

**Please ask for:** Mr. M. Berry

**Extension No:** 4589

**E-Mail:** [mattberry@cannockchasedc.gov.uk](mailto:mattberry@cannockchasedc.gov.uk)

21 May, 2018

**PLEASE NOTE: THE MEMBERSHIP OF THIS COMMITTEE WILL BE CONFIRMED AT THE ANNUAL COUNCIL MEETING ON 23 MAY, 2018**

Dear Councillor,

**PLANNING CONTROL COMMITTEE  
3.00PM WEDNESDAY 30 MAY 2018  
COUNCIL CHAMBER, CIVIC CENTRE, CANNOCK**

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

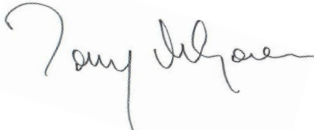
The meeting will commence at 3.00pm or at the conclusion of the site visits, whichever is the later. Members are requested to note that the following site visits have been arranged:-

<u>Application Number</u>	<u>Application Description</u>	<u>Start Time</u>
Enforcement Matter - <i>2 Millside, Slitting Mill, Rugeley. WS15 2FG</i>		1.30pm
CH/18/100	Single Storey and two storey rear extensions, side extension over existing garage with dormers and internal alterations – <i>5 Gorsemoor Road, Heath Hayes, Cannock. WS12 3TG</i>	2.00pm
CH/18/092	Residential Development:- Erection of 8 no. two bed apartments – <i>124 New Penkridge Road, Cannock. WS11 1HN</i>	2.30pm

Members wishing to attend the site visits are requested to meet at 2 Millside, Slitting Mill, Rugeley at 1:30pm as indicated on the enclosed plan.

You will be aware that a **compulsory** training session has been arranged for **Tuesday 29 May, 2018 at 3.00pm in the Bar End of the Ballroom** for all Members of the Planning Control Committee and nominated substitutes. Members will not be able to attend a meeting of the Planning Control Committee until relevant training has been received.

Yours sincerely,



**T. McGovern**  
**Managing Director**

To all Members of the Council  
(*Membership to be confirmed at the Annual Council Meeting on 23 May, 2018*)

## **A G E N D A**

### **PART 1**

- 1. Apologies**
- 2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

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

- 3. Disclosure of details of lobbying of Members**
- 4. Minutes**

To approve the Minutes of the meeting held on 9 May, 2018 (enclosed).

- 5. Members' Requests for Site Visits**
- 6. Report of the Development Control Manager**

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

#### Finding information about an application from the website

- On the home page click on planning applications, listed under the 'Planning & Building' tab.
- This takes you to a page headed "view planning applications and make comments". Towards the bottom of this page click on the text View planning applications. By clicking on the link I agree to the terms, disclaimer and important notice above.
- The next page is headed "Web APAS Land & Property". Click on 'search for a planning application'.

- On the following page insert the reference number of the application you're interested in e.g. CH/11/0001 and then click search in the bottom left hand corner.
- This takes you to a screen with a basic description - click on the reference number.
- Halfway down the next page there are six text boxes - click on the third one - view documents.
- This takes you to a list of all documents associated with the application - click on the ones you wish to read and they will be displayed.

<u>Application Number</u>	<u>Application Description</u>	<u>Item Number</u>
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### **SITE VISIT APPLICATIONS**

- |    |  |             |
|----|--|-------------|
| 1. | Enforcement Matter – <i>2 Millside, Slitting Mill, Rugeley. WS15 2FG</i>   | 6.1 – 6.5   |
| 2. | CH/18/100      Single Storey and two storey rear extensions, side extension over existing garage with dormers and internal alterations – <i>5 Gorsemoor Road, Heath Hayes, Cannock. WS12 3TG</i> | 6.6 – 6.16  |
| 3. | CH/18/092      Residential Development:- Erection of 8 no. two bed apartments – <i>124 New Penkridge Road, Cannock. WS11 1HN</i>   | 6.17 - 6.31 |

### **OTHER APPLICATIONS**

- |    |  |              |
|----|--|--------------|
| 4. | CH/17/323      Demolition of existing factory and offices and erection of up to 180 dwellings and up to 30,000 sq. ft of employment floor space (B1(c) and B8 use class), access and associated works (outline application with all matters reserved except for access) – <i>Gestamp Tallent, Wolverhampton Road, Cannock. WS11 1LY.</i> | 6.32 – 6.68  |
| 5. | CH/17/450      Reserved Matters application for 449 dwellings and associated infrastructure (appearance, landscaping, layout and scale for approval) pursuant to planning permission CH/10/0294 – <i>Land off Norton Hall Lane and Butts Lane, Norton Canes</i>  | 6.69 – 6.132 |

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**CANNOCK CHASE COUNCIL**  
**MINUTES OF THE MEETING OF THE**  
**PLANNING CONTROL COMMITTEE**  
**WEDNESDAY 9 MAY, 2018 AT 3:00 P.M.**  
**IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK**

**PART 1**

PRESENT:  
Councillors

Cartwright, Mrs. S.M. (Chairman)

Allen, F.W.C.	Smith, C.D. (substitute for Snape, D.J.)
Cooper, Miss J.	Snape, P.A.
Dudson, A.	Todd, Mrs. D.M.
Hoare, M.W.A.	Witton, P.T. (substitute for Pearson, A.R.)
Lea, C.I.	

**131. Apologies**

Apologies for absence were received from Councillors A. Pearson (Vice-Chairman) J.T. Kraujalis, D.J. Snape and M. Sutherland.

Notification had been received that Councillor C.D. Smith would be substituting for Councillor D.J. Snape and Councillor P.T. Witton would be substituting for Councillor A.R. Pearson.

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

There were no declarations of interests submitted.

**133. Disclosure of lobbying of Members**

Nothing declared.

**134. Minutes**

RESOLVED:

That the Minutes of the meeting held on 18 April, 2018 be approved as a correct record.

**135. Members' Requests for Site Visits**

None

**136. Application CH/18/095, Application to vary condition 28 of planning permission CH/16/139 to enable a minor material change comprising the removal of steps to the skate park from dam crest and removal of footpath around the southern and eastern boundary, Land to the East of Western Springs Road (Hagley Playing Fields), Rugeley. WS15 1GD**

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.1 – 6.26 of the Official Minutes of the Council).

Councillor A. Dudson arrived after the Committee had begun to consider this application and therefore did not take part in the deliberations or decision-making process.

Prior to the determination of the application representations were made by Parish Councillor Bob Dipple, an objector, speaking against the application and Matthew Griffin, representing the applicant, speaking in favour of the application.

The Development Control Manager clarified that the granting of permission under Section 73 would provide a new consent in its own right which would sit alongside the permission granted under the previously approved consent.

RESOLVED:

That the application be approved subject to the conditions contained in Appendix 1 of the report for the reasons stated therein.

**137. Application CH/18/073, Stable building and hardstanding – Field adjoining Wolseley Park Estate, Stafford Brook Road, Rugeley. WS15 2TU**

Following a site visit by Members of the Committee consideration was given to the report of the Development Control Manager (Item 6.27 – 6.38 of the Official Minutes of the Council).

The Development Control Manager advised that should the Committee be minded to approve the application an additional condition had been requested by Staffordshire County Highways, this was as follows:-

“The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans.

Reason: To comply with the principles set out in the NPPF and in the interests of highways safety.”

He added that the Officer recommendation would therefore be amended to approval subject to the conditions contained in the report and to the additional condition as outlined above.

Prior to the determination of the application representations were made by John Heminsley, speaking in favour of the application on behalf of the applicant.

RESOLVED:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and to the following additional condition:

“The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans.

Reason: To comply with the principles set out in the NPPF and in the interests of highways safety.”

**138. Application CH/17/380, Residential Development – erection of detached 4 bedroom dwelling (resubmission of planning application CH/17/166) – 1 Nirvana Close, Cannock. WS11 1HT**

Consideration was given to the report of the Development Control Manager (Item 6.39 – 6.57 of the Official Minutes of the Council)

The Development Control Manager commented that a dwelling had previously been approved on this site (application CH/17/166). This application was seeking to change the design of the dwelling by moving the gable to the other side of the property.

RESOLVED:

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

**139. Appeal Decision – Application CH/17/221 – Residential Development: Two Storey Side Extension – 6 Coppice Court, Cannock. WS11 1PB.**

Consideration was given to the report of the Development Control Manager (Item 6.58 – 6.61 of the Official Minutes of the Council).

RESOLVED:

That the report be noted.

The meeting closed at 4.40 p.m.

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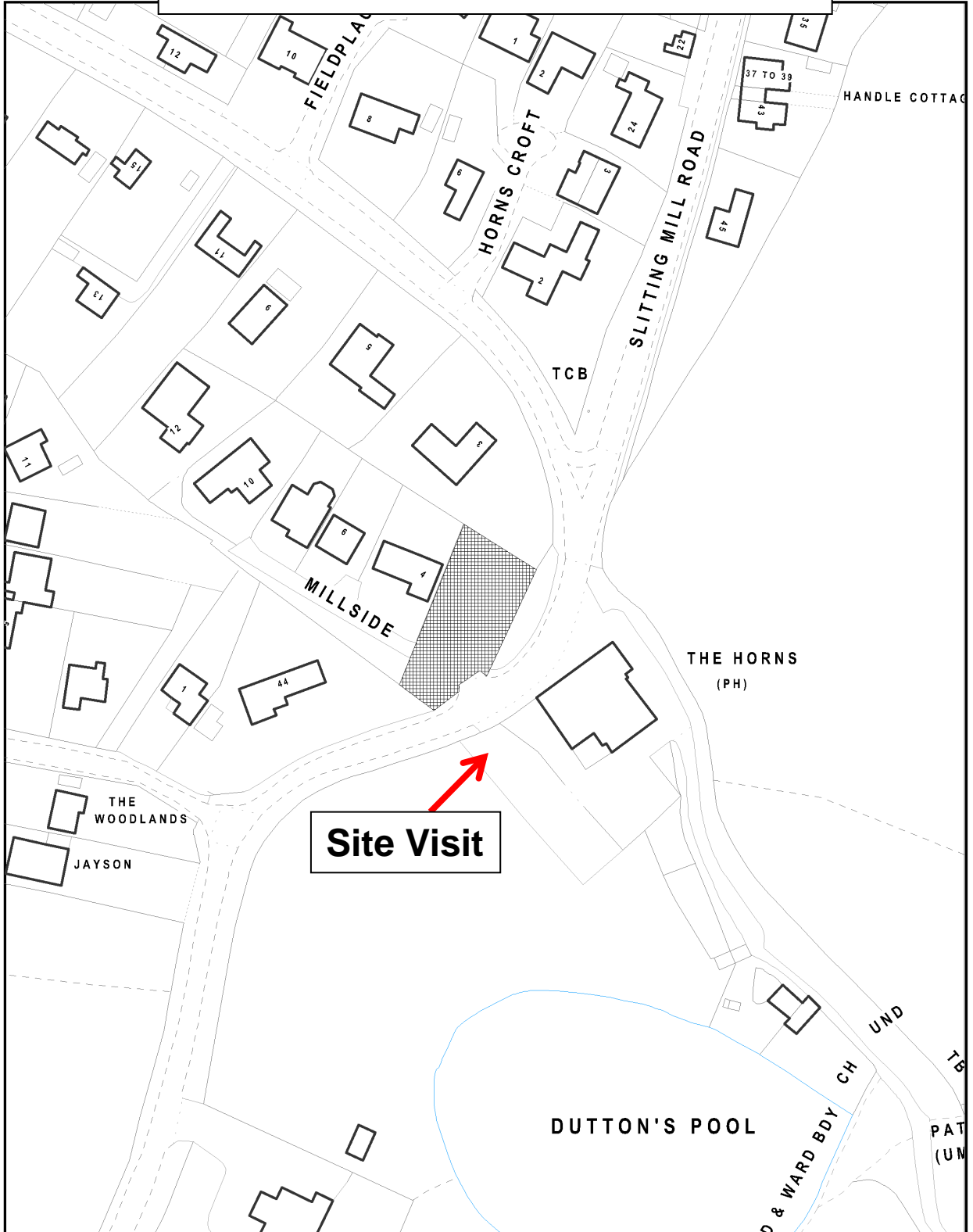
CHAIRMAN

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ENF/18/095  
2, Millside, Rugeley, WS152FG  
ENFORCEMENT MATTER

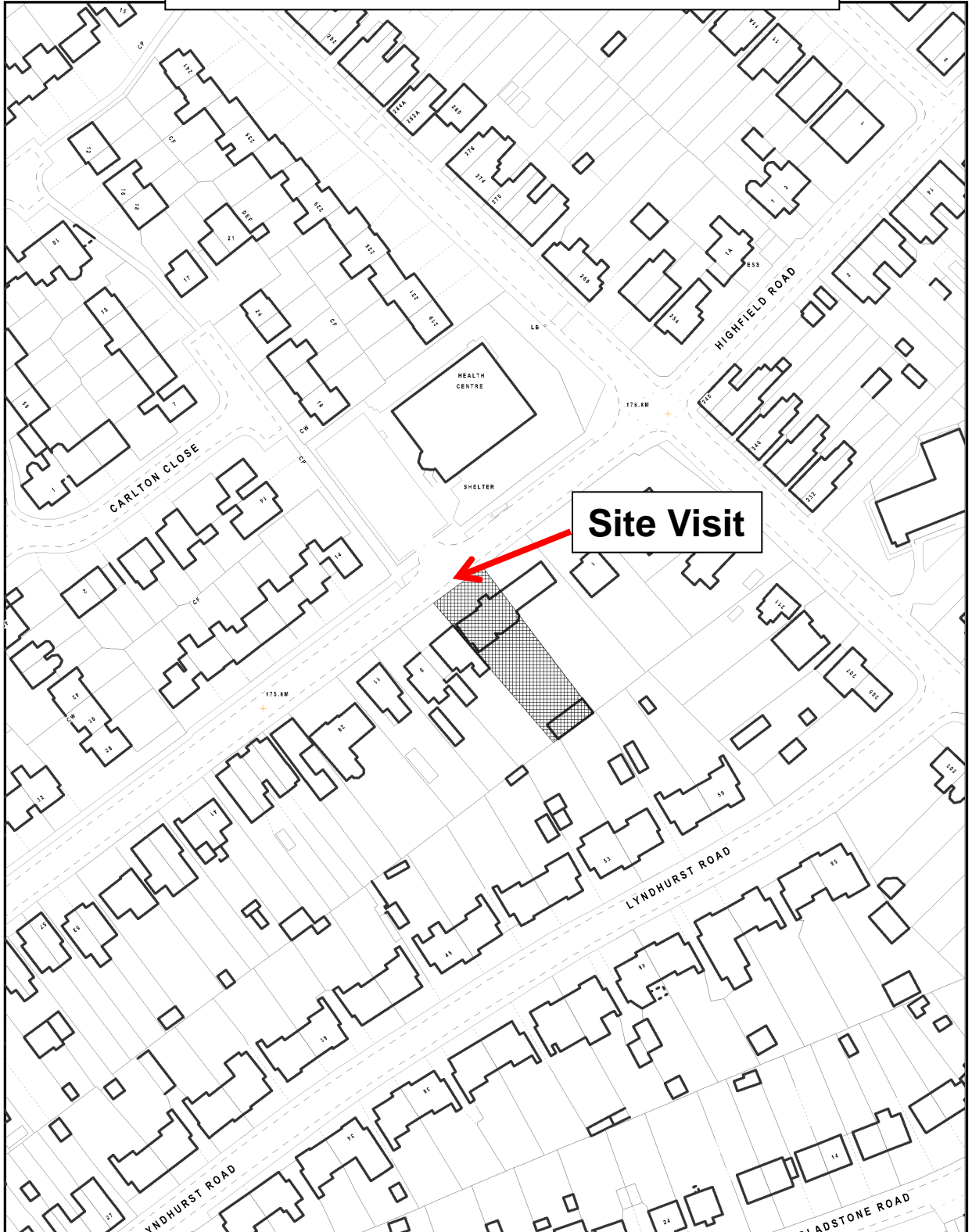




CH/18/100

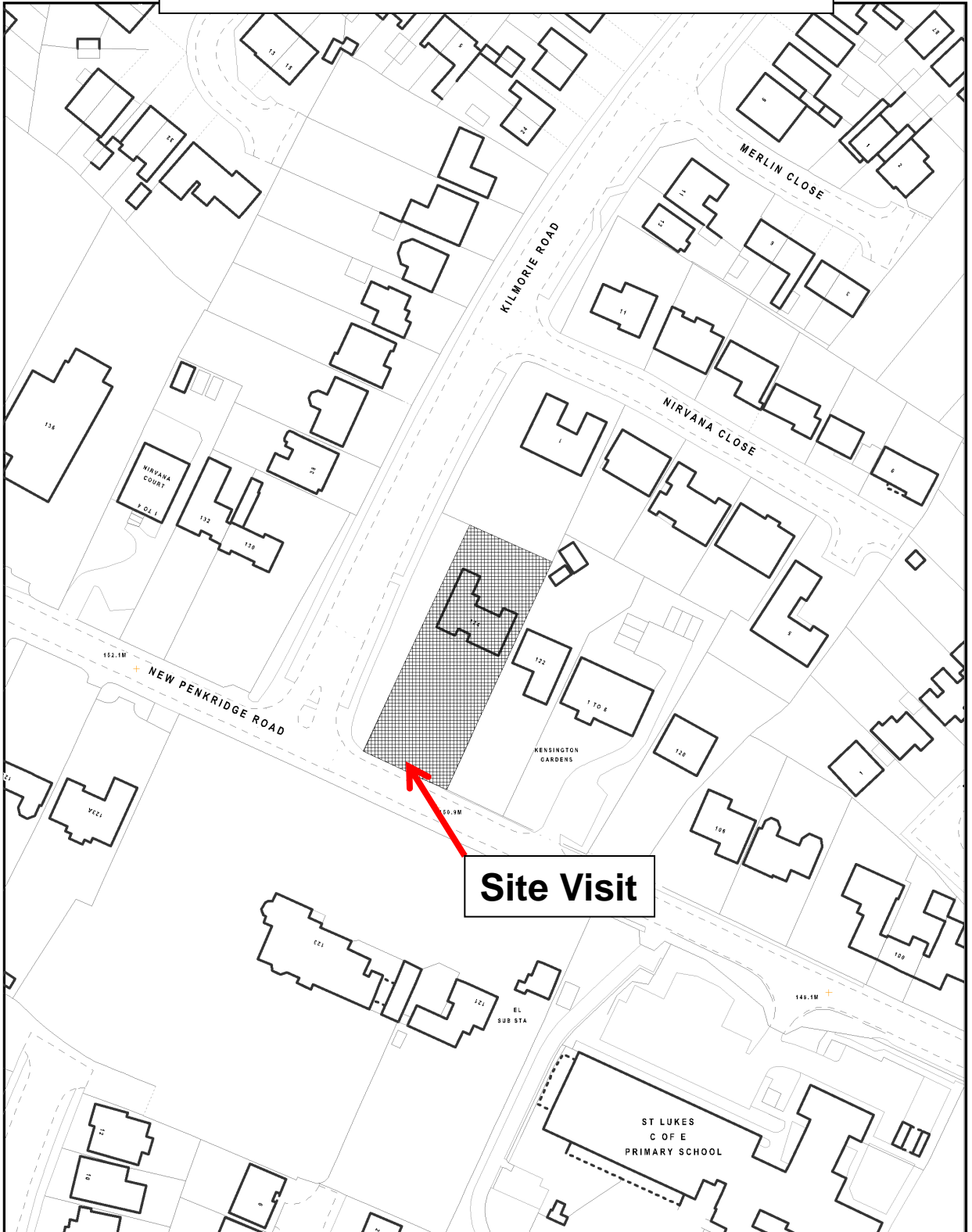
5, Gorsemoor Road, Heath Hayes, CANNOCK, WS12 3TG

Single storey and two storey rear extensions, side extension over existing garage with dormers and internal alterations





CH/18/092  
124, New Penkrige Road, CANNOCK, WS11 1HN  
Residential development:- Erection of 8 No. two bed apartments

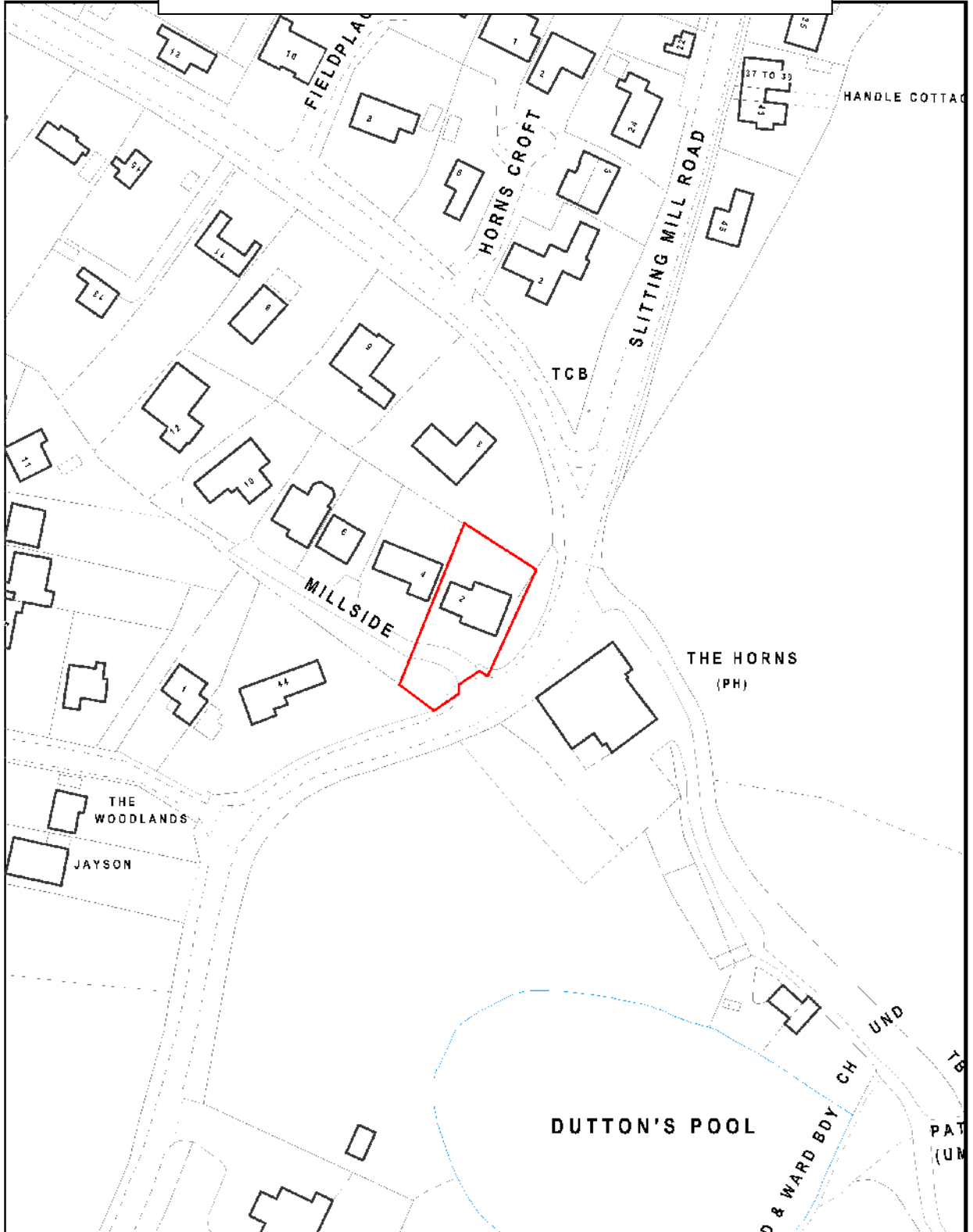


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ENF/18/095  
2, Millside, Rugeley, WS152FG  
ENFORCEMENT MATTER

ITEM NO. 6.1



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**REPORT OF THE DEVELOPMENT CONTROL MANAGER**

**ENFORCEMENT INVESTIGATION**

**SITE: 2 MILLSIDE, SLITTING MILL, RUGELEY**

1.0 PURPOSE OF REPORT

1.1 In light of recent allegations of breaches of planning control in relation to the above site, to:

- a) Investigate and set out the details of such alleged breaches of planning control and enquiries;
- b) Advise on whether or not any of the alleged breaches of planning control are enforceable, and;
- c) Recommend what if any further action is necessary, and:

2.0 POLICY IMPLICATIONS

2.1 National Planning Policy Framework (NPPF)

2.1.1 The NPPF sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it emphasises a "presumption in favour of sustainable development".

2.1.2 Paragraph 207 of the NPPF states:

Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

2.2 Planning Practice Guidance (PPG)

2.2.1 The Planning Practice Guidance was issued on the 14th March 2014 and is regularly updated. As the title suggests this provides practical guidance to support the NPPF. It contains a section on enforcement entitled 'Ensuring Effective Enforcement'. This provides an overview of enforcement, enforcement advice and enforcement remedies available to Local Planning Authorities.

2.2.2 Some relevant extracts are set out below:

Who can take enforcement action?

Local planning authorities have responsibility for taking whatever enforcement action may be necessary, in the public interest, in their administrative areas.

Paragraph: 002 Reference ID: 17b-002-20140306

Revision date: 06 03 2014

When should enforcement action be taken?

There is a range of ways of tackling alleged breaches of planning control, and local planning authorities should act in a proportionate way.

Local planning authorities have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material considerations. This includes a local enforcement plan, where it is not part of the development plan.

In considering any enforcement action, the local planning authority should have regard to the National Planning Policy Framework, in particular paragraph 207:

Can breaches of planning control be addressed without formal enforcement action, such as an enforcement notice?

Addressing breaches of planning control without formal enforcement action can often be the quickest and most cost effective way of achieving a satisfactory and lasting remedy. For example, a breach of control may be the result of a genuine mistake where, once the breach is identified, the owner or occupier takes immediate action to remedy it. Furthermore in some instances formal enforcement action may not be appropriate. It is advisable for the local planning authority to keep a record of any informal action taken, including a decision not to take further action

Paragraph: 010 Reference ID: 17b-010-20140306

Revision date: 06 03 2014

When might formal enforcement action not be appropriate?

Nothing in this guidance should be taken as condoning a willful breach of planning law. Enforcement action should, however, be proportionate to the breach of planning control to which it relates and taken when it is expedient to do so. Where the balance of public interest lies will vary from case to case. In deciding, in each case, what is the most appropriate way forward, local planning authorities should usually avoid taking formal enforcement action where:

there is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;

development is acceptable on its planning merits and formal enforcement action would solely be to regularise the development;

in their assessment, the local planning authority consider that an application is the appropriate way forward to regularise the situation, for example, where planning conditions may need to be imposed.

Paragraph: 011 Reference ID: 17b-011-20140306

Revision date: 06 03 2014



**3.0 BACKGROUND AND REPORT DETAIL**

- 3.1 In January 2017 a complaint was received by another resident in Millside which related to customers visiting the property were parking on the highway near the access making it hard for them to get to their property when they were driving their motor home.
- 3.2 Millside is not an adopted highway and is a private road which is owned and maintained by the residents themselves. However the allegation also referred to the property being used for business purposes which was subsequently investigated and resulted in an application (CH/17/261) being submitted for a Certificate of Lawful Use or Development.
- 3.3 The occupier and her two children operate a hair and beauty business at the premises. It was maintained that the business began operating in the year 2000 although insufficient evidence in order to prove this was not submitted with the application which was therefore refused for the following reason.

“The primary use of 2 Millside is a private domestic dwelling. The evidence which has been produced by the applicant is that friends have gone to the property for hair and beauty treatment for a number of years. A distinction is drawn in law between a primary use and an ancillary use which accompanies it. The evidence submitted suggests the use for hair and beauty treatment is ancillary. No evidence has been submitted to show that the use in this case has become severed from the primary use (i.e. that the use of a specific room for hair and beauty treatment has been carried out on a commercial basis) or that it has intensified to such a point that there has been a definable change in the character of the use of the land for a period in excess of 10 years. Therefore it is not considered that the applicant has established, on the balance of probabilities, that the use has been carried out for at least 10 years.”

- 3.4 Further discussions with the occupiers revealed that only the son is carrying out any work currently as the daughter who does not reside at the property is expecting a child and the mother is now involved with short-term children fostering. There is no precise number of customers in case law that can visit a residential property in connection with a business use but officers have advised for several years that 12 customers per week would be acceptable and would not require planning permission. The occupiers agreed to comply with these guidelines and even came to an arrangement with the nearby public house that all customers could park on their car park. In addition a diary of customers' visiting times and dates is also kept and available to view on request. This was agreed at a meeting in January this year. However, the complaints have continued to be received alleging that up to 15 customers per day have visited the property and that evidence of this is available from their CCTV monitor.
- 3.5 Officers have viewed the alleged evidence and in reality it only shows people entering and leaving Millside. It does not show which property they are visiting and neither can it distinguish between a customer or a visiting friend or relative. The occupier accepts that often several people visit the property per day but can be explained as there are 5 adult children who all drive. Social workers visit almost daily and friends and other relatives regularly visit.

4.0 **CONCLUSION AND RECOMMENDATION**

- 4.1 Officers have regularly monitored and visited the property and it is clear that the primary use of 2 Millside is as a private domestic dwelling. The original complaint relating to customers parking on the street has been resolved by customers using the adjacent public house car park. This has been conceded by the complainant although they maintain that too many people visit the property. In planning law there is no legislation to restrict the number of people visiting a residential property and therefore no further action can be taken. It is recommended that this matter is now considered resolved and a letter sent to the complainant advising them of this decision.

