

Please ask for: Mrs. W. Rowe

Extension No: 4584

E-Mail: wendyrowe@cannockchasedc.gov.uk

16 October, 2018

Dear Councillor,

**PLANNING CONTROL COMMITTEE
3:00PM, WEDNESDAY 24 OCTOBER, 2018
COUNCIL CHAMBER, CIVIC CENTRE, CANNOCK**

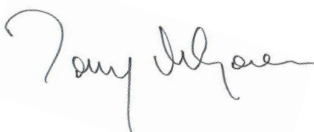
You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

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

<u>Application Number</u>	<u>Application Description</u>	<u>Start Time</u>
CH/18/013	<i>272 Hednesford Road, Norton Canes, Cannock. WS11 9SA – Demolition of former Sycamore Bowling Club and ancillary timber structures. Construction of new access road and erection of 12 houses and 1 bungalow and associated parking and amenity</i>	2.15pm

Members wishing to attend the site visits are requested to meet at 272 Hednesford Road, Norton Canes, Cannock WS11 9SA at 2.15pm as indicated on the enclosed plan.

Yours sincerely,



**T. McGovern
Managing Director**

To Councillors:

Cartwright, Mrs. S.M. (Chairman)

Allen, F.W.C. (Vice-Chairman)

Cooper, Miss J. Snape, P.A.

Dudson, A. Stretton, Mrs. P.Z.

Fisher, P.A. Sutherland, M.

Hoare, M.W.A. Tait, Ms. L.

Lea, C.I. Todd, Mrs. D.M.

Pearson, A.R. Woodhead, P.E.

Smith, C.D.

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 3 October, 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.

SITE VISIT APPLICATION

<u>Application Number</u>	<u>Application Description</u>	<u>Item Number</u>
1. CH/18/013	<i>272 Hednesford Road, Norton Canes, Cannock WS11 9SA - Demolition of former Sycamore Bowling Club and ancillary timber structures. Construction of new access road and erection of 12 houses and 1 bungalow and associated parking and amenity</i>	6.1 – 6.38

PLANNING APPLICATION

2. CH/18/315	<i>124 New Penkridge Road, Cannock WS11 1HN – Residential development, erection of 6 no. two bed apartments (resubmission of CH/18/092)</i>	6.39 – 6.58
--------------	---	-------------

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

PART 1

PRESENT: Councillors Cartwright, Mrs. S.M. (Chairman)

Cooper, Miss J.	Stretton, Mrs. P.Z.
Fisher, P.A.	Sutherland, M.
Hoare, M.W.A.	Tait, Ms. L.
Lea, C.I.	Todd, Mrs. D.M.
Pearson, A.R.	Witton, P. (substitute for
Smith, C.D.	F.W.C. Allen)
Snape, P.A.	Woodhead, P.E.

55. Apologies

Apologies for absence were received from Councillors F.W.C. Allen (Vice-Chairman) and A. Dudson.

Notification had been received that Councillor P. Witton would be in attendance as substitute for Councillor F.W.C. Allen.

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

None

57. Disclosure of lobbying of Members

None

58. Minutes

RESOLVED:

That the Minutes of the meeting held on 12 September, 2018 be approved as a correct record and signed.

59. Members' Requests for Site Visits

None

60. Application CH/18/288, 32 Attlee Crescent, Rugeley. WS15 1BP – new detached dwelling on vacant land at the side of 32 Attlee Crescent

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.1 – 6.17 of the Official Minutes of the Council).

The Development Control Manager circulated the following update:-

Following compilation of the report for the Committee agenda, officers have received a further neighbour representation on 2 October 2018 which raises the following concerns:

- Objection to the building at 32 Attlee Crescent. A few months ago there were neighbour objections to a proposal that was refused – so what has changed since then?
- The number of cars parked around the T junction of the proposed application site is causing an issue for pedestrians.

Officer Response

- The history is as noted on the officer report for the application site:

CH/18/194 - Residential development:- Erection of new detached dwelling. Withdrawn 20th June 2018. **The current proposal is the same building footprint and site layout. However the dwelling design is different; change in roof shape/height and one additional ground floor side facing window (WC).**

CH/04/0690 - Conversion into 2 flats at 32 Attlee Crescent, Rugeley. Approved with conditions 3rd November 2004.

CH/04/0433 - Conversion into 2 flats at 32 Attlee Crescent, Rugeley. Refused on the 8th September 2004 for the following reason:

The proposed development fails to make adequate provision for the parking of vehicles within the site curtilage in accordance with the requirements of Policy DCP5 of the Cannock Chase Local Plan 1997 which will be likely to result in vehicles being parked on the public highway to the detriment of highway safety.

[Dismissed at appeal 26/10/10]

- The parking provision for the existing and proposed dwellings would comply with the Parking SPD. Furthermore, the Highway Officers had no objection to the parking layout of the previously withdrawn application CH/18/194, which would be laid out exactly the same as the current application.

RESOLVED:

That the application, which was recommended for approval, be refused for the following reasons:

Attlee Crescent is an attractive, well-designed and coherent street and a particularly good example of a twentieth century road designed to provide quality social housing. Attlee Crescent has a regular and rhythmic pattern of development of two storey housing that alternates between pairs of semi-detached houses with hipped roofs and terraces where the central; houses reflect the design element of the semi-detached pairs, but with end houses that are set back and which have gable ends. The proposed dwelling by virtue of its location and design would not be well-related to the strong design themes and pattern of the existing surrounding development. Rather it would be an incongruous and intrusive feature in the streetscene that would adversely affect the character and appearance of the area contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1).

61. Application CH/18/243, Land at former Tennants Craft Bakery, 13a Wood Lane, Hednesford, Cannock. WS12 1BW – Application to vary condition 15 (approved plans) to change house type of plots 4, 5, 8 & 9 and to revise finished ground levels and elevational treatments on plots 4, 5, 6, 7, 8 & 9 of Planning Permission CH/17/249

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.18 – 6.42 of the Official Minutes of the Council).

RESOLVED:

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

62. Application CH/18/302, 12 Gorse Lane, Cannock. WS11 1EY – erection of a single storey dwelling (re-submission of application CH/18/179) (outline application with all matters reserved)

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.43 – 6.57 of the Official Minutes of the Council).

The Development Control Manager explained that he had circulated an update which provided a response from Highways and outlined two letters of objections. He had been asked to read these letters out as the objectors were unable to attend the meeting. The update was as follows:-

Highway Officer Response

Following compilation of the report for the Committee agenda, officers have received a consultation response from Highways. Highways raise no objection to the application subject to the imposition of one condition.

- (i) The following condition has therefore been added to the list of existing

conditions:

- No part of the development hereby approved shall be undertaken above ground level until a Construction Vehicle Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall thereafter be adhered to throughout the construction period. The statement shall include:-
 - Arrangements for the parking of site operatives.
 - Storage of materials used in constructing the development.
 - Construction and delivery hours.
 - Measures to remove any mud or debris carried onto the highway.

Reason: In order to comply with paragraph 109 of the NPPF and in the interests of highway safety

Waste and Recycling Response

The arrangement for waste collection would be as per the existing dwelling located off this access:- the bins would be brought to the roadside and collected from there

Other Issues

Also, to provide clarity in considering the application your officers recommend the revision of the description from:-

The erection of 1 No. detached 3 bedroom, single storey dwelling to:-

“The erection of a single storey dwelling”

This is because it is very doubtful that a 3 bedroom dwelling could be accommodated within a single storey of the footprint indicated.

Further Letters of Representation

None of the neighbours of the application site are now speaking in objection to the application however, two have requested letters be read out on their behalf. The letters are as follows:-

Dear Mr Sunter

Re: CH/18/302 Erection of 3 Bedroom single storey dwelling (re-submission of application CH/18/179), 12 Gorsey Lane Cannock WS11 1EY

I write further to the above matter which is due for consideration by the Planning Committee on 3rd October 2018 at 3 pm Site Visit at 2.30 pm.

The Committee will be aware that in my earlier letter (published on the website under the previous reference CH/18/179) I indicated that I wished to address the Committee. I write to inform you that due to matters of a personnel and private nature I will not be able to attend the hearing. I apologise and beg the Committee's understanding and wish to say that no disrespect is intended to either yourself or the Committee by the short notice of this e-mail.

However, I have had an opportunity to read all of the representations submitted and published on the website by the Applicant's agent and the neighbours and also the statutory responses received including from Highways. I wish to state that I agree and endorse all of the objections raised by all of the Applicant's neighbours. In particular, I feel very strongly, and notwithstanding the position of Highways, that the Councillors when attending the site visit should give very careful and due consideration to the highly limited visibility and manoeuvrability of the practical aspects of the approach to the proposed development. In my opinion, as my adjoining neighbour so rightly highlighted, it is "an accident waiting to happen". Regardless of the strict legal position it is my submission that if the Committee do not only act as a rubber stamp they have a moral duty to reject this application out of hand.

I further note that the only access to the proposed development scheme is upon a side track which although owned by the Council is in fact un-adopted and therefore not maintained by the Council so who is going to pay for the track to be made safe for this access point and maintained safely for the public and any construction worker who attends the site? If an accident does indeed occur upon whose conscience will liability rest if this proposal goes ahead?

May I further submit if upon visiting the site the Committee are still minded to grant outline permission (even subject to the stringent checks and balances suggested by Highways) the Committee grant a minimum of an eight week deferment to allow the neighbours the opportunity to discuss the viability of instructing Counsel to attend the Committee meeting. In such an event, I would invite Mr and Mrs McAuley and their agents to seek legal advice and/or representation.

