated number of users;
2. There is a potential for increased traffic danger;
3. Health and safety users of the new facility and fork lift trucks/HGV etc;
4. Security issues if public access allowed on a private industrial estate, and
5. The units were built for industrial purposes only.

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HISTORY

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CH/97/0481 – Commercial buildings, roads and car parking. Approved 27.11.97. (Committee).

CH/04/0235 – Industrial units. Approved 12.5.04. (Committee).

CH/06/0241 – Variation of Condition 7 of planning permission CH/04/0235 relating to hours of operation. (Unit 3). Approved 10.5.06. (Committee).

OBSERVATIONS

1.1 This detailed application seeks permission to change the use of an existing industrial unit (B1 and B8) to a health and fitness facility (D2) at Unit 2, Lower Keys Business Park, Hednesford.

1.2 In support of the proposal, the applicants have confirmed that the premises will be used for a weight loss and exercise programme, with no external changes proposed. It is proposed to only use half of the available floorspace within the Unit i.e. 162.5 square metres for the facility, with the other half being used for storage purposes under the permitted use if so required.

1.3 The applicants envisage that the use will be 'low-key' with only eight pieces of equipment being used within the facility and that the facility works on the basis of a 30 minute exercise programme with no weights, treadmills or amplified music usually associated with traditional health clubs.

1.4 The Unit has the benefit of 12no. designated car parking spaces with the potential for an additional 2 spaces to be formed if so required.. The applicants also envisage that a number of people will cycle or use public transport (there is a bus stop opposite the site entrance), to visit the premises as this will be included into participants exercise programmes. The facility will employ 2no. full-time and 4no. part-time staff.

1.5 Occupants of other users within the industrial estate have cited parking and vehicle manoeuvring problems as the main concerns. In this respect, both the Council's Adopted Car parking standards and Planning Policy Guidance Note 13: Transport, recommends (as a maximum) that 1 car parking space should be available for each 20-25 square metres of floorspace for leisure facilities plus 1 space for every two full-time staff members and 1 space per 25 square metres of floorspace

for storage/distribution purposes. This equates to 14no. car parking spaces, which is a shortfall of 2no. car parking spaces.

1.6 Whilst the concerns have been noted, it is considered that the proposed development will not have an adverse impact on the overall parking provision within the industrial estate, particularly given the type and nature of the facility proposed and the availability of public transport facilities in the locality.

1.7 The applicant has also provided supplementary information to demonstrate that there is a surplus of industrial and commercial premises available for rent/lease within the locality and the proposed change of use will not have an adverse impact on this employment sector.

1.8 HUMAN RIGHTS ACT

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 application and neighbouring property and is therefore proportionate.

1.9 CONCLUSIONS

The proposed development is acceptable and will not adversely impact on the character and appearance of the locality. Accordingly, the proposal is in compliance with the relevant policy context.

Application No: CH/06/0095 Received: 13-Feb-2006

Location: Land west of Hednesford Town Football Club & South of Keys Park Road, Hednesford

Description: Residential development, provision of new habitat and landscaping (outline) - Construction of replacement car parking

Application Type: Outline Planning APP

RECOMMENDATION S 106, Then Approval with Conditions

Reasons for the Grant of Permission

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

The applicant's attention is drawn to the requirements of Section 7 of the Staffordshire Act 1983 and Section 38 of the Highways Act 1990.

DPLB8: Design Principles of New Built Development

DPLC10: Protection of Other Sites of Nature Conservancy and Ecological Importance

DPLC12: Ecological Assessments and Mitigating Action

DPLC13: Safeguarding of Protecting Species

DPLC15: Protecting Trees

DPLH4: New Housing -Open Space.

DPLPEP1: Water Pollution Prevention

DPLPEP4: Reclamation of Derelict Land

SPD1: Car parking standards.

1. A1 Time Limit -Outline Permission

2. No part of the development hereby permitted shall be commenced until approval of the details of layout, scale, appearance and landscaping (including implementation and maintenance periods) of the site ('the reserved matters') has been obtained from the Local Planning Authority.

Reason: The permission is in principle only and does not authorise development to commence until all the 'reserved matters' have been approved.

3. The development shall be carried out strictly in accordance with the deposited plans and drawings as amended by the revised plan drawing no.s GLA-205-001 Rev I date stamped received on 30th August 2006 and P365/401D date stamped received 31st August 2006.

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

4. Prior to the commencement of any development, a scheme for the provision and implementation of surface water limitation shall be submitted to and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed in accordance with the plans and timetable approved by the Local Planning Authority.

Reason: To prevent the increased risk of flooding in accordance with Planning Policy Guidance Note 25: Development and Flood Risk and to comply with the requirements of Policy PEP1 of the Adopted Local Plan.

5. No development approved by this permission shall be commenced until the application site has been subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved by the Local Planning Authority. The site investigation should be designed using the information obtained from the desktop study, investigation works previously undertaken and the conceptual site model. The investigation must be comprehensive enough to enable:

- a) A risk assessment to be undertaken relating to groundwater and surface waters that may be affected by contamination.
- b) The refinement of the conceptual model.
- c) The development of a method statement detailing the remediation requirements.

Reason: To prevent pollution of controlled waters and to comply with the requirements of policy PEP1 of the Adopted Local Plan.

6. If contamination is identified within the soils/groundwaters during site investigation works, a Quantitative Risk Assessment shall be undertaken based on a conceptual understanding of the site conditions to derive Site Specific Remedial Targets for soils/groundwaters. The Quantitative Risk Assessments and Site Specific Remedial Targets shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency prior to the commencement of on-site remedial works.

Reason: To prevent pollution of controlled waters.

7. If remediation works are required, a Remediation Method Statement shall be prepared detailing the remediation objectives, how the remediation works will be undertaken and the validation procedures. The Remediation Method Statement shall be submitted to and approved in writing by the Local Planning Authority in

consultation with the Environment Agency prior to the commencement of on-site remediation works.

Reason: To ensure the satisfactory remediation of land impacted by contamination.

8. If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority), shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with the approved details in the interests of protection of Controlled Waters.

9. Upon completion of the remediation detailed in the Method Statement, a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

Reason: To protect controlled waters by ensuring that the remediated site has been reclaimed to an appropriate standards.

10. Nothing other than uncontaminated excavated natural materials shall be deposited on the site.

Reason: To prevent pollution of controlled waters.

11. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent pollution of the water environment and to comply with the requirements of Policy PEP1 of the Adopted Local Plan.

12. Details shall be submitted for the approval of the Local Planning Authority in consultation with the Highway Authority indicating:

- a) means of access including the provision of appropriate visibility splays;
- b) layout and disposition of buildings and provision of adequate parking and turning facilities within the site curtilage;
- c) a satisfactory means of draining all potentially adoptable roads to a suitable outfall.

Reason: In the interests of highway safety and to comply with the requirements of Policy T18A of the Adopted Staffordshire and Stoke on Trent Structure Plan.

13. Before the proposed development commences, a car park layout for the Football Club shall be completed as per the details indicated on Drawing No. P365/401 Rev D.

Reason: In the interests of highway safety and to comply with the requirements of Policy T16 of the Adopted Staffordshire and Stoke on Trent Structure Plan.

14. Before the proposed development commences, a Stage 1 Safety Audit with regards to the car park layout for the Football Club shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to comply with the requirements of Policy T18A of the Adopted Staffordshire and Stoke on Trent Structure Plan.

15. Before the proposed development commences, details of the proposed off-site highway works shall be submitted to and approved in writing by the Local Planning Authority.

In the interests of highway safety and to comply with the requirements of Policy T18A of the Adopted Staffordshire and Stoke on Trent Structure Plan.

EXTERNAL CONSULTATIONS

Hednesford Town Council has concerns about the application regarding the infrastructure required for such a development. There is already a shortage of schools, nurseries and doctors in the area and this will be exacerbated by the influx of so many people.

Heath Hayes and Wimblebury Parish Council objects to the proposal because it is unsustainable. The infrastructure in the area cannot cope with the existing demand for services and facilities and in particular, the education provision at both primary and secondary level is not capable of satisfying the existing demand. It was not considered a sensible course of action to increase the demand whilst the schools are reducing their capacities. It was also agreed to query whether the land was suitable for such a use and also, if there are any adverse geological conditions that would affect building.