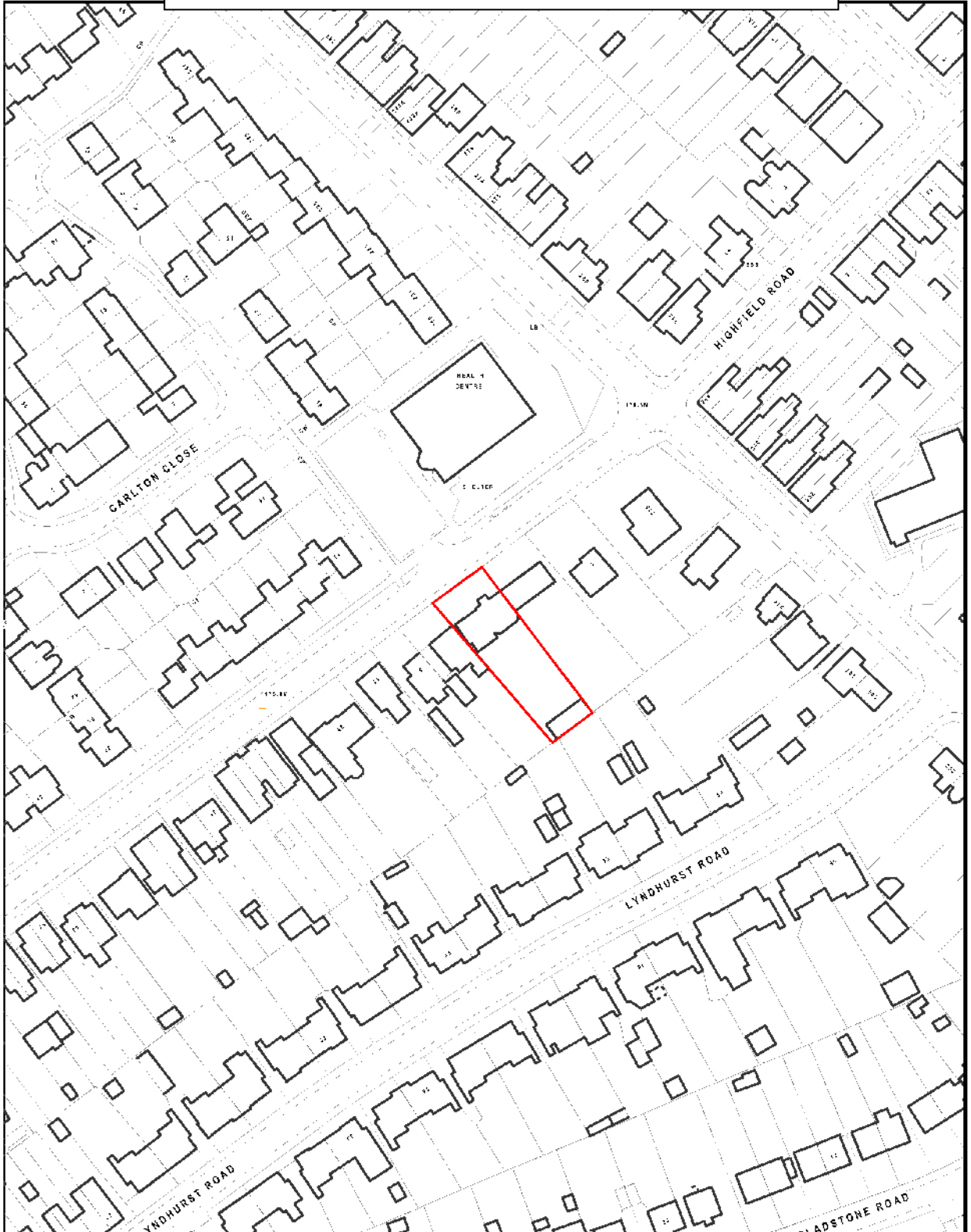
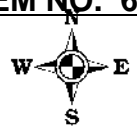


CH/18/100

5, Gorsemoor Road, Heath Hayes, CANNOCK, WS12 3TG

Single storey and two storey rear extensions, side extension over existing garage with dormers and internal alterations

ITEM NO. 6.6

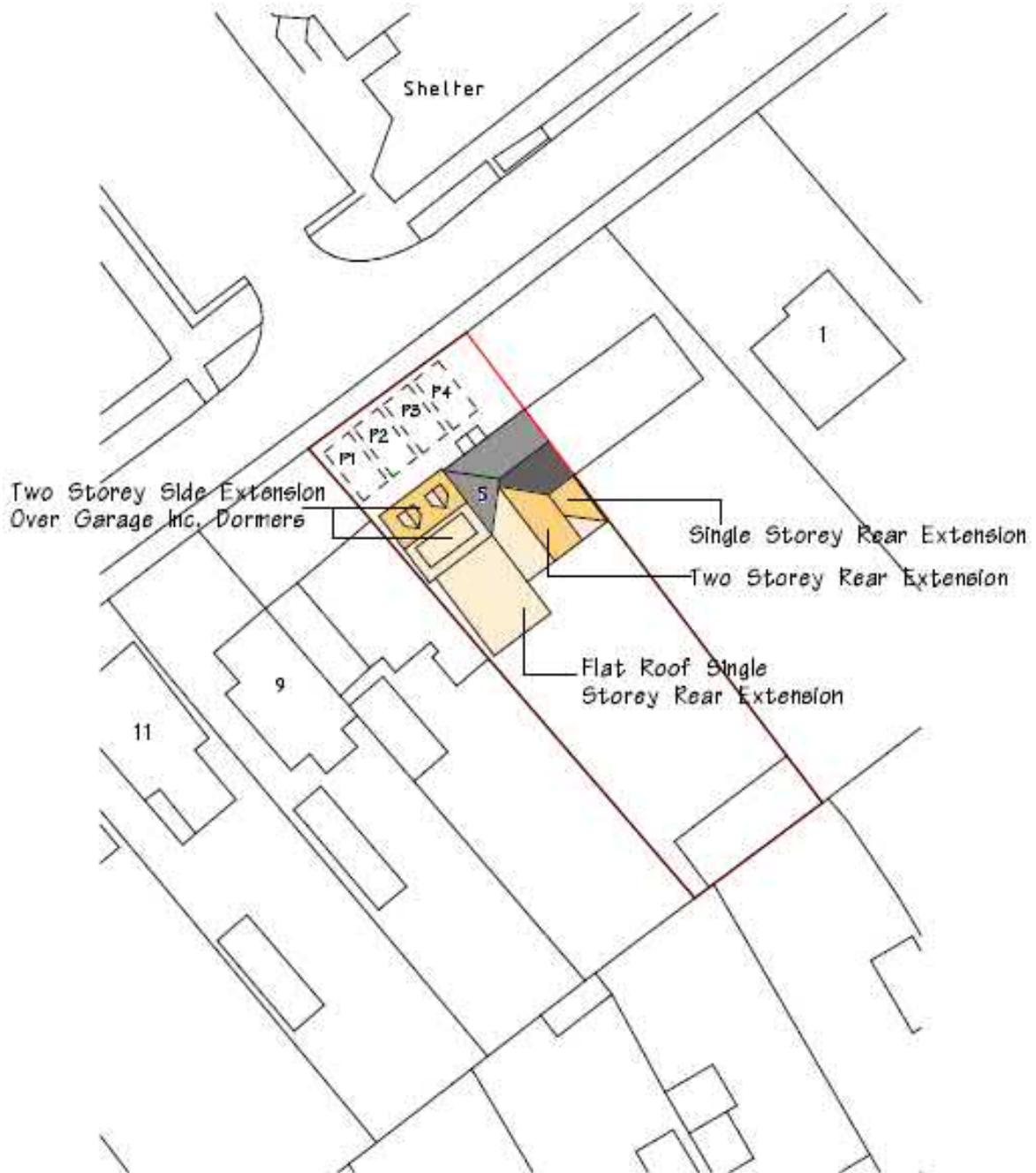


# Location Plan



Location Plan 1:1250

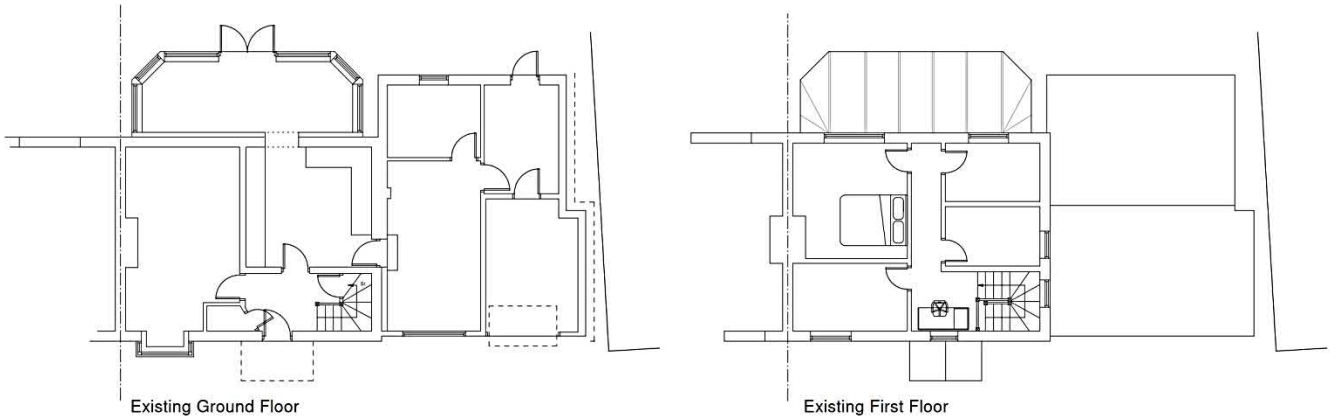
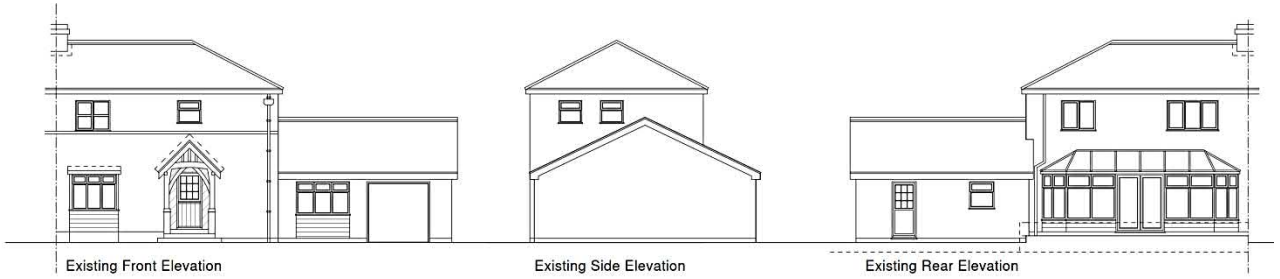
# Block Plan



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Block Plan 1:500

# Existing Plans & Elevations



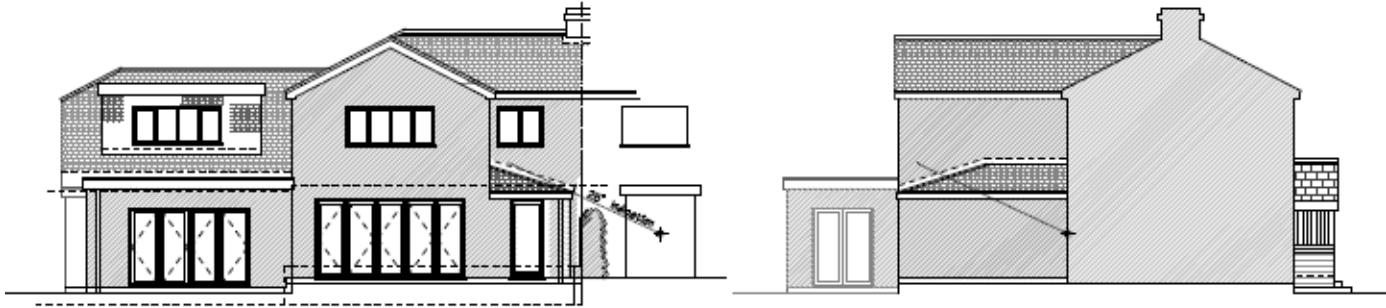
# Proposed Plans & Elevations



Proposed Front Elevation

Proposed Side Elevation

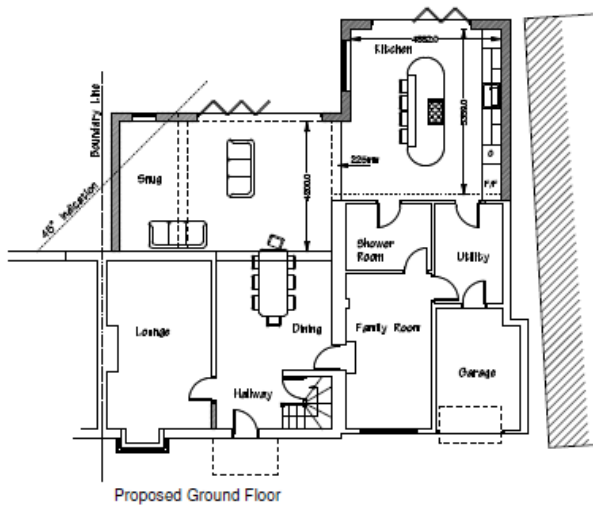
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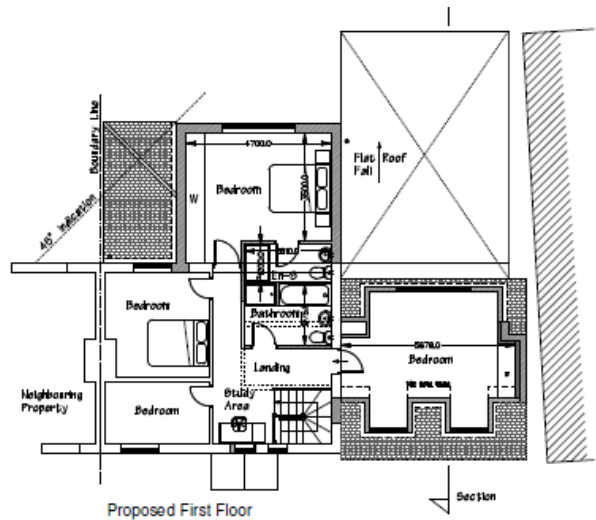
Proposed Rear Elevation

Proposed Side Elevation

Section



Proposed Ground Floor



Proposed First Floor

Section

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**Application No: CH/18/100**

**Received: 09-Mar-2018**

**Location: 5, Gorsemoor Road, Heath Hayes, CANNOCK, WS12 3TG**

**Parish: Heath Hayes**

**Ward: Heath Hayes East and Wimblebury Ward**

**Description: Single storey and two storey rear extensions, side extension over existing garage with dormers and internal alterations**

**Application Type: Full Planning Application**

**RECOMMENDATION Approve Subject to Conditions**

Reason for Grant of Permission

In accordance with paragraphs (186-187) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and/ or the National Planning Policy Framework.

1. B2 Standard Time Limit
2. D3 Materials to match
3. Approved Plans

#### EXTERNAL CONSULTATIONS

Heath Hayes & Wimblebury Parish Council

No response to date

#### INTERNAL COMMENTS

None undertaken

#### RESPONSE TO PUBLICITY

The application was advertised by way of neighbour letters to the adjacent and nearby residents and the provision of a site notice. One letter of representation has been received raising the following concerns:-

- The application site and adjoining property were Council owned properties and gave unobstructed views. The proposed extension will remove these views and change the outlook from the adjacent property significantly from both ground floor and first floor windows.
- The proposed extensions are excessive and out of proportion to the existing semi-detached property. The projection of the proposal would overpower and block out light to the adjacent dwelling.
- The proposed extension projecting back to the rear would be out of character from the main building and extremely overpowering from the adjacent dwelling.
- The single storey extension would be along the boundary and would restrict the daylight due to its height and depth.

- The drains are shared and there would be no means of access should future problems arise.

**RELEVANT PLANNING HISTORY**

CH/13/0266: - Conversion of bow window to walk in bay. Approved.

CH/02/034: - Conservatory to rear. Approved.

**1. SITE AND SURROUNDINGS**

- 1.1 The application site comprises a two-storey dwelling sited within Gorsemoor Road, Cannock.
- 1.2 The host dwelling comprises of a semi-detached property and benefits from a number of existing extensions and alterations, including a conservatory to the rear and the conversion of the garage.
- 1.3 The boundaries of the application site are delineated on either side by mature hedges and close board fencing. There is a single storey brick built out-building adjacent the rear boundary which extends across the full width of the rear boundary.
- 1.4 The streetscene comprises a mixture of two storey semi-detached and detached houses of varying styles and sizes. A number of the dwellings within the surrounding area have been extended, including dormer window extensions and two storey extensions.
- 1.5 The adjoining dwelling (No.3) is of a similar appearance to the host dwelling.
- 1.6 The application site is unallocated and undesignated within the Local Plan (Part 1).

**2. PROPOSAL**

- 2.1 The proposal is for the removal of the existing conservatory and the construction of a first floor extension over the existing garage, a single storey flat roof extension to the rear of the garage and a two storey and single storey extension to the rear.
- 2.2 The proposed first floor extension over the existing garage would be constructed to a height of 6m and would incorporate a dormer window across the rear roof slope. The proposed extension would extend across the full width of the garage. A flat roof dormer is proposed to the rear roof slope and two smaller dormer windows with pitched roof to the front roof slope.
- 2.3 The proposed two storey extension to the rear would project back for 4.5m and would be constructed to a height of 6.7m (5.3m to the eaves). The proposed two storey extension would have a width of 5m and be sited to the centre of the dwelling.
- 2.4 The proposed single storey extensions would be either side of the proposed two storey extension. The single storey extension proposed adjacent the shared boundary with No.5 would extend back for 4.5m and would have a height of 3.1m (2.3m to the eaves). The single storey extension adjacent the shared boundary with No.7, would extend back from

the existing rear elevation by 6m. This extension would be constructed to a height of 3.1m to the top of the flat roof.

- 2.5 The proposed alterations would be constructed from materials that reflect the host dwelling.

3. PLANNING POLICY

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014).

- 3.3 Other material considerations relevant to assessing current planning applications include the National Planning Policy Framework (NPPF) and Supplementary Planning Guidance/Documents.

3.4 Cannock Chase Local Plan (2014)

CP1 – Strategy

CP3 - Chase Shaping – Design

3.5 National Planning Policy Framework

- 3.6 The NPPF sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it emphasises a “presumption in favour of sustainable development”.

- 3.7 The NPPF confirms that a plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan. In particular the following NPPF references are considered to be appropriate.

- 3.8 Relevant paragraphs within the NPPF include paragraphs:-

7, 11-14, 17, 50, 56-8, 60, 64

3.9 Other relevant documents include:

Design Supplementary Planning Document April 2016

4. DETERMINING ISSUES

- 4.1 The determining issues for the proposal are: -

- (i) Principle of the Development
- (ii) Design and the impact on the character and form of the area
- (iii) Impact on residential amenity

4.2 Principle of the Development

4.2.1 The proposal is for the extension of an existing residential property that is located within an established residential estate located within Cannock. The site is not allocated or designated. As such, it is considered that the principle of development is acceptable.

4.3 Design and the Impact on the Character and Form of the Area

4.3.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

- (i) of a high quality design that is well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials;
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.3.2 Gorsemoor Road has a wide range of dwelling types in terms of age, type and materials, including buildings ranging from the nineteenth century through to the late twentieth century. House-types include semi-detached and detached houses and bungalows, with a mix of render and brick in use. The variety in the street-scene is augmented by a range of architectural detailing including gables and porches and a variation in buildings sizes. As such the street-scene is not particularly sensitive to change and a range of style of buildings could be accommodated within it.

4.3.3 The building that would result from the proposed changes would fall within the size parameters of the wider street-scene and would incorporate many of the elements already to be found within Gorsemoor Road.

4.3.4 The proposal is considered to be of a good quality design and would be in-keeping with the design of the existing property. The proposed extensions would, in part, remove an existing extension and would retain a good degree of amenity for the occupiers of the site. The materials for the proposed extensions would reflect those used on the existing property.

4.3.3 The proposed single storey rear extension adjacent the shared boundary with No.3, would remain 0.2m from the closeboard fence. The proposed extension would be constructed on an area of existing hardstanding. As such, the proposal would have no significant impact to the hedgerow as roots are not likely to be located underneath the existing hardstanding. Also, the hedge would not require any cutting back as it is currently retained by the existing fence. In any case the hedge cannot be readily seen from the public realm and there is planning reason to protect the hedge in the public interest.

4.3.4 Taking all of the above into account, and having regard to policies CP3 of the Local Plan, the Design SPD and the relevant sections of the NPPF, it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

4.4 Impact on Residential Amenity

- 4.4.1 A core planning principle is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and this has been accommodated within Policy CP3 of the Local Plan and supported by the guidance as outlined in the Design SPD.
- 4.4.2 In terms of the neighbouring properties the proposed extension would be located along the shared boundaries with No. 3 and No.7 Gorsemoor Road.
- 4.4.3 In relation to No.3, the proposed extensions comply with the Council's guidance for protecting Daylight / Outlook and whilst introducing built development to the immediate side of the shared boundary, would be acceptable in planning terms in respect to its impact on the occupiers of this property in terms of Daylight / Outlook.
- 4.4.4 In relation to No.7 Gorsemoor Road, this neighbour benefits from substantial extensions to the side and rear adjacent the application site, including a two storey flat roof extension and a single storey rear extension. As such, the proposed extensions would have no significant detrimental impact to the occupiers of this property.
- 4.4.5 Therefore, it is concluded that the proposal by virtue of the design, separation distances and existing boundary treatments, would not result in any significant impact by virtue of overlooking, loss of light or loss of outlook, on the residential amenities of the future and existing occupiers of the neighbouring properties and that taken as a whole, the proposal would result in a good standard of residential amenity to all existing and future occupants in accordance with Policy CP3 of the Local Plan, the Design SPD and paragraph 17 of the NPPF.

4.5 Objections raised not already covered above

- 4.5.1 The objector states that the application site and adjoining property were Council owned properties and gave unobstructed views. The proposed extension will remove these views and change the outlook from the adjacent property significantly from both ground floor and first floor windows. Your officers are satisfied that the proposed extensions would be viewed against the backdrop of existing extensions on neighbouring dwellings. The wider view from the objectors' gardens and property would not be significantly impeded. Notwithstanding this, neighbours have no right to a view across third party land and loss of a private view is a not a material planning issue.
- 4.5.2 The objector states that the proposed extensions are excessive and out of proportion to the existing semi-detached property. The projection of the proposal would overpower and block out light to the adjacent dwelling. Your officers confirm that there are no restrictions in place that limit the scale of extensions allowed on any one property (unless the application site is located within the Green Belt). Each application is considered on its own merits which considers (amongst others) the impact on neighbours' amenity. The proposed extension has been assessed in terms of the Daylight / Outlook Guidance as specified within the Design SPD and this proposal meets the relevant criteria.
- 4.5.3 The objector contends that the proposed extension projecting back to the rear would be out of character from the main building and extremely overpowering from the adjacent dwelling. Your officers confirm that the proposed extensions are typical of extensions

found within a residential curtilage and already exist on the adjacent property (No.7). There are no limitations in terms of rear projections to a residential property and each proposal is considered on its own merits.

- 4.5.4 The objector raised concerns that the drains are shared and there would be no means of access should future problems arise. Officers would comments that this matter falls within the control of the building regulations.

5.0 HUMAN RIGHTS ACT

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

6.0 EQUALITIES ACT 2010

- 6.1 This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

7.0 CONCLUSION

- 7.1 In conclusion, it is considered that the proposals are of a high quality design and will be in-keeping with the design of the existing property and the wider street scene.
- 7.2 It is considered that the proposals will not have a significant adverse impact on the neighbouring properties.
- 7.3 It is therefore recommended that the application be approved subject to the attached conditions.

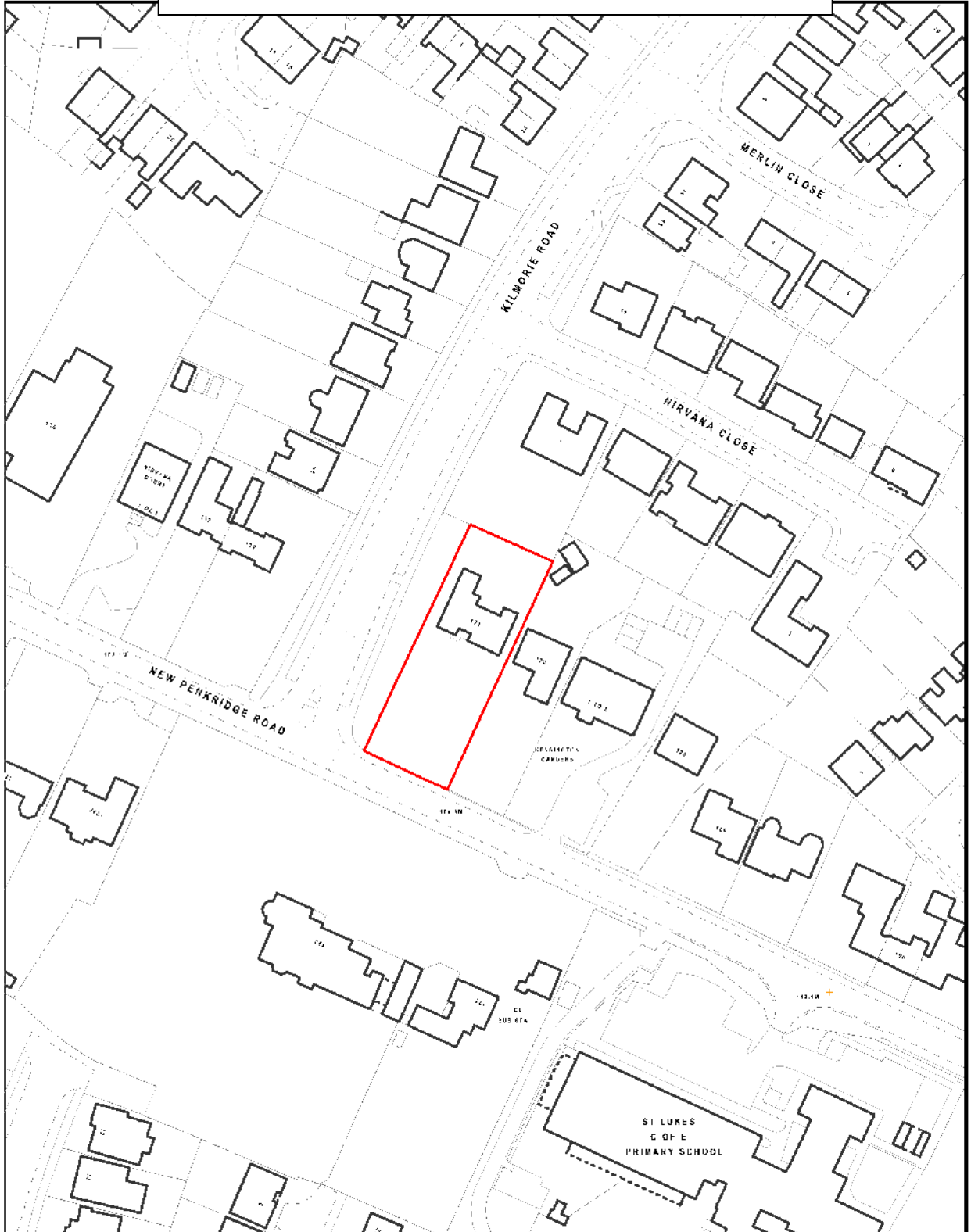


CH/18/092

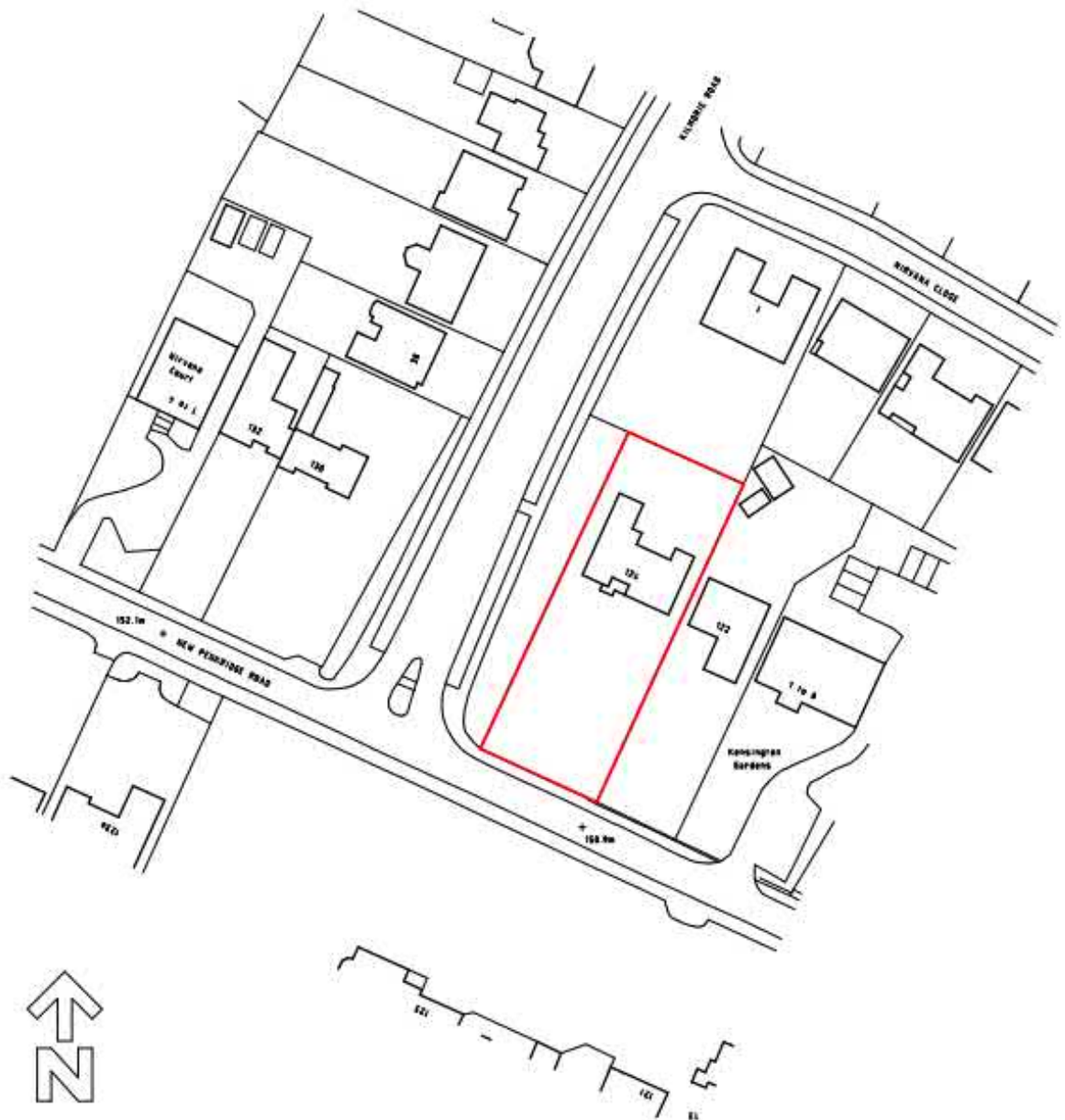
124, New Penkrige Road, CANNOCK, WS11 1HN

Residential development:- Erection of 8 No. two bed apartments

ITEM NO. 6.17



# Location Plan

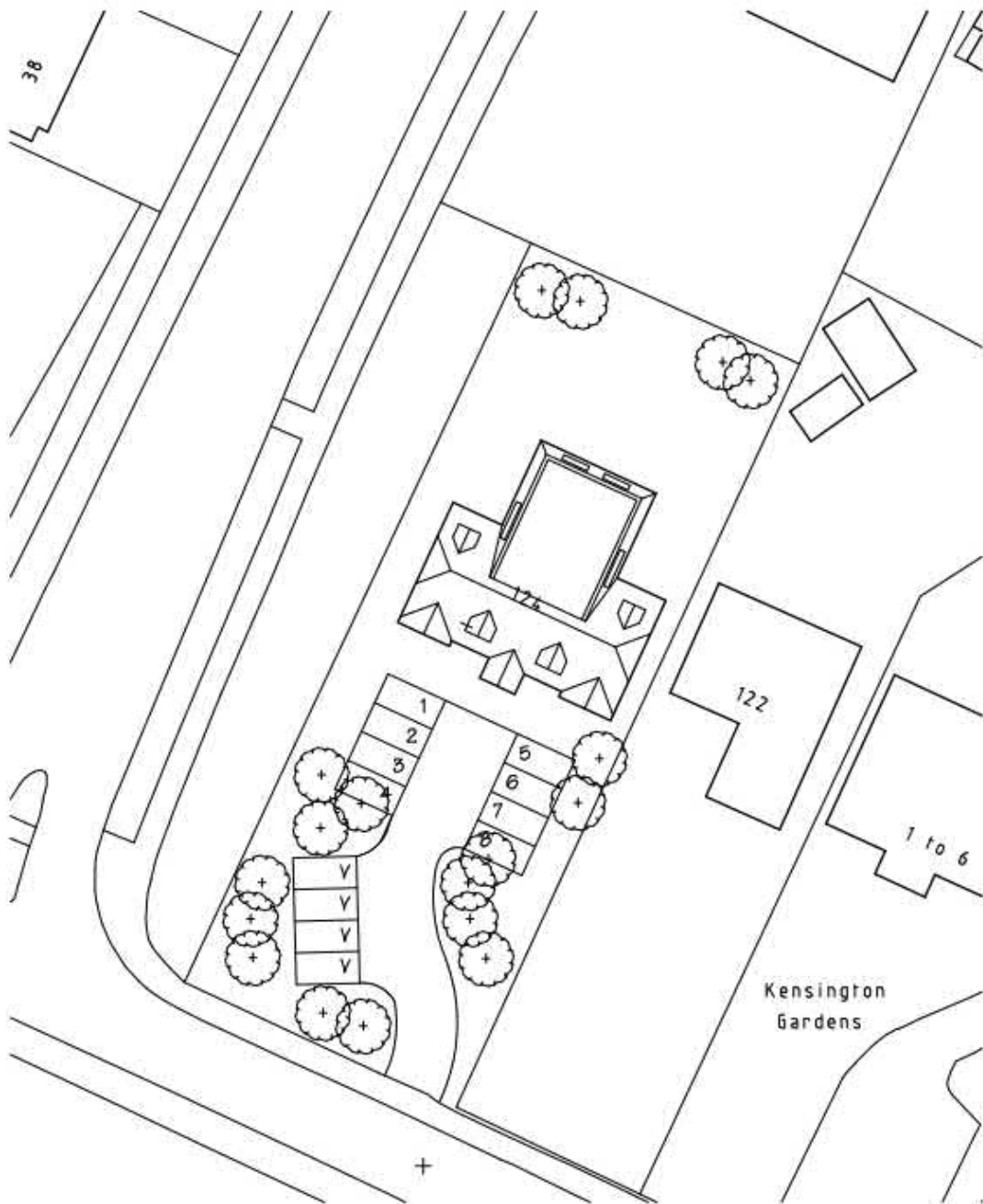


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LOCATION PLAN 1:1250



# Block Plan



BLOCK PLAN 1:500

# Proposed Plans & Elevations



FRONT ELEVATION

SIDE ELEVATION



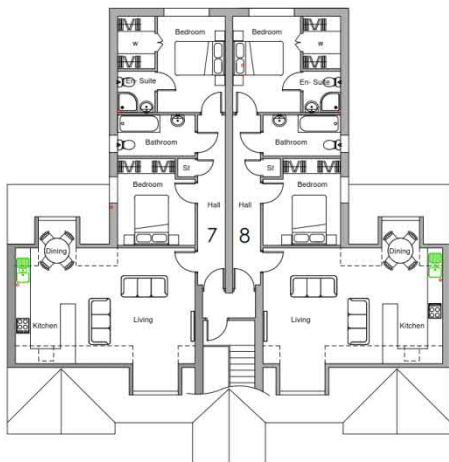
SIDE ELEVATION

REAR ELEVATION

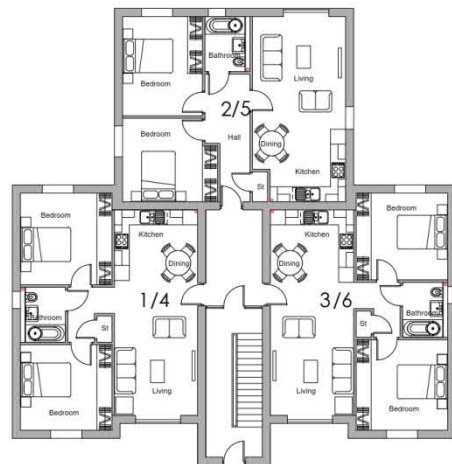
8 no 2 bed apartments  
12 no car parking



STREET SCENE



SECOND FLOOR PLAN



GROUND & FIRST FLOOR PLANS

**Application No: CH/18/092**

**Received: 01-Mar-2018**

**Location: 124, New Penkridge Road, CANNOCK, WS11 1HN**

**Parish: Non Parish Area**

**Ward: Cannock West Ward**

**Description: Residential development:- Erection of 8 No. two bed apartments**

**Application Type: Full Planning Application**

**RECOMMENDATION Approve Subject to Conditions**

Reason for Grant of Permission

In accordance with paragraphs (186-187) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and/ or the National Planning Policy Framework.

1. B2 Standard Time Limit
2. D1 Materials - Details Required
3. I4 Obscured Glazing
4. E12 Landscape Implementation
5. Highways
6. Highways
7. Highways
8. Drainage
9. Approved Plans

#### EXTERNAL CONSULTATIONS

Staffordshire County Council (Highways)

No objection subject to conditions.

The parking provision is adequate for the proposed use and there is sufficient space for vehicles to turn within the site so they can enter and exit in a forward gear.