If on the other hand, the application is withdrawn by the Applicants or rejected by the Councillors then I have no objection to the matter being resolved at the earliest opportunity on Wednesday at 3pm.

May I take this opportunity to thank you for your kind attention and assistance and I humbly beg that this late e-mail be placed before the Committee and all interested parties on Wednesday.

Yours sincerely

Vanessa Fahey

Joint statement for:

14 Gorsey Lane Mr & Mrs Brooks

10 Gorsey Lane Mr & Mrs Ingham

6A Gorsey Lane Mr & Mrs Bateman

This planning application has caused a great deal of stress and anxiety for all concerned, exasperated by the way in which residents were notified. There were no informal discussions by the applicants prior to the planning proposal letter and neighbours were not kept informed by the council of the progress. Initially four neighbouring properties were written to, all of which objected to the proposal along with other disapproving residents, for valid reasons summarised below:-

- Adverse effect on the residential amenity of neighbours by loss of privacy, overlooking and overshadowing.
- Over development of the existing plot as it involves loss of garden land, so called 'garden grabbing'
- Effect of the development on the character of the neighbourhood.
- Visual impact of the development / design.
- Out of character in terms of its appearance / siting compared with existing development in the vicinity.
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners.
- The development would adversely affect highway safety, access to neighbouring properties and pedestrian safety.

If the planning proposal is accepted then this surely makes a mockery of the "consultation process" as all neighbours strongly objected to the application. We conclude that the Planning Control Committee should reject the proposal.

RESOLVED:

That the application, which was recommended for approval, be refused for the following reasons:-

- (i) The access to the proposed dwelling from Gorsey Lane would be via a narrow, unlit and unadopted track, in a poor state of repair which already serves several properties and which is used by pedestrians to gain access between Gorsey Lane and St James Road. Although it is recognised that

the site already takes an access via this track to serve a garage which serves the existing property at No12 Gorsey Lane, it is noted that the dwelling at No12 Gorsey Lane has existing parking to the front of the property. As such the change from domestic garage to a dwelling would result in a significant intensification of the use of the access track to Gorsey Lane thereby increasing potential conflict between vehicles and pedestrians. As such it is considered that the cumulative residual affects of the proposal on highway safety would be severe and the proposal is therefore refused in accordance with paragraph 109 of the National Planning Policy Framework.

- (ii) The character of the area around the application site is comprised of detached and semi-detached dwellings set within large gardens with particularly long rear gardens. The proposed dwelling would create an “island” type development where the building to plot ratio would be very different to that of the immediate setting resulting in a cramped form of development that would harm the sense of space and openness that is characteristic of the area, contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1).
- (iii) The proposed dwelling would result in a cramped form of development resulting in an increase in noise and general disturbance near to the rear gardens of existing properties to the detriment of the residential amenity of those existing neighbouring properties and therefore fail to create a high standard of residential amenity contrary to Policy CP3 of the Cannock Chase Local Plan (Part 1) and Paragraph 127(f) of the National Planning Policy Framework.

63. Application CH/18/269, Parker Hannifin plc., Walkmill Lane, Cannock. WS11 0LR – Variation of conditions 2 & 4 of planning permission to allow (i) to remove reference to “access” from the list of reserved matters; and (ii) the submission of the masterplan at the same time as the first reserved matters, of planning permission CH/17/452 outline consent including access for up to 116 dwellings

Consideration was given to the report of the Development Control Manager (Item 6.58 – 6.73 of the Official Minutes of the Council).

The Development Control Manager circulated the following update:-

In respect to the wording of Condition 10 the following reference should be deleted: -

- “(a) a geotextile membrane barrier has been incorporated to reinforce the contaminant break; and
- (b) the gardens, landscaped areas and other unsurfaced ground has been covered to a depth of 600mm with clean soil which shall be certified prior to its application as meeting the specified import criteria given as Appendix D of the approved Remediation Strategy; and
- (c) verification that the requirements of (i) and (ii) above has been carried out has been submitted to the Local Planning Authority.”

RESOLVED:

- (A) That the applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990 to secure:-
- (i) The provision of 20% affordable housing;
 - (ii) The provision of £38,610 for off site provision/enhancement of public open space;
 - (iii) The provision of funding for the implementation of the Travel Plan;
 - (iv) Management of on-site public open space.
- (B) On completion of the Agreement the application be approved subject to the conditions contained in the report for the reasons stated therein and subject to the deletion of the above wording contained in Condition 10.

The meeting closed at 3.40 p.m.

CHAIRMAN



Application No: CH/18/013

Location: 272, Hednesford Road, Norton Canes, Cannock, WS11 9SA

Proposal: Demolition of former Sycamore Bowling Club and ancillary timber structures. Construction of new access road and erection of 12 Houses & 1 bungalow and associated parking and amenity





Application No: CH/18/013

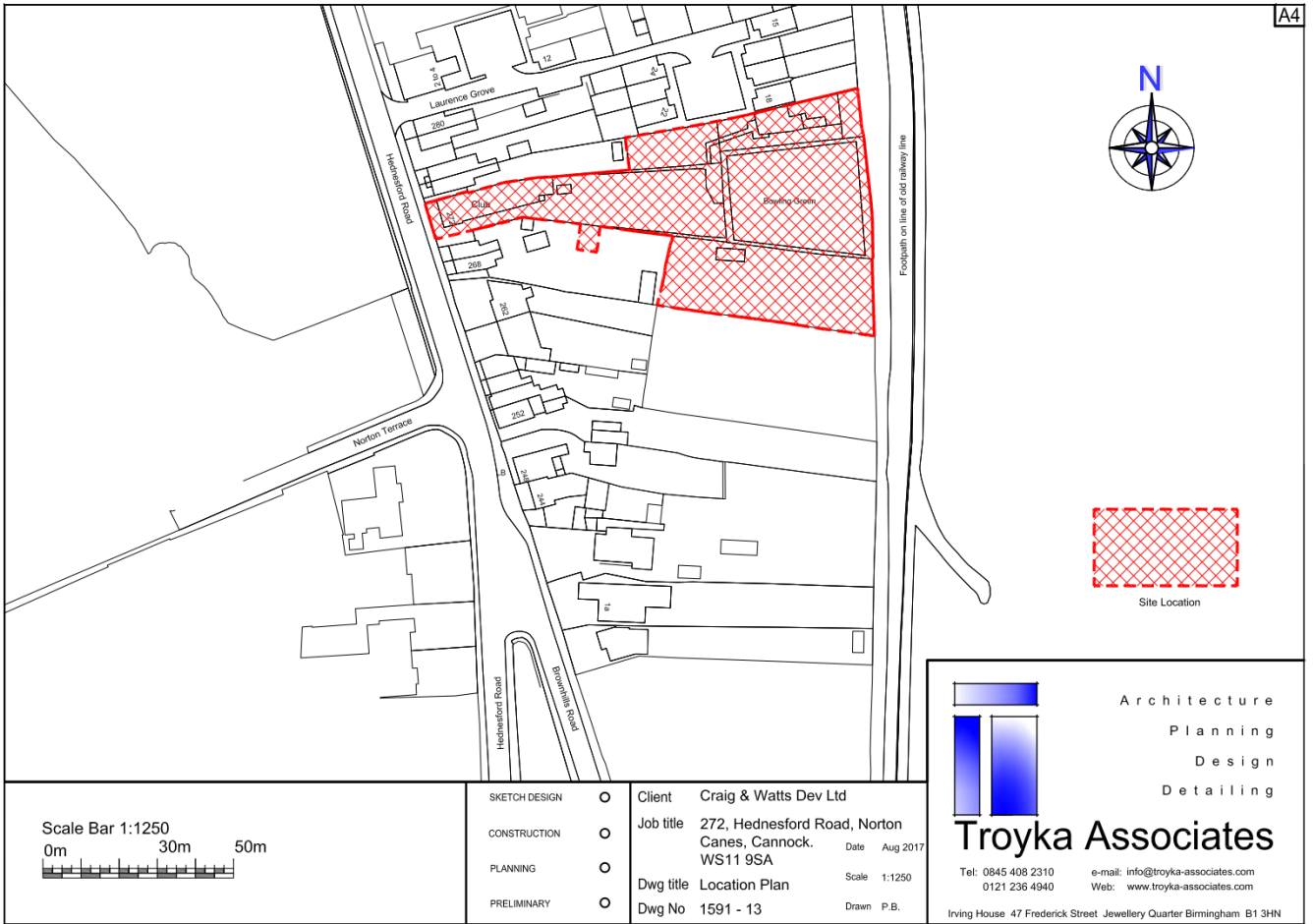
Location: 272, Hednesford Road, Norton Canes, Cannock, WS11 9SA

Proposal: Demolition of former Sycamore Bowling Club and ancillary timber structures. Construction of new access road and erection of 12 Houses & 1 bungalow and associated parking and amenity

Item No. 6.1



Location Plan



SKETCH DESIGN	<input type="radio"/>	Client	Craig & Watts Dev Ltd
CONSTRUCTION	<input type="radio"/>	Job title	272, Hednesford Road, Norton Canes, Cannock. Date Aug 2017
PLANNING	<input type="radio"/>	Dwg title	Location Plan Scale 1:1250
PRELIMINARY	<input type="radio"/>	Dwg No	1591 - 13 Drawn P.B.