Staffordshire County Council Highway Engineer has no objections subject to conditions.

Staffordshire County Council Property Service has requested a financial contribution of £140.233 towards primary provision in the area.

Staffordshire Police Architectural Liaison Officer has objected to the proposals given the location of the football ground in close proximity to residential property and the potential for increased traffic congestion and the effect on the amenities of the adjoining residents.

English Nature has confirmed that any concerns about the mitigation measures for the protected species on site can be secured by way of a legal agreement.

South Staffordshire Water has no objections

The Environment Agency has no objections subject to conditions.

INTERNAL COMMENTS

The Strategic Housing Manager has no objections to the negotiated level of affordable housing provision on site.

The Council's Ecologist indicates that the development encroaches into the Hednesford Brickworks site of Biological Importance (SBI), which was designated in 2005 due primarily to its importance for amphibians. The site supports amphibian populations of local and county importance. In addition to the commoner amphibian species, greater crested newts are present which are fully protected by the Wildlife and Countryside Act. The terrestrial habitat used by the great crested newt is likely to extend at least 500 metres from the pond. The SBI boundary should not therefore be considered to be the limits of the area used. The proposal as originally submitted,

would have had a negative impact on the SBI due to the loss of habitat including areas described in the Environmental Impact Assessment as being of prime importance for great crested newts and other amphibians. The reduction in the size of the development and the revised mitigation proposals are now considered to be acceptable.

The Environmental Health Officer has no objections

RESPONSE TO PUBLICITY

Near neighbours notified, a site notice posted and an advertisement placed in the local newspaper. The proposal has generated a total of 16 letters of objection. The grounds of objection relate to the following issues:

1. Effect on safety and security of adjoining residential properties;
2. Increased public noise, nuisance, disturbance and litter;
3. Effect on natural habitats;
4. Effect on character and appearance of the area;
5. Traffic concerns with additional parking provision.

HISTORY

CH/90/0534 – Football Ground. Approved. 21.11.90. (Committee).
CH/91/0275 – Facilities for football ground. Approved. 10.7.91. (Delegated).
CH/94/0174 – Facilities for football ground. Approved 7.9.94. (Committee).
CH/94/0670 – Facilities for football ground. Approved. 1.2.95. (Committee).
CH/96/0031 – Landscaping. Approved. 21.2.96. (Committee).
CH/96/0088 – Football club improvements. Approved 3.4.96. (Committee).
CH/02/0460 – Change of use of car park to car boot/markets. Approved 29.6.02. (Committee).
CH/03/0247 – Variation of market operation condition. Refused. 14.5.03. (Committee).
CH/03/0269 – Variation of market operation condition. Refused. 14.5.03. (Committee).
CH/03/0356 – Industrial Development. Withdrawn. 12.8.03.
CH/04/0783 – Residential Development. Withdrawn. 30.12.04.

OBSERVATIONS

1.1 This application seeks permission in outline (including means of access) for new residential development on 1.95 hectares of land and the provision of new habitats and landscaping on a total land area of 6.8 hectares on land adjoining Hednesford Town Football Club, Keys Park, Hednesford, Staffs.

1.2 The application seeks to reserve all matters with the exception of access. The submission has however, been accompanied by a significant amount of technical work in order for your officers to make a proper assessment of the relevant issues.

1.3 Landscaping is proposed within the application site. An illustrative plan has also been provided indicating the provision of two separate car parking areas comprising 391 car parking spaces in total. These spaces are for use by spectators to the football club and for players and members of the club.

1.4 The site is unallocated on the Local Plan Proposals Map. However, it is a brownfield site within the urban area and identified in the Cannock Chase Urban Capacity Study 2005 as having development potential for industrial or commercial development. There is also a need to maximise use of brownfield sites to meet

targets for residential development and the land is considered to be equally appropriate for this use. Therefore in policy terms, the proposed development is considered to be acceptable.

1.5 The area of proposed residential development has been reduced from 2.7 hectares to the current site area of 1.95 hectares and this has resulted in better arrangements for the proposed habitat and landscaping areas. The likely capacity of the site on current recommended densities would be 80-90 dwellings.

1.6 Your officers in conjunction with English Nature, are now satisfied that the ecological mitigation arrangements discussed with the applicants have overcome the initial concerns about the effect of the development on this important Site of Biological Importance.

1.7 The principles of the submitted landscape strategy have also been agreed although the provision of useable public open space needs to form part of the Section 106 Agreement which will also cover access and management issues.

1.8 The County Highway Engineer is now satisfied that the initial highway concerns have been overcome. The level of car parking provision retained for the football club now complies national and local policy guidance and is acceptable. As a great deal of work has been undertaken on this issue, the applicants have confirmed that they do not now wish access to be a reserved matter.

1.9 The County Education Officer has requested a contribution of £140,000 towards education provision in the locality. The applicants are currently in discussion with the County to ascertain the validity of the figures produced, with a view to reducing the level of contribution required. Members will be updated verbally at the meeting.

1.10 Given the previous use of the site i.e brickworks, the costs of reclamation and infrastructure works is high. (£955,563), coupled with additional transport costs of £170,000 and £390,000 for essential on-site ecological issues. As a consequence of this, the applicant has a reduced budget to put to the items required by the Section 106 Agreement, hence the involvement in further discussions with the County Education Officer.

1.11 Affordable housing is proposed to be dealt with as 25% of the total provision of which 66% would be low cost market and 33% social rented. There is currently an unresolved issue with the applicant on the definition of low cost market and a verbal explanation will be given at the meeting.

1.12 The views of the residents and both Parish and Town Council's have been carefully noted. In order to try and overcome the concerns raised, your officers have been in discussions with the applicant and the result has been the provision of better linkages, habitat provision and landscaping/ screening etc. In this respect, there have been no objections from the normal statutory consultees in relating to any perceived issues with infrastructure deficiencies. The County Education Officer has requested a sizeable contribution towards education provision within the area and the applicant has confirmed that the site can be reclaimed from its former use to residential development and has committed almost a million pounds towards the work that will need to be undertaken to provide the scheme.

1.13 The football club has been in existence for some time at this re-located site. The site has been identified within the recent Urban Capacity Study as a location for potential industrial or commercial development and your officers consider that the

residential use together with a larger area of landscaping/habitat creation is a compatible use for the adjoining residential area. Landscaped buffer zones have been created between the existing residential properties and the new development. An opportunity also arises to create a proper footpath link between the new development and Hill Street and whilst some residents and the Police have concerns about the potential for increased noise, nuisance and disturbance etc, it is important in sustainability terms that this link is created. Finally, the County Highway Engineer has confirmed that there are no objections on traffic grounds.

1.14 HUMAN RIGHTS ACT

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 is therefore proportionate.

1.1 CONCLUSIONS

The site is previously developed land within the urban area, which can meet the need in accommodating the housing development and reduce the requirement to consider Greenfield development.

Following lengthy negotiations with the applicants, your officers consider that the proposed development can be recommended for approval subject to the satisfactory completion of a Section 106 Agreement to cover the ecological mitigation measures, affordable housing provision, education provision and public open space access and maintenance arrangements.

Application No: CH/06/0551 Received: 01-Aug-2006

Location: Land rear of, 101, Gorsemoor Road, Heath Hayes

Description: Residential development - One dwelling (Outline including siting and access)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLC15: Protecting Trees

DPLDCP6: Space about Dwellings

SPD1: Car parking standards.

SPG1: Residential Extensions Design Guide

SPG2: Staffordshire Residential Design Guide

1. A1 Time Limit -Outline Permission

2. A5 Outline-siting & access

3. Before the proposed development is brought into use the parking layout at Lancaster House shown on plan 2530/03E shall be provided and marked out and thereafter retained for the life of the development.

Reason

To comply with the Staffordshire & Stoke-On-Trent Structure Plan (1996-2011) Policy T13:Local Roads in the interests of highway safety and the efficient use of the highway.

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

Reason

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

5. No trees or hedges shown as retained on Dwg No 2530/03E shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed.

Any trees or hedges which, within a period of 5 years from completion of the development are cut down, topped, lopped or uprooted without permission of the Local Planning Authority or become seriously damaged or diseased or die shall be replaced in the next planting season with similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason

The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies B8 and C15.

6. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until details for tree and hedge protection have been submitted to and approved by the Local Planning Authority. Details shall include the position and construction of all fencing and the care and maintenance of the trees & hedges within.

Reason

The existing vegetation makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies B8 and C15.

7. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing * shall be erected in the positions shown on the approved Tree & Hedge Protection layout (* pursuant to Condition 6 above shall be erected to the approved layout)

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

Reason

To ensure the retention and protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies B8, and C15.

EXTERNAL CONSULTATIONS

STAFFS. COUNTY HIGHWAYS:No objections subject to conditions.

INTERNAL COMMENTS

PROPERTY SERVICES:Adjacent land site of Lancaster House sold by Council in past.

LANDSCAPE AND COUNTRYSIDE:No objection subject to conditions.

RESPONSE TO PUBLICITY

Site notice posted and adjacent occupiers notified. Letters of objection received from 2 neighbouring properties on the following grounds:-

1. New access will increase traffic flow on existing cul-de-sac where there are already parking problems and inconvenience.
2. Loss of privacy and outlook at rear of objector's property and likely problems from car headlights and security lighting.
3. A tree which previously blocked view between site and objector's garden has been removed.
4. Access may not be sufficient for emergency vehicles.
5. Query over legal boundary position between site and 17 Brooklyn Road.
6. Loss of parking spaces at Lancaster House to enable access would cause congestion and parking problems.

OBSERVATIONS

1.1 The application seeks outline consent for one dwelling. Approval is sought for siting and access, with other matters reserved for later consideration.

1.2 The site forms part of the long rear garden of an existing semi-detached house on Gorsemoor Road. There are trees within and overhanging the site. More recent residential development adjoins the rear and side of the site, including Lancaster House, a block of 10 maisonettes with a car park accessed off the head of the adjacent cul-de-sac, Brooklyn Road.

1.3 The application proposes siting of a detached dwelling in the rear garden with access across the car park at Lancaster House. The siting accords with the Council's spatial separation and daylight guidelines. The owners of Lancaster House are agreeable to the proposed access. Three existing trees would be removed, together with a stretch of existing privet hedge. New tree and shrub planting would be proposed. The siting is considered acceptable in relation to the retained trees on and overhanging the site.

1.4 The plans have been amended to ensure that no parking is lost at Lancaster House as a result of the proposal and no objections to the amended scheme are raised by the Highways Officer. The plans have also been amended to reduce the

overall depth of the proposed dwelling to ensure adequate space from a retained tree and no objections are now raised by Landscape and Countryside.

1.5 The issue of the legal boundary position has been explored, however the applicant has supplied a Land Registry plan which indicates the boundary to be the existing fence line (as opposed to a ditch running parallel to the fence within the site). This is a civil matter in any event and no further obstacle to granting planning permission exists in this respect.

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

The proposal is considered acceptable and approval is recommended.

Application No: CH/06/0595 Received: 18-Aug-2006

Location: 6, Stonehouse Road, Etchinghill

Description: Residential development - 3 detached dwellings (Outline including layout and access) (Demolition of existing dwelling)

Application Type: Outline Planning APP

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLDCP6: Space about Dwellings

DPLH3: Design

DPLH5: Infill Development

SPD1: Car parking standards.

1.A1 Time Limit -Outline Permission

2.No part of the development hereby permitted shall be commenced until the approval of details of scale, appearance and landscaping ('the reserved matters') have been obtained from the Local Planning Authority.

Reason

The permission is in principle only and does not authorise development to commence until all 'the reserved matters' have been approved.

3.None of the dwellings hereby approved shall exceed 2 storeys in height.

Reason

To safeguard the amenity of nearby residents & the character of the area in accordance with Policy B8 of the Cannock Chase Local Plan.

4. Prior to the commencement of any other part of the development following the approval of all the reserved matters including any site preparation works and the bringing to site of any materials the tree protection works described in the Arboricultural Report dated 30/06/06 (Ref SHR/V1) shall be carried out in full and remain in place until the development is completed.

Reason

To ensure long term health of the trees in accordance with Policy C15 of the Cannock Chase Local Plan.

EXTERNAL CONSULTATIONS

RUGELEY TOWN COUNCIL: Object on the grounds of overdevelopment of the site, the size of the gardens will be totally out of character with the area which is within the AONB.

INTERNAL COMMENTS

LANDSCAPE: No objection subject to condition relating to tree protection and special methods of driveway construction.

RESPONSE TO PUBLICITY

A site notice has been displayed and 11 nearby residents notified resulting in 6 letters of objection, 4 of which are from 2 properties and one letter asking for specific points to be taken into consideration. The objections are on the following grounds:-

- (i) Increase in number of dwellings would be out of character in the AONB.
- (ii) Loss of trees.
- (iii) Additional noise and traffic pollution.
- (iv) Loss of view and privacy.
- (v) Only suitable for two dwellings.
- (vi) Loss of property value.

The other letter asks for the following issues to be considered:-

- (a) Keep all TPO'd trees.
- (b) No windows overlooking neighbours.
- (c) Provision of secure fencing.
- (d) Observe density standards.
- (e) No three storey housing.

OBSERVATIONS

1.1 The application is in outline form with siting and means of access specified and proposes the demolition of a detached inter-war white rendered bungalow with detached double garage/store and erection of 3 detached dwellings, 2 with integral garages and one with a detached garage.

1.2 The site has an area of 1880 m² and is situated on the north side of Stonehouse Road west of the junction with Chaseley Road. It is adjoined to the east by a white rendered dormer bungalow of similar age to the existing property on the application site and to the east by a modern red brick detached house. The rear of the site faces onto rear gardens of properties in Chaseley Road and on the opposite (south) side of Stonehouse Road is open countryside within the Green Belt.

1.3 The layout shows the siting of 3 dwellings on a building line linking that between the existing dwellings on either side. The detached garage is proposed to be sited close to the position of the existing garage/store on the site. Access would be from the two existing vehicular accesses to the site one of which would be shared by 2 dwellings.

1.4 A comprehensive tree survey has been undertaken of 10 trees sited on or adjacent to the site. Three oak, a beech, two Norway spruces, rowan and silver birch are proposed to be retained. Three poor specimens, 2 cherries and a cypress are proposed to be removed. The survey shows the impact of shading and how the trees can be protected during construction works.

1.5 The site is within the settlement boundary of Etching Hill and also within the Cannock Chase AONB.

1.6 The main considerations are whether development would be compatible with the character of the residential area taking into account the tree issues and the location within the AONB.

1.7 The existing property is in a very large (almost half an acre) plot which is much larger than the adjoining plots on Stonehouse Road and Chaseley Road. The erection of 3 properties to replace 1 would in this case be compatible with the general sizes of plots and spacing of properties on sites within the immediate vicinity. The proposed siting maintains the existing building line to Stonehouse Road.

1.8 In relation to trees the comprehensive arboricultural report shows that all the trees of amenity value on and adjoining the site can be kept and that the pattern of shadowing would not have an adverse shading effect on the residents of the 3 properties. The frontage to Stonehouse Road would remain virtually unaltered as it is proposed to use the existing 2 vehicular accesses to the bungalow and retain the front boundary hedge.

1.9 The following observations are made in relation to the objections:-

(i) The overall density and plot size would be in keeping with adjoining development and in the context of the established residential area within the AONB not detrimental to the character of the AONB.

(ii) The 3 poor tree specimens to be lost are proposed to be replaced with 3 new trees along the highway frontage. All the significant trees are to be retained.

(iii) There is no specific right to a view and the siting of the dwellings would exceed the minimum privacy distance guidelines by between 9 and 18 metres and the boundaries are already provided with suitable secure fencing or hedgerows.

(iv) Some noise and disturbance is inevitable during construction but the scale of the development would not materially add to noise, traffic and pollution in the locality as a whole.

(v) Two storeys is considered to be the maximum height appropriate in this location and a condition is recommended restricting height to 2 storey only.

1.10 A decision was deferred at the meeting on 15 November in order to request the applicant to consider reducing the number of units from 3 to 2. The applicant has indicated that he considers that the size and space for the 3 properties are similar to existing properties in the vicinity and within the application to be considered in its present form.