The applicant is not creating a new access, as the site benefits from a well established vehicle access with good visibility.

#### INTERNAL COMMENTS

Planning Policy

No objection.

The site is within the Cannock urban area and is not protected for a specific use on the Local Plan (Part 1) Policies Map.

If it is a market housing residential development scheme the proposal is CIL liable. Given that a net increase in dwellings is proposed the development also needs to mitigate its impacts upon the Cannock Chase SAC (Local Plan Part 1 Policy CP13). Should the development be liable to pay

CIL charges then this will satisfy the mitigation requirements, as per Local Plan Part 1 Policy CP13, the Developer Contributions SPD (2015) and the Council's Guidance to Mitigate Impacts upon Cannock Chase SAC (2017). However, should full exemption from CIL be sought then a Unilateral Undertaking would be required to address impacts upon the Cannock Chase SAC in accordance with the Councils policy/guidance. Any site specific requirements may be addressed via a Section 106/278 if required, in accordance with the Developer Contributions and Housing Choices SPD (2015) and the Council's most up to CIL Regulation 123 list.

#### Environmental Protections

Cannock Chase Council does not allow its refuse collection vehicles to travel on private roads. All waste storage points must be positioned within 10m of an adopted highway. Communal bin stores must be designed to be of a suitable size and quality to accommodate the number of bins required for the development and allow for good access, security and environmental screening. Communal bin stores should be positioned so as to allow unobstructed access and have a safe working area of 3.5m x 4m with no change in level.

#### Housing Strategy

No contribution required.

#### Trees, Landscape and Countryside

Objection due to impact on the adjacent trees, the scheme does not comply with the Council's amenity standard, hard work details need to show surface water drainage or porous construction.

#### RESPONSE TO PUBLICITY

Site notice and adjacent occupiers notified with four letters of representation received (one objection letter includes the addresses of 6 tenants):

- The proposal for 8 dwellings would significantly increase traffic activity and would have a dangerous impact on the already busy junction of New Penkridge Road and Kilmorie Road, especially during school times. This proposal has very significant road safety issues,
- The position of the access is too close to the junction bearing in mind the proximity of the school, the number of pedestrians using this section of footpath at school times, the congestion in this vicinity is a serious issue and increase in vehicular activity will exacerbate the problem,
- Most of the frontage is taken up for parking which would visually dominate the predominantly landscaped front gardens.
- The amenity space is too small.
- The design of the building will dominate its surroundings by virtue of the size, height and overall mass of three storey and flat roof section, the appearance of the building would be unattractive and not be in keeping with the surrounding area.
- The adjacent property will lose light and privacy.
- Why have Staffordshire Police, the County Road Safety Liaison Officer, Cannock Police Partnership Officer for County Community Hub not been consulted on the application?
- Planning Officers have no local knowledge of the day to day 'on the ground' knowledge of the horrendous parking and safety issues of this location.

1. **SITE AND SURROUNDINGS**

- 1.1. The application site relates to an existing dwelling sited at the junction of New Penkridge Road and Kilmorie Road, located within the urban area of Cannock.
- 1.2. The application site covers an area of approx. 1372.5m<sup>2</sup> and benefits from a 22m wide frontage onto New Penkridge Road.
- 1.3. The existing dwelling is a simple design set deep within the site behind a lawed frontage. The access is off New Penkridge Road via a single drive along the eastern boundary which terminates in a turning area to the front of the dwelling.
- 1.4. To the immediate west of the site lies a strip of land outside the applicants' ownership. This land is planted with mature landscaping which includes mature tree and hedgerow planting screens the site from Kilmorie Road.
- 1.5. The application site is located within an established residential area which contains a mixture of two storey and single storey dwellings under single ownership or divided as individual apartments. The majority of buildings are of generous proportions, set within spacious plots.
- 1.6. The site is not allocated within the Cannock Chase Local Plan (Part 1) but is within the existing settlement boundary of Cannock. The application site is within walking distance of local bus routes and is within walking distance to Cannock Town Centre and local shops, services and schools.

2.0 **PROPOSAL**

- 2.1. The application proposes the demolition of the existing dwelling and the construction of one block of 8 flats with associated amenity space, parking and landscaping.
- 2.2. The proposed new building would be three stories (third floor in the roof space) and would have a footprint of 17.5m x 16.5m (maximum depth). The proposed building would be constructed to a height of 9m (5m to the eaves).
- 2.3. The design of the proposed building would incorporate feature gables, cladding panels and dormer windows.
- 2.4. The proposed building would be sited approx. 13m from the rear boundary providing some 370m<sup>2</sup> private rear amenity space.
- 2.5. The proposal would utilise the existing access from New Penkridge Road which would lead to a parking area for 12 vehicles and a communal bin store.
- 2.6. Where possible the existing landscaping would be retained and new planting included throughout the site.

3. PLANNING POLICY

3.1. Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014).

3.3 Other material considerations relevant to assessing current planning applications include the National Planning Policy Framework (NPPF) and Supplementary Planning Guidance/Documents.

3.4 Cannock Chase Local Plan (2014):

- CP1 - Strategy – the Strategic Approach
- CP2 - Developer contributions for Infrastructure
- CP3 - Chase Shaping – Design
- CP6 - Housing Land
- CP7 - Housing Choice
- CP13 - Cannock Chase Special Area of Conservation (SAC)

3.5 National Planning Policy Framework

3.6 The NPPF sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it emphasises a “presumption in favour of sustainable development”.

3.7 The NPPF confirms that a plan-led approach to the planning system and decisions must be made in accordance with the Development Plan. In particular, the following NPPF references are considered to be appropriate.

3.8 The relevant sections of the NPPF in relation to this planning application are as follows;

7, 11-14, 17, 49, 50, 56, 57, 58, 60, 61, 64

3.9 Other Relevant Documents

- Design Supplementary Planning Document, April 2016. (Mature Suburbs)
- Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport

4. DETERMINING ISSUES

4.1. The determining issues for the application are:-

- Principle of development
- Design
- Access and parking
- Impact upon neighbouring dwellings

- Landscaping
- Affordable housing provision
- Whether any Adverse Impact of Granting Planning Permission would be significantly and Demonstrably Outweighed by the Benefits, when Assessed Against the Policies in the Framework, Taken as Whole.

#### 4.2. Principle of development

- 4.2.1 The proposal is for the demolition of the existing dwelling and for the construction of a new building in its place. Both the NPPF and Cannock Chase Local Plan Policy CP1 advocate a presumption in favour of sustainable development unless material considerations indicate otherwise. Further, Local Plan Policy CP6 seeks to support the creation of new homes within existing urban areas.
- 4.2.2 The site is located within the urban area of Cannock. It is a 'windfall site' having not been previously identified within the Strategic Housing Land Availability Assessment (SHLAA) as a potential housing site. Although the Local Plan has a housing policy it is silent in respect of its approach to windfall sites on both greenfield and previously developed land. As such in accordance with Policy CP1 of the Local Plan the proposal falls to be considered within the presumption in favour of sustainable development, outlined in paragraph 14 of the NPPF. This states that where the development plan is absent, silent or relevant policies are out of date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework, taken as whole, or
  - Specific policies in this framework indicate otherwise.
- 4.2.3 The specific policies referred to in Paragraph 14 are identified in footnote 9 and include, for example, those policies relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion. It is noted that the site does not fall within any of the categories outlined in footnote 9 and therefore there are no specific policies within the NPPF which indicate that the development should be restricted.
- 4.2.4 Local Plan (Part 1) Policy CP1 identifies that the urban areas of the District, including Cannock, will be the focus for the majority of new residential development. It also identifies that a 'positive approach that reflects the presumption in favour of sustainable development' will be taken when considering development proposals. The site is not located within either Flood Zone 2 or 3. The site and is not designated as a statutory or non- statutory site for nature conservation nor is it located within a Conservation Area (CA).
- 4.2.5 In respect to the principle of the proposal it is noted that the site is within the curtilage of a residential use and is located within the New Penkridge Road area which is approximately 1km from the town centre of Cannock, close to the local primary school and served by bus routes giving access by public transport. As such the site has good access by public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development.

4.2.6 Although a proposal may be considered to be acceptable in principle it is still required to meet the provisions within the development plan in respect to matters of detail. The next part of this report will go to consider the proposal in this respect.

4.3 Design and the Impact on the Character and Form of the Area

4.3.1 The application site is an existing residential curtilage and dwelling. Whilst the NPPF does not consider garden land as previously developed land it suggests that Local Planning Authorities should have local planning policies to control garden land development, for example where development would cause harm to the local area. In this instance the Design SPD sets out criteria in relation to mature suburbs, which seeks to protect and enhance the green and open character of such areas.

4.3.2 The site is located within the South and West Cannock Character Area, the character of which is described in Appendix A of the Design SPD. Key Local Design Principles [amongst others] are that development should

- Safeguard/ enhance ‘leafy character’ of New Penkridge Road area with density of development, green views over and between buildings and householder permitted development rights controlled as appropriate. Promote retention and use of front garden boundary hedging to reinforce ‘leafy’ feel.

4.3.3 Specific Design Guidance for the ‘Mature Suburb’ of New Penkridge Road is provided on pages 79 -80 of the Design SPD. Particular Key Features of the character of this area are that: -

- They usually consist of substantial houses and bungalows on large plots within well established gardens along roads leading to the open countryside of the Chase or Shoal Hill.
- The spacious nature and lower density of these areas has led to pressure for intensification of development, particularly on the larger plots with impacts on/ loss of mature trees and shading effects on the new development itself. Whilst such development can have benefits by increasing housing stock and making efficient use of land, it can also affect local character, amenity and privacy unless development is designed to be sympathetic to the main features which makes these areas unique.

4.3.4 The proposal would be constructed in place of the existing dwelling and utilises the existing access. The proposed scheme would comprise of one building to serve 8 x two bedroom flats with the majority of existing mature landscape within the grounds being retained. As such, the proposal would preserve the character and form of the area.

4.3.5 Furthermore, in respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, that developments should be: -

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and



- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.3.6 In respect to the proposed new building, this would replace the existing two storey dwelling. The existing building benefits from a large footprint meaning the footprint of the proposed building would only be 17m<sup>2</sup> larger. However, the existing dwelling is of a modest height. As such, the proposed building would increase the volume and mass by a significant amount. Notwithstanding this, the proposed building would be the same height as existing buildings within the street (Kensington Gardens). The proposed building would sit next to the existing and varied houses against which context they would be viewed. As such any harm to the form and character of the area through loss of semi-natural vegetation would be slight when viewed within this context. Furthermore, it is considered that the proposed building would be a bespoke design and whilst different to the existing and neighbouring properties would sit comfortably within its mature suburban setting.

4.3.7 Taking all of the above into account, and having had regard to Policies CP3 of the Local Plan and the appropriate sections of the NPPF it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

#### 4.4 Impact on Residential Amenity

4.4.1 A core planning principle is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and this has been accommodated within Policy CP3 of the Local Plan and supported by the guidance as outlined in the Design SPD.

4.4.2 In this respect it is noted that the proposed building would be no higher than existing buildings within the street scene (Kensington Gardens). The street scene comprises of a variety of single dwellings and apartment buildings set within spacious plots.

4.4.3 The proposed building would be sited 1.5m from the shared boundary with No. 122 and would be constructed, for the majority to the side of this property. Deeper within the site the proposed building would project back by a further 4m however, this would be at a distance of 5.5m from the shared boundary. There are windows proposed within the side elevation of the building facing No.122, however these serve bathrooms and would be obscure glazed or are secondary windows to the main living area and gain would be obscure glazed. The dormer window proposed in the side roof slope would serve a second bedroom however; this would face out onto the side elevation of No.122 and therefore would not impact on the privacy to the occupiers of the adjacent dwelling. Notwithstanding this, the submitted plan indicates this window to be obscure glazed.

4.4.4 The separation distances proposed would comply with the requirements in the SPD (Design) which ensure new development does not result in an overbearing impact and protects the privacy and outlook to adjacent occupiers. The proposed building has been re-sited within the plot to ensure a 13m separation distance is retained to the rear boundary. Planning permission has been granted for a two storey dwelling to be constructed on land to the rear of this site. The proposed building would remain 15m from

the side elevation of this dwelling which is over and above the 13.7m stated within the Design SPD.

4.4.5 In respect to garden area the Design SPD states that there should be a minimum of 30sqm per flat. To the rear the application proposes 370m<sup>2</sup> of private amenity space, which equates to 46m<sup>2</sup> per dwelling which is in excess of the minimum guidance.

4.4.6 Therefore it is concluded that the proposal by virtue of the distance from the nearest dwellings, the proposal would not result in any significant impact, by virtue of overlooking, loss of light or loss of outlook, on the residential amenities of the future and existing occupiers of the neighbouring properties and that taken as a whole the proposal would result in a good standard of residential amenity to all existing and future occupant in accordance with Policy CP3 of the Local Plan and paragraph 17 of the NPPF.

#### 4.5. Access and Parking

4.5.1 Paragraph 32 of the NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

4.5.2 The proposal would reuse the existing access which would lead to a small parking / turning area. Staffordshire County Highways assessed the proposal and raised no objections in terms of highway safety.

4.5.3 The SPD: Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport, states that 1 parking space per apartment is required plus one visitor space per two apartment. As such, the parking provision for the proposal meets the requirement.

4.5.4 Staffordshire County Highways have requested a condition for cycle store provision to be made at a rate of 1 space per flat.

#### 4.6 Landscaping

4.6.1 The proposal seeks to retain the existing landscaping where possible. Notwithstanding this, a number of trees would be removed towards the front of the site to accommodate the proposed parking area. It should be noted that the extent of hardstanding proposed could be constructed to the front of the dwelling under permitted development providing the materials used are porous or lead to a soakaway. In this instance, the proposal does include a replacement planting scheme however, to soften the impact of the hardstanding.

4.6.2 The applicant submitted a tree report which concludes that there are 10 category 'B' trees on or associated with the site. The Horse Chestnut, sited adjacent the entrance to the site is in good condition and presents no conflict to the development given the access already exists. The mixture of Sycamore and Lime trees which run along the western boundary are sited within and adjacent the site. The proposal does encroach into the Root Protection Zone (RPA) of T21, T22 & T23 which overhang the site. As such, pruning of these trees is required to facilitate the proposed building. Landscape Officers object to the pruning of these trees which are not within the boundary of the application site. However, the fall back position is that the applicant has the legal right to prune these trees back to the boundary without any planning permission and therefore any impacts on landscaping are no greater than what could be achieved by the applicant going about his/ her lawful business.

4.6.3 Therefore, on balance, it is considered that having had regard to Policy CP3 the landscaping scheme is acceptable.

4.7 Impact on Nature Conservation Interests

4.7.1 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection or which is of particular conservation interest.

4.7.2 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. The proposal would lead to a net increase in dwellings and therefore is required to mitigate its adverse impact on the SAC. Such mitigation would be in the form of a contribution towards the cost of works on the SAC and this is provided through CIL. The proposal would be CIL liable and the SAC mitigation monies would be topped sliced from the CIL contribution.

4.7.3 Given the above it is considered that the proposal, subject to the CIL payment, would not have a significant adverse impact on nature conservation interests either on, or off, the site. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.8 Affordable Housing and other Developer Contributions

4.8.1 Under Policy CP2 the proposal would be required to provide a contribution towards affordable housing. However, given the order of the Court of Appeal, dated 13 May 2016, which give legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014, and the subsequent revision of the PPG it is considered on balance that the proposal is acceptable without a contribution towards affordable housing.

4.9 Drainage and Flood Risk.

4.9.1 The site is located in Flood Zone 1 which is at least threat from flooding. Although the applicant has not indicated the means of drainage it is noted that the site immediately abuts a main road and is on the edge of a predominantly built up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area. Therefore, it is considered that options for draining the site are available and that this can be adequately controlled by condition.

4.9.2 As such subject to a condition to secure a drainage scheme the proposal would be acceptable in respect of drainage and flood risk.

4.10. Objections received not already addressed above:

4.10.3 A number of objections raised refer to a significant increase in traffic activity and that the proposal would have a dangerous impact on the already busy junction of New Penkridge Road and Kilmorie Road, especially during school times. Your Officers have consulted Staffordshire

County Highways Officers to assess the proposal in terms of highway safety. Highway Officers raised no objection to the proposal.

4.10.2 The position of the access is too close to the junction bearing in mind the proximity of the school, the number of pedestrians using this section of footpath at school times, the congestion in this vicinity is a serious issue and increase in vehicular activity will exacerbate the problem. Staffordshire County Highways Officers have assessed the proposal and has raised no objection in terms of highway safety.

4.10.3 An objection has been raised that the amenity space is too small however; your officers can confirm that the 370m<sup>2</sup> significantly exceeds the 240m<sup>2</sup> as required by the Design SPD.

4.10.4 An objector has queried why Staffordshire Police, the County Road Safety Liaison Officer, Cannock Police Partnership Officer for County Community Hub have not been consulted on the application. The Planning Authority has no statutory duty to consult with the aforementioned departments on residential development applications. The Planning Authority consult with Staffordshire County Highways in order to assess planning applications in terms of highway safety. In this instance, the proposal was considered acceptable.

4.10.5 One objection raised concerns that Planning Officers have no local knowledge of the day to day 'on the ground' knowledge of the horrendous parking and safety issues of this location. Officers confirm that the planning application provides adequate parking provision within the site for the quantum of development. If there is an existing parking problem it is not for the applicant to resolve. Staffordshire County Highways Officers were consulted on the safety implications of the proposal and raised no concern in this instance.

4.11 Whether any Adverse Impact of Granting Planning Permission would be Significantly and Demonstrably Outweighed by the Benefits, when Assessed Against the Policies in the Framework, Taken as Whole.

4.11.1 Although the Council has a five year supply of housing land it is noted that such a supply is not a ceiling and it is the Government's firm intention to significantly boost the supply of housing. With this in mind it is noted that the granting of the permission would make a contribution towards the objectively assessed housing needs of the District. In addition it would have economic benefits in respect to the construction of the property and the occupiers who would make some contribution into the local economy. Finally, the proposal would have an environmental benefit of making efficient use of land within a sustainable location and in creating several thermally efficient new dwellings which would be required to meet building standards.

4.11.2 Conversely when looking at potential harm it is considered that, subject to the attached conditions, there would be no significant and demonstrable harm to the character of the area, highway safety, residential amenity, wider nature conservation interests and flood risk.

4.11.3 As such it is considered that any adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as whole. As such the proposal benefits from the presumption favour of sustainable development and should, subject to the attached conditions, be approved.

5.0 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 accords with the adopted policies in the Development Plan which aims to secure the proper planning of the area in the public interest.

6.0 EQUALITIES ACT 2010

6.1 This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

7.0 CONCLUSION

71 Residential development on this unallocated site within a sustainable location in a predominantly residential area within the urban area of Cannock is considered acceptable under current local and national policy.

7.2 It is concluded that any adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as whole. As such the proposal benefits from the presumption favour of sustainable development and should, subject to the attached conditions, be approved subject to and the attached conditions.

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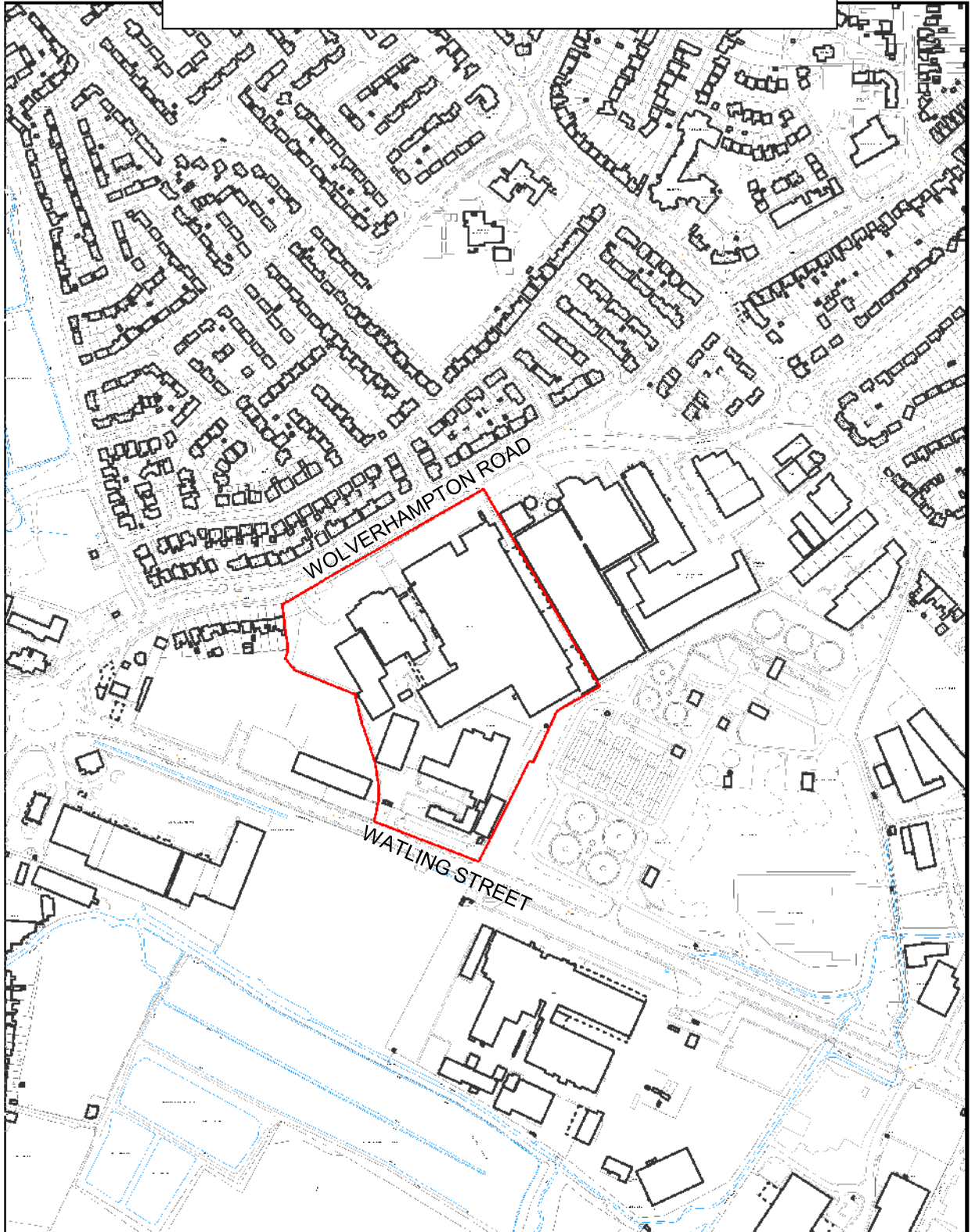


CH/17/323

Gestamp Tallent, Wolverhampton Road, CANNOCK, WS11 1LY

Demolition of existing factory and offices and erection of up to 180 dwellings and up to 30,000 square foot of employment floor space (B1(c) and B8 Use Class), access and associated works (outline application with all matters reserved except for access)

ITEM NO. 6.32



# Location Plan





# Illustrative Masterplan



# Illustrative Site Layout Plan



**SCHEDULE**

PLANT & EQUIP	
1800 sqm	21 no. @ 8125
2000 sqm	21 no. @ 9575
SUB TOTAL	42 no. @ 9225

**HOUSES @ 7750**

2000 sqm	14 no. @ 3025
2800 sqm	25 no. @ 4425
4000 sqm	14 no. @ 5825
SUB TOTAL	53 no. @ 6775

**TOTAL** 95 no. Dwellings

**APPROXIMATE 34.40 @ 20%**

**Schedule of Accommodation**

1800 sqm	21 no.	4710 sqm	9870 sqm
2000 sqm	21 no.	6030 sqm	12710 sqm
<b>Total Area</b>	<b>42 no.</b>	<b>10740 sqm</b>	<b>22580 sqm</b>

**Comments (area per block / no.)** 227 sqm

**HOUSES**

2000	14 no.	40300 sqm	910 sqm
<b>TOTAL</b>	<b>53 no.</b>	<b>111300 sqm</b>	<b>910 sqm</b>

**AP**

AP1	20 no.	13.00 sqm	130.00 sqm
AP2	30 no.	14.00 sqm	42.00 sqm
AP3	30 no.	14.00 sqm	42.00 sqm
AP4	30 no.	14.00 sqm	42.00 sqm
AP5	30 no.	14.00 sqm	42.00 sqm
<b>TOTAL</b>	<b>140 no.</b>	<b>58.00 sqm</b>	<b>170.00 sqm</b>

**TOTAL** 140 no. G.A. 108748 sqm

**RESIDENTIAL COVERAGE (area POS)**

**NET AREA** 111300 sqm / 13.00 sqm

**NET AREA** 111300 sqm / 13.00 sqm

**NET AREA** 111300 sqm / 13.00 sqm

**NET AREA** 111300 sqm / 13.00 sqm

**WALKER GROUP ACCREDITED**

**PROPOSED RESIDENTIAL DEVELOPMENT WOLVERHAMPTON ECAD CANCER**

**ILLUSTRATIVE SITE LAYOUT**

**GESTAMP TALENT LTD**

**1-500 @ A0** 3 Dec 17

**1726 - P. 04A**

**Application No: CH/17/323**

**Received: 22/08/2017**

**Location: Gestamp Tallent, Wolverhampton Road, Cannock**

**Parish: Non Parish Area**

**Ward: Cannock South**

**Description: Demolition of existing factory and offices and erection of up to 180 dwellings and up to 30,000 square foot of employment floor space (B1(c) and B8 Use Class), access and associated works (outline application with all matters reserved except for access)**

**Recommendation:** Approve subject to the conditions attached to this report and the completion of a section 106 agreement to secure: -

- (i) Review of viability and claw back provision at the completion of 100<sup>th</sup> dwelling and clauses for the provision of affordable housing on site or, if money is less than the cost of one unit, the provision of a commuted sum for provision of affordable housing off-site, with clauses for the transfer of units to a registered provider.
- (ii) Future management and maintenance of the Public Open Space including a Neighbourhood Equipped Area of Play and Multi Use Games Area and communal landscaped areas (either by transfer of land together with any monies or by management company).
- (iii) Implementation of the Travel Plan and monitoring fee
- (iv) SAC Contribution

**Reason for Granting Permission**

In accordance with paragraphs (186-187) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and/ or the National Planning Policy Framework.

**Reason for Committee Decision:**

The proposal in some respects is contrary to Policy and guidance and therefore requires a balanced judgement to be taken between competing priorities and the Local Ward Councillor has requested that the application is determined by Planning Control Committee.

Conditions

1. In the case of any reserved matters, application for approval must be made not later than the expiration of five years beginning with the date on which this permission is granted ; and

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matters to be approved.

Reason

A longer period of time for the submission of reserved matters is necessary due to the lengthy decommissioning, demolition and remediation period that redevelopment of the site would require.

2. This permission does not grant or imply approval of the layout/ design details accompanying the application which have been treated as being for illustrative purposes only.

Reason

The application is in outline form with these details reserved for subsequent approval. The illustrative information is not necessarily acceptable from the detailed planning point of view and to ensure compliance with Local Plan Policies CP3 - Chase Shaping Design and the NPPF.

3. No part of the development hereby permitted shall be commenced until approval of the details of appearance, landscaping, layout and scale ('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. To ensure compliance with the requirements of Section 92 of the Town & Country Planning Act 1990.

Highways

4. No development hereby approved shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall:

- i. specify the type and number of vehicles;
- ii. provide for the parking of vehicles of site operatives and visitors;
- iii. provide for the loading and unloading of plant and materials;
- iv. provide for the storage of plant and materials used in constructing the development;
- v. provide for wheel washing facilities;
- vi. specify the intended hours of construction operations;
- vii. measures to control the emission of dust and dirt during construction
- viii. specify method of piling, should piling be undertaken

Reason

In order to comply with Para 32 of the National Planning Policy Framework.

5. Prior to the submission of any reserved matters application in relation to the proposed development hereby permitted, a Masterplan shall be submitted to and approved in writing by the local Planning Authority. The submitted Masterplan shall include the following:

- Street layout and character including measures to restrain vehicle speeds to 20mph
- Parking Strategy including the provision of secure cycle parking facilities for each dwelling
- Development phasing
- Pedestrian connectivity, especially to public transport
- Clear delineation of roads and footways to be offered for adoption
- Location of sustainable drainage features.

The Masterplan shall be approved by the Local Planning Authority prior to the approval of any Reserved Matters submission.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

6. No development hereby permitted shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:

- Primary and secondary access points
- Any emergency access
- Provision of parking, turning and servicing within the site curtilage
- Disposition of buildings
- Means of surface water drainage and outfall
- Surfacing materials.

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation/ first use of development.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

7. No development hereby permitted shall be commenced until details of a Stage 1 Road Safety Audit (with further stages to be submitted as appropriate) have first been submitted to and approved in writing by the Local Planning Authority.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

8. Prior to the first use of the proposed development the site access shall be completed within the limits of the public highway; concurrently, the existing accesses made redundant as a consequence of the development hereby permitted, as indicated on submitted Plan 17485-03-1 A, which shall include the access crossing between the site and the carriageway edge, shall be permanently closed and the access crossing reinstated as footway in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

9. The development hereby permitted shall not be brought into use until the visibility splays have been provided as per submitted Plan 17485-03-1 A. The visibility splays shall thereafter be kept free of all obstructions to visibility with nothing placed or retained forward of the splay and the public highway exceeding 600mm in height above the level of the adjacent carriageway.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

10. The development hereby permitted shall not be commenced until a scheme for the phasing of the development of the entire site has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved phasing plan.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

11. No phase of the development shall take place, including any demolition or clearance works, until a Construction Vehicle Management Plan (CVMP) has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall include:

- Access points to be used for the construction of each phase of the development
- Arrangements for the parking of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Construction hours
- Delivery routeing and hours
- Recorded daily inspections of the highway adjacent to the site access points
- Wheel washing and measures to remove mud or debris carried onto the highway.

Reason

To comply with Paragraph 32 and 35 of the National Planning Policy Framework and in the interests of highway safety.

Ground/ Gas Contamination

12. No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy shall include the following components: -

1. A preliminary risk assessment which has identified
  - all previous uses;
  - potential contaminants associated with those uses;
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from ground contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

**Reason**

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water or ground pollution in line with paragraph 109 of the National Planning Policy Framework.

13. Prior to the permitted development being brought into use a verification report demonstrating the completion of works sets out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

**Reason**

To ensure the site does not pose any further risk to the water environment and the health of the occupiers of dwellings hereby permitted by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 109 of the National planning Policy framework.

14. The dwellings hereby approved shall be occupied until: -
- i. an investigation into the potential for ground gas on the site has been undertaken; and if found to be present
  - ii. a scheme for the installation of gas protection measures has been submitted to and approved in writing by the Local Planning Authority; and
  - iii. the works comprising the approved scheme have been implemented; and
  - iv. an independent validation of correct installation has been submitted to the Local Planning Authority.

**Reason**

To ensure that risks from ground gas to the future users of the land and neighbouring land are minimised in accordance with Paragraph 121 of the National Planning Policy Framework.

15. No development hereby approved shall take place, until a Environmental Protection and Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the decommissioning, demolition, remediation and construction period. The Statement shall:
- i. specify the type and number of vehicles;
  - ii. provide for the parking of vehicles of site operatives and visitors;
  - iii. provide for the loading and unloading of plant and materials;
  - iv. provide for the storage of plant and materials used in constructing the development;
  - v. provide for wheel washing facilities;
  - vi. specify the intended hours of the decommissioning, demolition, remediation and construction operations;

- vii. measures to control vibration and the emission of dust and dirt during any demolition, brick crushing or construction activities on the site.
- viii. specify method of piling, should piling be undertaken; and
- ix. the protocol for notifying the Council prior to the commencement of any piling activities or brick crushing on the site.

**Reason**

In order to ensure that the impacts of the development on the environment and the amenity of the occupiers of neighbouring residential premises are mitigated as far as is reasonably practicable comply with Paragraphs 17 and 32 of the National Planning Policy Framework.

16. No dwelling hereby approved shall be occupied until
- i. the windows to all habitable rooms of that dwelling have been fitted with glazing to a minimum manufacturer's rating of  $R_w33$ ; and
  - ii. all habitable rooms to that dwelling have been provided with trickle vents to achieve background ventilation in accordance with building regulations requirements and
  - iii. that any perimeter wall surrounding the curtilage to that dwelling which is immediately adjacent to a highway and, or an industrial building has been screened with a solid barrier fence of a minimum height of 2 metres.

**Reason**

In the interest of providing a good standard of residential amenity to the occupiers of the dwellings in accordance with Paragraph 17 of the National Planning Policy Framework.

**Drainage**

17. No development shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

The scheme must be based on the design parameters and proposed strategy for the site set out in the Flood Risk Assessment (Ref: C6997-FRA-01b, Oct 2017) and Site Drainage Strategy Drawing (Ref: C6997-SK1000-P2, 02/11/17).

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

Surface water drainage system(s) designed in accordance with the Non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).

SuDS design to provide adequate water quality treatment, which can be demonstrated using the Simple Index Approach (CIRIA SuDS Manual), to include permeable paving to all private driveways and parking areas.

Limiting the total discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm to 26.8l/s to ensure that there will be no increase in flood risk downstream.

Detailed design (plans, network details and calculations) in support of any surface



water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.

Provision of an acceptable management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. This should include a schedule of required maintenance activities and frequencies, and contact details for the organisation responsible for carrying out these duties.

**Reason**

To reduce the risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

18. No part of the development shall be occupied until the surface water drainage system has been completed in accordance with the approved design, and details of the appointed management and maintenance companies have been provided to the LPA.