Architecture
Planning
Design
Detailing

Troyka Associates

Tel: 0845 408 2310 e-mail: info@troyka-associates.com
0121 236 4940 Web: www.troyka-associates.com

Irving House 47 Frederick Street Jewellery Quarter Birmingham B1 3HN

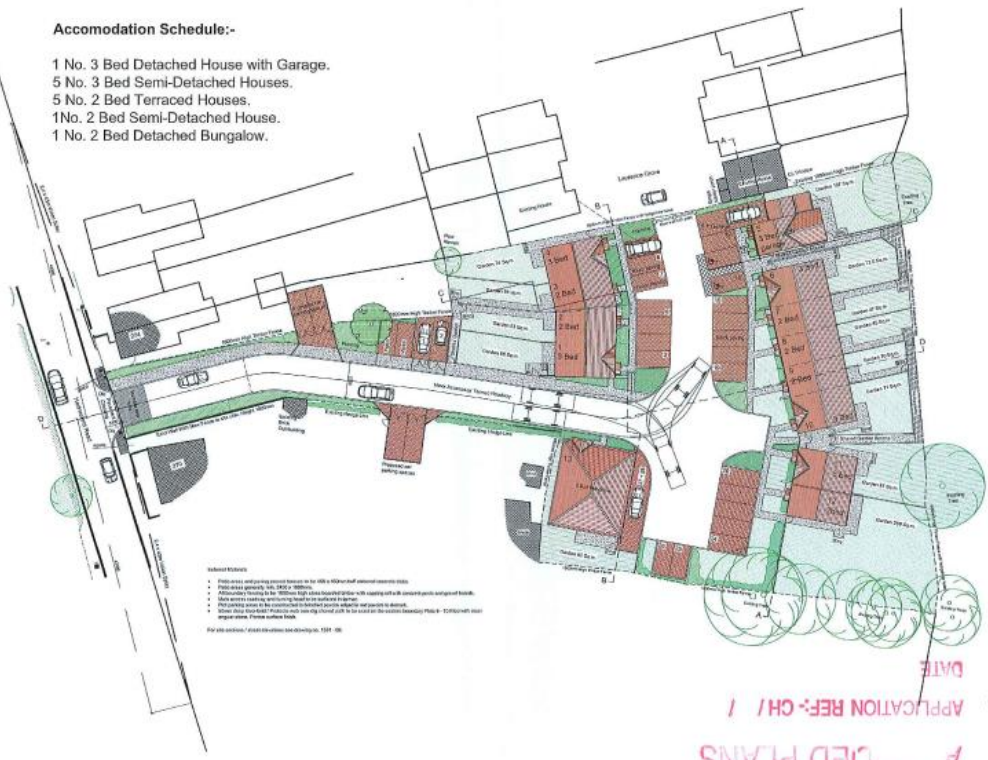
Site Plan

A3



Accommodation Schedule:-

- 1 No. 3 Bed Detached House with Garage.
- 5 No. 3 Bed Semi-Detached Houses.
- 5 No. 2 Bed Terraced Houses.
- 1 No. 2 Bed Semi-Detached House.
- 1 No. 2 Bed Detached Bungalow.



Notes:

- 1. Public areas and parking spaces shown on the site plan are subject to approval by the Council.
- 2. The site plan is based on the information provided by the client and is not intended to be a final design.
- 3. The site plan is based on the information provided by the client and is not intended to be a final design.
- 4. The site plan is based on the information provided by the client and is not intended to be a final design.
- 5. The site plan is based on the information provided by the client and is not intended to be a final design.

For all enquiries, please contact the architect on 01991 551100.

DATE
APPLICATION REF-CH / 1
APPROVED PLANS

Revisions

A 26/10/17 Hedge retention note added and one 2 Bed house omitted. TKA

B 13/11/17 2No. Paving to eastern boundary amended (Notes added), Accommodation schedule added and car parking spaces omitted. TKA

C 01/02/18 Revised boundary with additional car parking spaces and garden areas. TKA

D 08/07/18 Plot 13 removed and Plot 14 re-designated to 13. House Schedule amended. TKA.

Do not scale. Contractors must check all dimensions on site before preparing production drawings or commencing any work. This drawing and its design is the copyright of Troyka Associates Limited and may not be reproduced in any form whatsoever without their prior express written consent.

SKETCH/DESIGN	Client	Craig & Watts Dev Ltd
PRELIMINARY	Job title	272, Hednesford Road, Norton Canes, Cannock, WS11 9SA
PLANNING	Drawing title	Proposed Site Plan - A3
CONSTRUCTION	Drawing No.	1991 - 02 D - A3
	Date	June 2018
	Scale	1:500
	Drawn	16A

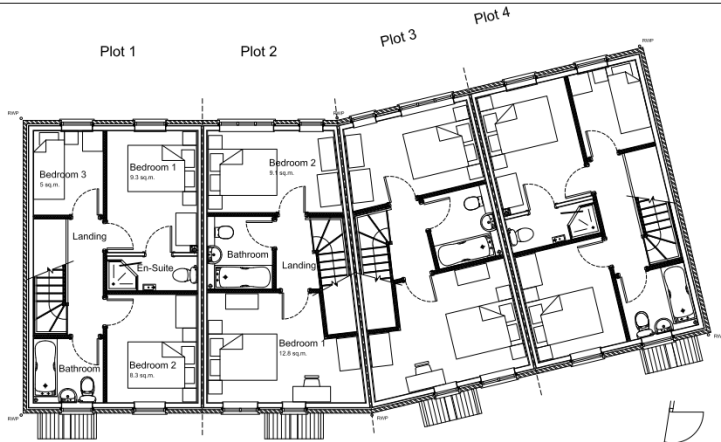
Architecture
Planning
Design
Detailing

Troyka Associates

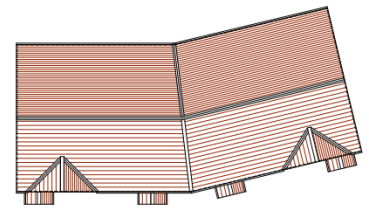
Tel: 01991 551100 email: info@troyka.com
01991 206 890 web: www.troyka.com

Being House, 417 Farnhill Street, Ashley Cr., Ash, Wiltshire BA1 2JH

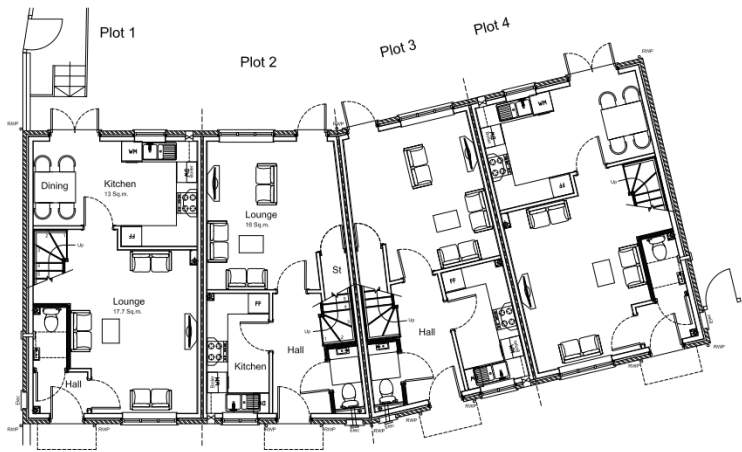
Plots 1 – 4 Floor Plans



F F Plan - Type A F F Plan - Type B (Angled)

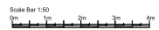


Roof Plan - Scale 1:100



G F Plan - Type A G F Plan - Type B2 (Angled)

See drawing 1591 - 10 for Elevations



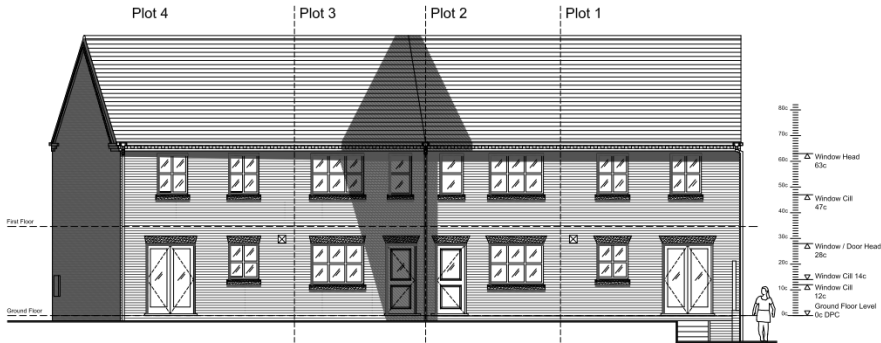
Revisions	DATE/ISSUE	Client
	PRELIMINARY	Craig & Watts Dev Ltd
	PLANNING	Job Site 272, Heddesford Road, Norton Carnock, Camnock, W511 9SA
	CONSTRUCTION	Drawing Site Proposed House Plans Plots 1 - 4
		Drawing No: 1591 - 03
		Date: February 2017 Scale: 1/50 & 1/100 Sheet: P.3

Troyka Associates
 ARCHITECTURE
 PLANNING
 DESIGN
 SERVICES

The Troyka Group
 100-102, 104-106
 100-102, 104-106
 100-102, 104-106

Do not scale. Contractors must check all dimensions on site before proceeding with construction or commissioning any work. This drawing and its design is the copyright of Troyka Associates Limited and may not be reproduced in any form whatsoever without their prior express written consent.