1.11 Human Rights

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposal could, potentially, interfere with an individual's right of 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.

1.12 Conclusion

In conclusion although the site is in a sensitive edge of urban area location within the AONB the overall layout and proposals for the retention make the development compatible with the general character of existing development in the vicinity and not intrusive in the landscape of the AONB.

Application No: CH/06/0629 Received: 14-Sep-2006

Location: 42, Gorse Lane, Cannock

Description: Two storey extension to side and single storey to rear (Resubmission of planning application CH/06/0455)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

The proposed development does not fully comply with the relevant policies in the Development Plan (DP) and Supplementary Planning Guidance (SPG) but not in such a way as to cause material harm to amenity at the adjacent property. Relevant policies comprise:

DPLB8: Design Principles of New Built Development

DPLDCP6: Space about Dwellings

SPD1: Car parking standards.

SPG1: Residential Extensions Design Guide

SPG2: Staffordshire Residential Design Guide

1. B2 Standard Time Limit

2. D1 Materials - Details Required

3. I3 Additional Fenestration

4. I4 Obscured Glazing

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

Reason

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

6. C16 Parking Spaces at Dwellings

7. The use of the development hereby approved shall not commence until details of improved boundary treatment between the site and 44 Gorsey Lane have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented. The scheme shall be retained throughout the life of the development.

Reason

In the interests of residential amenity and to accord with Local Plan Policy B8.

RESPONSE TO PUBLICITY:-

Adjacent occupiers notified. Letters of objection received from 2 neighbours on the following grounds:-

1. Although revised roof design adjacent no. 44 is an improvement, the depth of the rear extension is only about 0.3m shorter than before.
2. As the existing floor level is to be carried through both the extension and decking, it will result in loss of privacy, outlook and amenity at no. 44.
3. Garage is inadequate for its purpose due to its size.
4. If the side wall of the extension is built onto the boundary the roof will overhang the boundary at no. 40.

5. How will the ground floor cloakroom be ventilated?

6. How will the new east (side) elevation be maintained?

HISTORY:-

CH/06/0455 – 2 storey extension to side and single storey to rear – refused 7/8/06 (Delegated)

OBSERVATIONS:-

1.1 The application relates to resubmission of a proposal for a 2 storey side extension and single storey rear extension.

1.2 The site comprises a detached house in a frontage of similar properties of different designs, adjacent to a semi-detached bungalow at no. 44 which is angled to the site at the junction of Gorsey Lane and Oaks Drive. This bungalow is also at a slightly lower level as the ground slopes down to the side and rear. The application site has an existing detached garage in the rear garden and a driveway to the side of the dwelling. No. 40 has an existing single storey rear extension.

1.3 The previous scheme was refused because, as a result of its height and ground level relative to 40 and 44 Gorsey Lane each side, it would cause loss of amenity and outlook and be overbearing. The current application, as further amended, reduces

the depth of the rear single storey extension, adjacent to no. 44 by 0.3m, steps it in from the side boundary by 0.2m from the house wall (a total of 0.5m from the boundary fence) and substitutes a hipped glazed roof and windows in the upper part of the side elevation to reduce light loss and visual impact on no. 44 to a minimum. Also the application reduces the depth of the single storey rear extension adjacent to no. 40 by 1m, and creates a partially hipped roof over the 2 storey side extension to improve its visual impact on the street scene.

1.4 No objections are raised by the occupier of no. 40 and notice has been served on him regarding the guttering overhang. Although conflicting with the daylight guidance, the rear extension on this side does not extend as far as the existing garage, and although it infills the gap between garage and house, impact on light at no. 40 is likely to be minimal. The occupier of no. 44 raised the objections set out earlier in this report when the application was received, and any further comments in response to the subsequently amended plans will be reported verbally. Objections are also raised by a neighbour on the opposite side of Gorsey Lane. Although the garage width falls short of Council standards, there is ample space at the front to accommodate the required 3 car parking spaces. Ventilation of the cloakroom is a Building Control matter. The side (east) elevation of the 2 storey extension will stand close to the side of no, 40 restricting access for maintenance, however, this is a similar situation to many other cases and is not a reason to withhold planning permission. The decking would raise the patio area by between 0.3 – 0.4m above the garden level, to create a level sitting area outside the patio doors. In order to minimise any overlooking of no. 44, a condition is recommended to secure improved boundary treatment along that side of the garden, potentially increasing the existing fence height with trellis, to provide additional screening without loss of light.

1.5 Human Rights Act Implications

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

1.6 Conclusion

The amended scheme is considered to have acceptably addressed the previous reason for refusal and approval is recommended.

Application No: CH/06/0632 Received: 14-Sep-2006

Location: Brook Cottage, Cannock Wood Street, Hazelslade.

Description: Residential development - 3 detached dwellings and service road.
(Demolition of Brook Cottage)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development
DPLC15: Protecting Trees
DPLC6: Green Belt and Area of Outstanding Natural Beauty- Design of Development
DPLH5: Infill Development
SPD1: Car parking standards.

1. B2 Standard Time Limit
2. C1 Domestic Access
3. C4 Visibility Splay (Footway)
4. C13 Provision of parking and access
5. D1 Materials - Details Required
6. E3 Landscaping Maintenance
7. E6 Tree Retention
8. E7 Hedge Retention
9. E8 Tree Protection
10. I3 Additional Fenestration
11. Finished floor levels of the proposed dwellings must be set a minimum level of 184.44 metres Above Ordnance Datum.

Reason

To protect the development from flooding in accordance with the requirements of Policy PEP3 of the Local Plan.

12. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason

To prevent the increased risk of flooding in accordance with the requirements of Policy PEP3 of the Local Plan.

13. There must be no new buildings, structures (including gates, walls and fences) or raised ground levels within 4.0 metres of any side of the culverted section of the Bentley Brook adjacent to the site.

Reason

To maintain access to the watercourse for maintenance or improvements and provide for overland flood flows in accordance with Policy PEP3 of the Local Plan.

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

Reason

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

15. Prior to commencement of the demolition works at Brook Cottage a bat survey should be undertaken to the standards recommended in the English Nature publication ' Bat Mitigation Guidelines ' and submitted to the Local Planning Authority. Should evidence of a bat roost be found a detailed mitigation strategy should be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that the presence of a protected species is appropriately addressed in accordance with Local Plan Policy C12 and C13.

EXTERNAL CONSULTATIONS:-

Environment Agency - Originally objected because no flood risk assessment had been carried out but now no objection subject to conditions.
Highway Authority - Subject to inadequate width of access.

INTERNAL COMMENTS:-

Environmental Protection - Satisfied with result of gas testing that no remedial works will be necessary.
Landscape - Object to original siting of tree protecting fencing, crown lifting of beech trees and distance of property from beech tree.

RESPONSES TO PUBLICITY:-

A site notice has been posted and neighbours notified resulting in 8 letters of objection raising the following points:-

1. Development would be out of character.
2. Loss of trees and shrubs.
3. Additional traffic would be a problem.
4. Loss of privacy from side facing windows.
5. Drainage problems.
6. Possible bat habitat needs investigating.

HISTORY:-

CH/04/0858 – Residential development, 2 semi detached and 2 detached dwellings – withdrawn.
CH/05/0062 – Residential development, 4 detached dwellings – Refused (Committee) approval dismissed.

OBSERVATIONS:-

1.1 The application site comprises a triangular piece of land within an area of 0.11 h.a. situated on Cannock Wood Street opposite the Hazel Slade Local Nature Reserve. There is a footpath link between the site and the houses which accesses open space. The site is within Cannock Chase Area of Outstanding Natural Beauty and is within the settlement boundary of Hazel Slade. The site has mature hedges and trees along two of its boundaries to the north and west and smaller fruit trees within the middle of the site.

1.2 The application seeks consent to demolish an existing older detached property and construct 3 detached dwellings 2 x 4 bed and 1 x 3 bed. Two would be sited on the rear portion of the site and one towards the narrower, front portion of the site. The rear gardens to the properties to the rear have a depth of between 8 and 9m and have 3 car parking spaces each, one of which is an integral garage. The plot set forward in the site has a separate garage and parking to the side off the access drive. The density achieved is equivalent to 26 dwellings per hectare which is below the

figure in Planning Policy Guidance Note 3 which advises a minimum density of 35 dwellings per hectare.