**Reason**

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

19. Notwithstanding the details of the approved plan prior to the first occupation of any dwelling on the site a detailed scheme for the laying out of a Neighbourhood Equipped Area of Play (NEAP) including a Multi Use Games Area (MUGA) and the specification of equipment to be provided within the play space area shall be submitted to and approved in writing by the Local Planning Authority. The works comprising the approved scheme shall be implemented to a timetable which shall be agreed in writing with the Local Planning Authority. The NEAP/MUGA shall thereafter be retained and maintained for the life time of the development unless otherwise approved in writing by the Local Planning Authority.

**Reason**

In the interests of providing accessible local play areas for young people.

**Ecology**

20. The development shall not commence until a scheme for the provision of

- i. 6 brick built bat boxes across the site; and
- ii. 24 integrated bird boxed across the site

has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include: -

- i. The specification of the bird and bat boxes; and
- ii. Which dwellings would be fitted with the boxes and the location of each box.

The scheme shall be implemented on the completion of the 100<sup>th</sup> dwelling. Thereafter the boxes shall be retained and maintained for their intended purpose for the lifetime of the development.

**Reason**

In the interests of protecting and enhancing biodiversity of the site by compensating and mitigating for the loss of habitats on the site in accordance with paragraph 118 of the National Planning Policy Framework.

21. All main herringbone road surfaces shown on the approved plans shall be to an adoptable standard to allow access by 32 tonne refuse vehicle access.

**Reason**

To prevent break-up of the highway surface in the interest of highway safety.

**Trees and Landscape**

22. No part of the development shall commence until details of all arboricultural work have been submitted to and approved by the Local Planning Authority. Details shall include a method statement and schedule of works.

**Reason**

The existing vegetation makes an important contribution to the visual amenity of the area and in accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

23. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

**Notes to the Developer**

- i. The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.  
<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>

This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that all approvals and agreements are secured before commencement of works.

An agreed Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, with funding secured via a Section 106 Agreement. The Travel Plan shall thereafter be provided in accordance with the approved details.

Any soakaway should be located a minimum of 4.5m rear of the highway boundary. Sections of the site frontage along Wolverhampton Road are within the extent of the highway boundary and therefore within SCC's freehold title. It is the applicant's responsibility to ensure that the land within the proposed redline is within the ownership of the developer or agreed third party prior to the commencement of any development.

For further advice on Stopping Up Orders please contact SCC's Land Charges department: land.charges@staffordshire.gov.uk.

For further advice on disposal of land please contact SCC's Strategic Property Unit: kevin.danks@staffordshire.gov.uk.

- ii. The developer's attention is brought to the comments of Staffordshire Police in respect to the desirability of achieving Secured by Design accreditation.
- iii. The developer's attention is drawn to the comments of the Environment Agency in their consultation response in respect to model procedure and good practice, the Environment Agency's approach to ground water protection, waste on site and waste to be taken off-site.
- iv. The developer's attention is drawn to the recommendation of the Bird and Bat Survey such that a method of working should be in place with contractors to ensure that in the event of bats being found they will not be injured, such that an offence is not committed under the 1981 Wildlife and Countryside Act (as amended).
- v. The developer's attention is drawn to the comments of the Landscape Officer in respect to the presence of protected trees on the site and that the indicative landscape plan would not be considered acceptable in respect to its impact on the trees.

#### EXTERNAL CONSULTATIONS

##### Staffordshire Police

Makes reference to section 17 of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF, Policy CP3 of the Local Plan and the Human Rights Act Article and Protocol 1, Safer Places: The Planning System and Crime Prevention and recommends that the proposal attains Police Secured By Design accreditation. The response goes to make detailed recommendations in respect of designing out crime. [Officers note that these comments relate to the details of design which is not for consideration at this outline stage].

##### Highways England

No objections.

##### Staffordshire County Council Highways

The Highway Authority requires further clarification as to the details of the access and the submission of a Stage 1 Road Safety Audit.

##### Environment Agency

No objections subject to conditions in respect of ground contamination remediation and validation.

##### Severn Trent Water

No objections subject to conditions.

##### South Staffordshire Water

No comments received.

##### Local Lead Flood Authority (LLFA)

Since our previous response additional information has been submitted to address the issues raised:

- Flood Risk Assessment (Ref: C6997-FRA-01b, Oct 2017)
- Site Drainage Strategy Drawing (Ref: C6997-SK1000-P2, 02/11/17)
- Drainage Maintenance & Management Plans (Ref: C6997-SWMP-01)
- Email (22/02/2018) confirming porous paving for all private driveways
- and parking and SuDS maintenance to be undertaken by private management company.

The proposed restriction of discharge rates to the greenfield QBAR rate will ensure that flood risk downstream is not increased.

The proposed use of porous paving for private driveways and parking, and the area of public open space will provide increased water quality treatment and ecological benefits in comparison to the existing site. Any opportunity to incorporate additional above-ground SuDS features as the design is progressed would be beneficial.

The proposed development will only be acceptable if the following measures are incorporated in an acceptable surface water drainage scheme, to be secured by way of a planning condition on any planning permission.

#### School Organisation

The development falls within the catchments of Bridgtown Primary School and Cannock Chase High School.

The development is scheduled to provide 180 dwellings, excluding 29 RSL dwellings from secondary only, a development of 180 houses including 23 RSLs, could add 38 Primary School aged pupils, 23 High School aged pupils and 5 sixth form pupils. All schools are projected to have sufficient capacity to accommodate the likely demand from pupils generated by the development.

The above is based on current demographics which can change over time and therefore we would wish to be consulted on any further applications for this site.

#### Staffordshire County Council Planning Policy and Development Control Team

No objections on mineral safeguarding grounds.

### INTERNAL CONSULTATIONS

#### Waste and Engineering

We would request additional information regarding the adopted/ unadopted/ private roads in relation to refuse collection vehicles and also details of any bin stores (if any) and bin collection areas for the houses if there are any private roads.

#### Environmental Health

The supporting documents include an air quality assessment report ref: REP-AQA-19062017-R-Gestamp-AQ-A2. The conclusions of the investigation given as Section 5, page 21 are agreed. The provision of sufficient dust control measures during the demolition, earthworks and construction phases will be necessary and a Construction Environmental Management Plan should be provided. Any use of brick crusher(s) on the site should be notified in advance

to this Department and the demolition works undertaken under Building Act provisions and in accordance with BS 6187:2011 Code of practice for full and partial demolition.

A noise assessment has also been submitted ref:REP-1006733-AM-2 Wolverhampton Road, Cannock. This has considered the existing noise climate and the conclusions given in Section 10 are agreed. The recommendations given in Section 9 for window specifications for habitable rooms, trickle ventilators and 2m solid barrier perimeter fencing to gardens should be incorporated into the development.

A ground investigation report has also been provide by Arc Environmental, project no: 16-1081, May 2017. I concur with the recommendations given that following demolition works and removal of the site hardstanding, that phase 2 intrusive investigations should be carried out for the potential identified ground contaminants and ground gases. Any necessary remedial works identified should be submitted for prior approval purposes. Prior to these investigations, in accordance with the operating conditions for the coating and surface treatment processes currently undertaken by Gestamp Tallent on site, laid down in the A2 Permit enforced by this Department under The Environmental Permitting (England & Wales) Regulations 2010, a site decommissioning plan has been produced that requires the site to be remediated to a satisfactory state as defined by the initial site condition report that was submitted in support of the original permit application. This will ensure that the current industrial operations on the site have no residual contaminative impact on the cessation of activities.

The proposals seek to introduce high and medium sensitivity odour receptors that will encroach onto an existing odourous process, namely Cannock Sewage Treatment Works, which is a large area source of potential odour. The site comprises a standard traditional works taking domestic sewage that currently pumps sludges off-site for treatment. As such the works present a medium odour potential although this may change in the future subject to a feasibility study to treat sludges on site. An odour impact assessment has been provided, ref REP-AQA-19062017-CR-Gestamp-Odour-R2. The Institute of Air Quality Management (IAQM) have issued Guidance on the Assessment of Odour for Planning (2014). The report has identified the location of the proposed receptors and their relative sensitivities as high and medium receptors. Odour modelling has been undertaken using the Breeze AERMOD 7.12.0.24 dispersion model (v 16216r) using data provided by Severn Trent and a 5 year windrose from Birmingham Airport which is an accepted approach. Assessment tools look at the impact from exposure and do not measure the resulting effect in terms of disamenity specifically. Complaints regarding odour from the site are occasionally received by this Department, mainly from residences to the east and north/east of the site. This is in accordance with the wind data information that has been provided. Most recently a complaint was received from Gestamp Tallent regarding “horrendous odour from the works. The company have made regular complaints about sewage works odours over the years and I am concerned that the odour assessment has understated the significance of the odour effect on the developments proposed. The odour assessment should have included a consideration of baseline conditions including the complaint history of the site. There is reference to this information having been given by Severn Trent, however no reference to the details are given in the report. The report recommends that future planning applications for approval of reserved matters adhere to a 98<sup>th</sup> percentile 1-hour European Odour concentration limit of C3ouE/m<sup>3</sup> for new residences which allows for 2% of the year (175) hours when the odour impact may be above this limit. The buffer zone is indicated by a contour of concentration, the 3ouE/m<sup>3</sup> isopleth, and all residences should be built outside of this limit. These proposals are reluctantly accepted by Environmental Protection, however further confidence should be assured by undertaking an uncertainty assessment of the contour alignment based on the uncertainty of the model, odour emission rates, metrological data and possible user error.

Strategic Housing

On sites of 15 units and above, 20% is required for affordable housing so up to 36 units should be provided for affordable housing. 80% is required for social rent and 20% shared ownership. The recommended bed type based on housing need is 10% 1bed/flat, 60% 2bed house, 25% 3bed house and 5% 4 bed house.

The affordable housing should be pepper potted throughout the development and be indistinguishable from the market housing.

Development Policy

This site is a brownfield site within the urban area of Cannock. The site has long been used for employment purposes, being occupied by Gestamp Tallent who are relocating to Four Ashes as the site which is the focus of this application is no longer fit for purpose as explained in the Planning Statement.

Given that this is a long standing employment site, and that there is a shortfall in employment land provision (as shown in the Local Plan Part 2 Issues and Options consultation document), the policy comments are made in this context.

National Planning Policy Framework (NPPF)

The NPPF is focused upon delivering sustainable development, which has an economic role, a social role and an environmental role (para. 7) which should be considered 'in the round'. Paragraph 19 stresses that 'planning should operate to encourage and not act as an impediment to sustainable growth' and that 'planning policies should recognise and seek to address potential barriers to investment including a poor environment or any lack of infrastructure, services or housing' (para 21). Paragraph 21 then goes on to say that planning should 'support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances'. This is clearly the case here and the retention of jobs locally (albeit in a neighbouring district) is to be welcomed as is the continued retention of some employment use on the site. In the context of the NPPF the key debate at the local level therefore focuses upon the appropriateness of the loss of the rest of an employment site to housing. The NPPF (Section 6) places significant emphasis on housing delivery as part of its drive to achieve sustainable development.

Local Plan (Part 1)

The key policies which apply to this outline proposal are:

CP1. This sets out the strategy for the District, which focuses investment and regeneration upon the key settlements with Cannock being the largest of these. In terms of employment land it states: 'Kingswood

Lakeside and Towers Business Area are defined as high quality employment areas and extension of Kingswood Lakeside is identified for longer term employment use if required by monitoring delivery (Policy CP8)'.

CP2: Developer contributions for Infrastructure: this is expanded in the Developer Contributions & Housing Choices SPD but this development would be expected to comply with the requirements of this document (noting that this is an outline application at this stage with all matters reserved except for access).

As a market housing residential development scheme the proposal is CIL liable. Given that a net increase in dwellings is proposed the development also needs to mitigate its impacts upon the Cannock Chase SAC (Local Plan Part 1 Policy CP13). Should the development be liable to pay CIL charges then this will satisfy the mitigation requirements, as per Local Plan Part 1 Policy CP13, the Developer Contributions SPD (2015) and the Council's Guidance to Mitigate Impacts upon Cannock Chase SAC (2017). However, should exemption from CIL be sought then a Unilateral Undertaking would be required to address impacts upon the Cannock Chase SAC in accordance with the Councils policy/guidance (note- this does not apply to the 20% affordable housing which is likely to be exempt from CIL).

Any site specific requirements may be addressed via a Section 106/278 if required, in accordance with the Developer Contributions and Housing Choices SPD (2015) and the Council's most up to date CIL Regulation 123 list. As the scheme is in excess of 15 dwellings, it is required to provide 20% on site affordable housing, in accordance with Local Plan (Part 1) Policy CP7.

It is noted that the proposals do not meet this requirement and the Case Officer will need to consider the evidence submitted in justification of this before coming to any conclusions about the acceptability of the scheme.

CP6 (housing land): at least 5,300 homes need to be delivered between 2006 and 2028 in fulfilment of the national drive to boost the economy through housing growth. With the exception of the strategic site off Pye Green Road allocated through Local Plan Part 1, allocations are to be made via Local Plan Part 2 with the SHLAA as the starting point for this process. Whilst, as mentioned previously, this work is underway, no conclusions have yet been reached on site allocations. Policy CP6 references the need to achieve the re-use of previously developed sites within the built up areas.

CP7(Housing Choice): to ensure our housing meets local need in terms of affordable housing and housing to meet a range of needs. This needs to be considered in the light of CP2 (see above), and there are serious concerns regarding this as already stated in terms of the non-delivery of affordable housing as part of the proposed redevelopment.

CP8 (Employment Land) states that 'the Council will seek to assist delivery of at least 88ha of new and redeveloped employment land. It expands: 'Up to date information will be utilised to inform judgements on the availability of suitable land within the District over the plan period. Where demand at the strategic high quality sites....indicates a need for continued further supply then consideration will be given to the provision of new employment land via the expansion of Kingswood Lakeside. This will be considered further via the Local Plan Part 2.' This assessment work is underway (following the Issues and Options consultation which identified a shortfall in employment land supply) but no conclusions have yet been reached on allocations given the relatively early stage of this plan.

In relation to the development of employment sites for alternative uses, Policy CP8 states that regard will be had to other Core Strategy policies and several key criterion including the availability of existing businesses on site to relocate to alternative suitable sites (preferably within the District); benefits arising such as improvements to residential and environmental amenity; the quality of the site/ unit and the extent to which it is no longer viable for employment uses. Regard will also be had to the SHLAA, the five year housing land supply position and the overall availability of housing sites (which links to Policy CP6).

There are potential benefits of the partial conversion of the site from employment to residential in view of policy CP8 provisions. It is in a predominately residential area and is presently configured to meet the needs of the user so the buildings are not readily convertible

for other employment uses. The part of the site which runs adjacent to the A5 would not be a good location for residential however and the retention of this element for employment uses is more appropriate in this context particularly as it reflects the general employment character of this part of the A5.

CP9 (A Balanced Economy) states that ‘priority will be given to employment uses which add value to and strengthen the local economy’, resisting lower density uses unless supported by sound evidence, the importance of raising the District’s job density, enhancing employment prospects and supporting these through appropriate provision of skills and training initiatives.

CP10: Sustainable Transport noting particularly that the A5 Corridor forms part of the Strategic Road Network

CP16: – Climate Change and Sustainable Resource which covers a range of issues but also noting the presence of an AQMA in the area.

Other policies will apply too and these are being flagged at this stage although will be more applicable to the detail of the scheme. These are:

CP3 (Chase Shaping – design, and the adopted Design SPD)  
CP5 (Social Inclusion and Healthy Living)

In summary, the mixed use proposal for the scheme is supported in principle in policy terms. The retention of jobs locally (albeit in a neighbouring district) is to be welcomed as is the retention of some employment use on the site. This will partially offset a further shortfall in employment land, noting the national policy driver to deliver housing and the flexibility required by the NPPF when formulating local policy responses to address this matter (noting the local context i.e. that site allocations have not yet been determined as part of Local Plan Part 2).

Despite this, however, the matter of developer contributions is a serious concern as set out earlier in this response and therefore the Case Officer will need to consider the evidence submitted in justification of this before coming to any conclusions about the acceptability of the scheme.

#### Ecological Officer

No comments received.

#### Economic Development

Economic development are sorry and disappointed to see the loss of major employer Gestamp but note that the new development also makes provision for warehousing and office space as well as residential dwellings, we feel the suggested plans will be the best option for the development.

The Economic Development service would also welcome the creation of a training facility in the more modern premises at quadrant Pint which the company lease from a third party. Notwithstanding, the current application site excludes these buildings and is restricted to Gestamp's freehold ownership, it is understood that the company have publically expressed interest in the creation of such a facility and they should be encouraged to bring forward detailed proposals as soon as possible. these proposals have extra significance as a consequence of the closure of South Staffordshire College's High Green Campus in Cannock Town Centre.



Trees, Landscape and Countryside

The site has no formal landscape designation, however there are significant protected trees on site. 3 Number Lombardy Poplars near the Avon road Access ( TPO 20/86) and 3 willows & 4 Sycamore near the A5 Watling street ( TPO 1012-08).

Street scene is that of a green verge and hedgerow screening to a large industrial factory. This screening vegetation should be retained and or replaced with an improved scheme as it is on a key access route into and through Cannock which presently provides an overall well landscaped green corridor that helps to improve the image of the locality and district as a whole.

In order to improve the image of Cannock and also help to address the pollution cause by passing vehicles on the A5 Corridor we are seeking a 5-10m wide green verge along its entire length where new developments are proposed. These can be grass verges, hedgerow planting or ideally large street trees. This should also be followed on through any adjoining main road ie the A461 Wolverhampton Road.

Generally

The proposal incorporates an area of 1.03ha as Public Open Space (POS) including a Locally Equipped Area for Play (LEAP). Whilst the extent of the area is adequate in terms of provision, a development of this size and in this location would require the provision of a Neighbourhood Equipped Area for Play (NEAP) including a Multi Use Games Area.

Whilst the submitted site layout is noted as only indicative, the location of the Public Open Space would not be acceptable as it is tucked away to the rear of the development and has limited linkage to the rest of the site. The open space needs to be central to the development and preferably fronting onto Wolverhampton Road and or adjacent one of the access points. Linking to one access point would also help to create a strong visual entrance way into the site as a whole and would also help to improve the appearance of the Wolverhampton Road Street scene.

The POS area needs to be usable and any areas of buffer planting to existing development, would not be counted as part of usable POS provision.

Whilst the principle of development for dwellings and office accommodation is acceptable the indicative layout would not be acceptable for the following reasons:-

A three storey development so close to the main road will dominate the street scene, this will be in contrast to two storey dwelling on the adjacent side of the road. This could be off set by moving the three storey block back of the main road and replacing the frontage with the public open space.

Location of the Eastern access road will result in the loss of protected trees, without any suitable replacements. Having POS at the front could provide space for additional tree planting.

The open space should ideally be positioned centrally and this would act as the catalyst for the rest of the development, not pushed aside, to one corner out of the way. Property values increase where they are located adjacent open spaces or large tree lined avenues. A development of this size in this location would benefit from this approach.

There is very little space within the layout to plant new street trees and allow them to develop naturally with adequate rooting zones.

The drainage plan should not be approved. This would result in the loss of virtually all of the protected trees but also dwellings cannot be constructed on the easement line of an existing sewer run.

There are a large number of mature trees on both the site and immediately adjacent. These haven't been afforded protection but still make a great contribution to the street scene and wide character of the area. The trees on the main A4601 Wolverhampton Road add greatly to the greenery and aesthetics of the area. These should be retained as key features of any new development.

#### Ecology

Application should be sent to the Council's Ecologist for input on this aspect.

#### Summary

No objection to the proposed outline for residential and business use however, there are major issues with the indicative layout as noted above and as such this should not form part of any approved drawings if overall consent is granted.

#### RESPONSE TO PUBLICITY

The application was advertised by neighbour letter, site notice and by newspaper advert. No letters of representation have been received.

#### RELEVANT PLANNING HISTORY

The planning history relates to the development of the site as an industrial site. The most recent applications are: -

- CH/15/0032: - Retrospective application to increase the height of existing chimney stacks. Approved.
- CH/15/0428: - Installation of Regenerative Thermal Oxidiser with 3no. Flues. Approved.
- CH/12/0393: - Extension to existing manufacturing unit to house new effluent treatment plant. Approved.

#### 1. SITE AND SURROUNDINGS

- 1.1 The application site comprises part of the Gestamp Tallent site dominated by a series of modern industrial units and associated service areas with well-established landscape to the frontage along Wolverhampton Road.
- 1.2 The site has boundaries to both Wolverhampton Road and to the A5 Watling Street. The boundary of that part of the site fronting Watling Street is delineated by a row of leylandii conifers.
- 1.3 To the east of the site is a sewage works, to the north east is the remaining part of the Gestamp site. To the south are Watling Street and the "Available Car" site with a large area used for the sale of cars.
- 1.4 To the west is a row of dwellings fronting onto Wolverhampton Road and to the north-northwest, across Wolverhampton Road, is the residential suburb of Longford. to the north east is the remaining part of the wider Gestamp site.

- 1.5 There are several trees within the site which benefit from a tree preservation order.
- 1.6 The site is unallocated and undesignated in the Cannock Chase Local Plan and is located within Flood Zone 1 on the Environment Agency's flood risk maps.
- 1.7 There are a wide range of shops, schools, community and medial centre and restaurants within 10 minutes walking distance of the site which would serve the day to day needs of the occupiers of any dwellings approved. In addition Wolverhampton Road is served by the Route 67 bus service giving access by public transport to Cannock and Wolverhampton. In addition there is a pedestrian crossing across Wolverhampton Road near the Cedars Business Park giving access to the local primary school and medical-community centre.

2. **PROPOSAL**

- 2.1 The application seeks outline planning permission for the demolition of existing factory and offices and erection of up to 180 dwellings and up to 30,000 square foot of employment floor space (B1(c) and B8 Use Class) with access and associated works with all matters reserved except for access. Therefore issues such as layout, scale, appearance and landscaping are not for consideration at this point.
- 2.2 In support of the application the applicant has submitted an indicative layout showing how applicant envisages the site could accommodate the quantum of residential development applied for whilst meeting the Council's guidance for space about dwellings and other major constraints. The plan is therefore not for approval at this stage but is included for information purposes only.
- 2.3 The indicative plans shows the layout of 180 dwellings served by one access onto Wolverhampton Road (with an additional emergency access) and 2787sqm of B1 light industrial and B8 (storage and distribution) units fronting onto the A5. The plan also shows 1.03 hectares of public open space with a locally equipped area of play (400sqm) along the eastern side of the site.
- 2.4 No affordable housing provision is proposed on the grounds of viability.
- 2.5 The proposed accommodation schedule is as follows: -

Flats @ 25%

1B2P Flats	21no @ 12%
<u>2B4P Flats</u>	<u>21no @ 11%</u>
Sub Total	42no @ 23%

Houses @75%

2B4P Houses	32no @ 23%
3B5P Houses	71no @ 52%
<u>4B6P Houses</u>	<u>35no @25%</u>
Sub total	138no @77%

Total 180

3. PLANNING POLICY

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014).
- 3.3 Other material considerations relevant to assessing current planning applications include the National Planning Policy Framework (NPPF) and Supplementary Planning Guidance/Documents.

Cannock Chase Local Plan Part 1 (2014)

- 3.4 Relevant policies within the Cannock Chase Local Plan include: -

CP1: -	Strategy
CP2:-	Developer Contributions for Infrastructure
CP3: -	Chase Shaping – Design
CP5: -	Social Inclusion and Healthy Living
CP6: -	Housing Land
CP7: -	Housing Choice
CP12: -	Biodiversity and Geodiversity
CP14: -	Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
CP16: -	Climate Change and Sustainable Resource Use

3.5 National Planning Policy Framework

- 3.6 The NPPF sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it outlines the “presumption in favour of sustainable development”.
- 3.7 The NPPF confirms that a plan-led approach to the planning system and decisions must be made in accordance with the Development Plan. In particular the following NPPF references are considered to be appropriate.
- 3.8 Relevant sections and paragraphs of the NPPF include: -

Paragraphs 7, 8	Three dimensions of sustainable development.
Paragraph 14	The presumption in favour of sustainable development.
Paragraph 17	Core planning principles.
Paragraphs 47, 49, 50	Delivering a wide choice of high quality homes.
Paragraphs 56, 60, 61, 64	Design.
Paragraph 73	Promoting healthy communities.
Paragraph 96, 103	Meeting the challenge of climate change, flooding.
Paragraphs 109, 111, 118, 120, 121, 122, 123, 124	Conserving the natural environment.
Paragraphs 216	Implementation.

3.9 Other Relevant Documents

Design Supplementary Planning Document, April 2016.

Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport Supplementary Planning Document (2005).

Manual for Streets

4. DETERMINING ISSUES

4.1 The determining issues for the proposal are

- (i) Principle of the development
- (ii) Design and the impact on the character and form of the area
- (iii) Impact on residential amenity
  - (a) space about dwellings
  - (b) noise and odour from surrounding land uses
- (iv) Impact on highway safety and capacity
- (v) Impact on nature conservation interests
- (vi) Drainage and flood risk
- (vii) Ground contamination
- (viii) Air quality
- (ix) Design, crime and the fear of crime
- (x) Waste and recycling
- (xi) Sustainable resource use
- (xii) Affordable housing provision
- (xiii) Play space and recreation
- (xiv) Education
- (xv) Minerals Conservation
- (x) Whether any adverse impact of granting planning permission would be significantly and demonstrably outweighed by the benefits, when assessed against the policies in the Framework, taken as whole.

4.2 Principle of the Development

4.2.1 Policy CP1 of the Local Plan provides the overall strategy in respect of the District and states that in Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. Other than this point the Local plan is largely silent on the issue of housing on unallocated sites.

4.2.2 Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. What the presumption means in practice is set out in Policy CP1 of the Local Plan and Paragraph 14 of the NPPF which states

"For decision taking this means

approving development proposals that accord with the development plan without delay; and

where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as whole; or

specific policies in this framework indicate development should be restricted.

- 4.2.3 The reference above to specific policies in the framework relates to those policies in the Framework relating to sites protected under the Birds and Habitats Directive and/or designated as Sites of Special Scientific Interest, land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park, designated heritage assets and locations at risk of flooding or coastal erosion. Officers can confirm that the site is not subject to any designation that would render it appropriate to be considered under any of the above policies. As such the proposal should be assessed against whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 4.2.4 In respect to the principle of the proposal it is noted that the site is located within the main urban area of the town of Cannock and hence broadly conforms to the requirements of policy CPI. Furthermore, as an area of previously developed land, the proposal would meet the core planning principle of encouraging "the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value NPPF, para 17)"
- 4.2.5 In addition to the above the site is located within a sustainable location with good access to local bus routes along Wolverhampton Road giving access to Wolverhampton, Featherstone and Cannock. Hence occupiers of the proposed development would have good access to local goods and services by a range of transport methods including public transport, walking and cycling and therefore the proposal meets the core planning principle of actively managing "patterns of growth to make fullest possible use of public transport, walking, cycling and focus significant development in locations which are or can be made sustainable" (NPPF, para 17).
- 4.2.6 As such it is concluded that the proposed development would be located within a sustainable location.
- 4.2.7 In respect to the loss of established employment land it is noted that there already is a shortfall in employment land provision as shown in the Cannock Chase Local Plan (Part 2) Issues and Options consultation document. However, it is also noted that Gestamp Talient are relocating to Four Ashes as the site which is the focus of this application is no longer fit for purpose as explained in the Planning Statement.
- 4.2.8 In considering the above in respect of national policy it is noted that the NPPF is focused upon delivering sustainable development, which has an economic role, a social role and an environmental role (para. 7) which should be considered 'in the round'. Paragraph 19 stresses that 'planning should operate to encourage and not act as an impediment to sustainable growth' and that 'planning policies should recognise and seek to address potential barriers to investment including a poor environment or any lack of infrastructure, services or housing' (para 21). Paragraph 21 then goes on to say that planning should 'support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for

new or emerging sectors likely to locate in their area although it does state that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances'. This is clearly the case here and the retention of jobs locally (albeit in a neighbouring district) is a factor which weighs in favour of the proposal.

- 4.2.9 In relation to the development of employment sites for alternative uses, Policy CP8 states that regard will be had to other Core Strategy policies and several key criterion including the availability of existing businesses on site to relocate to alternative suitable sites (preferably within the District); benefits arising such as improvements to residential and environmental amenity; the quality of the site/ unit and the extent to which it is no longer viable for employment uses. Regard should also be had to the SHLAA, the five year housing land supply position and the overall availability of housing sites (which links to Policy CP6).
- 4.2.10 There are potential benefits of the partial conversion of the site from employment to residential in view of policy CP8 provisions. It is in a predominantly residential area and is presently configured to meet the needs of the user so the buildings are not readily convertible for other employment uses. The part of the site which runs adjacent to the A5 would not be a good location for residential however and the retention of this element for employment uses is more appropriate in this context particularly as it reflects the general employment character of this part of the A5.
- 4.2.11 In conclusion it is noted that this mixed use proposal for the scheme is supported in principle in policy terms. The retention of jobs locally (albeit in a neighbouring district) adds some weight in favour of the proposal, as does the retention of some employment use on the site. This would partially offset a further shortfall in employment land, noting the national policy driver to deliver housing and the flexibility required by the NPPF.
- 4.2.12 As such the proposal would meet the thrust of Policy CP1 to focus investment and regeneration on existing settlements which are expected to accommodate most of the District's housing and it is therefore concluded, on balance, that the proposal is acceptable in principle.
- 4.2.13 However, proposal that are acceptable in principle are still subject to all other policy tests. The next sections of this report will consider the proposal in the light of those policy tests and determine what harms or benefits arise from the proposal.

#### 4.3 Design and the Impact on the Character and Form of the Area

- 4.3.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
  - (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.
- 4.3.2 In addition to the above Paragraph 56 of the NPPF states that the government attaches great importance to the design of the built environment and states good design is a key

aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

4.3.3 Paragraph 61 of the NPPF goes on to state: -

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

4.3.4 In addition Paragraph 64 of the NPPF makes it clear that

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

4.3.5 In this respect it is noted that matters such as appearance, scale and landscaping are not for consideration at this stage and that the submitted layout is only indicative and not for approval.

4.3.6 However the plan demonstrates how the site could be laid out whilst retaining the landscaped verge to front, and providing a perimeter block style layout with public open space to the eastern side of the site. The latter is situated so as to provide a buffer between the residential units and the sewage works and has been located on the basis of modelled odour contours.

4.3.7 As such it is considered that the quantum of residential development applied for could be accommodated on the site without having a detrimental impact on the character and form of the area.

4.3.8 The southern part of the site is shown to comprise an employment unit which would be in keeping with the more commercial-industrial character of the A5 at this location.

4.3.9 The comments made by the Landscape Officer in respect to the retention of protected trees within the site would need to be considered in the context of the reserved matters where issues such as layout will be addressed. It is recommended that an informative be attached to any permission granted drawing the comments of the landscape officer to the developer, so that the presence of protected trees on the site should be taken into consideration when a design for the layout is being developed.

4.3.9 As such it is concluded that there is no reason in principle why a scheme could not come forward at reserved matters stage which would not be in accordance with Policy CP3 of the Cannock Chase Local Plan and paragraphs 61 and 64 of the NPPF.

#### 4.4 Impact on Residential Amenity

4.4.1 A core planning principle is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and this has been accommodated within Policy CP3 of the Local Plan and supported by the guidance as outlined in the Design SPD.

4.4.2 In this respect there are two issues that emerge in respect of the standard of residential amenity. These are: -



- (a) space about dwellings.
- (b) noise and odour from surrounding land uses.

4.4.3 In this respect to the spatial layout it is noted that the indicative layout generally meets, the guidance for space about dwellings (21.3m main to main and 12m main to side) set out in the Design SPD, both between front to front and rear to rear relationships and in respect of rear garden areas.

4.4.4 As such it is considered that in respect to layout and space about dwellings the proposal would attain a good level of amenity for future occupants and the occupiers of existing neighbouring properties.

4.4.4 As the site lies adjacent to a sewage works and near to the A5 trunk road there is the potential for noise, disturbance and odour to arise from neighbouring land uses and infrastructure.

4.4.5 Paragraph 123 of the NPPF states that planning policies and decisions should aim to

"avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;

recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and

identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason."

4.4.6 Furthermore, Policy CP3 of the Local Plan states that a key requirement of high quality design which will need to be addressed in the development process is that the Council will

"Protect the amenity enjoyed by existing properties including supporting mixed uses whilst avoiding incompatible ones and have regard to existing uses with potential to generate pollution which could have an unacceptably detrimental effect on proposed development."

4.4.6 In order to inform the application the applicant has submitted an Air Quality Assessment (dated 19<sup>th</sup> June 2017), prepared by Hoare Lea, Report on the Existing Noise Climate, dated 18<sup>th</sup> June 2017) prepared by Hoare Lea and an odour Assessment, dated 19<sup>th</sup> June 2017) prepared by Hoare Lea.

4.4.7 The issue of air quality will be dealt under a later section of this report.

Odour

- 4.4.8 The application site lies to the west of the Cannock Waste Water Treatment Works (WwTW) and the applicant has undertaken an assessment of odour. The assessment states that a site visit and odour audit of the WwTW was undertaken and an assessment was made to quantify the potential for impact from the existing Cannock WwTW on the new development. This used dispersion modelling using the Breeze AERMO) D7.12.0.24 dispersion model to predict ground level concentrations of odour at locations. This has enabled odour impact isopleths (isopleth is defined as a line drawn on a map through all points having the same value of some measurable quantity) to be presented which show the odour constraints associated with the WwTW and which has informed the layout of the site such that all residences are outside of the  $3_{\text{OUE/m}^3}$ . The assessment therefore indicates that the location of the residences is predicted to be acceptable, based on the emission rates applied and agreed with Severn Trent.
- 4.4.9 The above assessment has been considered by the Environmental Health Officer who has reluctantly accepted the findings of the assessment.