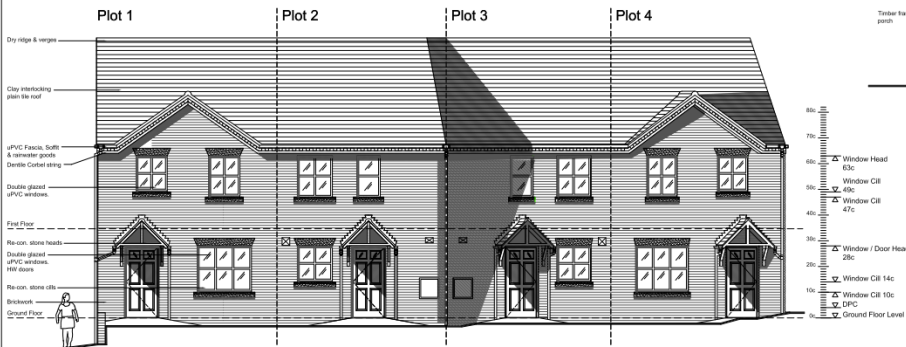
Plots 1 – 4 Elevations



Rear Elevation



Side Elevation



Front Elevation



Revisions	DATE/DESIGN	CLIENT
		Craig & Watts Dev Ltd
		Job Site 272, Hednesford Road, Norton
		Cannock, WS11 9SA
		PLANNING
		Drawing title: Proposed House Elevations
		Plots 1 - 4
		CONSTRUCTION
		Drawing No. 1591 - 10
		Site: February 2017 Scale: 1:50 Sheet: 6/8

ARCHITECTURE
PLANNING
DRAWING
DETAILING

Troyka Associates

100, 101 & 102
110, 111 & 112
113, 114 & 115
116, 117 & 118
119, 120 & 121
122, 123 & 124
125, 126 & 127
128, 129 & 130
131, 132 & 133
134, 135 & 136
137, 138 & 139
140, 141 & 142
143, 144 & 145
146, 147 & 148
149, 150 & 151
152, 153 & 154
155, 156 & 157
158, 159 & 160
161, 162 & 163
164, 165 & 166
167, 168 & 169
170, 171 & 172
173, 174 & 175
176, 177 & 178
179, 180 & 181
182, 183 & 184
185, 186 & 187
188, 189 & 190
191, 192 & 193
194, 195 & 196
197, 198 & 199
200, 201 & 202

Do not scale. Contractors must check all dimensions on site before preparing production drawings or commencing any work. This drawing and its design is the copyright of Troyka Associates Limited and may not be reproduced in any form whatsoever without their prior express written consent.

Plots 5 Plans and Elevations

Plot 5

Front Elevation

Rear Elevation

Side Elevation

Ground Floor Plan

First Floor Plan

Roof Plan

Side Elevation

Scale Bar 1:50

Revisions

NO.	REVISION	DATE

Client: **Craig & Watts Dev Ltd**

Job Site: **272, Hednesford Road, Norton Canes, Cannock, WS11 9SA**

Drawing Title: **Proposed Detached House Type C - Plot 5**

Drawing No.: **1591-04**

Scale: **1:50** Sheet: **P.1**

Troyka Associates

Architects
Planners
Builders
Contractors

For: 0247 494 220
01273 494 220
www.troykaassociates.co.uk

Company of Architects (No. 24623) and Planning (No. 24623)

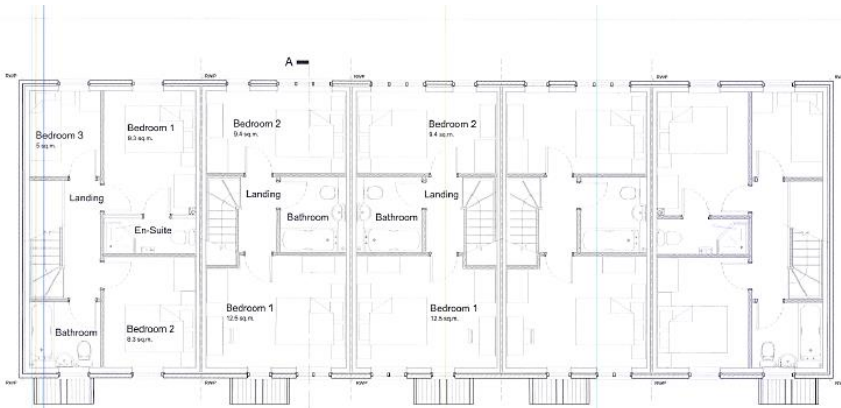
Do not scale. Contractors must check all dimensions on site before preparing production drawings or commencing any work. This drawing and its design is the copyright of Troyka Associates Limited and may not be reproduced in any form whatsoever without their prior express written consent.

Plots 6 – 10 Elevations



Do not scale. Contractors must check all dimensions or site before preparing production drawings or commencing any work. This drawing and its design is the copyright of Troyka Associates Limited and may not be reproduced in any form whatsoever without their prior express written consent.

Plots 6 – 10 Floor Plans



First Floor Plan - Type A

F F Plan - Type B

F F Plan - Type A

Plot 6

Plot 7

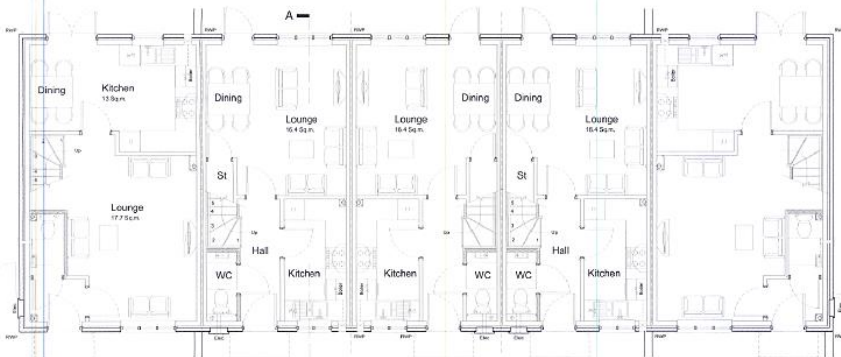
Plot 8

Plot 9

Plot 10



Roof Plan - Scale 1:100



Ground Floor Plan - Type A

G F Plan Type B

G F Plan - Type A

See drawing 1591 - 12 for Section & Elevations

16 JAN 2018
CH/18/013

23 NOV 2017

Scale Bar 1:50
0m 1m 2m 3m 4m

<p>DESCRIPTION</p> <p>PREPARED BY</p> <p>PLANNED</p> <p>CONSTRUCTION</p>	<p>Client: Craig & Wally Dev Ltd</p> <p>Job Site: 272, Macdonald Road, North Cairns, Cairns, QLD 4870</p> <p>Drawing Title: Proposed House Plans Plots 6 - 10</p> <p>Drawing No.: 1581 - 03</p> <p>Date: 04/07/17</p>	<p>Troyka Associates</p> <p>ARCHITECTS PLANNERS DESIGNERS DRAWING</p> <p>1000 1000 1000 1000 1000 1000</p>
--	---	---

Check with Contractors must check all dimensions on site before proposed construction drawings or commencing any work. This drawing and its design is the copyright of Troyka Associates Limited and may not be reproduced in any form whatsoever without prior approval written permission.

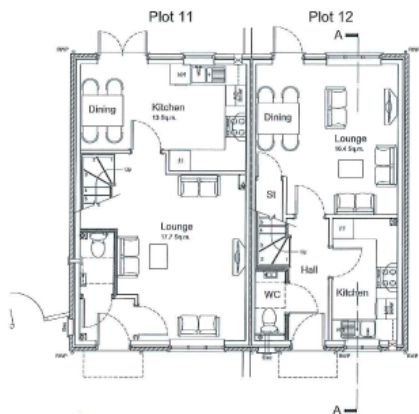
Plots 11 – 12 Floor Plans

See drawing 1591 - 11 for Section & Elevations

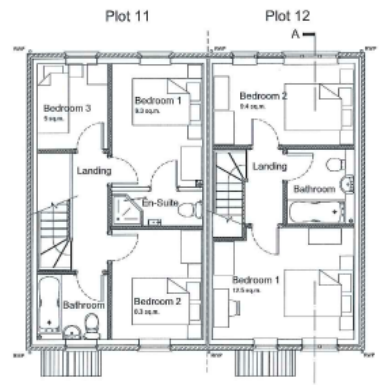


Roof Plan - Scale 1:100

APPROVED PLANS
 APPLICATION REF:- CH/ /
 DATE



Ground Floor Plan - Type A G F Plan Type B



First Floor Plan - Type A F F Plan - Type B



Revisions
 05/2018 Plot 12 removed. TGA

The user acknowledges and agrees to hold the author harmless for any errors or omissions in the drawings and designs. The author and its design is for informational purposes only and is not intended to be used for any other purpose without the author's written consent.

PREPARED BY: <input type="checkbox"/> CHECKED BY: <input type="checkbox"/> DRAWING NO: <input checked="" type="checkbox"/>	Client: Craig & Wylie Dev Ltd Job No: 272, Hedderley Road, North Crows, Canakk, W511 8SA Drawing No: Proposed House Plans Plot 11 - 12 Drawing No: 1591 - 08 A Version: 08 Date: 10/01/18 Drawn: PF	 <p>Troyka Associates ARCHITECTS PLANNERS SURVEYORS ENGINEERS</p>
--	--	---

Application No: CH/18/013
Received: 16-Jan-2018

Location: 272, Hednesford Road, Norton Canes
Parish: Norton Canes
Ward: Norton Canes Ward

Description: Demolition of former Sycamore Bowling Club and ancillary timber structures. Construction of new access road and erection of 12 Houses & 1 bungalow and associated parking and amenity

Application Type: Full Planning Application Major

RECOMMENDATION

It is recommended that the application be approved subject to the attached conditions and the completion of a Section 106 agreement to secure

- (a) A commuted sum of £33,093 towards education provision**
- (b) A commuted sum towards off-site affordable housing**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

2. No part of the development hereby approved shall be undertaken above ground level until details of the materials to be used for the external surfaces have been submitted to and approved by the Local Planning Authority.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3, CP15, CP16, RTC3 (where applicable) and the NPPF.