1.3 Application CH/05/0062 was refused for the following reason:-

'The proposal constitutes over development of the site which would have an adverse impact on the character and appearance of the site and the locality contrary to policies B8, H5 of the Local Plan'.

1.4 The decision was appealed and the appeal dismissed. The Inspector concluded "that, subject to conditions, the proposed development would be acceptable in terms of density, garden size, siting and design. Its layout, however, would jeopardise the long term health and stability of the protected tree T7, which enhances the appearance of the appeal site and adjoining footpath".

1.5 The appeal was dismissed solely for the reason that the potential adverse impact on the long term health and stability of the tree (implying its eventual future loss) would harm the character and appearance of the area. The decision is currently the subject of a High Court challenge by the applicant.

1.6 The amended scheme by reducing the number of dwellings on the rear part of the site from 3 to 2 increases the distance of the nearest dwelling from the trunk of the tree from 3.5m to 5. which is 1.5m outside the existing canopy spread of the tree. This enables tree protection fencing to be erected in a position required to meet British Standards (amended plans are proposed to be submitted to deal with this point) and allow for the medium term future growth of the tree. The proposal to raise the crown spread of the tree which was contrary to the advice of the arboricultural officer has been deleted. The re-design of the development on the rear part of the site is considered to have dealt in a satisfactory manner with the issue which formed the sole consideration resulting in the approval being dismissed.

1.7 The development density falls below recommended minimum but the reason for this is clearly because of the tree retention issue.

1.8 The design of the access was not raised as a problem by this authority in connection with the appeal nor by the Inspector. The Highway Authority normally require a 4.2m width access for a distance of 10m from the highway boundary where a private drive serves 2 or more dwellings as is the case here. The submitted design is 4.5m wide for the first 8.5m from the highway boundary then tapering to 3.3m. The design allows two vehicles to pass clear of the highway which is the purpose of the standard so the minor failure to comply is not considered to be a significant shortcoming.

1.9 In relation to the objections the following responses are put forward:-

1. The Inspector had no issue with the general design, scale and layout being out of character. The revised scheme reduces the density and raises no new character issues.
2. Existing boundary trees and hedge along the footpath boundary are to be retained. Again, the Inspector raised no issue other than in respect of the TPO'd Beech which has been dealt with above.
3. The highway issue is dealt with above.
4. A condition is recommended requiring obscured glazing and fixed lights to the side facing windows which are to an en-suite and small secondary window to bedroom. A further condition is recommended preventing the insertion of further windows.

5. A flood risk assessment has been submitted which deals with the risk of flooding from the adjacent brook course and the surface water drainage of the site. The Environment Agency is satisfied with the proposals which involve soakaways, downstream surface water drainage connection and building above flood level. The 3 conditions required by the Environment Agency are set out at 11-13 above.
6. A condition is recommended requiring a bat survey.

1.10 Infill development is permitted within village settlement boundaries in the Area of Outstanding Natural Beauty. The design of new development should reflect the local characteristics. The design of existing development, comprising as it does a mixture of designs – two-storey, bungalows and some flat development does not have a specific local vernacular and the design of the proposed dwellings with the relatively steep roof pitches are considered an acceptable design within their setting.

1.11 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.

1.12 Conclusion

The applicant is considered to have made a reasonable response to the Inspector's concerns about the proximity of the development to the beech tree by reducing the no. of units at the rear from 3 to 2 and thereby increasing the distance away from the tree to 1.5m outside its current canopy spread.

Application No: CH/06/0657 Received: 25-Sep-2006

Location: Land between 19 & 21, Moss Road, Cannock

Description: Residential Development - One dwelling (Outline) including layout, access and landscaping.

Application Type: Outline Planning APP

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLDCP6: Space about Dwellings

DPLH5: Infill Development

SPG1: Residential Extensions Design Guide

SPG2: Staffordshire Residential Design Guide

1. A1 Time Limit -Outline Permission
2. A5 Outline-siting & access
3. C1 Domestic Access

4. C3 Visibility Splay (Carriageway)
5. C9 Surfacing of Access Drive
6. The access shall have a minimum width of 3.2 metres rear of the highway boundary.

Reason:

In the interest of highway safety and to comply with S.C.C. requirements for access.
7. A minimum drive length of 6.0 metres shall be provided between the front elevation of the proposed garage and highway boundary.

Reason:

In the interest of highway safety.
8. C16 Parking Spaces at Dwellings
9. I2 Exclusion of Extensions
10. K2 Site Investigation Required
11. The details of landscaping submitted shall include the felling and replacement of two trees in accordance with a detailed specification of species & size of planting to be approved by the Local Planning Authority.

Reason

To safeguard the character & appearance of the locality and the amenity of nearby residents in accordance with Policy B8 of the Cannock Chase Local Plan.

12. The development shall be carried out strictly in accordance with the deposited plans and drawings (Dated 25/09/06) with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason:

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

EXTERNAL CONSULTATIONS

Highways – No objections subject to conditions

INTERNAL CONSULTATIONS

Environmental Health – No objections

Landscape – No objection subject to condition

RESPONSE TO PUBLICITY

Near neighbours notified –

One letter of objection received regarding the loss of privacy, daylight and wildlife, additionally the plot is not being big enough for the development of a dwelling and issues regarding highway safety.

HISTORY

CH/90/0671 – Residential development (outline) one dwelling, refused 12/11/90.
CH/91/0173 – Residential development (outline) siting & access, approved 01/05/91.
CH/05/0175 – Residential development (outline) including siting, design, external appearance and means of access, refused 25/10/2005.

OBSERVATIONS

1.1 The applicant seeks consent in outline form for the residential development of one dwelling including siting, means of access and landscaping to land between 19 & 21 Moss Street, Cannock. The street comprises of a mix of differently designed dwellings including detached, semi-detached properties and low rise flats situated on a residential through road.

1.2 The application site is situated in a well established residential area bounded by 19 Moss Street to the south, 21 Moss Street to the north east and 91a Burns Street to the west. The application site measures approximately 217 square metres, means of access will be through the construction of a new vehicle crossing onto Moss Road.

1.3 The proposal will be for a two storey 3 bed property; being situated 0.6m off the southern boundary, 1.2m off the north eastern boundary and 4.8 – 8.4m off the rear western edge. The remaining amenity space to the rear will measure approximately 62 square metres.

1.4 Policy H5 of the local plan states that there will be opportunity for infilling and minor consolidation will be acceptable within existing residential areas subject to the amenity of neighbouring residents and the character of the area not being adversely affected and there being no loss of significant amenity space.

1.5 The site is considered to be just of sufficient size to meet council policies for one dwelling in that there will be sufficient privacy and outlook for any new occupiers, the site at present is used by neighbouring property number 19 as an extended garden area.

1.6 In relation to the objection received, the following responses are offered:-

1. The site is considered to be of sufficient size for the development of one dwelling in that there will be sufficient privacy and outlook for any new occupiers.
2. In response to the issue of loss of privacy to neighbouring properties, the proposed property can be designed at reserved matters stage so as not to affect any loss of privacy to the existing dwellings in the area.
3. Access arrangements are acceptable to the Highway Authority.
4. The site is considered adequate for the residential development of one dwelling, with enough private amenity space and parking provision for a three bed property.

1.7 The proposal will provide off road parking for two vehicles, which meets council standards for a three bed property. In addition, it is considered that the proposal would not result in a development which would impinge on the amenity of neighbouring dwellings. The councils landscape section are satisfied with the proposal, subject to a condition for replacement trees being attached to any approval

1.5 HUMAN RIGHTS

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposal could, potentially, interfere with an individuals' right if 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

The site is considered to be suitable for the infill development of one dwelling, which could be designed to be in character with nearby existing development and not result in a loss of amenity to neighbouring properties.

Application No: CH/06/0676 Received: 10-Oct-2006

Location: Rugeley Leisure Centre, Burnthill Lane, Rugeley

Description: Demolish existing swimming pool and extend leisure centre to create replacement swimming pool

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLTR8: Sports Facilities

SPD1: Car parking standards.