Noise

- 4.4.10 In order to inform the application the applicant has submitted a Report on the Existing Noise Climate, produced by Hoare Lea, which concludes

"Measurements and observations made at this site indicate that the existing noise climate primarily is determined by traffic flows on Wolverhampton Road to the north west and Watling Street to the south. These roads carry significant traffic flows during both the day and evening.

Assessment of existing manufacturing operations in the workshop building adjacent to the northern site boundary indicates that break-out sound levels will not have a significant impact upon the proposed new residential development. Current levels of noise break-out from the workshop are significantly below the lowest night time background sound levels and assessment in accordance with BS4142 indicates a condition of "low impact". It will, however, be necessary to seal off the existing roller shutter door which will become redundant with the proposed development.

There was no noise audible from any of the remaining industrial units surrounding the site including the Available Car Motor Dealership or the waste water treatment works.

The survey indicates that BS8233 internal criteria can be readily achieved with appropriate window and vents. In addition BS8233 external criteria can be achieved where gardens are set back from the roadside boundaries or are adequately screened from the roads by intervening dwellings or perimeter fencing."

- 4.4.11 The Environmental Health Officer has considered the report and has raised no objections subject to conditions.
- 4.4.12 Having had regard to the above it is considered that, subject to the attached conditions a good standard of residential amenity would be maintained for both future occupiers

and existing residents of the surrounding dwellings in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF.

4.5 Impact on Highway Safety and Capacity

4.5.1 Paragraph 32 of the NPPF states that Plans and decisions should take account of whether: -

"the opportunities for sustainable transport modes have been taken op depending on the nature and location of the site, to reduce the need for transport infrastructure.

safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds, where the residual cumulative impacts of development are severe."

4.5.2 In order to inform the application the applicant has submitted a: -

Framework Travel Plan (20<sup>th</sup> June 2017), prepared by David Tucker Associates.  
Transport Assessment (20<sup>th</sup> June 2017), prepared by David Tucker Associates.

4.5.3 The Transport Assessment concludes that the application site

"is located in a sustainable area within walking distance of a range of local services including shops, primary schools and bus services"

and continues: -

"A review of the personal injury collision data has been undertaken which confirms that there ae no significant existing road safety issues that would be affected by traffic from the development proposals.

The traffic generation for the site confirms that the site will generate minimal vehicular movements onto the local highway network and would not have any material impact on the operation of the local highway network."

4.5.4 The Framework Travel Plan provides a framework under which a package of measures aimed at promoting sustainable transport with the aim of reducing travel by single occupancy vehicles would be developed. This includes the designation of a Travel Plan Coordinator and the production of a travel information pack which would be provided to all new households and staff. In addition it is noted that the Travel Plan states that Broadband internet connections will be supplied to the residences so that any resident who decides to work from home would be able to do so.

4.5.5 With regard to highway safety and capacity and the promotion of sustainable transport it is noted that Staffordshire County Council Highways Authority has considered the submitted plans and has stated that subject to the imposition of conditions and the completion of a scetion106 agreement they have no objections.

4.5.6 It is therefore concluded that the proposal, subject to the attached conditions and the completion of the section 106 agreement for the implementation of the travel plan

would be in accordance with Policy CP16 (a) and (c) of the Local Plan and paragraphs 29, 30, 32 and 36 of the NPPF.

4.6 Impact on Nature Conservation Interests

4.6.1 Paragraph 118 of the NPPF states: when determining planning applications, local planning authorities should, amongst other things (not relevant to the determination of this application)

"aim to conserve and enhance biodiversity by applying the following principles:

if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"

4.6.2 In this respect it is noted that the site is not designated for any nature conservation purpose. However, in order to inform the application the applicant has provided a Bat and Bird Survey (dated July 2017). This has concluded that: -

There is no evidence of bats using the buildings as a place of shelter.

There was no evidence of birds nesting in the building.

There are no roosting opportunities for bats in the buildings on the site.

There are nesting opportunities for birds in the covered loading areas on the site.

The trees on site are being used for nesting blackbirds and chaffinches.

The trees on site will provide a forage opportunity for bats. There is no roosting in the trees on site for bats.

There are sparrows, chaffinches, blackbirds and pigeons foraging on the site.

The development of the site for dwellings would be an opportunity to create new roosting opportunities for bats by installing 6 nos brick built boxes across the site.

The development of the site for dwellings would be an opportunity to create new opportunities by installing 24 integrated bird boxed across the site.

A method of working should be in place with contractors to ensure that in the event of bats being found they will not be injured.

4.6.3 The findings of the report are commensurate with the nature of this industrial site which is predominantly comprised of buildings and hard standing. Furthermore the above recommendations for the mitigation of impacts and enhancement of bird and bat opportunities of the report could be secured by condition.

4.6.4 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase district that leads to a net increase in in dwellings will be required to mitigate adverse impacts. The proposal would lead to a net increase in dwellings and therefore is required to mitigate its adverse impact on the SAC. Such mitigation would be in the form of a contribution towards the cost of works on the SAC and this normally would be provided through CIL. However, as the site is exempt from CIL the contribution would need to be secured through a unilateral undertaking.

4.6.5 Subject to the above conditions and the unilateral undertaking to secure payment towards mitigation of the SAC the proposal is considered acceptable in respect of its impact on nature conservation interests and therefore would be in compliance with Policies CP3 and CP13 of the Cannock Chase Local Plan and the NPPF.

4.7 Drainage and Flood Risk

4.7.1 The site is located within Flood Zone 1 in the Environment Agency's Flood Risk maps and hence is at the lowest risk of flooding. Paragraph 103 of the NPPF states that when "determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere". To this end the applicant has submitted

Flood Risk Assessment prepared by Couch Consulting Engineers  
Site Drainage Strategy Plan C6997-SK1000 Rev P2

4.7.2 The drainage strategy is to discharge surface water via underground attenuation tanks, fitted into adjacent water course/ sewers.

4.7.3 The Local Lead Flood Authority, Severn Trent and South Staffordshire Water have been consulted on the proposals. Severn Trent has stated that it has no objections and no reply has been received from South Staffordshire.

4.7.4 The LLFA has stated that it has no objections subject to the imposition of conditions on any permission granted.

4.7.5 It is therefore considered that, subject to the attached condition, the proposal would not be subject to unacceptable flood risk or result in a significant increase in flood risk elsewhere and therefore the proposal would be resilient to climate change in accordance with Policy CP16 (1) (g) and (2) (e) of the Local Plan and Paragraph 17(6) of the NPPF.

4.8 Ground Contamination

4.8.1 Given that the site is being used for general industrial processes there is the potential for ground contamination of the site. In this respect it is noted that Paragraph 120 of the N PPF states

"To prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner."

4.8.2 In order to inform the application the applicant has submitted a ground investigation report has also been provided by Arc Environmental, project no: 16-1081, May 2017

4.8.3 The Environment Agency has stated that it has no objections subject to conditions in respect of ground contamination remediation and validation. Similarly the Environmental Health Officer has stated that he concurs with the conclusions and recommendations.

4.8.4 The comments of the Environmental Health Officer are accepted and it is considered that subject to the attached conditions the proposal would be satisfactory in terms of ground contamination and meet the guidance within the NPPF.

4.9 Air Quality

4.9.1 Paragraph 124 of the NPPF states that

"planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.

4.9.2 To this effect the applicant has submitted an air quality assessment which aims to predict the potential air quality impact of the development. The report concludes that the "air quality impact of the vehicles using the development would be negligible, with the proposed development scheme trip generation lower than the existing site use on every road link". The report goes on to state that the "development is sufficiently distant from the main roads, particularly the A5 Watling Street, that baseline air quality would not represent a constraint".

4.9.3 The report states that the construction dust impact will be acceptable once mitigation measures are applied in line with best practice" and concludes that "the predicted air quality and dust impacts are within acceptable limits for purposes of the determining the planning application.

4.9.4 The Environmental Health Officer has stated that he accepts the findings of the report and has no objections subject to a condition in respect of controlling dust during the demolition-construction phase. It is therefore considered that subject to the attached condition the proposal is acceptable in respect of its impact on air quality.

4.10 Waste and Recycling Facilities

4.10.1 Although these are not shown on the submitted plans it is noted that the plan is indicative and that such matters would be looked at under the reserved matters stage. However, there is nothing within the submission that would preclude a suitable scheme coming forward at that stage. As such the proposal would contribute to national and local waste reduction and recycling targets in accordance with the requirements of Policy CP16(1) (e) of the Local Plan.

4.11 Crime and the Fear of Crime

4.11.1 Legislation, policy and guidance in respect of crime and the fear of crime is provided by Section 17 of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF and Policy CP3 of the Local Plan. In this respect the comments of Staffordshire Police are noted.

4.11.2 However, it should be noted that the proposed layout is indicative and the comments made by the Police should be taken into consideration at the reserved matters stage.

4.11.3 Therefore, having had regard to the provisions of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF and Policy CP3 of the Local Plan it is considered

that subject to the attached informative the proposal would be acceptable in respect to designing out crime.

#### 4.12 Sustainable Resource Use

4.12.2 The requirements of Policy CP16(3)(a) in respect of the above have now been incorporated into the building regulations. As such, on balance, it is considered that the fact that the proposal would need to meet building control regulations means that the proposal would be in accordance with Policy CP16 without needing to submit a sustainability appraisal at this stage. Furthermore, issues such as sustainable transport have been addressed above where it was found that the site has good access to public transport and is conveniently placed to be accessible by foot and cycle to a wide range of facilities to serve day to day needs.

#### 4.13 Affordable Housing

4.13.1 Under Policy CP2 on sites of 15 units and above 20% is required for affordable housing of which 80% is required for social rent and 20% shared ownership. However, guidance makes it clear that this is subject to viability considerations.

4.13.2 Guidance on the issue of viability is provided by the Planning Practice Guidance. On a general note, Paragraph 001 states: -

"Decision-taking on individual schemes does not normally require an assessment of viability. However viability can be important where planning obligations or other costs are being introduced. In these cases decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible."

4.13.3 Paragraph 026 of the PPG relates specifically to the redevelopment of previously developed land and states

"The National Planning Policy Framework sets out a core planning principle that in decision-taking local planning authorities should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Local planning authorities should seek to work with interested parties to promote the redevelopment of brownfield sites, for example Local Enterprise Partnerships.

To incentivise the bringing back into use of brownfield sites, local planning authorities should:

- look at the different funding mechanisms available to them to cover potential costs of bringing such sites back into use.
- take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable."

4.13.4 The Planning Practice Guidance goes on to state in respect to how the viability of planning obligations should be considered on decision taking: -

- "In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.
- This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance.
- Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the National Planning Policy Framework is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development."

4.13.5 In respect to viability the applicant within the submitted Planning Statement states: -

"Evidently, the cost of redeveloping the site is high. Demolition, remediation and site clearance/ regrading comprise abnormal costs that need to be taken into account when considering the ability of the site to deliver the full suite of planning obligations/ CIL.

An open book viability assessment is submitted to the Local Planning Authority to facilitate a discussion regarding what can be viably delivered. The assessment concludes that it is not viable to provide any affordable housing. It is also the case that on account of the buildings being demolished, there would be no requirement for a CIL payment in respect of education, affordable housing and other financial contributions (indoor sport and recreation for example).

4.13.6 In order to assess the applicant's viability appraisal the Council has commissioned the service of Bruton Knowles. Having assessed the applicant's submission Bruton Knowles have advised that the "scheme is not viable" if it were to be policy compliant in respect to affordable housing.

4.13.7 Therefore it is considered, on balance, and having had regard to viability, that the zero affordable housing contribution is acceptable. However, given that viability is dependent on a number of factors which can change over time it is recommended that the issue of viability is revisited on the completion of the 100<sup>th</sup> dwelling which would give greater certainty in respect of viability. A proportion of the super- profits could then be utilised for the provision of affordable housing either on site or as a financial contribution for off-site provision whichever is considered the most appropriate. This could be secured through appropriate clauses inserted into a section 106 agreement.

4.13.8 It is therefore recommended that subject to a Section 106 agreement to ensure the above, the proposal, on balance, is acceptable.

#### 4.14 Education

4.14.1 The development falls within the catchments of Bridgtown Primary School and Cannock Chase High School.



4.14.2 The Education authority has advised that although a development of 180 houses could add 38 Primary School aged pupils, 23 High School aged pupils and 5 sixth form pupils, all schools are projected to have sufficient capacity to accommodate the likely demand from pupils generated by the development.

4.14.3 As such it is considered that there is no basis for requiring the developer to pay a contribution towards education.

4.15 Play Space and Recreation

4.15.1 Policy CP5 of the Local Plan states "subject to viability, development proposals will be required to have regard to the wider determinants of health and make a positive contribution to provision of infrastructure, design and layout which supports social inclusion and healthy living for sustainable communities". Examples of such facilities highlighted within the policy include "parks, open spaces and woodland, open spaces and allotments facilities. However, policy CP5 goes on to make it clear that the above will be delivered through a combination of Community Infrastructure Levy as well as on and off site facilities.

4.15.2 The Developer Contributions and Housing Choices Supplementary Planning Document (DCHCSPD) (July 2015) states: -

Larger scale development schemes may give rise to the need for further on-site facilities in order to meet the needs generated by that development (in line with the Council's open space standards. The Council will generally expect proposals of 100 dwellings or more to provide for onsite formal play provision for young people (play areas and complementary amenity space) in order to meet the needs generated by that development.

4.15.3 However the DCHSPD goes on to make it clear that "the exact nature of the on-site provision required will take into account the nature of the development (including site constraints), the proximity and quality of existing play provision".

4.15.4 The open space provision on site is concentrated on the eastern side of the site provide a buffer between the proposed dwellings and the adjacent sewage works on the grounds that it constitutes a less sensitive receptor. In addition to the above the indicative layout shows that a layout could be brought forward that would ensure that adjacent housing would overlook the POS and therefore allow a degree of surveillance.

4.15.5 In terms of quantity it is noted that Council's guidance states that for a development of this size an area of 0.31 hectares of POS should be provided. The proposed provision would be 1.03ha and therefore well in excess than policy requirements.

4.16.6 In respect to the comments of the Landscape Officer it is accepted that a development of this size and in this location would require the provision of a Neighbourhood Equipped Area for Play (NEAP) including a Multi Use Games Area. This could be controlled through the use of a condition. However, the assertion by the Landscape Officer that the open space needs to central to the development or fronting Wolverhampton road is not accepted. The Council's own guidance makes it clear that the "exact nature of the on-site provision required will take into account the nature of the development (including site constraints)" and a main constraint that the development potentially faces is the odour from the adjacent sewage works.. As such the indicative layout has been produced with the twin objectives of maximising the

efficient use of land for housing and ensuring, through the use of odour modelling, that all dwellings fall outside of the outside of the  $3_{\text{OUE}/\text{m}^3}$  isopleth.

4.16.7 Having regard to the above it is considered that, subject to the provision of a section 106 agreement and the attached conditions the proposal is acceptable in respect to the provision of public open space and outdoor recreational facilities and its on going management.

#### 4.17 Minerals Conservation

4.17.1 The application site is located within a minerals conservation area. However the comments made by the County Council are accepted and it is considered that the proposal would not sterilise any mineral and in this respect the proposal is acceptable in respect of the requirements of the NPPF.

#### 4.18 Whether any Adverse Impact of Granting Planning Permission would be Significantly and Demonstrably Outweighed by the Benefits, when Assessed Against the Policies in the Framework, Taken as Whole.

4.18.1 Although the Council has a five year supply of housing land it is noted that such a supply is not a ceiling and it is the Government's firm intention to significantly boost the supply of housing. With this in mind it is noted that the granting of permission would make a significant contribution towards meeting the objectively assessed housing needs of the District.

4.18.2 In addition the proposal would have economic benefits in respect to the construction of the property and the occupiers who would make a significant contribution into the local economy.

4.18.3 Finally, the proposal would have an environmental benefit of making efficient use of land within a sustainable location, the creation of 180 thermally efficient new dwellings which would be required to meet modern building control standards.

4.18.4 Conversely when looking at potential harm it is considered that, subject to the attached conditions and the completion of a section 106 agreement, there would be no significant and demonstrable harm to highway safety, residential amenity, wider nature conservation interests and flood risk.

4.18.5 As such it is considered that any adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as whole, the proposal benefits from the presumption favour of sustainable development and should, subject to the attached conditions and obligations, be approved.

#### 5.0 HUMAN RIGHTS ACT

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

6.0 CONCLUSION

- 6.1 The site is located in a sustainable location with good access to goods, services and areas of employment by modes of transport other than the private car. As such it is considered that the proposal is acceptable in principle.
- 6.2 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions and completion of a section 106 agreement, is considered, on balance, to be acceptable.
- 6.3 The proposal would not deliver any affordable housing due to viability considerations but it is recommended that viability be reappraised later in the development to determine whether at that point some degree of affordable housing could be provided on the site.
- 6.4 Impacts on the Cannock Chase SAC would be mitigated through a section 106 agreement.
- 6.5 As such it is concluded that the adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as whole.
- 6.6 It is therefore recommended that the application be approved subject to the attached conditions and the completion of a section 106 agreement.

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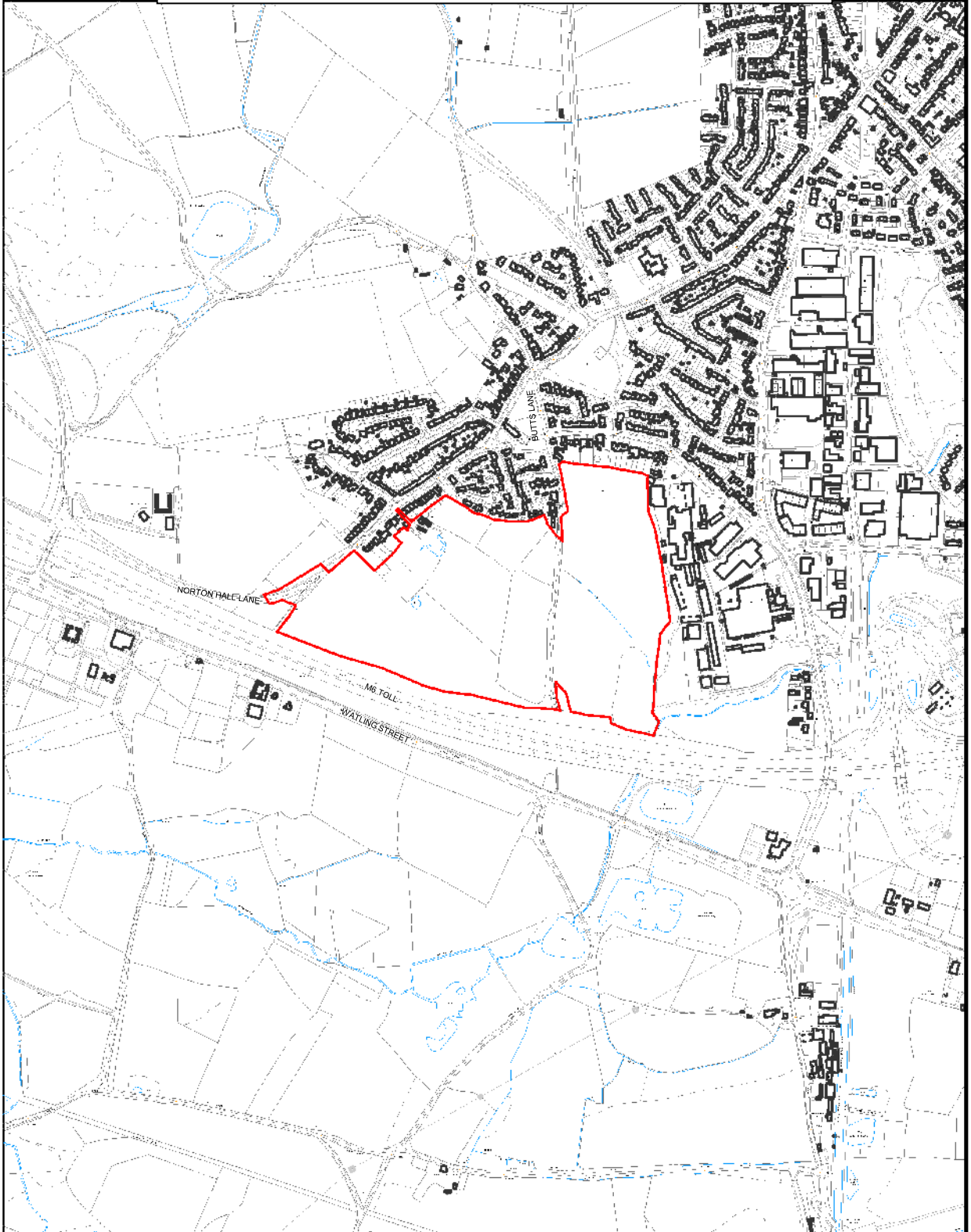


CH/17/450

Land off Norton Hall Lane and Butts Lane, Norton Canes

Reserved Matters application for 449 dwellings and associated infrastructure (appearance, landscaping, layout and scale for approval) pursuant to planning permission CH/10/0294

ITEM NO. 6.69



# Location Plan



© 2014 RPS Inc.

**PERSIMMON**  
**BLOOR HOMES**

1	Site Plan	100%	100%
2	Site Plan	100%	100%
3	Site Plan	100%	100%
4	Site Plan	100%	100%

**RPS**  
100 Wellington Street West, Suite 2000  
Toronto, ON M5X 1C4  
Tel: 416-593-8800 Fax: 416-593-8801

Client: Persimmon West Midlands & Bloor Homes  
Project: Norton Gates, Cannock  
Title: Location Plan

Drawn By: JLB  
Checked By: DJG  
Scale: 1:1000  
Date Created: May 2017  
Drawing Number: 24 Rev: B

www.rps.com









# Landscape General Arrangement



**Legend**

- 1. Green Area
- 2. Lawn
- 3. Lawn with Pattern
- 4. Lawn with Pattern
- 5. Lawn with Pattern
- 6. Lawn with Pattern
- 7. Lawn with Pattern
- 8. Lawn with Pattern
- 9. Lawn with Pattern
- 10. Lawn with Pattern
- 11. Lawn with Pattern
- 12. Lawn with Pattern
- 13. Lawn with Pattern
- 14. Lawn with Pattern
- 15. Lawn with Pattern
- 16. Lawn with Pattern
- 17. Lawn with Pattern
- 18. Lawn with Pattern
- 19. Lawn with Pattern
- 20. Lawn with Pattern

**Client:** Westman Homes Pte Ltd  
**Project:** North Canal  
**Title:** Landscape General Arrangement

**Scale:** 1:500  
**Date:** 2018  
**Drawn by:** JF  
**Checked by:** JF  
**Approved by:** JF  
**Scale:** 1:500  
**Date:** 2018  
**Drawn by:** JF  
**Checked by:** JF  
**Approved by:** JF

# Proposed Elevations



\*HQI scores are based on minimum requirements:  
Unit Size - 41, Unit Layout - 52, Unit Services - 22

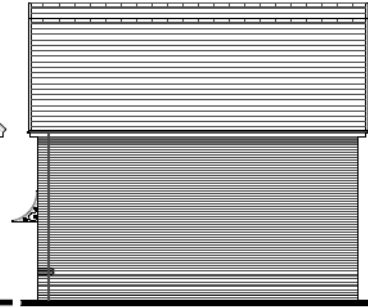


4B6P  
FRONT ELEVATION

2B4P

2B4P

3B5P



SIDE ELEVATION

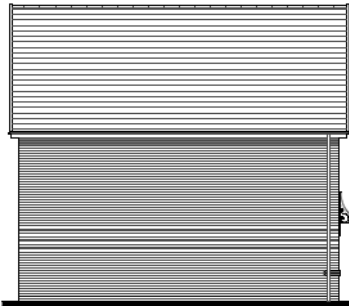


3B5P  
REAR ELEVATION

2B4P

2B4P

4B6P



4B6P  
SIDE ELEVATION

## 2B4P

HQI\* Unit Type: 67-75sqm.  
HQI 5: 41% HQI 6: 56% HQI 7: 59%

## 3B5P

HQI\* Unit Type: 75-85sqm.  
HQI 5: 41% HQI 6: 56% HQI 7: 59%

## 4B6P

HQI\* Unit Type: 85-95sqm.  
HQI 5: 60% HQI 6: 59% HQI 7: 54%

**Sinclair  
Strand  
Sorley**  
BRICK  
2B4P(2)\_3B5P\_4B6P-PL01

DATE: SEPT 2017 REV:  
SCALE: 1:100 @ A3

DRAWN: CM 68.06 / 82.21 / 96.49 m<sup>2</sup>  
CHECKED: GPM 733 / 885 / 1028 m<sup>2</sup>

**BLOOR HOMES**

# Proposed Elevations

Scale 1:100

\*HQI scores are based on minimum requirements:-  
Unit Size - 41, Unit Layout - 92, Unit Services - 22

3B5P FRONT ELEVATION    2B4P    2B4P    1BF04

3B5P SIDE ELEVATION

1BF04 REAR ELEVATION    2B4P    2B4P    3B5P

1BF04 FRONT ELEVATION

**2B4P**  
HQI\* Unit Type: 67-75sqm.  
HQI 5: 41% HQI 6: 56% HQI 7: 59%

**3B5P**  
HQI\* Unit Type: 75-85sqm.  
HQI 5: 41% HQI 6: 56% HQI 7: 59%

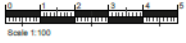
**1BF04**  
HQI\* Unit Type: 45-50sqm.  
HQI 5: 41% HQI 6: 58% HQI 7: 54%

**Sinclair Sorley Spencer**  
BRICK  
2B4P\_3B5P\_1BF04(OPP)-PL01  
DATE: SEPT 2017    REV:  
SCALE: 1:100 @ A3  
DRAWN: CM 68.06 / 82.21 / 48.01 m<sup>2</sup>  
CHECKED: GPM 733 / 885 / 517 m<sup>2</sup>

BLOOR HOMES®

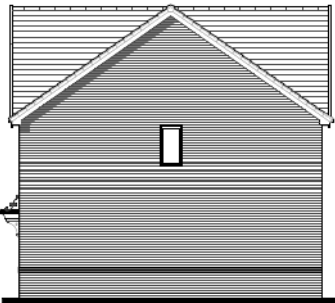
# Proposed Elevations



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION

**Lyttelton  
Byron**  
BRICK  
**376\_372-PL01**  
DATE: SEPT 2017 REV:  
SCALE: 1:100 @ A3  
DRAWN: JE 78.72 / 78.72 sq'  
CHECKED: GM 847 / 847 sq'



# Proposed Plans & Elevations

Scale 1:100



FRONT ELEVATION



SIDE ELEVATION



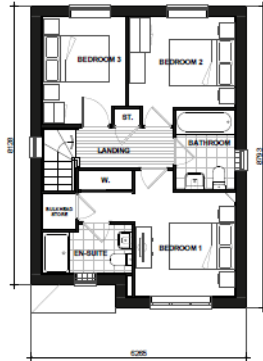
REAR ELEVATION



SIDE ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

**Heywood**  
BRICK  
382(OPP)-PL01

DATE: SEPT 2017    REV:  
SCALE: 1:100 @ A3

DRAWN: JDT    90.50 m<sup>2</sup>  
CHECKED: GPM    974 ft<sup>2</sup>

**BLOOR HOMES**

# Proposed Plans & Elevations

Front Elevation

Side Elevation

Rear Elevation

Ground Floor Plan

First Floor Plan

Side Elevation

**PERSIMMON**  
 Persimmon Homes (Wales) Limited  
 Meridian Court  
 Broadlands, Wrexham  
 Wrexham, Wrexham  
 Wrexham, Wrexham  
 Tel: 01493 424 400 Fax: 01493 424 400

Norton Claves

Cannock

Roseberry Housetype (1096sqft)

T:30 @ A1 C:25.09.17

RL A

AAH5415-3

(1096) Roseberry Type  
4 BED detached



**(870) Rufford Type**

3 BED detached

<p><b>PERSIMMON</b>          Residential Homes (Great Midlands)          Venues Court          Birmingham, Birmingham          B15 2TB          Tel: 0121 694 400 Fax: 0121 694 400</p>	
Norton Canes	
Cannock	
Rufford Housetype (870sqft)	
1:50 @ A1	26.05.17
RL	A
AAH5415-G	

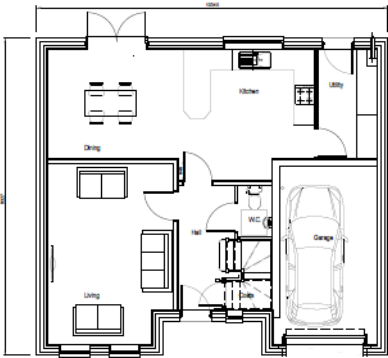




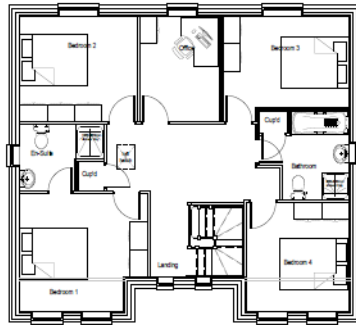
Front Elevation

Rear Elevation

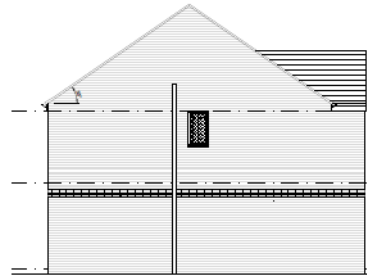
Side Elevation



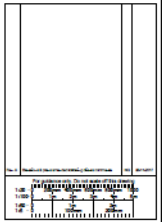
Ground Floor



First Floor



Side Elevation



(1570) Edlingham Type  
5 BED detached

**PERSIMMON**  
Persimmon Homes (West Midlands) Limited  
Meridian Court  
Bromford, Wolverhampton  
WV10 6TH  
Tel: 01902 834 900 Fax: 01902 834 900

Norton Cotes

Canmock

Edlingham Housetype (1068sqft)

1:50 @ A1 26.09.17

RL A

AA0415-10

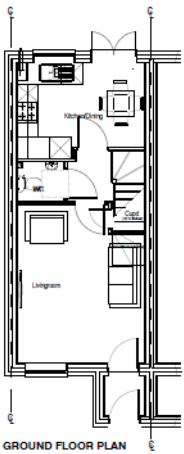
# Proposed Plans & Elevations



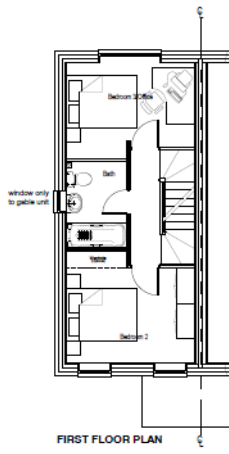
FRONT ELEVATION

REAR ELEVATION

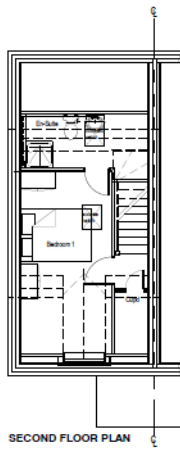
SIDE ELEVATION



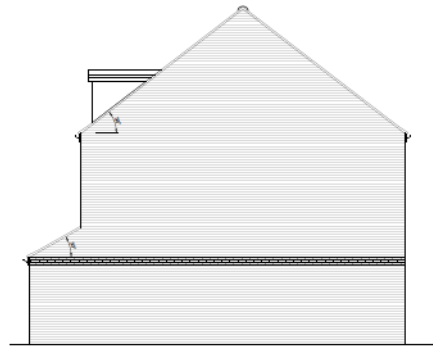
GROUND FLOOR PLAN



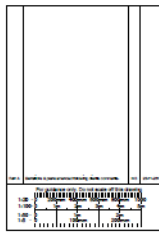
FIRST FLOOR PLAN



SECOND FLOOR PLAN



SIDE ELEVATION



Norton Canes	
Cannock	
Gouter Housetype (932sqft)	
1:50 @ A1	28.06.14
Rev	A
AAH5415-17	

(932) Souter Type  
 3 BED semi detached

**Application No: CH/17/450**

**Received: 1 December 2017**

**Location: Land off Norton Hall Lane and Butts Lane, Norton Canes**

**Parish: Norton Canes**

**Ward: Norton Canes**

**Description: Reserved Matters application for 450 dwellings and associated infrastructure (appearance, landscaping, layout and scale for approval) pursuant to planning permission CH/10/0294**

**Recommendation:** Approve subject to the attached conditions

**Reason for Granting Permission**

In accordance with paragraphs (186-187) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and/ or the National Planning Policy Framework.

**Reason for Committee Decision:** The previous application for residential development on this site was refused by Planning Committee.

1. The external materials to be used in the construction of the dwellings hereby approved shall be in accordance with the details set out in Drawing Numbers MI116-SL-002A and AAH5415\_27\_E Materials Layout, unless otherwise agreed in writing by the Local Planning Authority.

**Reason**

In the interests of amenity in accordance with Policy CP3 of the Cannock Chase Local Plan and in order to allow some flexibility in the use of materials should the approved materials no longer be available during the protracted construction period.

2. Notwithstanding the details of the approved plans the 20<sup>th</sup> dwelling shall not be occupied until a detailed scheme for the location and design of the Neighbourhood Equipped Area of Play has been submitted to and approved in writing by the Local Planning Authority.

**Reason**

To ensure that the design of the Neighbourhood Equipped Area of Play is fit for purpose in the interest of public safety and crime prevention in accordance with the Design section of the NPPF.

3. The dwellings at Plots 1-23, 11-25, 21-24, 61-62, 65-66, 89-90, 93-94, 101-102, 146-147, 161-162, 169-171, 182-183, 193-194, 205-206, 209-189, 228-229, 214-215, 241-242, 245-246, 260-261, 410-411, 419-420, 428-427, 439-440 shall not be occupied until a lockable 1800mm high gate, with anti-lift hinges, has been erected between the plots as close to the front elevation as possible.