3. No part of the development hereby approved shall be undertaken above ground level until details of the finished floor levels of the buildings (in relation to surrounding land) and any other changes to the levels of the land within the site have been submitted to and agreed in writing by the Local Planning Authority. Development shall be implemented in accordance with the agreed details.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policy CP3.

4. No part of the development hereby approved shall be undertaken above ground level until details for the tree planting to the communal parking area have been submitted to and approved by the Local Planning Authority. The details shall be in the form as specified in Annex C of the Supplementary Planning Guidance 'Trees, Landscape and Development'.

Reason

In the interest of visual amenity of the area and in accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

5. The approved landscape works shown pursuant to Condition 4 above shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

6. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing Ref Dwg. Tree Protection Plan. Within the enclosed area known as the Tree Protection Zone, no work shall be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written consent of the Local Planning Authority is obtained. The Tree Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

Reason

To ensure the retention and protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the NPPF.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Part 1 of Schedule 2 to the Order shall be carried out without an express grant of planning permission, from the Local Planning Authority, namely:

- The enlargement, improvement or other alteration of the dwellinghouse;
- The enlargement of the dwellinghouse consisting of an addition or alteration to its roof;
- Any other alteration to the roof of the dwellinghouse;
- The erection or construction of a porch outside any external door of the dwelling;

- The provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure;
- The provision within the curtilage of the dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such;
- The erection or provision within the curtilage of the dwellinghouse of a container for the storage of oil for domestic heating; or
- The installation, alteration or replacement of a satellite antenna on the dwellinghouse or within the curtilage of the dwellinghouse.

Reason

The Local Planning Authority considers that such development would be likely to adversely affect the amenity of neighbouring occupiers and the character of the area. It is considered to be in the public interest to require an application to enable the merits of any proposal to be assessed and to ensure compliance with Local Plan Policy CP3 - Chase Shaping - Design and the NPPF.

8. No construction or demolition work or deliveries to the site shall be undertaken outside the hours of 08;00 to 19;00 Monday - Friday, 08;00 to 13;00 on Saturdays or at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of neighbouring occupiers

9. No phase of the development shall take place, including any demolition works, until a Demolition and 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:

- 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 routing and hours
- Recorded daily inspections of the highway adjacent to the site access
- Measures to remove mud or debris carried onto the highway

Reason

To comply with para. 109 of the NPPF and in the interests of highway safety

10. Prior to the commencement of development details shall be submitted to and approved in writing by the Local Planning Authority indicating surface water drainage and outfall from the proposed private access road, shared parking and manoeuvring areas. The surface water drainage shall thereafter be provided and retained in accordance with the approved details prior to first use of the proposed development.

Reason

To comply with para 109 of the NPPF and in the interests of highway safety

11. Prior to first occupation of the proposed residential units and notwithstanding the submitted plans, the new site access from Hednesford Road shall be completed within the limits of the public highway as a heavy duty vehicular dropped crossing.

Reason

To comply with para.109 of the NPPF and in the interest of highway safety

12. Prior to first occupation of the proposed dwellings the access road, parking and manoeuvring areas indicated on the submitted Site Plan 1991-02 Revision D shall be completed and surfaced in a bound material with the individual parking bays clearly delineated which shall thereafter be retained for resident / visitor parking only for the life of the development.

Reason

To comply with para.109 of the NPPF and in the interest of highway safety

13. The development hereby permitted shall not be commenced until:-

- (a) Intrusive site investigation works have been undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. The intrusive site investigations shall be designed by a competent person and shall ensure that they are adequate to properly assess the ground conditions on the site in order to establish the extraction situation in respect of coal mining legacy and the potential risks posed to the development by past coaling activity. The nature and extent of the intrusive site investigations shall be agreed with the Permitting Section of the Coal Authority as part of the permissions process. The findings of the intrusive site investigations shall inform any remedial measures which may be required.
- (b) The Local Planning Authority has given approval in writing to the method of remedial treatment;
- (c) The approved remedial treatment has been carried out in full prior to the commencement of any development on the site.

Reason

In order to enable the development to proceed in a safe environment and to protect the health and safety of its occupiers and to ensure compliance with Local Plan Policy CP3 and the NPPF

14. The development hereby permitted shall not be commenced until:-

- (a) a site investigation for ground contamination and gas including recommendations for remedial treatment has been undertaken;
- (b) the Local Planning Authority has given approval in writing to the method of any remedial treatment identified under section (a); and
- (c) any approved remedial treatment identified under section (b) has been carried out in full and verification has been received by the Local Planning Authority.

Reason

In order to enable the development to proceed in a safe environment and to protect the health and safety of its occupiers and to ensure compliance with Local Plan Policy CP3 and the NPPF.

15. No development shall begin until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority. The design must be in accordance with the overall strategy and key design parameters set out in the Flood Risk Assessment and Drainage Strategy (Drawing No: J01848/A1/001). The design must demonstrate:

- Surface water drainage system(s) designed in accordance with national and local standards, including 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 2015).
- Limiting the discharge rate generated by all rainfall events up to the 100 year plus climate change critical rain 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 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, sewer flooding, and overland flow from off-site. Site layout and levels should provide safe exceedance routes and adequate access for maintenance.
- 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 surface water flooding to the development and properties downstream for the lifetime of the development.

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

[members are advised that approved drawing will be submitted into the decision notice]

Reason

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

17. Notwithstanding the approved plans, no dwelling shall be occupied until details for the construction of the access into the site has been submitted to and approved in writing by the Local Planning Authority and the works comprising the approved scheme have been implemented in full. The details shall include such details that show that the construction shall be to an adoptable standard. Thereafter the access shall be retained and maintained to an adoptable standard for the lifetime of the development.

Reason

In the interests of highway safety.

18. No dwelling shall be occupied until a scheme for the provision of integral bird and bat boxes has been submitted to and approved in writing by the [Local Planning Authority and the works comprising the approved scheme have been implemented. Thereafter the bird and bat boxes shall be retained for the life time of the development.

Reason

In the interest of compensating for the loss of bird nesting and bat roosting opportunities within the site in accordance with Policy CP12 of the Cannock Chase Local Plan and paragraph 175 of the National Planning Policy Framework.

19. No lamp posts, street light or other method of external illumination with the purpose to illuminate the access road shall be erected until a scheme for such lighting has been

submitted to and approved in writing by the Local Planning Authority. Thereafter the lamp post, street light or other method of external illumination approved shall only be operated in accordance with the approved scheme.

Reason

In the interest of protecting the residential amenity of neighbouring properties in accordance with Paragraph 127(f) of the National Planning Policy Framework

Notes to applicant

Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to “vehicle dropped crossings” which includes a “vehicle dropped crossings information pack” and an application form for a dropped crossing. Please complete and send to the address on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, c/o, 2 Staffordshire Place, Tipping Street, Stafford, ST16 2DH or email (nmu@staffordshire.gov.uk)

www.staffordshire.gov.uk/transport/staffshighways/licences

Any soakaway should be located a minimum of 4.5m rear of the highway boundary

Staffordshire County Council as Highway Authority would not formally adopt the proposed development, however, the development will require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check of the proposed road construction, drainage and any street lighting. The applicant is request to complete the necessary Section 7 application forms and submit all drawings to Staffordshire County Council for formal checking prior to the commencement of development. It will, therefore, be necessary for maintenance / management arrangements for the access road and internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standard, the road ways within the site will still need to be constructed to be 'fit for purpose'.

The applicant will be required to apply for a notice for the demolition of the existing buildings under the provisions of the Building Act 1984.

An asbestos survey shall be undertaken prior to demolition with any identified onsite asbestos removed via a specialist.

EXTERNAL CONSULTATIONS

Norton Canes Parish Council

No objections raised- It is felt that the widening of the access to the site will provide a great improvement to the area.

Staffordshire County Council (Highways)

No objection subject to conditions.

Coal Authority

The Coal Authority has no objection to the proposal subject to condition.

The application is supported by a Mining Risk Assessment Report and the Coal Authority concurs with the recommendations of the Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The intrusive site investigations should be designed by a competent person and should ensure that they are adequate to properly assess the ground conditions on the site in order to establish the extraction situation in respect of coal mining legacy and the potential risks posed to the development by past coaling activity. The nature and extent of the intrusive site investigations should be agreed with the Permitting Section of the Coal Authority as part of the permissions process. The findings of the intrusive site investigations should inform any remedial measures which may be required.

School Organisation

The development falls within the catchments of Norton Canes Academy and Norton Canes High School. Norton Canes High School is projected to have sufficient space to accommodate the likely demand for pupils. Norton Canes Primary Academy is projected to be full for the foreseeable future and have insufficient space to accommodate the likely demand from pupils generated by the development. Therefore a contribution towards primary school provision will be sought – 3 x £11,031 = £33,093.

County Flood Risk Management

The FRA and Drainage Strategy (Dwg.No.J01848/A1/001) and supporting calculations demonstrate that an acceptable drainage strategy can be achieved as part of the proposed development. No objection subject to condition.

Crime Prevention Staffordshire Police

No objection. The development should be constructed to secure by design standards.

INTERNAL COMMENTS

Planning Policy

No objection. The additional information as required below was submitted for assessment.

The site is mixed Brownfield/Greenfield site located within the urban area of Norton Canes. It is a 'windfall site' having not been previously identified within the Strategic Housing Land Availability Assessment (SHLAA) as a potential housing site.

The National Planning Policy Framework (NPPF) states that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or out of date planning permission should be granted, unless the any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or except where specific policies in this framework indicate development should be restricted e.g. Green Belt or AONB.