1. B2 Standard Time Limit
2. D1 Materials - Details Required
3. E1 Landscaping Details required
4. E3 Landscaping Maintenance
5. The area indicated on the approved drawing No 09690/20/B for coach parking and turning shall be constructed in appropriate bound material & drained in accordance with details to be approved in writing by the Local Planning Authority before the development is commenced. The area shall be constructed in accordance with the approved details and retained thereafter for so long as the development is in existence.

Reason

In the interests of highway safety.

6. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off mitigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason

To prevent the risk of flooding and ensure the satisfactory provision of drainage facilities to serve the proposed development in accordance with Policy PEP3 of the Cannock Chase Local Plan 1997.

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

Reason

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

EXTERNAL CONSULTATIONS:-

Town Council - No objection.

Highway Authority - No objection subject to condition relating to coach parking.

Environment Agency - No objection subject to condition on surface water drainage.

Police Architectural Liaison - Require gating to new footpath and ask about CCTV provision.

INTERNAL COMMENTS:-

Environmental Health - No objections in principle.

Landscape - Further details required.

RESPONSES TO PUBLICITY:-

The application has been advertised, site notices displayed letters written to all residents in Burnthill Lane south of the school access and all residents in Hill Street without response.

OBSERVATIONS:-

1.1 This is a full application proposing the replacement of the obsolete school swimming pool with a new pool constructed as an extension to the Rugeley Leisure Centre.

1.2 The facility comprises a 25m 6 lane pool with changing rooms, toilets, shower, admin office, store and plant room. The access to the existing Leisure Centre would be altered to provide an enlarged foyer with viewing area and front entrance porch.

1.3 The shape of the building contrasts with that of the Leisure Centre having a mono-pitch roof falling from front to rear with projecting eaves supported on 6 round pillars. The front elevation is predominately glazed the rest of the walls being in blockwork with contrasting rough and smooth bands. The style of the building is determined by the space requirement of the pool for which a barrel shaped roof as existing on the Leisure Centre would not work. The two contrasting shapes are linked together by the use of matching materials (blockwork and glazing) colours. The new communal entrance porch provides a prominent feature linking the two parts of the building. The overall design is considered to be appropriate to the location and the use of materials produces a harmonic relationship with the existing building.

1.4 The existing 156 space Leisure Centre car park would be unaltered apart from re-designation of some spaces as parent and toddlers. Coach access would be from the main Hagley Park Sports College entrance to a modified coach parking area at the side of the building accommodating 2 coaches which is the maximum requirement.

1.5 A traffic study to assess trip rates has been undertaken which estimates 23 round trips 2.00 a.m. – 9.00 a.m. weekdays, 43 5.00 p.m. – 6.00 p.m. weekdays and 58 at peak use on weekend afternoons. The Highway Authority is satisfied that this does not raise any highway safety issues.

1.6 The detailed comments of the Police and the landscape requirements are currently being dealt with and an update will be provided at the meeting. Conditions are recommended dealing with the Environment Agency and Highways Authority's requirements.

1.7 Human Rights

The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposal could, potentially, interfere with an individual's right of peaceful enjoyment of his or her property as specified in Article 8 and Article 1 of the First Protocol, however, it is a replacement of an existing facility on the same site and raises no significant new issues. The proposals comply with Local Plan Policy and are proportionate.

1.8 Conclusion

The proposal provides an important leisure facility for the communities of Rugeley and Brereton with a good quality design on an appropriate site linked to the existing Leisure Centre.

Application No: CH/06/0678 Received: 12-Oct-2006

Location: 32, Talbot Street, Rugeley.

Description: Demolition of part of existing rear extension and construction of replacement single storey extension.

Application Type: Full Planning Application

RECOMMENDATION

Reasons for the Grant of Permission

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

DPLB1: Listed Buildings

DPLB3: New Development in Conservation Area

DPLDCP6: Space about Dwellings

SPG1: Residential Extensions Design Guide

SPG2: Staffordshire Residential Design Guide

1. B2 Standard Time Limit

2. N1 Materials - Details Required

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

Reason

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

4.H17 Single Family Dwelling

EXTERNAL CONSULTATIONS:-

Rugeley Town Council - Objection. Members feel that this looks like provision for an extra flat, which has already been refused, within a Conservation Area without the proper provisions being made. There are already parking issues in Talbot Street which this will add to.

INTERNAL COMMENTS:-

Nil.

RESPONSE TO PUBLICITY:-

Site notice posted and adjacent occupiers notified. 1 letter of objection received on the following grounds:-

1. Application inappropriate at this time as there is an outstanding appeal. Decision should be deferred until outcome of appeal known.
2. Coach house has been demolished without the proper consents. Six months have passed and nothing appears to be happening.
3. Work is continuing on this property without the proper planning consent, such as digging out the rear garden for the car park. Objector fears for long term survival of the building.

HISTORY:-

CH/06/0185 – Conversion of single dwelling into four flats – refused at Committee 21/6/06, Appeal pending.

CH/06/0186 – Listed building consent for conversion into four flats – refused at Committee 21/6/06.

CH/06/0064 – Listed building consent for demolition of rear second floor extension and replace with extended two storey roof – approved 24/3/06 (Delegated).

CH/06/0679 – Current application for listed building consent for same proposal as this planning application.

OBSERVATIONS:-

1.1 The application seeks planning permission for demolition of part of an existing single storey extension and construction of a replacement. The structure comprises existing small outbuildings built of brick, painted white, with a variety of roofing including concrete tiles and corrugated metal. It extends 8.5m from the rear wall of the main house, stepping down in height and width towards the rear. The portion to be rebuilt is the rear most 5.7m part.

1.2 The site is a listed building, Grade II, in Talbot Street/Lichfield Street Conservation Area. A programme of repair works have been taking place over the last year in order to bring the building back into good order. It was last used to a limited extent as a house in multiple occupation several years ago and became very dilapidated with structural problems. The repairs to date 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.

1.3 Members will recall their decision to refuse the recent applications for conversion of this property to four flats. The appeal is pending. In the meantime the applicant is continuing with his programme of repairs and refurbishment, in discussion with officers. As part of his intention to improve the accommodation, whether or not it can

be converted to flats or has to remain in its present use as a single dwelling (or use by up to 6 residents living as a single household), the applicant proposes to partially rebuild the rear extension. The rebuild would have pitched roofs, stepping down in height and width towards the rear, to retain the character and appearance of the existing situation, and use reclaimed matching brick and Staffordshire blue tiles.

1.4 The proposed extension would project the same distance as the existing with the same maximum roof height. It therefore has no different impact on neighbours amenity at adjacent properties than the existing.

1.5 It is considered reasonable to maximise the ground floor accommodation to serve this 5 bedroomed dwelling, as it exists at present. The accommodation proposed is not dependant on the outcome of the appeal. The single storey remaining part of the original coach house at the rear has indeed been demolished without listed building consent. However, it was in a potentially dangerous condition. Lengthy discussions have taken place with the applicant and his engineer during the intervening 6 months and an application for retrospective consent for the demolition and rebuilding is expected shortly. Work being carried out in the garden relate to replacing drainage and reducing soil levels which have built up against walls and does not include creating parking spaces. Generally enforcement action is only pursued if discussions have broken down.

1.6 Local Plan Policy B1 states that alterations to listed buildings will be permitted only where they are in keeping with or will enhance the qualities of the building. The proposal is considered acceptable in these terms, and would use traditional materials to replace the existing modern ones.

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.

Application No: CH/06/0679 Received: 12-Oct-2006

Location: 32, Talbot Street, Rugeley

Description: Demolition of part of existing rear extension and construction of replacement single storey extension.

Application Type: Listed Building Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB1: Listed Buildings
DPLB3: New Development in Conservation Area

1. B2 Standard Time Limit
2. N1 Materials - Details Required
3. The development shall be carried out strictly in accordance with the deposited plans and drawings with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason

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

EXTERNAL CONSULTATIONS:-

Rugeley Town Council - Objection. Members feel that this looks like provision for an extra flat, which has already been refused, within a Conservation Area without the proper provisions being made. There are already parking issues in Talbot Street which this will add to.

Landor Society - The existing single storey extension is of poor construction and partly has unsuitable roof materials. It is thought that even if restored in its present form it would not result in a building suitable for modern use, therefore no objection is raised to its replacement. We think the resulting new work would enhance the appearance of the main building without compromising its listed status and thereby better secure its long term future.