**Reason**

In the interest of crime prevention in accordance with the provisions of the Crime and Disorder Act 1998, paragraph 58 and 69 of the National Planning Policy Framework and Policy CP3 of the Cannock Chase Local Plan.

4. The dwellings at Plots 267-268 shall not be occupied until a fencing panel with gate has been installed between the plots.

Reason

In the interest of crime prevention in accordance with the provisions of the Crime and Disorder Act 1998, paragraph 58 and 69 of the National Planning Policy Framework and Policy CP3 of the Cannock Chase Local Plan.

5. Notwithstanding the details of the approved plans the design of the surface water and fould water draiange shall be that as approved pursuant to the discharge of conditions 13 and 16 of outline planning consent CH/10/0294.

Reason

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

6. The development hereby approved shall be implemented in accordance with the recommendations set out in the Aerial Tree Potential Bat Roost Feature Inspection Report (November 2017) and Ecological Appraisal (October 2017). In particular the development shall incorporate the: -

Installation of 15 integrated house sparrow nest boxes in new buildings within the site.

Installation of 15 integrated swift nest boxes in new buildings within the site.

Installation of 15 starling nest boxes on new buildings within the site.

Installation of 15 bat boxes/ access tiles on new buildings within the site.

Installation of 75 bat and bird boxes within the retained woodland and linear feature along Butts Lane

Before any dwelling hereby approved is occupied a scheme detailing the specification and location of the above bird and bat boxes and a timetable for their installation shall be submitted to and approved in writing by the Local Planning Authority. The bird and bat boxes shall thereafter be installed in accordance with the approved scheme.

Reason

In the interests of conserving and enhancing the nature conservation value of the site in accordance with Policy CP12 and paragraph 118 of the National Planning Policy Framework.

7. The development hereby permitted shall be carried out in accordance with the following approved plans:

AAH5415\_24\_B\_Location Plan

AAH5415\_25\_E\_Planning Layout (Sheet 1)

AAH5415\_26\_E\_Planning Layout (Sheet 2)

AAH5415\_27\_E\_Materials Layout PERSIMMON

AAH5415\_28\_Site Sections A0

AAH5415\_29\_B\_Masterplan A0

AAH5415\_30\_N\_Overall Site Plan

AAH5415\_32\_B Planning Statement

AAH5415\_36\_B\_Enclosure Layout PERSIMMON

AAH5415\_43\_Boundary Details PERSIMMON

AAC5403\_TR1\_B\_Refuse Vehicle Tracking (Sheet 1)

AAC5403\_TR2\_C\_Refuse Vehicle Tracking (Sheet 2)

M116-PD-050C (Street Scene Coloured) 1-200 BLOOR  
M116-SL-001E (Site Layout) BLOOR  
M116-SL-002C (Material Layout) BLOOR  
M116-SL-004C (Means of Enclosure) BLOOR  
M116-PD-006A (Boundary Details) BLOOR

AAJ5108\_LS01\_A\_Detailed Soft Landscape 01-A0  
AAJ5108\_LS02\_A\_Detailed Soft Landscape 02-A0  
AAJ5108\_LS03\_A\_Detailed Soft Landscape 03-A0  
AAJ5108\_LS04\_A\_Detailed Soft Landscape 04-A0  
AAJ5108\_LS05\_A\_Detailed Soft Landscape 05-A0  
AAJ5108\_LS06\_A\_Detailed Soft Landscape 06-A0  
AAJ5108\_LS07\_A\_Detailed Soft Landscape 07-A0  
AAJ5108\_LS08\_A\_Detailed Soft Landscape 08-A0  
AAJ5108\_LS09\_A\_Detailed Soft Landscape 09-A0  
AAJ5108\_LS10\_A\_Detailed Soft Landscape 10-A0  
AAJ5108\_LS11\_A\_Detailed Soft Landscape 11-A0  
AAJ5108\_LS12\_A\_Detailed Soft Landscape 12-A0  
AAJ5108\_LS13\_A\_Detailed Soft Landscape 13-A0  
AAJ5108\_LS14\_A\_Detailed Soft Landscape 14-A0  
AAJ5108\_LSGA\_A\_Landscape General Arrangement-A0  
AAJ5108\_LSMP\_Landscape Management and Maintenance Plan

RPS Ecological Appraisal  
RPS Aerial Tree Bat Roost Inspection  
RPS Appendix C Extended Phase 1 Habitat Plan OXF10064\_EP1H  
RPS Appendix D Bat Transect Route OXF10064\_01  
RPS Bat Activity Dusk Transect Survey 30.08.2017 OXF10064\_02  
RPS Bat Activity Dusk Transect Survey 14.09.2017 OXF10064\_03  
RPS Bat Activity Dusk Transect Survey 19.09.2017 OXF10064\_04  
RPS Bat Activity All Surveys OXF10064\_05  
RPS Himalayan Balsam Distribution OXF10064\_06  
RPS Trees with Moderate Bat Roost Potential OXF10064\_07

S219-810 Topography Survey (Sheet 1 of 4)  
S219-810 Topography Survey (Sheet 2 of 4)  
S219-810 Topography Survey (Sheet 3 of 4)  
S219-810 Topography Survey (Sheet 4 of 4)

Proludic - Data Sheets (LAP)  
Proludic - LAP (1804.19134)

9971 R 090418 BW Norton Canes AIA  
9971 R 100518 BW Norton Canes AMS  
9971 D 140218 BW Norton Canes TCP-Figure 01.01\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.02\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.03\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.04\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.05\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.06\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.07\_A0  
9971 D 140218 BW Norton Canes TCP-Figure 01.08\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.01\_A0

9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.02\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.03\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.04\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.05\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.06\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.07\_A0  
9971 D 100518 BW Norton Canes TRRP and Work-Figure 02.08\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.01\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.02\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.03\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.04\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.05\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.06\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.07\_A0  
9971 D 100518 BW Norton Canes TPP with phasing-Figure 03.08\_A0

1BF01(OPP).PL-01\_SWI (BRICK) BLOOR  
2B4P(2)\_3B5P(1)\_4B6P(1).PL-01\_SIN\_SOR\_STR (BRICK) BLOOR  
2B4P(2)\_3B5P(1)\_4B6P(1).PL-03\_SIN\_SOR\_STR (PLANS) BLOOR  
2B4P(2)\_3B5P\_1BF04(OPP).PL-01\_SIN\_SOR\_SPEN (BRICK) BLOOR  
2B4P(2)\_3B5P\_1BF04(OPP).PL-04\_SIN\_SOR\_SPE (PLANS) BLOOR  
2B4P(4).PL-01\_SIN (BRICK) BLOOR  
2B4P(4).PL-03\_SIN (PLANS) BLOOR  
3B5P.PL-01\_SOR (BRICK) BLOOR  
272.PL-01\_CHE (BRICK) BLOOR  
274\_373.PL-02\_CHE\_BYR (RENDER) BLOOR  
274\_373.PL-05\_CHE\_BYR (PLANS) BLOOR  
372.PL-01\_BYR (BRICK) BLOOR  
372.PL-02\_BYR (RENDER) BLOOR  
373\_276(OPP).PL-01\_BYR\_CHE (BRICK) BLOOR  
373\_276(OPP).PL-03\_BYR\_CHE (PLANS) BLOOR  
373\_276.PL-01\_BYR\_CHE (BRICK) BLOOR  
373\_276.PL-03\_BYR\_CHE (PLANS) BLOOR  
375(OPP).PL-01\_LYT (BRICK) BLOOR  
375(OPP).PL-02\_LYT (RENDER) BLOOR  
375.PL-01\_LYT (BRICK) BLOOR  
375.PL-02\_LYT (RENDER) BLOOR  
376\_372(OPP).PL-01\_LYT\_BYR (BRICK) BLOOR  
376\_372(OPP).PL-03\_LYT\_BYR (PLANS) BLOOR  
376\_372-PL-01\_LYT\_BYR (BRICK) BLOOR  
376\_372-PL-03\_LYT\_BYR (PLANS) BLOOR  
382(OPP).PL-01\_HEY (BRICK) BLOOR  
382(OPP).PL-03\_HEY (TUDOR) BLOOR  
382.PL-01\_HEY (BRICK) BLOOR  
382.PL-03\_HEY (TUDOR) BLOOR  
383.PL-01\_MAR (BRICK) BLOOR  
383.PL-02\_MAR (RENDER) BLOOR  
383.PL-05\_MAR (PLANS) BLOOR  
3B5P.PL-01\_SOR (BRICK) BLOOR  
471(OPP).PL-01\_LYD (BRICK) BLOOR  
471(OPP).PL-02\_LYD (RENDER) BLOOR  
471(OPP).PL-06\_LYD (PLANS) BLOOR  
471.PL-01\_LYD (BRICK) BLOOR

471.PL-03\_LYD (TUDOR) BLOOR  
471.PL-06\_LYD (PLANS) BLOOR  
472(OPP).PL-01\_BRO (BRICK) BLOOR  
472(OPP).PL-02\_BRO (RENDER) BLOOR  
472(OPP).PL-05\_BRO (PLANS) BLOOR  
472.PL-02\_BRO (RENDER) BLOOR  
472.PL-05\_BRO (PLANS) BLOOR  
472.PL-015\_BRO (BRICK) BLOOR  
474(OPP).PL-01\_SKE (BRICK) BLOOR  
474(OPP).PL-03\_SKE (TUDOR) BLOOR  
474(OPP).PL-06\_SKE (PLANS) BLOOR  
474.PL-01\_SKE (BRICK) BLOOR  
474.PL-03\_SKE (TUDOR) BLOOR  
474.PL-06\_SKE (PLANS) BLOOR  
477(OPP).PL-02\_MOR (RENDER) BLOOR  
477.PL-01 MOR (BRICK) BLOOR  
477.PL-02 MOR (RENDER) BLOOR  
479(OPP).PL-03\_SHI (TUDOR) BLOOR  
479(OPP).PL-06\_SHI (PLANS) BLOOR  
479.PL-02\_SHI (RENDER) BLOOR  
479.PL-03\_SHI (TUDOR) BLOOR  
479.PL-06\_SHI (PLANS) BLOOR  
GL01.PL01 BLOOR  
GL02.PL-01 BLOOR

PH AAH5415\_03 A Roseberry PERSIMMON  
PH AAH5415\_04 A Chedworth PERSIMMON  
PH AAH5415\_05 A Winstar PERSIMMON  
PH AAH5415\_06 A Rufford PERSIMMON  
PH AAH5415\_07 A Hadleigh PERSIMMON  
PH AAH5415\_08 A Clayton Corner PERSIMMON  
PH AAH5415\_09 A Hanbury PERSIMMON  
PH AAH5415\_10 A Edlingham PERSIMMON  
PH AAH5415\_11 A Hatfield PERSIMMON  
PH AAH5415\_12 A Corfe PERSIMMON  
PH AAH5415\_13 A Newton PERSIMMON  
PH AAH5415\_14 A Kendal PERSIMMON  
PH AAH5415\_15 A Leicester PERSIMMON  
PH AAH5415\_16 A Alnwick PERSIMMON  
PH AAH5415\_17 A Souter PERSIMMON  
PH AAH5415\_20 A Clayton PERSIMMON  
PH AAH5415\_21 A Lumley PERSIMMON  
PH AAH5415\_22 B Garages-SG & DG PERSIMMON  
PH AAH5415-33 A House Type 45 PERSIMMON  
PH AAH5415-37 B L2 House Type PERSIMMON  
PH AAH5415-38 C L3 House Type PERSIMMON

**Reason**

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

Notes to the Developer

- i. The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.  
<https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/HighwaysWorkAgreements.aspx>
- ii. Any off-site works within the adopted highway will require a Highway Works Agreement with Staffordshire County Council and the applicant is therefore requested to contact the Council in respect of securing the agreement. Follow the link [www.staffordshire.gov.uk/developers](http://www.staffordshire.gov.uk/developers) for Highway Agreements, a flowchart to identify the relevant agreement, information packs and application forms for the Highway Works.
- iii. Any soakaway should be located a minimum of 4.5m rear of the highway boundary. With reference to the provision of cycle storage at residential dwellings, if it is proposed to include this in garage space then the garage will need to have minimum internal dimensions of 6.0 x 3.0m in order to be considered appropriate for the storage of a bicycle and motor car.
- iv. The developer's attention is brought to the comments of Staffordshire Police in respect to the desirability of achieving Secured by Design accreditation.

**EXTERNAL CONSULTATIONS**

**Norton Canes Parish Council**

The outline planning application had been granted in 2010/2011 (signed in 2015) and two public meetings had been held in 2010 to enable residents to receive information about the proposed development. At that time the assessments from Health, Education and County Council Highways Dept. had been obtained as part of the supporting documents. Our concern is that there has been a significant delay on the part of the developers taking this development forward which has led to the assessments to be out of date. Due to the 7 years that have elapsed, there have been significant changes in the village in terms of other housing developments which have obviously affected the infrastructure. One of the main concerns is the growth of the businesses on Kingswood Lakeside Business Park which has seen a significant increase in HGV traffic which now access the village and come via Norton Hall Lane. We feel consideration should be given to reviewing these out of date assessments to enable the current picture re infrastructure to be available.

Re the open space area, we feel strongly that there should not be a MUGA located here and that it is purely a children's play area.

Concern that there are no bungalows on the development which given the ageing population, particularly in the village itself, we would encourage the developers to relook at this.

We are concerned about the air pollution along the A5 corridor and the M6 toll which would affect the health of the residents located on this new development and in the village. We would also encourage some form of sound barrier on the M6 toll to avoid the issue of noise or



alternatively provide triple glazing on the properties located on the new site that directly built near of these two roads.

We would ask that the developers consider supporting some directive signage to be located on Blakeney Island coming into the village to stop HGV's using Norton Hall Lane. The current signage is only advisory i.e. re weight restrictions but in our experience the HGV drivers are ignoring this and still coming into the village where they have no point to turn our causing blockages on some roads in the village. These roads were not built to accommodate HGV traffic. This will only get worse in terms of numbers of HGV's with the ongoing development of Kingswood Business Park.

We would question why in 2010 the Health Authority did not put in an application for more health provision in terms of the S106 Agreement. With the housing development planned for the village we do not see how the current GP practice can cope with the number of people coming into the village. The service is already stretched in terms of residents being able to obtain timely appointments.

We note that it is proposed that there will be a trench along Butts Lane but we would question as to who will be responsible for maintaining this area in the future.

We would have that consideration be given that there is no dense planting of trees/bushes close to the playground area.

Consideration should be given to the air pollution from the A5 corridor and M6 toll and would request that a survey be undertaken to look at the levels. The issue of air pollution will affect this estate in terms of health in the future.

We would like to have input into the layout of the proposed site together with the proposed pathways.

Further response dated 27 April 2018.

We have noted the additional links from Jackson Close and would comment that whilst those links are considered appropriate we would not want to see any more included in the future. We noted that the social housing will be interlinked with all the development and we believe that this is a positive approach. We also note that the bus service will [be] diverted to stop outside the proposed business units again which we feel is appropriate.

#### Staffordshire Police

Makes reference to section 17 of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF, Policy CP3 of the Local Plan and the Human Rights Act Article and Protocol 1, Safer Places: The Planning System and Crime Prevention and recommends that the proposal attains Police Secured By Design accreditation. The response goes to make detailed recommendations in respect of designing out crime.

#### Entrance to the Development

I recommend that a rumble strip, change of road surface or brick pillars be incorporated at the road entrance of the site in order to create a symbolic barrier: this gives the impression that the area beyond the 'barrier' is private to the community.

Footpaths into the development should be wide, clear of hiding places, well lit, and follow a direct route.

Landscaping

All shrubs and hedges specified adjacent to buildings should have a maximum growth height of 1 metre, whilst all tree branches should be pruned up to a minimum height of 2.5 metres, thereby maintaining a clear field of vision around the site.

Trees when mature shouldn't mask lighting columns or become climbing aids to scale boundary treatments.

Lighting

External areas should offer Uniformity Values between 0.25 and 0.40, using lamps with a rating of at least 60 on the colour rendering index, and meet the relevant levels as recommended by BS5489:2013. It should be noted that 'bollard lighting is not compliant with BS5489:2013 because it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result causes an increase in the fear of crime' Secured by Design Homes 2016 version 1; February 2016 pp 24, Para 18.3.

A planned maintenance regime is considered good practice when considering lighting design specification and values; good lighting design promotes the feeling safety in the environment and reduces the fear of crime.

It is important that lighting schemes work together with landscaping to mitigate the effects of seasonal variations, both lighting and landscaping schemes should be well maintained as part of a maintenance schedule.

NEAP/ LAP

Play areas are vulnerable to crime and being damaged, the result of this abuse is that the investment in a play area, its use, and contribution to the quality of life in the community can be seriously eroded. Play areas must be overlooked by adjacent dwellings and landscaping maintained at a low level to enhance natural surveillance, increase child safety, and reduce the fear of crime.

There is very little natural surveillance of the proposed NEAP and it backs onto a woodland area that provides cover for offenders to observe children or commit offences whilst providing easy access to an escape route; all but one of adjacent dwellings have gable ends facing it, the footpath link connecting it Norton Hall Lane is a bottle neck with even less natural surveillance that will provide a space for people to congregate with the potential to generate crime, anti-social behaviour, disturbance and noise nuisance to adjacent residents and pedestrians wishing to use the link.

The question that should be asked is "Would I let my child/grandchild play there unsupervised?"

Moving the NEAP to the north eastern side of the site where it will benefit from an enhanced level of natural surveillance will also significantly reduce the fear of crime, reduce the opportunities for committing crime and promote use of the facility.

An evaluation of the needs of the community should be addressed prior to implementation of the NEAP and it is important when carrying out a post implementation evaluation of crime or anti-social behaviour (ASB) of this facility to separate incidents around the play area i.e. roads, parking areas, drinking in the street, dwelling frontages, etc. from those which actually occur within it, part of any ASB evaluation should include how many perceived ASB incidents are attributed to estate families and incidents attributed to non-resident families.

I use the word “perceived” because when a play area is being used for play or otherwise engage a young person this usually generates a certain amount of noise, this by itself is not anti-social – its noise.

The following recommendations highlight design and management features which need to be included in the planning of the proposed play area, its design and construction which will help to block the opportunity for crime and anti-social behaviour.

#### Community Planning;

- Be able to show clear intended use related to age group, this should be considered relative to other local play facilities or youth clubs for other age groups within the community – it is important in avoiding potential abuse that all age groups are recognised with appropriate facilities included in a positive way.
- Provide adequate space for the proposed activity within the play area complete with a buffer zone between the activity and adjacent dwellings or other occupied buildings.
- Relate intended playing area use to immediate infrastructure e.g. allow adequate road, cycle/footpath access and secure parking or cycle storage nearby.
- Locate the play area for young and very young children within the protection of the built community to ensure good natural surveillance and supervision.
- Ensure that ownership and management of the proposed facility is in place with adequate resource available for maintenance and any improvements should they be required.

#### Play Area Design;

- Boundaries should be clearly defined with features to prevent unauthorised motor vehicle/cycle access.
- Boundary fences and landscaping should allow natural surveillance across the play area from public areas, roads and footpaths.
- Lighting should be appropriate to facilitate natural surveillance at night and reduce fear of crime.
- Do not route a public footpath through the play area.
- There should be controlled informal access to the play area to prevent dog fouling and littering from public areas.
- Gable ends of houses overlooking grassed areas = football goal! Consider planting thorny plants in front of the wall in such cases.
- No structure or landscape features should compromise boundary security providing points to climb over the perimeter fence.
- Areas used for “adventure play” should have clear natural surveillance without potential “hiding” places or places for litter to collect.
- The CPDA should be contacted re the provision of additional security measures necessary to address particular crime problems in the surrounding area.
- Consider the design of a youth shelter to avoid gathering in adjacent streets rear parking courts etc.

#### Management

- Regular maintenance routines should be “designed in” to prevent the facility becoming un-usable.
- The facility should be regularly monitored and the community involved in any potential expansion.

- Crime and anti-social behaviour patterns recorded and any appropriate action considered.
- Any improvements or changes to prevent crime and encourage use should involve community consultation.

The footpath through the wooded area adjacent the NEAP should be wide enough to allow pedestrians with pushchairs, wheelchairs or cyclists to pass each other without encroaching on each other's personal space, there should be no sharp or hidden turns allowing users to clearly see the route ahead, planting should be kept at least 2 metres away from the edge of the footpath with a species that does not exceed 1 metre in height so that in summer the line of sight is not hindered by foliage.

The LAP is well placed to benefit from good levels of natural surveillance and a perimeter fence with self-closing gate should be installed to prevent dog fouling.

#### Dwelling Boundaries

All rear gardens should be secured with a robust fence or wall, without footholds, to a minimum height of either 2000mm or 1800mm with trellis. The rails of any timber fence should face the garden to prevent climbing access, the topography of the land should be taken into account when installation takes place to ensure that the height of the fence is maintained.

Timber fencing panels should be secured to the fence posts to prevent offenders lifting them to gain access to adjacent gardens.

A lockable 1800mm high gate, with anti-lift hinges, should be erected between plots as close to the front elevation as possible; this is particularly applicable between plots; 1-23, 11-25, 21-24, 61-62, 65-66, 89-90, 93-94, 101-102, 146-147, 161-162, 169-171, 182-183, 193-194, 205-206, 209-189, 228-229, 214-215, 241-242, 245-246, 260-261, 410-411, 419-420, 428-427, 439-440 and a fencing panel with gate should be installed between plots 267-268, this removes a long, narrow, dark, alley between dwellings in which an offender can hide and helps prevent unauthorized persons gaining access to the rear of properties where most burglaries take place.

“Smart” utility meters should be installed to prevent bogus caller sneak-in burglaries.

#### Car Parking

The car parking bays behind plots 150-159 have little natural surveillance, rear car parking courtyards are discouraged by CABE, BFL12, and Safer Places for the following reasons:

- They introduce access to the vulnerable rear elevations of dwellings where the majority of burglary is perpetrated
- In private developments such areas are often left unlit and therefore increase the fear of crime
- Un-gated courtyards provide areas of concealment which can encourage anti-social behaviour

I recommend that where rear car parking courtyards are absolutely necessary they must be protected by a gate. Further advice is available from this office.

#### Building illumination

All perimeter doors should have opaque, vandal resistant, compact lights, operated by photo-electric cells fixed above them at the highest inaccessible points, occupants should be educated to the fact that these lights have an insignificant running cost per annum and therefore no switch should be fitted.

The response goes on to provide detailed specification for the designs of doors, windows and alarms.

Further information on Secured by Design and accredited products can be found at [www.securedbydesign.com](http://www.securedbydesign.com)

Staffordshire County Council Highways

No objections.

Environment Agency

The EA has no objections to the reserved matters application. Surface water matters should be referred to the Local Lead Flood Authority.

Severn Trent Water

The plans emailed across to us don't show the drainage proposals for site, therefore I request the drainage related condition remains until drainage proposals are submitted.

Local Lead Flood Authority (LLFA)

As you will be aware the Environment Agency were consulted on the Outline application and recommended a condition relating to flood risk and the surface water drainage strategy. We would expect to be consulted on the discharge of condition application for the surface water drainage element, so our main concern is that the proposed layout is compatible with an acceptable drainage design.

The layout plans submitted with this Reserved Matters application do include SuDS ponds. However until details are submitted for the discharge of the EA condition, there may be implications for the detailed layout.

The FRA contains several flood risk and SuDS recommendations, including:

- Floor levels.
- Retention of ditches.
- Drainage modelling.
- Opening of the culvert to the Gains Brook.
- Restricting site runoff to 46.2l/s.
- Provision of sufficient attenuation volume.
- Provision of an adequate SuDS management train.
- Minimum pond bed levels.
- Future maintenance details.

I would recommend that a report will be required for the discharge of this condition, setting out how each of these requirements has been met.

School Organisation

This development falls within the area of Norton Canes Primary and Jerome Primary School and Norton Canes High School.

The relevant Outline Application for this site is CH/10/0294.

The REM application details a development which is scheduled to provide all 449 dwellings of the 449 dwellings expected from the original outline approval.

A Section 106 Agreement was signed when the Outline Application was granted, and the education contribution amount and terms should be calculated in line with this.

The triggers for payment are:

Prior to completion of the 100<sup>th</sup> Dwelling to pay to the County Council 50% (fifty per cent) of the Education Contribution Index Linked.

Prior to completion of the 200<sup>th</sup> Dwelling to pay to the County Council 50% (fifty per cent) of the Education Contribution Index Linked.

South Staffordshire Water

No comments received.

County Archaeologist

Planning application CH/10/0294 was granted with the following archaeological condition “The development shall take place in accordance with a programme of archaeological work in accordance with the AMEC written scheme of investigation (19989n320i2) agreed by the County Archaeologist.” This condition remains outstanding and following consultation between this office and the applicant’s archaeological consultant it was agreed that in response to the design masterplan, the subject of the current application, a revised WSI detailing the alterations to the mitigation strategy should be submitted for approval.

The programme of archaeological works required under the condition should be undertaken sufficiently of works commencing in order to allow the results to inform the need for and extent of any further archaeological mitigation.

Highways Agency

No comments received.

Natural England

No objection subject to appropriate mitigation being secured.

We note the application’s reserved matters status and have reviewed application reference CH/10/0294 (decided on 31.5.15) accordingly. We can find no reference to mitigation for recreation impacts on the Cannock Chase Special Area of conservation as per your policy CP13.

Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of Cannock Chase Special Area of Conservation

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

A suitable developer contribution should be secured in accordance with your local plan policy CP13 and accompanying guidance ‘Cannock Chase SAC – Mitigation to address the impacts of residential development’.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England’s advice on other natural environment issues is set out below.

Further advice on mitigation

You may wish to refer to your colleague Angela Grove who represents the Council on the Cannock Chase SAC Partnership.

#### Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

#### Landscape

Paragraph 109 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in Natural England's Technical Information Note 049.

Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website.

If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

#### Protected Species

Natural England has produced standing advice<sup>1</sup> to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

#### Local Sites and Priority Habitats and Species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and

Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land.

#### Ancient Woodland and Veteran Trees

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forest Commission have produced standing advice for planning authorities in relation to ancient woodland and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland/veteran trees where they form part of a SSSI or in exceptional circumstances.

#### Environmental Enhancement

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

#### Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green



networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

#### Rights of Way, Access land, Coastal access and National Trails

Paragraph 75 of the NPPF highlights the importance of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website [www.nationaltrail.co.uk](http://www.nationaltrail.co.uk) provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

#### Biodiversity Duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat.

#### Staffordshire wildlife Trust

No comments received.

#### Sport England

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:

[www.sportengland.org/planningapplications](http://www.sportengland.org/planningapplications)

If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 74 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional housing (<300 units) then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the

design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

#### County Footpath Officer

The County Council's Definitive Map of Rights of way shows that no public rights of way cross the application site.

The County Council; has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

The County's Principle Landscape Officer has no comment to make.

#### County Planning Authority

As no comments to make on this application as the site is

- (a) not within or near to any permitted waste management facility; and
- (b) exempt from the requirements of policy 3-Minerakls safeguarding in the Mineral Local Plan for Staffordshire.

#### INTERNAL CONSULTATIONS

##### Waste and Engineering

All main herring bone road surfaces / areas shown on the plan must be of an adoptable standard to allow 32 tonne refuse vehicle access/egress without causing damage.

Adjacent to the end of each of the hammerheads and/or junctions of adoptable and private roads there must be a permanent designated waste collection point suitable for the temporary positioning (at the same time) of at least two bins per property, serviced by that private road.

All properties should be located within 25 metres distance of the designated bin collection point adjacent to the end of each hammerhead and/or junctions of adoptable and private roads.

##### Revised Drawing 25(a)

Bin collection points to the north of Plot 419 (Area 3) requires moving to the opposite side of the private drive to the north on Plot 160 adjacent to the hammerhead.

##### Revised Drawing 26(a)

The bin collection point shown to the south of Plot 431 (area 15) looks to serve only 5 properties and is noted as '10no. BCP'. However it is drawn showing spaces for 20no bins.

### Environmental Health

The air quality assessment submitted in 2010 as part of the Environmental Statement Volume 2: Main Report is now outdated, and should be reviewed. The review should detail the modelled impact of local industrial and road sources of pollution. In particular, the impact of M6 Toll upon residential receptors close to the southern boundary of the site. The original report included these sources, but omitted inclusion of input data to allow the report to be thoroughly reviewed. To validate modelled impact, I would request that air quality monitoring is undertaken for an appropriate timescale.

Since 2010, an air quality management area has been declared for the A5 between the eastern district boundary with Walsall MBC and Churchbridge junction. The air quality review should include impact upon the AQMA. As a major residential development adding to the cumulative traffic emissions in the district, I would request that the applicant is required to provide direct air quality mitigation measures or makes contributions towards air quality action plan measures, following good practice examples in EPUK/IAQM guidance 'Land-Use Planning & Development Control: Planning For Air Quality', May 2015. Examples of such measures include:

- EV recharging infrastructure within the development (wall mounted or free standing in-garage or off-street points).
- Car club provision or support to local car club/eV car club.
- Support local walking and cycling initiatives
- On-street EV recharging
- Contribution to low emission vehicle refuelling infrastructure
- Support for low emission bus service provision or waste collection services
- Contribution to renewable fuel and energy generation projects
- Incentives for the take-up of low emission technologies and fuels

To this extent pollutant emission costs should be calculated, based on Defra's damage cost approach utilizing guidance found at <https://www.gov.uk/government/publications/green-book-supplementary-guidance-air-quality> and <https://www.gov.uk/air-quality-economic-analysis> .

These measures are justified within local plan policies CP3, CP5, CP10, CP11, CP16.

I note from comments made in 2017 in relation to CH/10/0294, that a revised noise report has been requested for sound insulation for internal noise and amenity space. Account should be taken of revised documents BS8233:2014 and BS:4142 :2014. Again, of particular concern are properties in close proximity to M6Toll.

[Additional comments received 25 April 2018]

Note that procedurally it is not feasible to ask for (i) a further air quality assessment or (ii) to require developer contributions towards air quality mitigation schemes to counter cumulative impact of emissions. Please note that my request for further assessment were offered in response to your email dated 23<sup>rd</sup> January, which pointed out the concern of residents regarding the air quality impact of the scheme, and suggesting that we look again at the layout of the scheme in relation to air quality. I interpreted this as an opportunity to ask for further assessment.

In terms of (ii), it is unfortunate that the developer contributions for mitigation measures were not secured at the time of outline permission. This is reflective of changes in air quality practice and guidance rather than acceptability to this particular application to current standards. Nevertheless, I acknowledge that procedurally it is not feasible to require this as a

condition. However, should voluntary contributions be offered by the developer, I am aware of relevant sustainable transport measures in the immediate vicinity that would benefit from financial input.

#### Strategic Housing Officer

The application is for 449 dwellings and a provision of 14% is identified for affordable housing (63 units). Proposed bed types in the reserved matters for social rent were 8 x 1bed, 26 x 2bed, 12 x 3bed and 1 x 4bed. In total 47 units will be for Social rent and 16 for Shared ownership. The overall bed type mix for the social rent and shared ownership properties currently identified is acceptable. The affordable housing contribution may increase according to the requirements of the S106 agreement which require reviews to take place as part of a phased development.

The S106 Agreement was signed for this site on the 31<sup>st</sup> May 2015. 14% was the minimum requirement for affordable housing and was subject to review as outlined in Schedule 2 of the agreement (planning ref: CH/10/0294). It was agreed that the affordable housing requirement would be reviewed according to a Housing Phasing Plan which was attached to the agreement. I have not seen all the documents that accompanied this application but could it be ensured that the S106 is being adhered to in the current application and that it will be a requirement to review the affordable housing percentage as the development progresses.

#### Development Policy

The site is a Greenfield site located to the south of Norton Canes. It is not allocated for any use on the Local Plan (Part 1) Policies Map. However, the Local Plan (Part 1) Policy CP1 and Policy CP6 identify the site as part of an urban extension to the south of Norton Canes for up to 670 dwellings. Representing up to 450 dwellings, this is the second largest single housing site within the District (after land West of Pye Green Road) and therefore forms an important part of the Districts' overall housing supply. It is currently identified within the Strategic Housing Land Availability Assessment (SHLAA) as contributing towards the deliverable and developable housing land supply. As a result, the scheme is crucial in meeting the Local Plan (Part 1) housing land targets overall.

With regards to the detailed design of the scheme, particular regard should be paid to Policy CP3, Policy CP16, the Design SPD (2016), and the Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport SDP (2005) (contains parking standards).

As this is a reserved matters application for an outline consent that was granted prior to 1<sup>st</sup> June 2015 (CIL adoption date) the proposals are not CIL liable. The outline consent is subject to an existing Section 106 agreement and the conformity of the reserved matters proposals to this should be ensured.

It is noted that this reserved matters application does not cover the employment use element of the site previously granted outline planning consent (CH/10/0294). However it is considered that the scheme should still consider the future relationship/linkages between the proposed employment and residential elements in order to ensure sustainable development of this mixed use scheme and that the future delivery of the employment led elements are not jeopardised by any proposals at this stage.

Local Plan (Part 2) recently underwent Issues and Options Consultation (January-March 2017) and identified this site as a potential residential/employment mixed use allocation in order to meet the Districts' supply requirements, in accordance with Local Plan (Part 1). However, given the stage of this plan it is considered to have limited weight at this time.

Response Dated 14 May 2018

It should be noted that since the previous consultation on this application the Norton canes Neighbourhood Area has been designated (10<sup>th</sup> January 2018). To date there have been no consultations on any draft neighbourhood plan for the area. However, the most up to date position should be considered at the time of the application being determined. In addition, the Council has ceased work on Local Plan (Part 2)-referenced in previous comments-and has commenced work on a Local Plan review. No consultation has been undertaken on this document to date and it is at the early stages of preparation ( a high level "Issues and Scoping" consultation is likely this summer).