The site is not allocated for any use on the Local Plan (Part 1) Policies Map (an area of Green Space Network runs adjacent to the eastern boundary of the site). Local Plan (Part 1) Policy CP1 identifies that the urban areas of the District, including Norton Canes, 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. Policy CP6 also identifies that there is an allowance for windfall housing sites to contribute to the District's housing requirements and positive consideration will be given to them (subject to other policy provisions).

The Brownfield elements of the site consist of a former working men's club building. The building is not identified for any specific designation e.g. Listed Building, Asset of Community Value. The Greenfield elements of the site appear to consist of a mixture of a former bowling green and residential garden land. As a sports facility that has only recently closed in 2016, the bowling green element of the site is subject to the provisions of the NPPF paragraphs 73-74 and Local Plan Policy CP5. Paragraph 73 of the NPPF states that the needs for sport and recreation facilities should be based upon up to date evidence, including any deficits or surpluses in provision. Paragraph 74 states 'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'

Policy CP5 of the Local Plan (Part 1) states 'The standards of provision of open space, sport and recreation facilities will be identified in a Supplementary Planning Document linked to updated requirements for developer contributions. The standards of provision will also be used to identify whether existing land and/ or buildings need to be retained for the benefit of the community, either in their existing use(s) or some alternative community use (or shared space). Existing open spaces across the whole range of formal and informal typologies are identified as 'Green Space Network' on the Policies Map which will be updated as part of Local Plan Part 2...All open spaces, sport and recreational facilities, both existing and proposed, are subject to the policies and

requirements of national planning policy and with reference to Policy CP13 regardless of whether they are designated on the Policies Map.’

The applicant outlines that they have consulted with the Norton Canes Parish Council to ascertain if there is any demand for the facility. However, it is considered that further information should be provided demonstrating that the facility is surplus to requirement’s e.g. usage levels pre closure in 2016; consultation with local bowling clubs; information on where the bowling clubs that used this facility now go to. This should be used to evidence that the facility is no longer required and that no compensatory facilities are required. The Council’s Indoor and Outdoor Sports Facilities Study (2010) identified the site as an active outdoor bowling green at the time of that survey (and the only one in Norton Canes). The study identified that there was good provision of outdoor bowling greens within the District but recommended that existing levels of provision should be maintained. These standards are not included within the Developer Contributions and Housing Choices SPD (2015) but they are included in the adopted Infrastructure Delivery Plan (2014). Therefore, any losses of facilities (with no replacement facilities) need to be more robustly evidenced, perhaps in consultation with the Council’s leisure and open spaces team. It is recognised that the Council’s survey was undertaken in 2010 and that circumstances may have changed which justify the loss of the facility. However this needs to be further evidenced by the applicant. The Council has recently commissioned an update to its sports facilities evidence, but this will not be available until later in 2018.

With regards to the development of residential garden land, the NPPF (paragraph 53) outlines that local planning authorities can consider policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. The Local Plan (Part 1) does not set a specific policy in relation to the development of garden land, however the appropriateness of the scheme should be considered with regard to Policy CP3 on design considerations and the Design SPD (2016) - particularly Appendix B standards on recommended distances and garden sizes. Policy CP16 states there is a preference for the reuse of brownfield land, but this does not preclude the use of greenfield windfall sites where they are considered to be sustainable development overall.

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

As a 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 Council’s 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. This may be particularly relevant in relation to the consideration of the loss of the bowling green facility.

The site lies within the recently designated Norton Canes Neighbourhood Area. The Parish Council have not produced a draft plan to date.

In summary, further information is required to justify the loss of the bowling green facility and compensatory measures may need to be considered depending upon the information submitted. Subject to this issue being addressed and consideration of detailed design issues, there are no other objections in principle to the proposals.

Environmental Protections

No objection

A former landfill site is located within 250m of the proposed development; therefore an appropriate site investigation and risk assessment will be required in respect of ground gases.

No development shall be undertaken until a qualitative risk assessment of identified pollutants and ground gasses, based on a conceptual model of site conditions has been completed. Site specific targets and a remediation statement should be submitted for prior approval.

The applicant will be required to apply for a notice for the demolition of the existing buildings under the provisions of the Building Act 1984.

An asbestos survey shall be undertaken prior to demolition with any identified onsite asbestos removed via a specialist.

Given the residential location of the site, construction hours should be restricted.

Waste & Recycling

Cannock Chase Council does not allow its refuse collection vehicles to travel on private roads / property in order to access waste containers.

All waste collection points must therefore be positioned within 10m of an adopted metalled highway and at the same level.

However, Cannock Chase Council may consider allowing its refuse collection vehicles onto a private road where all of the following conditions are met:

1. A developer legally indemnifies the Council and its refuse collection contractor against any future maintenance liability for the private road.

2. The road is constructed to a Staffordshire Highways adoptable standard.
3. Adequate access and egress can be demonstrated by the use of swept path analysis for Councils standard 32 tonne refuse vehicles.
4. Maintenance liability for the private road falls to an individual organisation, trust, company or resident.

Housing Strategy

Vacant building credit applies to this application. The formula to be used for calculating contributions is extracted from the Councils evidence base report 'Economic Viability Assessment of Future Development of Affordable Housing in Cannock Chase (2014, Adams Integra). The financial contribution is calculated via the following steps:-

- a. Open Market Value (OMV used as GDV) of property type
- b. Multiply by the RLV percentage (18%)
- c. Add 15% on-costs
- d. Apply affordable housing equivalent proportion 20%
- e. Multiply by No. of units (total for scheme)
- f. Financial contribution payable
- g. Multiply financial contribution payable (f) by vacant

Trees, Landscape and Countryside

Objection – for the following reasons:-

General comments:-

There is no public open space provision as such a s106 for an offsite contribution is required. Rear garden of plot 12 will suffer from a lack of sunlight – shading plans are required. Details of finished floor levels is required for all plots.

Trees:-

Trees within the site have already been felled therefore replacement planting should be sought. Trees T3& T6 are young and will continue growing and will cause overhanging issues for new residents.

Landscape:-

The scheme does not comply with the Councils amenity standard. No planting details are indicated. Parking gates to parking areas must not open onto the public highway.

Commissioning, Parks & Open Spaces

No response to date with regard to the loss of the bowling green.

RESPONSE TO PUBLICITY

Site notice and adjacent occupiers notified with four letters of objection received (one objector submitted 4 letters) and one letter of support:

- Norton village cannot sustain more houses,
- The traffic in Norton is already bad, Hednesford Road is particularly bad,
- The proposal would impact on wildlife,
- The neighbours do not want their privacy affected,
- The neighbours do not want risk of pollution or noise from cars,
- The neighbours do not want street lights etc affecting their garden
- A tree and hedgerows have already been removed from the site,
- The sewage and drainage system is already over loaded,
- If permission is granted there should be no works to the neighbours trees or hedgerows,
- Plot 13 is two storey and would result in a detrimental impact to the adjacent property in terms of overlooking, noise, light pollution etc,
- The land owner of the adjacent site was not informed of the proposal and it is felt that there was an inadequate public right to object to the application,

The letter of support stated:-

- The proposed development represents a well balanced scheme that will improve the area.

1. SITE AND SURROUNDINGS

- 1.1 The application site relates to the former Sycamore Working Mans Club including ancillary timber structures and car park, together with part of the rear garden of No.270 Hednesford Road.
- 1.2 The application site covers an area of approx. 3700m² and benefits from a 10m wide frontage onto Hednesford Road (including the building frontage). The application site is roughly triangular in shape and benefits from a depth of 110m and a width at the rear of approx.62m.
- 1.3 The existing frontage building is of a simple two storey design set behind an area of hardstanding to the rear of the highway. The building itself extends back deep into the site for a distance of 30m. The existing building comprises of both two storey and single storey elements.
- 1.4 The existing access is sited to the side of the building and extends along the shared boundary with No.270, terminating in a parking area for the club. A driveway to No.270 runs adjacent this access. The carpark extends from the rear of the main building for some 45m with hardstanding extending to all boundaries.

- 1.5 The bowling green and associated building lie to the rear of the site. The bowling green lies in an overgrown and unused state and covers an area of approx. 910m². The derelict pavilion lies adjacent the northern boundary.
- 1.6 The application site slopes down significantly from the adjacent highway to the rear, a drop of approx. 3m across the depth of the site. The land also slopes down from north to south; a total fall of approx. 3m. The application site is bound on all sides by a combination of walling, fencing and hedgerows. Other than the hedgerows which delineate the boundaries of the site, there are no discernible building or landscape features of particular significance.
- 1.7 The application site is located within an established residential area which contains a mixture of two storey and single storey dwellings. The majority of buildings are of modest proportions, set within limited plots. To the east lies public right of way along the former railway line which now forms part of the Green Space Network.
- 1.8 The site is not allocated within the Cannock Chase Local Plan (Part 1) but is within the existing settlement boundary of Norton Canes.
- 1.9 The application sites former use closed in April 2016.

2.0 PROPOSAL

- 2.1. The application proposes the demolition of the existing Sycamore Working Mans Club building, the removal of the bowling green and car park to the rear and for the residential development of 13 dwellings.
- 2.2 The proposed dwellings comprise of 1 detached dwelling with integral garage, two rows of terraced dwellings comprising of 4 dwellings and 5 dwellings, one pair of semi detached properties and one detached bungalow and their associated private gardens and parking provision. The dwellings would provide a variety of 2 and 3 bedroom properties.
- 2.3 The layout of the proposed development would comprise of two linear rows sited behind the frontage dwellings on Hednesford Road to reflect the adjacent Laurence Grove. The nearest proposed dwelling to the Hednesford Road would be some 61m into the site and orientated with a rear elevation facing the rear of No274 and the frontage facing onto the application site.
- 2.4 The demolition of the former club building would allow a double width access from Hednesford Road leading to a communal parking area. The parking area would provide 30 vehicle spaces plus two off road spaces for the occupiers of No.274 and a further two spaces for the occupier of No.270.