Ancient Monuments Society - We raise no objections to the work.

INTERNAL COMMENTS:-

Nil.

RESPONSE TO PUBLICITY:-

Site notice posted. 1 letter of objection received on the following grounds:-

1. Application inappropriate at this time as there is an outstanding appeal. Decision should be deferred until outcome of appeal known.
2. Coach house has been demolished without the proper consents. Six months have passed and nothing appears to be happening.
3. Work is continuing on this property without the proper planning consent, such as digging out the rear garden for the car park. Objector fears for long term survival of the building.

HISTORY:-

CH/06/0185 – Conversion of single dwelling into floor flats – refused at Committee 21/6/06, Appeal pending.
CH/06/0186 – Listed building consent for conversion into four flats – refused at Committee 21/6/06.

CH/06/0064 – Listed building consent for demolition of rear second floor extension and replace with extended two storey roof – approved 24/3/06 (Delegated).
CH/06/0678 – Current application for planning permission for same proposal as this listed building application.

OBSERVATIONS:-

1.1 This application for listed building consent relates to demolition of part of an existing single storey extension and construction of a replacement. The structure comprises existing small outbuildings built of brick, painted white, with a variety of roofing including concrete tiles and corrugated metal. It extends 8.5m from the rear wall of the main house, stepping down in height and width towards the rear. The portion to be rebuilt is the rear most 5.7m part.

1.2 The site is a listed building, Grade II, in Talbot Street/Lichfield Street Conservation Area. A programme of repair works have been taking place over the last year in order to bring the building back into good order. The repairs to date 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.

1.3 The proposal would improve the accommodation at the property and help to secure its long term future. The Landor Society supports the proposal, and of the six national amenity societies which have to be consulted on demolition of any part of a listed building, only one (the Ancient Monument Society) has replied, with a comment of no objections.

1.4 Local Plan Policy B1 states that alterations to listed buildings will be permitted only where they are in keeping with or will enhance the qualities of the building. The proposal is considered acceptable in these terms and would use traditional materials to replace the existing modern ones.

1.5 Other issues raised in consultation/publicity responses are dealt with in the report on the planning application.

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.

Description: Two storey extension to rear and single storey to front

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLDCP6: Space about Dwellings

SPD1: Car parking standards.

SPG1: Residential Extensions Design Guide

1. B2 Standard Time Limit

2. C16 Parking Spaces at Dwellings

3. D3 Materials to match

4. I3 Additional Fenestration

5. The development shall be carried out strictly in accordance with the deposited plans and drawings (Dated 17/10/2006) with any minor changes being agreed in writing by the Local Planning Authority prior to their implementation.

Reason:

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

EXTERNAL CONSULTATIONS

Cannock Wood Parish Council – No objections

INTERNAL CONSULTATIONS

None

RESPONSE TO PUBLICITY

Near neighbours notified –

3 letters of objection received regarding loss of privacy, sunlight, overshadowing and overlooking, additionally the proposal will be out of character with the existing property and street scene.

OBSERVATIONS

1.1 The applicant seeks consent for the construction of a two storey extension to the rear and single storey to the front of 51 Holly Hill Road, Cannock Wood. The property is a detached dwelling constructed in light red brick with cream render to the first storey front elevation, adjacent to the dwelling lies a horse paddock; other properties within close proximity are of similar design.

1.2 The proposed two storey rear element is for the creation of a kitchen to the ground floor and an additional bedroom to the first floor, making the property four bed, measuring 3.35m in width, 3.55m in depth and 6m in height to ridge, 4.7m to eaves. The front single storey element is for the creation of an entrance hall extension, measuring 4 metres in width, 3m in depth and 3.2m in height to pitch, 2.3m to eaves.

1.3 The existing boundaries to the rear consists entirely of 1.8m high fencing, a 1m wide access walkway leads to the front area where 1-2 car drive and grassed area exists; once the proposals are complete enough amenity space will remain.

1.4 In regards to the letters of objection. The properties within this part of the road are staggered, with no uniformity in building line. The property in question lies 1.5m behind the existing front elevation of neighbour No.53, which has benefited from the construction of a two storey extension to the front, therefore the proposed single storey extension to the front will not come forward of the existing front elevation of No.53. Neighbour No.49 has benefited from the construction of a conservatory which runs along the shared boundary with the property in question; No.49 is staggered 3.5m behind the existing rear elevation, therefore the proposal will not lead to any significant loss of light, privacy or overlooking. Neighbouring properties have benefited from various extensions which have altered the appearance of the properties, it is considered that the proposals are acceptable in terms of design and will not lead to any detrimental visual outcomes.

1.5 The council's daylight standards are met and no windows leading to habitable rooms will be affected by the proposal, car parking standards will be met through one/two existing parking spaces to the front and the existing integral garage, additional space is available on the existing garden area to the front. It is not felt that neighbours visual amenity will be significantly affected and there are no issues relating to trees.

HUMAN RIGHTS

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 interests.

CONCLUSION

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

Application No: CH/06/0699 Received: 23-Oct-2006

Location: 24 - 26, Hednesford Road, Heath Hayes.

Description: Change of use from office/storage (B1) to retail (A1)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLS2: Non_Food Retail-Out of Town Centre/Out of Town Development:-Non-Food Retailing

DPLS4:Local Shopping Provision

1. B2 Standard Time Limit

2.The premises shall not be open for business outside the hours of 9.00am to 6.00pm Monday to Saturday and at no time on Sundays and public holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with Local Plan Policy B8: Design Principles of New Built Development.

3. The proposed retail area shall be an ancillary retail use to the main retail business of 24-26 Hednesford Road to the front of the building and operating in connection with the main retail business and not as a separate retail unit. The new retail area shall be restricted to the area shown on the deposited plans.

Reason

For the avoidance of doubt as the development is not to an appropriate standard to provide a separate retail unit unrelated to the use of the existing retail unit and to ensure that the development is carried out in accordance with the approved plans and details and in compliance with the requirements of Policy B8 of the Adopted Local Plan.

4. H9 No Burning

EXTERNAL CONSULTATIONS

Heath Hayes & Wimblebury Parish Council - No objection

Police Architectural Liaison Officer - No response

INTERNAL CONSULTATIONS

Environmental Health - No adverse comments are offered in principle on environmental health grounds. It is not anticipated that any health and safety issues will be material planning considerations for this development. Recommend condition for no open burning to be allowed.

Economic Development - No objections

RESPONSE TO PUBLICITY

Near neighbours notified and site notice posted with one letter of objection received, objecting on the following grounds:

1. The neighbouring property of 32 Hednesford Road expresses concerns over privacy issues. There is already noise from the car park to the side and loss of privacy through the use of this car park for the existing retail business to the front.
2. There will be a loss of amenity to the neighbour if the unit to the rear is to be used for retail, as the problems will be exacerbated with visitors to the unit overlooking the neighbour at the rear of their property and garden.
3. The side door was originally solid but now has glass panel with roller shutter over the top. If consent is given will a window also be required for the building, which in turn will affect privacy.
4. Opening hours are also a problem. Opening times of the previous business were 9am to 5pm Monday to Friday, occasionally Saturday morning and everyone had left by 1pm. This present shop to the front is in use until 6pm Monday to Saturday. If these opening hours are allowed to the rear unit as well there will be less privacy to the neighbouring property by the cumulative impact caused by further visitors traveling by car.

OBSERVATIONS

1.1 The applicant seeks consent for a change of use from office/storage (B1 Use Class) to Retail (A1) at 24-26 Hednesford Road. The present shop to the front of the building is used as a card shop. The applicants wish to use the rear part of the building to sell special occasion cards and gifts in connection with the main business to the front. There is a car park to the side of no. 24-26 Hednesford Road between the retail premises and the nearest neighbouring property of 32 Hednesford Road. This neighbouring property is a terrace property and the neighbour has access rights over this car park to access the rear of their property for parking.

1.2 The rear of the building is used for storage/office space and there is a door to the side of the building leading onto the car park. This door currently has a roller shutter in front and it is proposed to use this door as the entrance into the proposed retail unit. The retail area created would be 35.65 square metres, taking the total retail area for the business to approximately 108.58 square metres and it is considered that there is ample parking to the side of the premises for this additional retail unit. The hours of opening proposed are 9.15am to 5.30pm Monday to Friday and 9am to 6pm on Saturday. One part time post is proposed to be created by this new unit.