### Economic Development

No objection.

Economic Development welcomes the application, we would encourage the housing developer to use local suppliers and where possible look to carry local recruitment to try to secure local jobs for local people in Cannock Chase. Furthermore, in addition to this we would also recommend that the developers liaise at an early stage with broadband providers to ensure there is adequate infrastructure provision for the development.

### Trees, Landscape and Countryside

Layout –

Some changes have been made that should ensure retention of the large ash tree adjacent the woodland block (plots 28 177), Note some plans still show the old road layout in this location.

Plots 109-11 slight change but insufficient to save both large oak trees to rear as discussed and lose the tree to the frontage but replant with new more suitable tree.

Loss of large oak tree south of plot 306 for suds pond is not acceptable.

Still a lack of any feature/focal points within the housing layout.

High percentage of mass rows of parking onto street frontage with little if any space to break up the resultant expanse of paving! Very poor street scene effect.

#### • Access footpaths/connections

Connection to Jackson Close as requested.

North of plot 86-7 path connection to boundary path, is from private drive. This needs relocating to the western end of the enlarged hammer head adjacent plot 79 and the connection shown centrally needs moving to the eastern end of the hammer head.

Omit the footpath section running along south eastern side of woodland.

Design of this whole area needs looking at to function correctly.

Other connection appear to be acceptable

#### Play area – NEAP ref additional sketch proposal

Play area needs redesign, paths to flow and not have 90° corners and with more connectivity through woodland area. Latter needs additional paths through to link to adopted highway hammer heads.

All needs to be behind 30m boundary from property boundaries. Later line needs to mimic boundary lines correctly

#### Balancing ponds – main issues

Loss of very large mature protected oak is not acceptable. This is a key feature of the site and must be retained

Engineered finish, needs to have natural shape to slopes both vertically and horizontally

Proximity of second balancing pond to housing, needs moving closer to southern boundary.

Must ensure leave sufficient space to create footpath cycle link between balancing pond and ditch west of tip mound so can create future link round west and southern side of tip mound. This aspect is essential to promote sustainable linkages to adjacent roads and over M6 toll.

First and second ponds should be dry features. Third one, north of tip mound can contain water.

No provision form maintenance access into features 1st & 2nd) 1:4 slope not acceptable, ramp of 1:6 maximum required.

Third pond needs to be designed more to fit in with the area and the adjacent brook course.

#### Trees

As noted previously.

#### Ecology

Need to incorporate a variety of bird boxes in a minimum of 60% of properties as appropriate compensation given the amount of loss of hedgerows and trees over the exiting site.

All other aspects to be advised upon including landscaping due to lack of time to fully assess all information due to other commitments.

#### Summary

- Principle of development has been approved via outline consent.
- Objection to the proposed SUDs features/layouts as noted.
- Objection to loss of trees within layout as noted.
- Revised play area/woodland layout access required.
- Minor path layouts/connection to revise.
- Require appropriate time to fully assess all details.

#### Council's Ecologist

No objection subject to the implementation of the proposals set out in the submitted ecological appraisal. However, the number of proposed bird and bat boxes is very low for a development of 449 units. Local Plan Policy CP12 and Design SPD seek to enhance biodiversity and populations of Priority Species where possible. Significantly more could be done on this development to meet those objectives by ensuring that the actual dwellings are more compatible with the needs of declining species through the provision of boxes at high density. We would wish to see one bird or bat box incorporated into the fabric of the building at the rate of one per unit secured by way of a condition.

#### RESPONSE TO PUBLICITY

The application was advertised by neighbour letter, site notice and by newspaper advert. 57 letters of representation, including letters of objections, letters of comment and combined letters of comment/ objection have been received.

The comments made by people making representations are outlined below. However, the reader is advised that since some of the comments have been received there have been significant amendments to the drawings in order to take into account, as far as the applicant

has deemed reasonable and appropriate to do so, the issues raised by local people and consultees. The issues raised are: -

The development destroys the few green areas left to the people of our community, which has been transformed from a village to a concrete jungle in a matter of years.

The development will lay concrete and brick where green-fields, flora, fauna and wildlife were previously enjoyed by the community.

The resultant pollution will further poison the atmosphere which is already of poor quality from the factories, units (particularly Durapipe) and roads that have now engulfed our village.

When residents suffered the construction and implementation of the Toll road we were promised that the green buffer this development will destroy, would be there to reduce atmospheric toxins. This was obviously a lie. Residents received compensation for the construction of the toll road because of the adverse effect on the environment and to our health. We are now threatened by the same problem.

The exercise is not a consultation it rides rough shod on the residents who have to suffer. Why not have a referendum for all residents who live 1/2 mile of this monstrosity to see whether it has the support of the people it effects.

This disastrous plan will create additional traffic problems for a village unprepared for the influx of traffic and people.

The people affected by the imposition of your destruction of our village and environment will never accept this plan.

The development of 450 dwellings is of saturation coverage that will have the potential to add another 1000 vehicles on to already congested roads from a single access and exit road Norton Hall Lane, which has become by virtue of the M6 Toll Road the main east/west access into and out of the village.

The effect of this development should not be considered in isolation, as the Lakeside Business Park has already had a detrimental effect on Norton Hall Lane, Church Road, Chaple Street and Norton Green Lane, by way of and not only due to the increased volume of traffic and the uncontrolled speed of this traffic, but also the type of vehicle that now use this route.

The site of this development should give great cause for concern for the health of new residents, as their homes will have been built alongside a six lane motorway (M6 Toll) and a major trunk (A5), with the accompanying noise and in particular air pollution, which was a major concern when the Toll road was built. This concern was raised and dismissed out of hand by the powers that be, who said that the new road would reduce traffic on the A5. We now know this was wishful thinking and air pollution in the area is a very real environmental issue and therefore a serious health issue.

The area has been productive agricultural land as a result been a haven for wildlife which will be lost forever.

Can you confirm the situation in respect of land between the boundaries of the properties numbers 61, 63, 65, 67, 69 and 71 and the proposed site boundaries of the proposed semi-detached dwellings. Is the land to be closed off and if so what is being proposed by the developers to deal with it. Is it going to be accessible open area and if so what sort of open

area and what security is being proposed by the developer for the rear of the existing properties? If it is no-man's land who is responsible for it?

There are bats and sparrowhawks that live in the area. Can you confirm what steps have been taken by the developers for the protection of their habitat when building commences.

The first outline plan had playing fields in front [of Jacksons Close] to give us a buffer from the new build and this will give a reasonable outlook, but due to the possible noise factor of children playing it was suggested to have a road that would service both our houses and the new ones and a verbal agreement was made, since then we have asking for at regular intervals to what's happening and we keep getting a don't know answer. It was a shock when the new planning proposal came through putting a road so tantalising close but not servicing our houses. Bloor Homes has said they will separate us from them by a wooden fence and the plans will not be changed.

Due to our properties not having frontal access the selling point is the view, with the new house build so close and no road access the value will drop from 15 to 25 thousand pounds and be very hard to sell which I'm sure there will be no compensation, not only that it will create a potential playground directly in front of our house as younger children will always play in sight of their houses.

We pay our Council tax, we should have a say what's happening in front of our property, it would take very little to extend the road to serve our house as well and might even increase the value of our property, although it would be small compensation for loss of the view.

There are options if Bloor does not agree, revert to the playing fields plan in front it will be no worse, or give us our own access roads that exits into Jackson Close (this was proposed as stage 2 when the house was built in 1965 that why the bottom of the close is so wide).

I object to the position and attitude of Nos 10 and 12 Jackson Close. The developers drawing clearly show this property out of position and placed at the wrong angle. The developer's drawings do not show or list the existing boundary fence that runs the entire length of Jackson Close along the edge of the public footpath and the edge of the three fields. Do the developers intend to destroy this boundary fence?

The 'existing trees to be retained' symbol and 'existing trees to be removed' symbol are deliberately confusing on drawing Nos 25 and 26, as there is no obvious difference between the two.

I object to all the hedgerows being destroyed, the length of mature and well established hedgerows is over a mile. These provide cover for range of birds, wildlife and many plants.

The precise number of trees to be lost cannot be determined due to confusion of the symbols. Objects to the lack of clarity and explanation for the Green Cross hatched area on plans 25 and 26.

Object to drawings 265 and 26 not showing the public footpath that crosses the site. The footpath begins part way down Norton Hall Lane and runs in a south easterly direction across the fields and joins Butts Lane. What do the developers intend to do in order to maintain and keep open this public right of way.

Objects to the loss of deer (fallow and muntjac) habitat and grazing fields. What is the developer intending to do with the deer-shoot them?



Objects to the destruction of fox earths in the hedgerows and badger setts.

The site boundary shown in red on most plans is incorrectly aligned in relation to our actual boundary (67 Butts Lane) on both the west and east sides. Please confirm that this red boundary is for illustrative purposes only.

There is a substantial area of informal public open space to the north and east of the development site which we understand to be for the benefit of the whole community. There appears to be no public access to this amenity from the northern side which is closest to the majority of the community. Not only would this omission serve to deter residents from using the greenspace it would also be to the real detriment to those with disability, limited mobility, frailty or with young children.

A suitably gated pedestrian entrance should be created which would enable easy access for all. The gate arrangement should however prevent access by motorised vehicles, motorcycles and horses, as sometimes happens in such areas, resulting in damage and safety concerns. This could be located at the northern end of Butts Lane opposite Butts Close.

Reserved matter relating to the emergency access in Butts Lane - no application has been submitted in respect of this but we would like to remind you that the applicant does not have control of certain land required in order to provide access.

The developer's own ecological survey states there is a colony in the area of the development and it is an offence to disturb such a colony.

There are two large oak trees close to the last property in Butts Lane which Cannock Council put protection order on which have a likelihood of supporting said colony. The developers' plans do not make it clear which is wrong of them but it looks as if they want to cut these trees down.

This number of houses could contain 1,800 extra people. In the village itself, doctors' surgeries are struggling to cope, as are the 2 schools with the number of people who already live here. The amenities in Norton Canes are already poor, e.g. less shops now than when we moved here, no dentist, optician, a library manned by volunteers, no butchers, no bank, no green grocer. We have had a surge in the building of industrial premises throughout Norton Canes. Are there any plans to include any of the above mentioned amenities amongst the new houses?

Norton Canes has had more than its fair share of new house built over the last few years.

The character of the village is currently that of a tranquil settlement with large green spaces and historical landmarks including the church of St James.

A major concern is the scale of the proposed plan with the increased number of residents adding unnecessary growth to the village. Upon the presumption that there will be an average of three residents per dwelling on the new housing estate, this would see population growth of approximately 1350 new residents, which based on the most recent census would equate to a 20% increase in population. This huge leap in population goes against the natural growth of most towns, let alone our modest village.

The design of the for the new houses are in no way in keeping with current dwelling in the area and would result in a loss of charm and feel of Norton Canes.

The development would destroy a number of habitats for local wildlife including bats, badgers, foxes, rabbits, deer, owls, buzzards and kestrel.

Whilst the plan does consider the inclusion of strategically placed wildlife shelters, this is in no way an adequate replacement for the irreplaceable natural landscape and architecture which already exist within the proposed site.

In relation to the public advertisement it was only by chance that we happened to see the notice stating the plans, therefore do not believe a proposal of this scale has been adequately conveyed to the residents of Norton Canes, in particular the occupants of Norton Hall Lane, Butts Lane and Church Road. The site is visible from our house but we have received no information regarding these plans.

The timing of the notices was poor as it was over the Christmas period.

Living at number 20 Jackson Close my house directly overlooks the new build so this will affect me the greatest. Directly in front of my house there are two oak trees and an Ash tree, but on the map there is a house where the Ash tree is. Why is this tree being sacrificed (TPO T4). If this tree is to be destroyed my house will directly overlook somebody's back garden which nobody's front view should be subjected to. This will affect the selling value.

At the meeting it was stated that the layout of the plans can be altered to suit. If the road will not be considered we would prefer to have the park land back in front as this would cushion the blow. If all is ignored and the plans stop as they are its created a playing area in front of number 20, 22 and the bungalow in Butts lane, this needs to be heavily landscaped with shrubs to prevent this.

No thought has been given to the existing houses facing the new build if the plans stop as they are.

The developers and the Council's planning officer has presented the outline planning permission and the accompanying s106 and s278 agreements as a 'done deal' in all regards apart from the £150,000 which was earmarked for improving Churchbridge Island. The developers believe that this will now not be paid as the improvements have already been completed. The planning Permission and s106 and s278 agreements are a combined legal agreement. Substantial part of the agreement, the s278 part, has been frustrated which calls into question the agreement as a whole. The Council's legal advisers should be consulted to determine if the agreement as a whole is frustrated and if so a new agreement sought that better reflects the current circumstances.

The developers have previously built in Norton Canes and some disagreements arose concerning if the developers had complied with all their previous agreements. On 'The Mount' there are a number of unsurfaced footpaths and areas designated to be set out as football pitches had not be so laid out. The Council should ensure that any previous agreements the developers had undertaken are complete before this project commences.

The Council has previously allowed developments which have not allowed for enough parking. This has led to parking on footpaths; which can result in repair costs to the Council. The parking around APC and parking footpaths in residential streets in Norton are examples. Driving on footpaths is illegal. The council should ensure that bollards, stumps or trees are used to divide footpaths from the road so that illegal parking on footpaths is discouraged.

The council should look at ensuring that the developers provide adequate cycle and footpaths through the development. A combined cycle/ footpath around the entire site would be

beneficial, as would an additional link along the proposed sewer line heading to the rear of The Railway. This may allow for children to walk/ cycle to school via Pennycress and the park. This would reduce traffic from the scheme. Cycle routes should connect with one another so that young cyclists can use the routes safely.

A pedestrian crossing by the Railway would help children to school. The pedestrian crossing has been included in the proposed transport improvements previously, but has never been provided.

The developers should provide adequate signage so that delivery vehicles do not travel through the village.

The developers suggested they would attempt to ensure delivery vehicles do not travel through the village, but this is difficult to enforce. This is incorrect. Once the new island is constructed the developer could install an automated number plate recognition system that will detect vehicles traveling out of the village. Any vehicle that proceeds on to the subject site can then be stopped at [sic] not unloaded for say 30mins. Drivers will quickly realise that short cuts through the village are not rewarded

The developers should be encouraged to provide solar panels.

Our homes are in Jackson Close. We have concerns about the car parking in front of our house and cannot see why a road could not be considered which only requires a continuation of a proposed road affecting only 4 houses. We would hope that the developers would reconsider the decision regarding the provision of a road as it was highlighted that there is already £150k which will not now be required under the section106 agreement.

The current plan stated that four house will be facing our home (Jackson Close) which will take away our privacy. Ask that the proposed fence near their property is open and not closed.

Trees will require protection from deer damage to bark from their antlers. They mostly avoid *Betula pendula* (Silver/ European White Birch) so hopefully *Betula pubescens* (Downing Birch) will also be ignored but others will be vulnerable.

*Prunus spinosa* (Blackthorn) is a menace in a hedge unless the management plan includes mowing right up to the plant annually. Otherwise it will sucker out several metres from the parent plant. The thorns are long and set 90 degrees from the stem creating a hazard as you walk past, and any branches on the ground are like caltrops and will penetrate the soles of stout walking boots.

Bloor Homes have been asked whether they, as a gesture of good will, would refurbish two footpaths on the adjacent estate.

Could track and sports equipment be part of the recreational area.

Are you aware of the considerable flooding that is a permanent feature at the Tory Bottom corner of Jackson Close? Will this be part of the development? I just worry about where this water will end up as we are downhill it may end up on the main road.

Bloor Homes has assured me that Butts Way will not be linked as a footpath to the new estate confirming that we would not have a further 1000 potential users to an already unstable footpath.

Could boards be placed at historical places of interest to preserve the history of the village?

The outline planning application had been granted in 2010/2011 (signed in 2015) and two public meetings had been held in 2010 to enable residents to receive information about the proposed development. At the time the assessments from health, education and county council highways had been obtained as part of the supporting documents. Our concern is that there has been a significant delay on the part of the developers taking this development forward which has led to the assessments to be out of date. Due to the 7 years that have elapsed, there have been significant changes in the village in terms of other housing developments which have obviously affected infrastructure. One of the main concerns is the growth of the businesses on Kingswood Lakeside Business Park which has seen a significant increase in HGV traffic which now access the village and come via Norton Hall Lane. Consideration should be given to reviewing these out of date assessments to enable the current picture re infrastructure to be available.

Regarding the open space area we feel that there should not be a MUGA located here and that it is purely a children's play area.

Concern that there are no bungalows on the development which given the ageing population, particularly in the village itself, we would encourage.

We are concerned about air pollution along the A5 corridor and the M6 Toll which would affect health of the residents located on this new development and in the village.

We would also encourage some sort of sound barrier on the M6 Toll to avoid the issue of noise or alternatively provide triple glazing on the properties located on the new site that [are] directly built near to these two roads.

We would ask for signage on Blakeney Island coming into the village to stop HGVs using Norton Hall Lane.

We would question why in 2010 the Health Authority did not put in an application for more health provision in terms for the section 106 agreement. With the housing development planned for the village we do not see how the current GP practice can cope with the number of residents being able to obtain timely appointments.

The access road to the site between Norton Hall Lane and Church Road has a 7.5tonne weight restriction. Has this been taken into consideration in the plans?

The dwellings at 10 and 12 Jackson Close have not been plotted correctly.

There need to be a connection to the Butts Lane pedestrian path from the northern border path of the state. In the present design the path does not connect until half way down.

The Council's Landscape Officer has raised a considerable number of issues with these plans. Can I have assurances that these will be addressed before being brought to Planning Committee.

The recently established group Friends of Norton's parks and open Spaces is keen to encourage a healthy use of the village's open spaces and public access networks and echo other sentiments expressed in these submissions for an integrated cycle and pedestrian route to connect other established and proposed networks (identified in the 123 list) of footpaths and cycle routes.

All houses should incorporate an electric car charge point if not already included.

I would urge the developers to include a Public Access Defibrillator at a strategic location within the estate.

I would request that the developers include an area to install a village noticeboard so that new residents have access to information from the parish council and contact details for local services and groups.

On some of the maps the scale of the woodland area has been shown incorrectly and would like to see this rectified.

A condition should be added guaranteeing that no vehicle used for construction or supply of building material in this estate should access the site from the village.

An air quality report section in the developers Environmental Statement featured in the original application does not cover the impact of the M6Toll on air quality-could we please have an assessment of this road on residents on this new estate before any further permission is granted. A new estate so close to the motorway, particularly so close to the toll booths where cars have to stop for a period of time to pay, should be carefully assessed.

I would like to request that a local historian is consulted on, or invited to take part of, any archaeological assessment that is conducted as is required by the conditions of the original outline application. An assessment that, as been pointed out by Debbie Taylor the Historic Environmental Advisor to Staffordshire County Council, has not yet been undertaken.)

This application should not progress until the points raised by Natural England regarding the lack of contribution to mitigation measures on the impact of the Cannock Chase SAC are addressed.

Every bit of land is being taken up. Prime example is the road up to Sainsburys. Factory after factory.

We moved here as it was near countryside to find it being eaten away.

How will the 2 schools and our health centre going to accommodate this influx is questionable.

There is no provision made on this development for people with limited mobility living on one level. No bungalows or apartments. This affects disabled and older people. Why is this?

The new drawings do not show or list what the developer's ideas or intentions are relating to the existing boundary fence which runs along Jackson Close alongside the existing public footpath and the Green Belt. If the fence is to be demolished can it be replaced by a 1.8m high close boarded wooden fence topped with NATO concertina razor wire and a ditch palisade created to the front of the new fence.

Will you please remove the pedestrian connection to Jackson Close from the drawings. Several years ago the people of Jackson Close were plagued on a daily basis by kids riding small motorbikes up and down the paths.

Assuming this pedestrian connection to Jackson Close will not be removed would you be able to guarantee that this connection would be designed to prevent unauthorised vehicle use.

The tree symbols have been modified. They clearly show the trees that are to be retained and the trees and hedgerows that are to be removed. Therefore as a matter of some urgency would the council please consider marking and protecting those trees that are being saved.

A section of well-established hedgerow and trees have already been destroyed that were clearly marked to be retained on the first set of drawings.

[Members should note that following consultation on amended plans 37 copies of a standard letter were received stating the following: -]

We have noted that the new plans show a pedestrian access to Jackson Close on the far-left hand corner connecting the new estate and to a point just before the first house on Jackson Close.

This, we believe, is in a suitable location. We would, however, oppose any attempt to add more access points to Jackson Close. We are residents of Butts way and are concerned with the increased pedestrian traffic coming through the estate. The pathways on the estate are slabbed and poorly maintained and we do not wish to suffer any more degradation of the estate because of the extra number of people coming through here.

We feel the access point shown on the map is satisfactory as it moves pedestrian traffic from the most vulnerable points on Jacksons Close and Butts way, but also offers residents of this new estate a suitable access to the wider area. We therefore support this specific change to the plan.

#### **RELEVANT PLANNING HISTORY**

CH/10/0294: - An outline application with access specified for a mixed use development of up to 450 houses and up to 6,300 square metres of employment floorspace (class B1 and B2 uses); formal and informal open space and new highway access accompanied by an environmental statement) was approved in 2015 subject to a suite of conditions and a section 106 agreement to secure: -

1. Affordable Housing -A 14% affordable housing element (up to 67 dwellings).
2. Contribution of up to a maximum of £564,000 for implementation of a Travel Plan.
3. Contribution of £10,710 for the Travel Plan monitoring fee.
4. Provision of remedial mitigation measures in the event of a failing Travel Plan in the form of a capital; contribution of £75,000 to the County to be spent on schemes to improve sustainable travel within Norton Canes.
5. A contribution of £150,000 towards highway improvements.
6. The provision of play facilities (the specification of which is to be agreed).
7. Provision of public transport service between the site and Chase Terrace, Hednesford, Cannock, Brownhills and Walsall.
8. A contribution towards education facilities in accordance with the County Council's formula.

Matters reserved at the outline stage included the layout, scale, design, appearance and landscaping of the site.

The outline application was accompanied by an Environmental Statement, dated July 2010, prepared by Entec UK Limited which considered issues in respect of landscape and visual, land quality, water environment, biodiversity, cultural heritage, traffic and transport, air quality, noise and vibration. It is clear within the ES that the presence of the M6 Toll and the aluminium works were taken into consideration. It is also clear that the presence of the quantum of development expected at Kingswood Lakeside should have been taken into account as this site was originally granted outline consent in 2002 (planning permission reference CH/99/0123) with reserved matters also granted in 2002 and 2004 (planning permission references (CH/02/0246 and CH/04/0257).

Conditions attached to the outline permission in respect of the residential element included (but were not limited to) the control of the following issues: -

1. noise mitigation measures
2. construction hours
3. submission of a Construction Method Statement
4. ground contamination
5. drainage and flood risk
6. off-site highway works
7. emergency access
8. archaeological works

CH/10/0294/A: - Discharge of conditions 2 (reserved matters), 6 (arboricultural work), 8 construction method statement 9 ground contamination), 12 (Masterplan), 13 (drainage), 14 (off site highways work) & 16 (flood risk and drainage impact assessment) of planning permission CH/10/0294. Pending determination.

CH/10/0294/B: - Application to discharge conditions 11 (highway scheme) & 15 (access construction) pursuant to outline planning permission CH/10/0294. Pending determination.

## 1. SITE AND SURROUNDINGS

- 1.1 The application site comprises an area of greenfield land of 24.8ha located adjacent to the southern boundary of the village of Norton Canes. The site is broadly semi-circular in shape. The northern boundary comprises a mix of fencing types and trees to the rear of neighbouring residential properties along Norton Hall Lane, Church Lane, Jacksons Close and Norton Green Lane and by a public right of way to the front of Butts Close, beyond which is the built up area of Norton Canes.
- 1.2 The eastern boundary is formed by a bund of varying heights that is vegetated by scrub and small trees. Beyond this bund and in an elevated position are a number of industrial premises including Norton Aluminium Products Limited which manufactures high specification aluminium alloy casting ingots. These and other businesses in this area are accessed off Walsall Road. Beyond this and to the south-east lies the Norton Canes Motorway Service Station associated with the M6 toll Road. The nearest toll booth on the motorway is situated approximately 650 metres to the west of the south west corner of the site.
- 1.3 Towards the south lies the M6 Toll Road itself. The motorway lies within a cutting and is further obscured from the site by planted bund to the eastern part (about two thirds) of this boundary. Beyond the motorway lies the A5 and open countryside.

Norton Hall Lane forms the western extent of the site beyond which lies open countryside and then the Kingswood Lakeside development.

- 1.4 At present the majority of the site is under arable agriculture with an area along the northern boundary, adjacent to Butts Close, used for the grazing and stabling of horses and other animals.
- 1.5 In general the site comprises two distinct sections bisected by Butts Lane, a banked hedged track which runs in a north-south direction. Butts Lane used to link Norton Canes to the A5 but was severed through construction of the M6 Toll Road; the lane now being a private track which is closed to traffic.
- 1.6 The eastern area comprises two field separated by a hedgerow and a ditch both these fields have been used for arable agriculture.
- 1.7 The majority of the western area has been under arable agriculture although its northern part adjoining the settlement boundary is used for the grazing lands tabling of horses. This northern area is characterised by smaller fields defined by hedges with some mature trees.
- 1.8 There are two areas of woodland on the site. The first lies to the rear of Norton Hall Lane and comprises the location of the former Norton Hall. This area is semi-natural, unmanaged and contains a number of significant trees. The second area lies to the south-eastern corner of the site and comprises mound of colliery soil which has been colonised by woodland and now forms a prominent landscape feature.
- 1.9 There are two moated features within the site boundary. One is associated with the former Norton Hall and the other lies just within the site's northern boundary to the rear of Norton Green Lane.
- 1.10 The site is unallocated within the Cannock Chase Local Plan (Part 1). The woodland on the site of the former Norton Hall, the trees along Butts Lane and several individual trees across the site are protected by a tree preservation order.
- 1.11 The site is located in flood zone 1 on the Environment Agency's flood zone maps and a minerals conservation area.
- 1.12 Public footpath No7 Norton Canes used to run across the site from Norton Hall Lane on the west to Watling Street and is referred to by several objectors. However, this right of way was extinguished in 1998 by the Birmingham Northern Relief Road (Churchwood to Burntwood Section) Side Roads Order 1998. There are no other rights of way recorded on the definitive map. Butts Lane is private and not a public highway.

## 2. PROPOSAL

- 2.1 The applicant is seeking approval of the reserved matters of layout, scale, appearance and landscaping of the site pursuant to the conditions attached to outline planning consent CH/10/0294.
- 2.2 The applicant has submitted a range of drawings showing the layout of the site, design of the house-types and landscaping proposals.
- 2.3 In order to inform the application the applicant has submitted: -



Planning Statement

Aboriginal Impact Assessment (November 2017)

Aerial Tree Potential Bat Roost Feature Inspection Report (November 2017)

Landscape Management Plan (November 2017)

Ecological Appraisal (October 2017)

- 2.3 The plans indicate the access to the estate would be via an approved traffic roundabout to be constructed on Norton Hall Lane which was approved under the outline consent) , which will also act as a new gateway into Norton Canes from the south west.
- 2.4 The applicant's Planning Statement states that the new access would: -

"link on to the primary East/ West street which will then link onto the more pedestrian priority North to South routes through the main residential areas. Butts Lane and the main woodland areas are to be retained and will act as main contributors to the character of the site with the introduction of the links to open Space areas in order to create recreational opportunities for walks, children's adventure play etc.

The layout has been planned to retain and enhance existing features of the site which will help to contribute to a 'village' type feel for the area, particularly adjacent to the Butts Lane and main woodland areas whilst also mitigating the negative aspects including noise from the M6 Toll, A5 and existing industrial areas.

All properties have been designed to adoptable standards in accordance with the Disability Discriminations Act and Approved document M of the Building Regulations by ensuring that access to buildings , gradients of access paths and way finding for the visually impaired has received appropriate considerations and road layouts incorporate adequate turning facilities for emergency vehicles.

All street spaces have been designed to benefit from active street frontages that will create a strong relationship between dwellings and the street and will ensure activity to encourage reduced vehicle speeds.

Leisure/ landscape areas are planned in three locations which break down into the Butts Lane green link, a large woodland area to the West and the main open space and adventure play are to the east.

It is proposed that the Butts Lane and existing woodland areas to the East will maintain their existing character with only minimal footpath improvements.

Formal children's play facilities are proposed in strategic locations with a LAP (Local Area of Play] sited centrally to the East of Butts Lane and a LEAP (Local Equipped Area of Play] to the North of the woodland area of open space to the west of the site.

Affordable housing will be provided at a ratio of 14% of the total resulting in the provision of 63 affordable dwellings which will have tenures to suit Local Authority housing requirements".

2.5 Proposed house types in the reserved matters for social rent were 8 x 1bed, 26 x 2bed, 12 x 3bed and 1 x 4bed. In total 47 units are proposed for social rent and 16 for shared ownership.

3. PLANNING POLICY

3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014).

3.3 Other material considerations relevant to assessing current planning applications include the National Planning Policy Framework (NPPF) and Supplementary Planning Guidance/Documents.

Cannock Chase Local Plan Part 1 (2014)

3.4 Relevant policies within the Cannock Chase Local Plan include: -

- CP1: - Strategy
- CP3: - Chase Shaping – Design
- CP5: - Social Inclusion and Healthy Living
- CP7: - Housing Choice
- CP12: - Biodiversity and Geodiversity
- CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
- CP15: - Historic Environment
- CP16: - Climate Change and Sustainable Resource Use

3.5 National Planning Policy Framework

3.6 The NPPF sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it outlines the “presumption in favour of sustainable development”.

3.7 The NPPF confirms that a plan-led approach to the planning system and decisions must be made in accordance with the Development Plan. In particular the following NPPF references are considered to be appropriate.

3.8 Relevant sections and paragraphs of the NPPF include: -

- |                                    |   |
|------------------------------------|---|
| Paragraphs 7, 8                    | Three dimensions of sustainable development.          |
| Paragraph 14                       | The presumption in favour of sustainable development. |
| Paragraph 17                       | Core planning principles.                             |
| Paragraphs 56, 60, 61, 64          | Design.   |
| Paragraph 73                       | Promoting healthy communities.                        |
| Paragraph 96, 103                  | Meeting the challenge of climate change, flooding.    |
| Paragraphs 109, 111, 118, 120, 123 | Conserving the natural environment.                   |
| Paragraphs 18, 135                 | Heritage assets.                                      |

Paragraph 216 Implementation.

3.9 Other Relevant Documents

Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport Supplementary Planning Document (2005).

Manual for Streets

Minerals Local Plan for Staffordshire (2015-2030)

4. DETERMINING ISSUES

4.1 The determining issues for the proposal are

- (i) Principle of the development
- (ii) the layout
- (iii) the appearance
- (iv) the scale
- (v) and landscaping

4.2 Principle of the Development

4.2.1 The principle of housing on this site was firmly established under planning permission CH/10/0294 which granted outline permission with access for a mixed use development of up to 450 houses and up to 6,300 square metres of employment floorspace (class B1 and B2 uses); formal and informal open space and new highway access.

4.2.2 Issues, such as, affordable housing, impacts on the local highway network, education, drainage and flood risk, and cumulative air quality impacts were considered at the outline stage.

4.2.3 Therefore all issues relating to the principle of the development and the consented quantum of development (that is to say 450 dwellings) have already been determined and are not for consideration in the determination of this application.

4.2.4 Therefore the only matters that are for consideration are the proposed layout, appearance, scale and landscaping of the development and any material consideration in so far as it relates to those reserved matters.

4.3 Layout

4.3.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the

built environment with new planting designed to reinforce local distinctiveness.

4.3.2 In addition to the above Paragraph 56 of the NPPF states that the government attaches great importance to the design of the built environment and states good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

4.3.3 Paragraph 61 of the NPPF goes on to state: -

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

4.3.4 In addition Paragraph 64 of the NPPF makes it clear that

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

4.3.5 Having had regard to the above it is considered that the main issues in respect to layout are: -

- (i) Layout, parking and highway safety and capacity within the proposed estate.
- (ii) Layout and standard of amenity of existing and future occupiers in respect of
  - (a) space about dwellings.
  - (b) noise and air quality.
- (iii) Layout and impact on heritage assets.
- (iv) Layout and impact on nature conservation interests.
- (vi) Layout and impact on drainage.
- (vii) Layout and designing out crime.
- (viii) Layout and the provision of affordable housing.

4.4 Layout, Parking and Highway Safety and Capacity within the Proposed Estate.

4.4.1 Paragraph 32 of the NPPF states that Plans and decisions should take account of whether; -

"the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for transport infrastructure.

safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds, where the residual cumulative impacts of development are severe."

- 4.4.2 As stated previously the access to the site and impacts arising from the quantum of development were considered and approved under the outline consent. Therefore the only consideration in respect to the determination of this reserved matters application in relation to highway considerations is whether the parking provision and estate roads are adequate in respect to their intended function.
- 4.4.3 In respect to the layout and traffic and transport considerations it is noted that the new access would link on to the primary East/ West street which would then link onto the more pedestrian priority North to South routes through the main residential areas. Furthermore Butts Lane and the main woodland areas are to be retained and will act as main contributors to the character of the site with the introduction of the links to open Space areas in order to create recreational opportunities for walks, children's adventure play etc. with new pedestrian access point created from Buts Lane and at the far western side of Jacksons Close to allow access on foot and by cycle to the wider village. In addition to the above the plans make provision to extend a bus route into the southern end of the site. As such the layout of the proposal, as far as it is practicable to do so, has taken the opportunities for incorporating sustainable modes of transport and thereby reduces the need for transport infrastructure. In addition to the above the proposal meets the Council's guidance for parking provision.
- 4.4.4 The comments made by local people in respect to the amount of new vehicles that would result from the proposal, the potential for congestion within the village and wider area and the use of one means of vehicular access to serve the whole site are noted. However, such issues arise from the quantum of development proposed and the means of access (both of which were accepted and fixed at the outline stage) and not specifically to the layout of the proposal which is the matter to be determined under this application. Furthermore, it is noted that issues such as construction hours, submission of a Construction Method Statement, off-site highway works, and the emergency access were also considered at the outline stage and were dealt with by way of conditions attached to the outline approval. In this respect it is noted that the highway authority has no objections to the proposed layout of the proposal.
- 4.4.5 Therefore having had regard to the above it is considered that the residual cumulative impacts arising from the layout of the proposed development would not be severe and that on balance the proposal is acceptable in respect to highway considerations.