2.5 Where possible the existing landscaping would be retained and new planting included.

2.6 The proposal was amended in light of comments received to reduce the number of dwellings to 13. This reduction removed the proposed two storey dwelling sited adjacent the south-eastern corner of the site.

3.0 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
- CP5 - Social Inclusion and Healthy Living
- CP6 - Housing Land
- CP7 - Housing Choice
- CP13 - Cannock Chase Special Area of Conservation (SAC)
- CP16 – Climate Change & Sustainable Resource Use

3.5 National Planning Policy Framework

3.6 The NPPF(2018) 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 states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking.

3.7 The NPPF (2018) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

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

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
68-70	Identifying Land for Homes
96-97	Open Space & Recreation
124, 127, 128, 130:	Achieving Well-Designed Places
178- 180	Ground Conditions & Pollution
212, 213	Implementation

3.9 Other Relevant Documents

- Design Supplementary Planning Document, April 2016.
- 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
- Loss of a community facility
- Design and impact on the character and form of the area
- Access and parking
- Impact upon neighbouring dwellings
- Landscaping
- Affordable housing provision

4.2. Principle of Development

4.2.1 The proposal is for the demolition of the existing building, removal of the bowling green and car parking and for the construction of 13 new dwellings. 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 Norton Canes. The site comprises of a mix of brownfield land and greenfield land. 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 11 of the NPPF. However, paragraph 177 of the NPPF makes it clear

"the presumption in favour of sustainable development does not apply where development requiring appropriate assessment [under the habitat Regulations] because of its potential impact on a habitats site is being planned or determined"

- 4.2.3 Policy CP13 of the Local Plan recognises that any project involving net new dwellings will have an impact on the SAC and as such should be subject to an appropriate assessment under the Habitat Regulations. This being the case it can only be concluded that the presumption in favour of sustainable development does not apply to the current application and the proposal should be considered having regard to the development plan and other material considerations.
- 4.2.4 Local Plan (Part 1) Policy CP1 identifies that the urban areas of the District, 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 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 The site is located within the settlement boundary of Norton Canes (as defined on the Local Plan Policies Map) wherein Policy CP6 identifies that there is an allowance for windfall housing sites to contribute to the District's housing requirements and positive consideration will be given to those which accord with sustainable development principles identified in the NPPF and the strategic approach identified in Policy CP1 and other Local Plan policies as appropriate.
- 4.2.6 In respect to the principle of the proposal it is noted that the site is located within Norton Canes approx. 0.3km from the shops, facilities and services of Norton Canes District centre, 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. As such it is concluded that the proposal is acceptable in principle.
- 4.2.7 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 Loss of a Community Facility

4.3.1 Part of the application site comprises of a bowling green and club which closed in 2016. Consideration as to the redevelopment of the bowling green is subject to the provisions of the NPPF paragraphs 96-97 and Local Plan Policy CP5. Paragraph 96 of the NPPF states that the needs for sport and recreation facilities should be based upon robust and up to date assessments of the need for open space, sport and recreation facilities (including any deficits or surpluses) and opportunities for new provision. Paragraph 97 states

‘Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- (i) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or
- (ii) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location, or
- (iii) the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss of the current or former use.’

4.3.2 Policy CP5 of the Local Plan (Part 1) states ‘The standards of provision of open space, sport and recreation facilities will be identified in a Supplementary Planning Document linked to updated requirements for developer contributions. The standards of provision will also be used to identify whether existing land and/or buildings need to be retained for the benefit of the community, either in their existing use(s) or some alternative community use (or shared space). Existing open spaces across the whole range of formal and informal typologies are identified as ‘Green Space Network’ on the Policies Map which will be updated as part of Local Plan Part 2. All open spaces, sport and recreational facilities, both existing and proposed, are subject to the policies and requirements of national planning policy and with reference to Policy CP13 regardless of whether they are designated on the Policies Map.’

4.3.3 The Council’s Indoor and Outdoor Sports Facilities Study (2010) identified the site as an active outdoor bowling green at the time of that survey (and the only one in Norton Canes). The study identified that there was good provision of outdoor bowling greens within the District but recommended that existing levels of provision should be maintained. Therefore, any losses of facilities (with no replacement facilities) need to be more robustly evidenced.

4.3.4 In this respect, the applicant has provided evidence regarding the loss of the bowling green to help inform the submission. The applicant also consulted with Norton Canes Parish Council to ascertain if there is a demand for the facility. The report outlines that Norton Canes Parish Council feel there is no requirement for

this type of facility in the village. It continued by identifying other similar facilities (22 teams) in the surrounding areas. The report also demonstrates that the use of the bowling clubs in the wider area has fallen significantly over the past few years and has resulted in the loss of 7 Clubs in the wider District. The report confirms that the number of bowling members at the Sycamore Club has reduced significantly since 2013 and that the majority of remaining members have already moved to the nearby facilities at Heath Hayes Constitutional Club & Bridgtown Social Club.

- 4.3.5 It has been acknowledged that the context of bowling green use has changed since the last survey commissioned in 2010 as the Council have recommissioned an update to the evidence base. However this work is still being undertaken and therefore the Council can provide no more evidence other than the information which the applicants have provided. As such, given the information submitted by the applicant and the lack of any up to date evidence regarding sports facilities officers accept that there is a decline in the use of such sports facilities and the loss is therefore acceptable in this instance as there are other similar facilities in the wider District.

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

- 4.4.1 In respect to issues in relation to design 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.

- 4.4.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 124, 127, 128 and 130. Paragraph 124 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

- 4.4.3 Paragraph 127 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.4.4 Finally Paragraph 130 states planning 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.

4.4.5 Currently the application site is occupied by a former working mans club, bowling green and car park in part and in part, part of an existing residential curtilage. The surrounding area, apart from being overwhelmingly residential in nature, varies considerably in terms of plot size and the age and architecture of its composite buildings. There are several examples of infill / backland developments in the immediate area. The properties along Hednesford Road vary from modest semi-detached or terrace properties with long rear gardens to the smaller scale development within 'Laurence Grove' which is a cul-de-sac development. It is considered that the proposed development would reflect the general size, scale and layout of the surrounding areas and in this respect be well related to existing buildings and their surroundings.

4.4.6 The applicant has submitted a Tree Survey Report with which to inform the submission. This outlines that the quality of trees is categorised as follows: -A (high quality and value), B (moderate quality and value), C (low quality and value) and U which are considered as unsuitable for retention. In this respect it is noted that all of the trees are sited outside the application site and range from category B, C & U.

4.4.7 The report goes on to state that the scheme would not involve the loss of any trees of particular significance and there would be sufficient room within the site for some planting to soften the proposal.

4.4.8 The comments made by the Landscape Officer are noted, however, it is considered that the provision of replacement planting and the design of the gardens to individual plots can be adequately dealt with by condition.

4.4.9 Subject to the attached conditions it is considered that the proposal would be in compliance with Policies CP3 of the Local Plan and Paragraph 127 of the NPPF.

4.5 Impact on Residential Amenity

4.5.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

4.5.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

4.5.3 The Design SPD, sets out, amongst other things recommended minimum distances for space about dwellings and between different elevations, in addition to recommended garden sizes. However, it should be noted that in applying these recommendations that they are in nature of guidance and allowances should be made for differences in levels and or where the relationship between elevations is at an angle.

4.5.4 In this respect it is considered that the proposal generally meets the guidance set out within the Design SPD having regard to angles and juxtaposition between the proposed dwellings themselves and with surrounding neighbours properties. There are no windows within the proposed development at first floor level that would give rise to unacceptable levels of overlooking to adjacent dwellings or their gardens.

4.5.5 The comments from the neighbouring land owner are noted, and, in this instance the applicant did reduce the number of dwellings from that originally proposed to 13. This reduction removed the dwelling sited in the south east corner of the site (adjacent the garden of No.258). As a consequence, the separation distance to this shared boundary would measure 10.5m and whilst plot 13 would be 5m from the shared boundary, this dwelling would be single storey only.

4.5.6 In addition to the above the proposal would meet the minimum recommendations for outdoor amenity space and parking provision.

4.5.7 In respect to shading from trees it is noted that rear gardens at Plot 12 is shown to be 289m² in area and 15m wide, which is far in excess of the 40-44m² for a 2 bedroom house. As such, although there would be a degree of overshadowing from trees along the boundary this would not be sufficient to warrant refusal of the application as a high standard of amenity would be attained.

4.5.8 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 occupiers of the neighbouring properties. As such, it is considered that a high standard of amenity would be attained for all existing and future occupiers of the existing and proposed dwellings in accordance with Policy CP3 of the Local Plan and paragraph 127(f) of the NPPF.

4.6. Access and parking

4.6.1 Paragraph 109 of the NPPF states that "development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe".

4.6.2 The comments raised by neighbours regarding the potential highway implications are noted. However Staffordshire County Council Highways were consulted on the application. The Highways Authority has confirmed that they would not formally adopt the proposed development however, they raised no objection to the proposal.

4.6.3 The proposed development would provide 30 spaces for the 13 dwellings. The Parking SPD requires a total of 26 spaces based on the provision of thirteen 2 and 3 bedroom dwellings. As such, the proposed development provides over and above this requirement. The proposal also provides two off road parking spaces for Nos. 270 & 274 which would be accessed off the private driveway.