1.3 In respect to the objections received, it is considered that the additional retail unit will not have a significant detrimental impact on the amenity of the neighbouring property. A condition has been recommended which restricts the retail use of the unit to be used in connection with the main retail unit to the front and not operate as a separate retail unit. The hours of the business are the same as those currently being used for the card shop to the front and visitors who travel by car use the car park to the side and this arrangement will not change.

1.4 If any further windows were required by the use of the rear unit a planning application would be required as there would be a material alteration to the appearance of the building and further consultation and assessment undertaken.

1.5 It is not considered that the introduction of a retail unit to the rear to be used in connection with the main retail business (card shop) to the front would have a significant detrimental impact on neighbouring properties amenity. The Environmental Health Section has no objection to the proposal or the operating hours of the business; therefore approval is recommended subject to the conditions set out above.

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

It is not considered that the proposed change of use to a retail unit will have a significant detrimental impact on neighbouring properties amenity or on the character of the area.

Application No: CH/06/0705 Received: 25-Oct-2006
Location: 22, Cumberledge Hill, Cannock Wood
Description: Two storey side extension (Resubmission of planning application CH/06/0361)
Application Type: Full Planning Application
RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

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

DPLC8: Protecting the Area of Outstanding Natural Beauty

DPLDCP6: Space about Dwellings

SPG: Residential Extensions Design Guide.

1. B2 Standard Time Limit

2. D3 Materials to match

3. I3 Additional Fenestration

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

Reason

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

EXTERNAL CONSULTATIONS

Cannock Wood Parish Council - No objection

INTERNAL COMMENTS

None

RESPONSE TO PUBLICITY

Near neighbours notified with one letter received from a neighbouring property confirming they have no objection.

PLANNING HISTORY

CH/06/0361 Two storey side extension

Refused 11/08/2006

CH/268/78 Extension to kitchen and bedroom and new verandah, w.c. and shower room Approved 23/05/1978

OBSERVATIONS

1.1 The applicant seeks consent to erect a two storey side extension at 22 Cumberledge Hill, Cannock Wood. The side extension will be 4.15m wide and 3m in length, and will accommodate an extension to the existing lounge on the ground floor and an additional bedroom on the first floor.

1.2 This planning application is a resubmission of planning application CH/06/0361 which was for a two storey side extension. That extension was refused on the grounds that the application by virtue of a two storey extension of the size proposed

and located in close proximity to 24 Cumberledge Hill will produce an overbearing development which will have a detrimental impact upon residential amenity in the locality by reducing the flow of daylight into this adjoining property to an unacceptable level, contrary to Local Plan Policies H3 (Design) and B9 (Design Principles of New Development) of the Adopted Cannock Chase Local Plan 1997 and Adopted Supplementary Planning Guidance on the Design of Residential Extensions 2003.

1.3 This new application moves the extension to the side away from the neighbouring property of 24 Cumberledge Hill to the side of the property facing Chapel Lane and therefore overcomes that reason for refusal.

1.4 The property is located within the Green Belt and an Area of Outstanding Natural Beauty (AONB). Local Plan Policy on extensions to dwellings in the Green Belt is that the combined ground floor area of the extensions should not exceed the ground floor area of the original dwelling by more than 50%. The existing dwelling has been extended in the past with a conservatory and side extension. With the new extension proposed the combined floor space would exceed the 50%, being approximately 65%.

1.5 However the property is located in a built up area, surrounding by residential properties on either side and is sited lower down from the road junction of Chapel Lane and Cumberledge Hill so that only the first floor of the dwelling is seen from the road. It is considered that this extension will not have a detrimental impact on the openness of the Green Belt.

1.6 The extension proposed is also to be designed to be in keeping with the existing property, with materials to match and so will not have a detrimental impact on the AONB. The proposed extension meets council design guidance and a condition has been recommended preventing any further windows being inserted in the extension to retain privacy to neighbouring properties.

1.7 It is not considered that the extension will have a significant detrimental impact on neighbouring properties amenity or on the AONB, being in keeping with the scale of the property. No objections have been received so approval is recommended.

1.8 Human Rights Act

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

1.9 Conclusion

In conclusion, it is considered that the extension proposed would not have a detrimental impact on the amenity of neighbouring properties or on the openness of the Green Belt or on the character of the property and as such, is acceptable.

Location: 271, Longford Road, Cannock.

Description: Single storey extension to side and rear incorporating a garage, amended design with increased height (Resubmission of Planning Application CH/06/0176)

Application Type: Full Planning Application

RECOMMENDATION Approve subject to Conditions

Reasons for the Grant of Permission

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

DPLB8: Design Principles of New Built Development

DPLDCP6: Space about Dwellings

SPD1: Car parking standards.

SPG: Residential Extensions Design Guide.

1. B2 Standard Time Limit

2. C16 Parking Spaces at Dwellings

3. D3 Materials to match

4. I3 Additional Fenestration

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

Reason

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

RESPONSE TO PUBLICITY

Adjacent occupiers notified with one letter received from neighbour objecting on the grounds:

1. The neighbour of no. 269 originally objected to the proposals put forward to the council planning control committee, but they were passed nonetheless. It has now transpired that the work being undertaken goes over and above the plans presented to residents and the council.

2. Not only noise and disruption to neighbours, but also it appears there is one rule for one, and one for another. Some years ago, the neighbour of 269 Longford Road was told by the council that the roof and walls on their garage extension needed to be in keeping with the frontages. The work being done is simply breeze-blocks and the roof is flat; totally out of keeping with the frontages of the adjacent properties.

3. It was understood that there would still be plenty of light into the dining room of no. 269 Longford Road. As it appears that the occupier of 271 has built well above the height agreed in the planning proposals, there is little or no light at the best of time.

PLANNING HISTORY

1.1 CH/06/0176 Single storey extension to side and rear incorporating a garage
Approved at Committee on 10/05/2006

OBSERVATIONS

1.1 The applicant seeks retrospective consent for a single storey extension to side and rear incorporating a garage at 271 Longford Road, Cannock. This planning application is a resubmission of planning application CH/06/0714, which members may recall, was approved at Planning Control Committee Meeting on 10th May 2006 following a site visit. The current building work on site is related to the planning consent but the extension being built on site is higher than that approved and therefore a subsequent planning application has been submitted.

1.2 The side extension proposed has increased in height from that approved under Planning Application CH/06/0176 from 2.5m to 2.8m. The applicant has stated that it has been necessary to increase the overall height of the extension roof to satisfy the thermal insulation required by the necessary amended Building Regulation Part L. Also that the increase is approximately 300mm and that in an attempt to keep the increase in height to a minimum the ceiling height in the proposed extension will be lower than that in the existing property.

1.3 The side extension is 2.8m wide, 13m in length and will have a height of 2.8m. The side extension will incorporate a garage and bedroom to rear. A tiled canopy is proposed to the front to screen the flat roof from the front which will make the side extension 3.2m high at that point. The rear extension is 8.7m wide, 3.5m in length and 2.8m high accommodating a dining room and extension to existing bedroom. The property had a garage originally to the side being 2m high, so there will be an increase in height of 0.8m.

1.4 The extensions proposed meet council design guidance. The neighbouring property of 269 extends further back than 271 Longford Road having one side window already facing the side of the existing garage of no.271. This window serves a dining room and there is an additional smaller window serving this room which allows light in from the verandah to the rear. In regard to the objection received, it is considered that the proposed increase in the side extension by a height of 0.3m will not have any more of a significant detrimental impact on the amenity of the neighbouring property than the single storey extension already approved with the side facing window looking at this blank elevation.

1.5 Prior to the current extension being constructed the neighbouring window on the side elevation faced onto a 2m high garage wall. In respect to the breeze block wall constructed, the applicant has confirmed that they wish for the walls of the extension to be rendered instead of brick, and the roof was designed to be flat to reduce the impact on the neighbouring property.

1.6 The neighbour of 273 Longford Road has a veranda to the rear of the garage that will screen views to the proposed development. 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.

1.7 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.

1.8 Conclusion

In conclusion, it is considered that the increase in extension height by 0.3m will not have an adverse affect on the neighbouring properties or the character of the area and as such, is acceptable