4.4.6 Layout and Standard of Amenity of Existing and Future Occupiers

Space about Dwellings

- 4.4.7 A core planning principle is that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and this has been accommodated within Policy CP3 of the Local Plan and supported by the guidance as outlined in the Design SPD.
- 4.4.8 The Design SPD, amongst other things, sets out guidance in respect to separation distances between different types of elevation and in respect to minimum garden areas. Appendix B of the Design Guide recommends that the minimum distance for front and rear facing principal rooms should be 21.3m and for principal to side elevations 12.2m. In addition the guide recommends that new garden sizes should be as follows: -

1 or 2 bed dwelling	40-44sqm
3 bed dwelling	65sqm

4+ bed dwelling

80sqm

However, the Design Guide recognises that distances set out are in the nature of guidance and that 'variations to the recommended minimum distance will be considered dependent upon the particular circumstances and type of development'.

- 4.4.9 In this respect it is noted that the layout in general meets the recommended distances for space about dwellings and garden area, and in some cases exceeds the guidelines. However, there are several instances where the layout does not achieve some part of the space about dwellings guidelines. For example the distance between the rears of Plots 361-366 and the rear of Plots 379-382 is typically 19m to 20m and therefore marginally substandard. However, this is off-set by the fact that the front to front relationship between Plots 361-366 and Plots 401-403 is 23m which is marginally in excess of the guidance and that the fronts of Plots 379-382 as an open aspect that looks onto the vegetation along Butts Way.
- 4.4.10 Similar circumstances surround the relationship between Plots 258-263 and Plots 242-247 where the distance would be between 18-19 metres, but the outlooks from the respective fronts would be in excess of the guidance.
- 4.4.11 In addition to the above there are several instances where the minimum guidelines for outdoor amenity space have not been met. However, where this is the case the deficiency is somewhat marginal and would be insufficient to warrant refusal of the application.
- 4.4.12 In respect to the relationship between those dwellings abutting the site and the proposed dwellings it is noted that the properties along Jackson Close, to the north of the site, would be most affected. However, it is noted that separation distances between existing and proposed dwellings would range from 26m to 30m and are therefore well in excess of the guidance. In addition although the distance between the dwelling at Plot 107 and the existing property to the north would only be 20m it is also noted that this would constitute a main to side relationship and therefore would exceed the distance of 12.2m set out in the Design Guide.
- 4.4.13 On balance it is considered that the proposal layout, by virtue of the space about dwellings, would provide a good standard of residential amenity for all future and existing occupiers of properties within the site and abutting it. Therefore, having had regard to Policy CP3 of the Local Plan, the NPPF and the Design Guide the layout of the proposal is considered acceptable in this respect.

Noise and Air Quality.

- 4.4.14 Given that the site lies north of the M6 Toll and A5 roads and adjacent to a number of commercial and industrial uses to the east there is the potential for noise, disturbance and poor air quality to arise from those uses.
- 4.4.15 In respect to noise, Paragraph 123 of the NPPF states that planning policies and decision should aim to: -

"avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;

mitigate and reduce to a minimum other adverse impacts on health and quality from noise from new development, including through the use of conditions;

recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established;"

4.4.16 Notwithstanding the above, it is noted that the potential for noise to impact on the occupiers of the proposed dwellings was considered at the outline stage, when noise reports, prepared by AMEC were submitted in support of the application.

4.4.17 Condition 3 of the outline consent states: -

The residential development shall be implemented according to the approved noise mitigation measures set out in the AMEC noise mitigation report (rr352i2) dated 15<sup>th</sup> July 2011 for Persimmon Homes (West Midlands) Ltd and the AMEC noise mitigation report (rr325i2) dated 15<sup>th</sup> July 2011 for Bloor Homes Ltd. These measures shall be carried out prior to occupation of any dwelling on the phase to which the measures relate.

4.4.18 This condition was placed on the outline consent having had regard to the indicative layout. Given that the layout as submitted in this reserved matters application is very similar to that on the indicative plan submitted at the outline stage it is considered that the condition placed on the outline consent would be sufficient to ensure that a good standard of amenity would be provided for all future occupiers of the dwellings.

4.4.19 Therefore, having had regard to paragraphs 17 and 123 of the NPPF it is considered that the proposed layout is acceptable in respect to noise and the standard of amenity of the occupiers of the dwellings.

4.4.20 Policy CP16 of the Local Plan states that sustainable resource use will be promoted by, amongst other things, supporting development proposals that reduce or mitigate all forms of pollution, based upon air quality modelling where necessary and having regard to strategic local issues including air quality.

4.4.21 In addition to the above paragraph 124 of the NPPF states that

"planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan."

4.4.22 Furthermore, the Planning Practice Guidance provides detailed technical guidance in respect of the implementation of the policies within the NPPF in respect of air quality.

4.4.23 Having had regard to the above it is noted that the cumulative impact on air quality arising from existing sources (e.g. local industry and the M6 Toll) and that arising from the quantum of development was taken into account at the outline stage. As such issues surrounding air quality can only be taken into account in the determination of this application only in so much as it affects, or relates to the layout, appearance, scale and landscaping of the proposal. In relation to the last three matters there would be no potential impact or relation to air quality. However, there could be the potential for

occupiers of the development to be affected by air quality if they were so close to potential sources of pollution to be exposed to harmful levels of pollutants. However, the Environmental Health Officer has not raised any objections on this basis and is satisfied that at the distance set out in the plans air quality for the occupiers of the dwellings would be acceptable.

4.4.24 Therefore it is concluded that the layout of the proposed development is acceptable in respect of air quality.

4.4.25 Layout and Impact on Heritage Assets

4.4.26 The application site is not within a designated conservation area and does not contain any building benefiting from listed building status. In addition the proposed development would not affect the setting of any listed building or other designated heritage asset.

4.4.27 However, the site does contain two moated features of archaeological interest which although are not scheduled ancient monuments constitute undesignated heritage assets.

4.4.28 Local and national policy in respect of development and heritage is provided by Policy CP15 'Historic Environment' of the Cannock Chase Local Plan and Section 12 of the NPPF.

4.4.29 Policy CP15 of the Local Plan states that the District's historic environment will be protected and enhanced via maintaining an appropriate balance between conservation, re-use, sympathetic adaptation and new development via recourse to national policy in order to promote the sustainable management of the historic environment, mixed sustainable land use patterns and promote the historic environment as a catalyst for regeneration of the district. The policy goes on to say 'the local decision making process will be based on an assessment of significance of heritage assets including their setting in relation to development proposal, primarily informed by the Historic Environment Record including the Historic Landscape Characterisation, Historic Environment Character Assessment, Extensive Urban Survey, Historic Farmsteads Survey, Conservation Area Appraisals and Management Plans and the Local list (forthcoming), updated as necessary' and that for 'heritage assets of archaeological interest or sites with potential interest an appropriate level of assessment and/ or evaluation will be required to inform decision making'. This reflects the policy in paragraphs 128 and 129 of the NPPF.

4.4.30 Paragraph 135 of the NPPF adds that the effect of an application on the significance of a non-designated heritage assets should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets a balanced judgement will be required having had regard to the scale of any harm or loss and the significance of the heritage asset.

4.4.31 Having had regard to the above it is noted that the outline planning application was accompanied by an archaeological appraisal and was granted subject to a condition to ensure that the development shall take place in accordance with a programme of archaeological work in accordance with the AMEC written scheme of investigation (19989n320i2) agreed by the County Archaeologist.

4.4.32 In addition to the above the layout of the proposed development has been designed to ensure that disturbance to the moated features is avoided as far as is practicable and to the satisfaction of the County Archaeologist.



4.4.33 Therefore having had regard to the above it is considered that the benefits of the proposal in providing 450 new dwellings with associated recreational facilities substantially outweighs the limited harm to the significance of the undesignated heritage assets on the site. In this respect it is considered that the proposal is in accordance with Policy CP15 of the Local Plan and the requirements of Section 12 of the NPPF.

Layout and Impact on Nature Conservation Interests

Cannock Chase SAC

4.4.32 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase district that leads to a net increase in in dwellings will be required to mitigate adverse impacts. Proposals which would lead to a net increase in dwellings are therefore required to mitigate their adverse impact on the SAC, which is normally in the form of a payment as part of the Community Infrastructure Levy or if CIL .

4.4.33 However, it should be noted that the issue of potential impacts on the Cannock Chase SAC was dealt with at the outline stage through the provision of Sustainable Alternative Natural Green Space (SANGs) on site. This was shown on the indicative layout in the form of the provision of 8.7ha of accessible green space broken down as follows

- 1.6ha of formal play areas:
- 2.2ha of green space large enough to accommodate two full size football (or other) sports pitches
- 1.7ha of informal open space with public access
- 1.6ha of green corridor
- 1.6ha of woodland
- 0.8ha of green-space with no public access is retained as a biodiversity resource.

The above provision was accepted at the outline stage as acceptable mitigation for impacts on the Cannock Chase SAC. These elements have been carried through into the proposed layout of the reserved matters submission. As such it is considered that the proposed layout adequately mitigates its impact on the SAC.

Nature Conservation Interest on Site

4.4.34 Policy in respect of impacts on biodiversity is provided by Policy CP12 of the Local Plan and Section 11 of the NPPF.

4.4.35 Policy CP12 states (amongst other things) that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced via: -

"the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national and local status. Development will not be permitted

where significant harm from development cannot be avoided, adequately mitigated or compensated for;

support for the protection, conservation and enhancement of existing green infrastructure to facilitate robust wildlife habitats and corridors at a local and regional scale (particularly to complement Policy CP16)."

- 4.4.36 In addition to the above Paragraph 118 of the NPPF states (amongst other things) when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles

if significant harm resulting from a development cannot be avoided (through locating on an alternative site, with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused;

opportunities to incorporate biodiversity in and around developments should be encouraged

planning permission should be refused for development resulting in irreplaceable habitats including ancient woodland and the loss of aged or veteran trees, fund outside ancient woodland, unless the need for, and the benefits of, the development in that location clearly outweigh the loss;

- 4.4.37 In respect to the impact of the proposed development on local nature conservation interests it is noted that the applicant has submitted: -

Aerial Tree Potential Bat Roost Feature Inspection Report (November 2017);  
Landscape Management Plan (November 2017);  
Ecological Appraisal (October 2017).

- 4.4.38 In this respect the comments made by ten local community in respect of the range of wildlife that has been seen on the site are noted. However, it is also noted that Natural England and the Council's Ecologist have not objected and their comments are generally accepted. However, the recommendation from the Council's Ecologist that one bird or bat box should be incorporated into the fabric of the building at the rate of one per unit is not accepted and is considered to be excessive and unreasonable as the species of birds benefitting from the nest boxes (starlings, swift and house sparrows) are not those which would be affected by the proposal, which would be essentially those that building nest on the ground (e.g. skylarks) or nest in hedgerows (e.g. robins, wrens, blue tits, long tailed tits etc.) . The proposed number of bat/ bird boxes to be incorporated into the scheme is as follows: -

Installation of 15 integrated house sparrow nest boxes in new buildings within the site.

Installation of 15 integrated swift nest boxes in new buildings within the site.

Installation of 15 starling nest boxes on new buildings within the site

Installation of 15 bat boxes/ access tiles on new buildings within the site

Enhancement of the southern boundary of the site to the west of Butts lane through additional scrub/ hedgerow planting and a sympathetic management regime to ensure that it stays a thick structure which will be of use to a wide range of taxa.

It is however recommended that the above provision could be augmented by the provision of a further 75 wooden nest boxes erected within the woodland and hedges along Butts Lane that would be retained on site. This could be adequately controlled by condition.

4.4.39 It is also noted that the proposed layout although resulting in the loss of most of the hedgerows that cross the site does retain much of the other semi-natural features within it (e.g. two woodland blocks and the hedges along Butts Lane), would benefit from large scale tree planting as indicated in the soft landscaping scheme and from the creation of wetland in the sustainable drainage ponds. All the above elements taken together are considered adequate to mitigate, compensate and in some instances enhance the biodiversity of the site.

4.4.40 Therefore, on balance, it is considered that the proposal, subject to the attached conditions, would be in accordance with Policy CP12 and paragraph 118 of the NPPF.

#### 4.4.41 Layout and Impact on Drainage

4.4.42 Drainage is not a reserved matter and was therefore dealt with at outline stage where it was subject to conditions requiring a scheme to be submitted. As such the concerns of the Local Lead Flood Authority and Landscape Officer can be addressed by way of a condition that states that notwithstanding the details of the approved plans the sustainable drainage scheme shall be that as approved under condition 16 of the outline approval. This would avoid any confusion as to what plans determine the design of the drainage system. The concerns of the Landscape Officer in respect to the engineered nature of the SuDS ponds and the desirability of naturalising the SuDS ponds into the wider landscape and the potential to create a future link eastwards would be addressed through the discharge of the condition on the outline consent.

4.4.42 It is therefore considered that, subject to the attached condition, the proposal would not be subject to unacceptable flood risk or result in a significant increase in flood risk elsewhere and therefore the proposal would be resilient to climate change in accordance with Policy CP16 (1) (g) and (2) (e) of the Local Plan and Paragraph 17(6) of the NPPF.

#### Layout and Designing out Crime

4.4.43 Legislation, policy and guidance in respect of crime and the fear of crime is provided by Section 17 of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF and Policy CP3 of the Local Plan. In this respect the comments of Staffordshire Police area noted.

4.4.44 In respect to the issues raised by Staffordshire Police your officers would comments as follows.

4.4.45 In respect to the recommendation for a rumble strip at the entrance to the development in order to create a symbolic barrier to give the impression that the area beyond the 'barrier' is private to the community it is noted that the development is for as residential estate with public roads on which the public would be entitled to walk through. As such it is not considered appropriate to have a rumble strip at this location.

4.4.46 In respect to footpaths and landscaping these elements have been looked at by the landscape officer who has balanced the competing needs of public safety, aesthetics

and ecological constraints. Such matters are considered in the section of this report dealing specifically with landscape.

- 4.4.47 Issues relating to street lighting would be looked at by the highway authority and will be required to meet the highway authority's standards.
- 4.4.48 In respect to the comments made in relation to the NEAP it is noted that the layout and location of this facility has been dictated by the interplay of various competing demands. In the first instance it is located in the north western corner of the development to enable it to be accessible to the existing community. In addition to this the NEAP needs to be 30m from the nearest dwelling and also not situated such that it harms the archaeology represented by the moat whilst having access links to ensure that it is accessible. In addition the position has been chosen to ensure that it has the least impact on the adjacent woodland and its ecology.
- 4.4.49 Although it is noted that the NEAP is not directly overlooked by adjacent properties it is not tucked away out of view altogether. It would be readily visible from the adjacent highways and footpaths and would be in view, although at an oblique angle from the dwellings at Plots 74 and 75 and as such would be subject to a significant degree of natural surveillance.
- 4.4.50 In respect to the design and maintenance aspects of the NEAP and LAP it is noted that these have been developed with the input of the Council's Landscape Officer to ensure that they are as safe as practicably possible and fit for purpose. The Landscape Officer has raised some technical issues in respect to the design of the NEAP and the applicant has sought to address them through amended plans. It is considered that a technical solution is achievable and Members will be updated on this issue at the meeting of Planning Committee.
- 4.4.51 In respect to the comments in relation to boundary treatments it is noted that Bloor Homes and Persimmon have submitted details of such treatments indicating that rear gardens would benefit from 1.8m high fences or walls.
- 4.4.52 In respect to the comments in relation to the gating of properties it is noted that this could be controlled by condition and it is recommended that such a condition is attached to any permission granted.
- 4.4.53 The issues of the installation of "Smart" utility meters to prevent bogus caller sneak-in burglaries, lighting and the security standards of doors and windows are not a planning policy requirement. It is therefore recommended that the most appropriate way of dealing with these issues is to place an informative on any permission granted to bring the developer's attention to the comments of the police and the desirability to apply for secured by design accreditation.
- 4.4.54 Although the comments made in respect to rear parking bays behind plots 150-159 are noted it is also noted that these are situated at the end of cul-de-sac which by their very nature provides a degree of natural surveillance to the approaches and in which strangers are quickly spotted. In addition it is noted that the dwelling at Plot 137 would look directly into this parking court.
- 4.4.55 In addition to the above it is noted that again the parking arrangement has arisen due to the conflicting demands of aesthetics, security, and highway safety. The aesthetic considerations require that active frontages are presented towards Norton Hall Lane. Such arrangements would normally have parking to the side or to the front and this

arrangement would require up to 10 new vehicular accesses directly onto Norton Hall Lane which would not be satisfactory from a highway safety perspective.

- 4.4.56 It is therefore considered that the proposal layout is, on balance, an acceptable solution to the competing demands. It is not considered necessary for the courtyards to be gated given the approaches to them being via cul-de-sacs and the surveillance that such layouts have.
- 4.4.57 Therefore, having had regard to the provisions of the Crime and Disorder Act 1998, paragraph 58 and 69 of the NPPF and Policy CP3 of the Local Plan it is considered that the layout of the proposal, on balance, would be acceptable in respect to crime prevention and the fear of crime.

#### Layout and the Provision of Affordable Housing

- 4.4.58 Affordable housing provision was looked at and incorporated in the section 106 agreement attached to the outline consent. This agreement included a covenant that at least 14% of the dwellings constructed on the Bloor and Persimmon phases shall comprise affordable housing units together with a mechanism such that prior to the completion of more than 90% of the open market dwellings in each of Bloor Phase 1, Bloor Phase 2, Persimmon Phase 1 and Persimmon Phase 2 the developer shall submit an affordable housing review report to the Council to determine whether additional affordable housing units can be viably accommodated on the site.
- 4.4.59 The applicant has submitted a plan showing the proposed distribution of affordable housing across the site.
- 4.4.60 The Strategic Housing Officer has reviewed the proposed provision and has confirmed that the proposed mix and distribution of affordable housing throughout the layout at this stage is acceptable.
- 4.4.61 Members are advised that the approval of the proposed mix and distribution of affordable housing throughout the layout at this reserved matters stage would not negate the provisions of the Section 106 agreement.

#### **4.5 Appearance**

- 4.5.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale, appearance, landscaping and materials;
- 4.5.2 However, Paragraph 60 of the NPPF states: -
- "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 4.5.3 In this respect it is noted that Norton Canes has grown substantially in the late nineteenth and especially in the late twentieth century such that large parts of the settlements are characterised by modern housing estates with little or no local

distinctiveness. In addition it is noted that there a variety of materials have been used for the construction of dwellings in the wider area.

- 4.5.4 The proposed houses are traditional in design being built in brick or finished partly in render, often with string courses, sill and header detailing for the windows under concrete tiles roofs. The individual character of some house types is enhanced by porches and canopy detailing to front doors and in some cases mock Tudor finishes.
- 4.5.5 The dwellings in the Bloor Homes part of the development would be constructed from a mix of Forterra Climber red, Ibstock Alderley Russet and Ibstock Mercia Antique bricks and Marley Modern Old English Dark Red, Smooth Grey and antique Brown roof tiles. The Persimmon part of the development would be constructed from ETClay Takeley Red, ETClay Lambourne, Persimmon Braithwaite Brindle, Forterra Worcester Red and Forterra Abbey Blend bricks and Quinn Rathmore – Turf Brown Quinn and Rathmore – Graphite tiles.
- 4.5.6 These materials are considered to be acceptable. However, it should be noted that many volume house builders have experienced problems in accessing large quantities of bricks since the last economic downturn. As such the applicants have asked that some flexibility is built into the approval to enable them to alter brick types in the future. This could be adequately dealt with by condition to allow brick types to be reassessed on each phase and it is recommended that such a condition be attached to any permission granted.
- 4.5.7 As such it is considered that the proposal by virtue of its appearance, including design and materials would be well-related to existing buildings in the wider area and as such would be in accordance with Policy CP3 of the Local Plan and the design section of the NPPF.

#### **4.6 Scale**

- 4.6.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
  - (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.
- 4.6.2 In addition to the above Paragraph 56 of the NPPF states that the government attaches great importance to the design of the built environment and states good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 4.6.3 Paragraph 61 of the NPPF goes on to state: -
- "Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

4.6.4 In addition Paragraph 64 of the NPPF makes it clear that

"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions."

4.6.5 Having had regard to the above it is noted that the scale of the development in respect to the number of dwellings (450 dwellings) was accepted at the outline stage. The only other matter in respect to scale is the size of the proposed dwellings. There are a range of dwelling types on both the Bloor and Persimmon Sites, ranging from 1bed flats to 5 bedroom houses. These are standard house types that are found on a variety of developments by the applicants.

4.6.2 The heights for a selection the house types proposed are as follows: -

<b>House type Name</b>	<b>Height</b>
Bloor-Swift	8.0m
Bloor-Sorley	8.0m
Bloor-Skelton	8.0m
Bloor-Sinclair	8.5m
Bloor-Shirley	8.0m
Bloor-Morris	9.5m
Bloor-Marlowe	9.7m
Bloor Lyttleton	8.2m
Bloor-Lydgate	8.2m
Bloor-Heywood	7.9m
Persimmon-Roseberry	7.6m
Persimmon-Chedworth	7.8m
Persimmon-Winster	8.0m
Persimmon-Rufford	7.8m
Persimmon-Hatfield	7.5m
Persimmon-Leicester	9.5m

4.6.3 Officers can confirm that these heights are fairly standard in nature and reflect the range of house types typically found within the wider village of Norton Canes. As such it is considered that the scale of the proposed dwellings would be well-related to existing buildings and their surroundings and therefore in accordance with Policy CP3 and the NPPF.

#### **4.7 Landscaping**

4.7.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.7.2 In respect to the comments made by the Landscape Officer it is noted that amended plans have been received to address the issues raised. The issues are relatively technical in detail and localised in impact. As such it is considered that the issues will either be resolved through the amended plans received or can be controlled via a planning condition attached to any permission granted. Members will be updated at the meeting of Planning Committee.

4.7.3 Subject to the satisfactory resolution of the above issues it is considered that the landscape details of the approval are acceptable.

4.8 Issues Raised by Objectors which have not been Addressed Above

4.8.1 Objectors have raised issues in respect to the way the application was advertised, the timing over the Christmas period and that the application should be determined by referendum. Officers can confirm that the application was advertised in the normal way, by neighbour letter, site notices and newspaper. In addition two public meetings were held in Norton Canes to allow people to view the plans and to ask questions to the developer and case officer. In respect to the timing of the initial consultation it should be noted that the planning system does not stop for the Christmas period and applications are received throughout the year.

4.8.2 Residents at Jacksons Close have raised issues that it was their understanding that a road would be created within the development to give them vehicular access to their properties (as the current access to the rear garage court is not liked). Officers would advise that there is no planning why the developer should provide such a road which would in effect alleviate an issue off site and which is not directly related to the proposed development.

4.8.3 Issues have been raised in respect to loss of value and compensation. Officers advise that these matters are not material to the determination of this application and that no weight should be afforded to the issues.

4.8.4 Objectors have raised issue in respect to the confusing nature of symbols for trees to be retained and removed and other landscape features on the initial plans submitted. Officers advise that this matter has been rectified by the receipt of amended drawings.

4.8.5 Objectors have stated that in respect to the emergency access in Butts Lane the applicant does not have control of certain land required in order to provide access. The applicant has confirmed that they have the necessary rights of access.

4.8.6 Objectors have raised concerns in respect to the number of houses could contain 1,800 extra people and that the village doctors' surgeries are struggling to cope, the amenities in Norton Canes are already poor, e.g. less shops now than when we moved here, no dentist, optician, a library manned by volunteers, no butchers, no bank, no green grocer. Officer would reiterate that the quantum of development was already established at the outline stage. The above issues have no bearing on the reserved matters that are before the Local Planning Authority to determine.

4.8.7 Objectors have noted that as part of the section 106 agreement £150,000 was earmarked for improving Churchbridge Island and have asserted that the developers believe that this will now not be paid as the improvements have already been completed. The objectors go on to state that the planning permission and s106 and s278 agreements are a combined legal agreement and therefore a substantial part of the agreement, the s278 part, has been frustrated which in turn calls into question the agreement as a whole. Officers would comment that in the first instance this issue has



no direct bearing on the reserved matters application. In the second instance it should be noted that section 106 obligations are subject to the same tests as planning conditions in that they have to relate directly to the planning application, be necessary and reasonable in all respects. If it has transpired that the monies to improve Churchbridge Island are no longer required then this does not negate the section 106 agreement as there are clauses in the agreement for payback if monies are not spent within given periods, and, or, the applicant could seek to amend the agreement to reflect the current situation.

- 4.8.8 Objectors have asserted that the Council should ensure that any previous agreements the developers had undertaken are complete before this project commences. Officer would comment that this has no bearing in the current application which should be determined on its own individual merits. If there are issues surrounding another application involving the applicant then that merely merits taking action on that application and does not justify with-holding consent on the current application. Any attempt to delay determination of the current application on this basis would constitute unreasonable behaviour on behalf of the Local Planning Authority.
- 4.8.9 In respect to concerns regarding the routing of vehicles it is noted that a condition has been attached to the outline planning consent for construction traffic management plan which would include traffic routes to the site and how these will be managed.
- 4.8.10 Objectors have stated that Bloor Homes have been asked whether they, as a gesture of good will, would refurbish two footpaths on the adjacent estate. Officers would state that there is no planning requirement for the developers to refurbish footpaths off the site and therefore this cannot be controlled by condition or any other formal obligation. Should the developer wish to make a voluntary contribution then this would be a private matter between the developer and the highway authority/ parish council.
- 4.8.11 Objectors have stated that the Council has previously allowed developments which have not allowed for enough parking and this has led to parking on footpaths. Officers would confirm that the parking provision proposed meets the Council's current guidance.
- 4.8.12 Objectors have asked whether boards could be placed at historical places of interest to preserve the history of the village. Officers would comments that there is no planning policy requirement for the developer to do this. The erection of such boards would not be directly related to the proposal and would not be necessary to make the proposal acceptable in planning terms.
- 4.8.13 Objectors have asked whether a Public Access Defibrillator could be placed at a strategic location within the estate. Officers would comments that there is no planning policy requirement for the developer to do this. The placement of such a facility would not be directly related to the proposal and would not be necessary to make the proposal acceptable in planning terms.
- 4.8.14 Objectors have questioned why in 2010 the Health Authority did not put in an application for more health provision in terms for the section 106 agreement. With the housing development planned for the village we do not see how the current GP practice can cope with the number of residents being able to obtain timely appointments. Officers would comments that (a) this is a matter for the Health Authority to explain and (b) it is a matter that relates to the outline stage and is not relevant to the determination of the reserved matters that are for determination.

- 4.8.15 Objectors have asked whether the local planning authority is aware of the considerable flooding that is a permanent feature at the Tory Bottom corner of Jackson Close and whether this will be part of the development? Officers would comment that the whole development will be subject to a drainage scheme controlled through a condition attached to the outline consent.
- 4.8.16 Objectors have stated that there is no provision made on this development for people with limited mobility living on one level, for example there are no bungalows or apartments, adding this affects disabled and older people and asking why is this? Officers would comment that all dwellings would be required to meet Approved Document M of the Building Regulations which ensures that buildings meet certain standards of accessibility. In respect to bungalows it is noted that there is no planning requirement for the developer to provide bungalows.
- 4.8.17 Local residents have stated that all houses should incorporate an electric car charge point if not already included. Officers would comment that this issue does not relate to the reserved matters of layout, appearance, scale and design and therefore is not material to the determination of the application.
- 4.8.18 Local residents have asked whether a local historian could be consulted on, or invited to take part of, any archaeological assessment that is conducted as is required by the conditions of the original outline application. There is no planning requirement to allow third parties to take part of archaeological digs. Should the historian wish to attend any digs then that would be a private civil matter between him/ her and the developer.
- 4.8.19 Local residents have stated trees will require protection from deer damage to bark from their antlers and that they mostly avoid *Betula pendula* (Silver/ European White Birch) so hopefully *Betula pubescens* (Downing Birch) will also be ignored but others will be vulnerable. In addition they have commented that *Prunus spinosa* (Blackthorn) is a menace in a hedge unless the management plan includes mowing right up to the plant annually. Otherwise it will sucker out several metres from the parent plant. The thorns are long and set 90 degrees from the stem creating a hazard as you walk past, and any branches on the ground are like caltrops and will penetrate the soles of stout walking boots. Officer would comment that the suitability of plant species in the proposed landscape scheme will be reviewed by the Council's Landscape, Tree and Countryside Officer.
- 4.8.20 A local resident has stated that the dwellings at 10 and 12 Jackson Close have not been plotted correctly. Officers would comment that this issue was resolved by the amended plans.
- 4.8.21 A section of well-established hedgerow and trees has already been destroyed that were clearly marked to be retained on the first set of drawings. Officers would comment that they are aware that this section of hedging was cut down and note that it was cut down before the start of the bird breeding season and that it was lawfully removed.
- 4.8.22 Local people have stated that the Council should look at ensuring that the developers provide adequate cycle and footpaths through the development. A combined cycle/ footpath around the entire site would be beneficial, as would an additional link along the proposed sewer line heading to the rear of The Railway. This may allow for children to walk/ cycle to school via Pennycress and the park. This would reduce traffic from the scheme. Cycle routes should connect with one another so that young

cyclists can use the routes safely. Officer would comment that the footpath network through the site has been carefully considered in the light of the competing issues of accessibility and the need to address crime and anti-social behaviour.

- 4.8.23 Local people have asked whether a pedestrian crossing by the Railway would help children to school and that the pedestrian crossing has been included in the proposed transport improvements previously, but has never been provided. Officers would comment that this matter does not relate to the determination of the reserved matters that are before the local planning authority and therefore is not a material determination of the current application.
- 4.8.24 Local people have commented that the amended drawings do not show or list what the developer's ideas or intentions are relating to the existing boundary fence which runs along Jackson Close alongside the existing public footpath and the Green Belt. Officers would comment that according to the submitted plans the existing fence would remain in place and that there are no plans for its replacement.
- 4.8.25 Local people have stated that there is a substantial area of informal public open space to the north and east of the development site which we understand to be for the benefit of the whole community. There appears to be no public access to this amenity from the northern side which is closest to the majority of the community. Not only would this omission serve to deter residents from using the greenspace it would also be to the real detriment to those with disability, limited mobility, frailty or with young children. Officers would comment that given the land to the north and east of the site is occupied by dwellings and their gardens and industrial premises there is no scope to make any new access points to the public open space other than by the routes indicated on the proposed layout drawings.
- 4.8.26 Local residents have asked that the developers should be encouraged to provide solar panels. Officers would comment that although there was once a policy requirement requiring a degree of decentralised sustainable power generation this was subsequently changed in favour of improving the thermal efficiency of buildings which is looked at under the building regulations. Therefore whilst officers would encourage the use of decentralised sustainable power generation there is currently no policy requirement to ensure that new developments have to have solar panels.
- 4.8.27 A local residents has asked whether track and sports equipment could be part of the recreational area. Officers would comment that currently there are no proposals for such facilities within the proposed plans. However, the proposals do not necessarily preclude the possibility of providing such facilities in the future should these be considered desirable.
- 4.8.28 Local residents have asked whether officers could confirm the situation in respect of land between the boundaries of the properties numbers 61, 63, 65, 67, 69 and 71 and the proposed site boundaries of the proposed semi-detached dwellings. Officers would comment that the actual extent of the land referred to is not exactly known. As such they can only give a general response that should the land be included within the red line denoting the application site it will be set out as per the approved drawings. If it falls outside of the application site then its future maintenance is not for consideration under this application.

5.0 HUMAN RIGHTS ACT

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

6.0 EQUALITIES ACT 2010

This application has been determined with regard to the Council's duties and obligations under the Equality Act 2010. However it is considered that the recommendation made in this report is proportionate taking into account the conflicting matters of the public and private interest so that there is no violation of those rights.

7.0 CONCLUSION

7.1 The principle of 450 dwellings on this site, as well as the means of access, was determined to be acceptable on the granting of the outline planning permission. This current application is only for the determination of the reserved matters namely, the layout, appearance, scale and landscape of the proposal. Only considerations related to these reserved matters should be taken into account.

7.2 Issues in respect of the quantum of development, such as cumulative impact on air quality and wider traffic issues, educations etc. were dealt with at the outline stage.

7.3 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions, is considered, on balance, to be acceptable.

7.4 The proposal would deliver 14% affordable housing which is subject to the provisions set out in the section 106 agreement attached to the outline consent and is considered acceptable at this stage.

7.5 Impacts on the Cannock Chase SAC would be mitigated through the provision of sustainable alternative green space, as accepted at the outline stage.

7.6 The position in respect to the Norton Canes Neighbourhood Area designation and the Local Plan review are noted. However, given the early stage of the policy processes for these no weight should be given to either policy.

7.7 As such it is concluded that any adverse impact of granting planning permission would be significantly and demonstrably outweighed the benefits of the proposal, when assessed against the policies in the National Planning Policy Framework, taken as whole.

7.8 It is therefore recommended that the application be approved subject to the attached conditions.