4.6.4 As such, it is concluded that the residual cumulative impacts of the proposal would not be severe.

4.7 Waste and Recycling Facilities

4.7.1 Cannock Chase Council does not allow its refuse collection vehicles to travel on private roads / property in order to access waste containers. However your Waste and Engineering Officers may consider allowing its refuse collection vehicles onto a private road where all of the following conditions are met:

- 1) The road is constructed to a Staffordshire Highways adoptable standard in terms of the construction of the highway, &
- 2) Adequate access and egress can be demonstrated by the use of swept path analysis for the Councils standard 32 tonne refuse vehicles.
- 3) A developer legally indemnifies the Council and its refuse collection contractor against any future maintenance liability for the private road, &
- 4) Maintenance liability for the private road falls to an individual organisation, trust, company or resident.

4.7.1 With regard to the above points, the applicant has submitted a 'swept path analysis' that demonstrates that a refuse vehicle has a means of access/ egress and manoeuvrability within the site. A condition has been recommended for the construction of the highway to accord with the requirements of an adoptable standard. As such there is no technical reason why the proposed scheme could not accommodate refuse vehicles. In respect to points 3 & 4 these are matters for the future occupiers and the refuse collection service to resolve.

4.7.2 As such, the proposed development would accord with the requirements of Policy CP16 of the Local Plan.

4.8 Landscaping

4.8.1 The proposal seeks to retain the existing landscaping where possible. Notwithstanding this, there is no discernible building or landscape features of particular significance within the site. There is little room within the public area of the site for a significant landscaping scheme. However some simple tree planting could be accommodated to help soften the parking area. A condition has been recommended for this. The private gardens of the proposed dwellings would be finished with rear lawns and left for the future occupiers of the site to landscape as they see fit.

4.8.2 The comments from the Landscape Officer and neighbours are noted in respect of the removal of trees & hedgerows within the site. However, that the trees and hedgerows were not subject to protection orders and could be removed by the applicant at any time.

4.8.3 Landscape Officers and neighbours have raised concerns regarding the pruning or future pruning of trees that are not within the ownership of the applicant and these points are noted. However, your officers confirm that the applicant has the legal right to prune any trees back to the boundary without any planning permission if they overhang the applicant's land.

4.8.4 The comments of the Landscape Officer are noted in respect to public open space provision. Policy CP5 of the Local Plan seeks development 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. However, Policy CP5 continues that such provision would be delivered through a combination of Community Infrastructure Levy as well as 'on' and 'off site' provision. The proposed development is CIL liable.

4.8.5 The Developer Contributions and Housing Choices Supplementary Planning Document, states that larger scale development schemes may give rise to the need for further on site facilities in order to meet the needs generated by the

development. The Council will generally expect proposals of 100 dwellings or more to provide on-site formal play provision for young people. Therefore, the proposed scheme, by virtue of its size is not required to provide on-site public open space. Furthermore, the proposed development provides private amenity space for each individual dwelling in accordance with the standards set out within the Design SPD. Further, there is no policy provision to request a commuted sum. As such the provision of private amenity space proposed is acceptable and in accordance with The Developer Contributions and Housing Choices SPD and Policy CP5 of the Local Plan.

4.9 Impact on Nature Conservation Interests

On Site Impacts

- 4.9.1 The application site is not subject to any formal or informal nature conservation designation and is not known to currently support any species or habitat that is given special protection or which is of particular conservation interest.
- 4.9.2 Notwithstanding this, the applicant has submitted an Ecological Survey to inform the submission. The survey concludes that there is no evidence of protected species on the site. There was some potential for nesting birds within the linear shrubs and trees and potential for sheltering amphibians and reptiles within the piled building materials on site.
- 4.9.3 The bat survey of the social club building revealed a good amount of general bat activity within the area; however, no indication of bat roosting within the building was found. Notwithstanding this, recommendations are proposed to protect any wildlife present on the site in accordance with paragraph 175 of the NPPF such measures include the incorporation of bird nesting boxes and bat boxes.
- 4.9.4 As such, the site has no known significant ecological value and therefore the proposal would not result in any significant direct harm to nature conservation interests providing that the precautionary recommendations in the ecologist report are adopted.

Impacts on Cannock Chase SAC

- 4.9.5 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), which has internationally protected status under the Regulations for its unique heathland habitat. 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 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.

- 4.9.6 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.

4.10 Affordable Housing

- 4.10.1 Local Plan Policy CP7 requires financial contributions for affordable housing on sites of between 11 and 14 dwellings. As the proposed development is for 13 dwellings a commuted sum would be required based on a formula taking the open market value of the properties at the point of signing a S106 agreement. The comments of the Strategic Housing Officer are accepted and it is considered that this could be secured via a Section 106 agreement.

4.11 Education Provision

- 4.11.1 Policy CP2 of the Local Plan gives the overarching policy in respect to developer contributions for infrastructure. In this respect, the development falls within the catchments of Norton Canes Academy and Norton Canes High School. Norton Canes High School is projected to have sufficient space to accommodate the likely demand for pupils. Norton Canes Primary Academy is projected to be full for the foreseeable future and have insufficient space to accommodate the likely demand from pupils generated by the development.

- 4.11.2 Therefore it is recommended that any permission granted is subject to a contribution towards primary school provision secured via a s106 agreement in accordance with Policy CP2 of the Local Plan.

4.12 Drainage and Flood Risk.

- 4.12.1 The site is located in Flood Zone 1 which is at least threat from flooding. The applicant has submitted a Flood Risk Assessment and Drainage Strategy to help inform the submission. The Flood Risk Assessment and Drainage Strategy concluded that the site is in a very low risk area from surface water flooding – annually less than 1 in 1000 chance of flooding and an infiltration solution is proposed. Staffordshire County Flood Risk Team were consulted on the application and have raised no objection subject to the recommended condition.

- 4.12.2 Therefore subject to the attached condition it is considered that the proposal would be acceptable in respect to drainage and flood risk.

4.13 Ground Contamination

- 4.13.1 Paragraphs 178-180 of the NPPF seek to ensure ground conditions of a site are suitable for its intended use. In this instance, the site lies within 250m of a former landfill site and therefore the Environmental Health Officer has stated that a ground gas assessment is required. The Officer has recommended this be imposed as a condition on any permission granted and is not required prior to the determination of the application.
- 4.13.2 The Environmental Health Officer has further stated that a qualitative risk assessment of identified pollutants and ground gasses, based on a conceptual model of site conditions has been completed. Again, the Officer is satisfied that the site specific targets and remediation statement can be dealt with via condition.
- 4.13.3 The application site is also located within an area the Coal Authority believes there is coal at or close to the surface and that may have been worked at some time in the past although there are no records of any mining shafts within or within 20m of the site. The application is supported by a Mining Risk Assessment Report and the Coal Authority concurs with the recommendations of the Mining Risk Assessment Report. That coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site. The Coal Authority recommends a condition for this to be attached to any permission granted.
- 4.13.4 Additionally, the Council's Environmental Health Officer stated that the applicant will be required to apply for a notice for the demolition of the existing buildings under the provisions of the Building Act 1984 and any asbestos identified onsite removed via a specialist. These do not fall within the remit of planning and are covered by other legislation however; a note to the application would be included on any decision notice issued.
- 4.13.5 Given the residential location of the site, construction hours should be restricted. The comments of the Environmental Health Officer are noted and accepted and appropriate conditions recommended for this in accordance with the guidance within the NPPF.
- 4.14. Objections received not already addressed above:
- 4.14.1 Concern was raised regarding the increase in noise and excessive pollution from traffic accessing and using the proposed development. In respect to the assertion that noise and pollution will be increased it is noted that there is the potential for disturbance due to engine noise, fumes, manoeuvres into and out of the proposed parking area and general human activity associated with parking areas. Whilst there is already a driveway to the front of the existing dwelling this only serves 1 dwelling, the proposal would see this increased to two dwellings. Notwithstanding this, the two dwellings proposed would retain existing boundary treatments and

any additional noise and pollution would be domestic in nature and would not significantly prejudice the peace and enjoyment of the rear gardens for existing occupiers.

- 4.14.2 Neighbours have objected to the siting of plot 13 which is two storey and would result in a detrimental impact to the adjacent property in terms of overlooking, noise, light pollution. Your officers confirm that the overall scale of the development has been reduced from 14 dwellings to 13 dwellings; this was as a consequence of the removal of plot 13. The nearest two storey plot to the adjacent neighbours would remain 10.5m to the shared boundary.
- 4.14.3 One of the neighbours raised concerns regarding potential street lights affecting their garden. Your officers confirm external lighting could be controlled via a condition to ensure that no lighting should be erected within the site unless otherwise approved in writing by the Local Planning Authority
- 4.14.4 Concern was raised that the land owner of the adjacent site was not informed of the proposal in writing and it he/she felt that there was an inadequate public right to object to the application. Your officers confirm that the properties that abut the application were consulted as part of the consultation process. In this instance, the gardens of the properties fronting Hednesford Road do not align with the main dwellings resulting in the rear garden of No.258 abutting the site. Notwithstanding this, a site notice was erected to inform wider neighbours of the proposed development and a 21 day period given for comments.

5.0 EQUALITIES ACT

- 5.1 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.
- 5.2 By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 5.3 It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

5.4 Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equalities Act.

6.0 HUMAN RIGHTS ACT

6.1 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.

7.0 CONCLUSION

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

7.2 It is concluded that having had regard to local and national policy and other material considerations that the proposal; on balance, is acceptable.

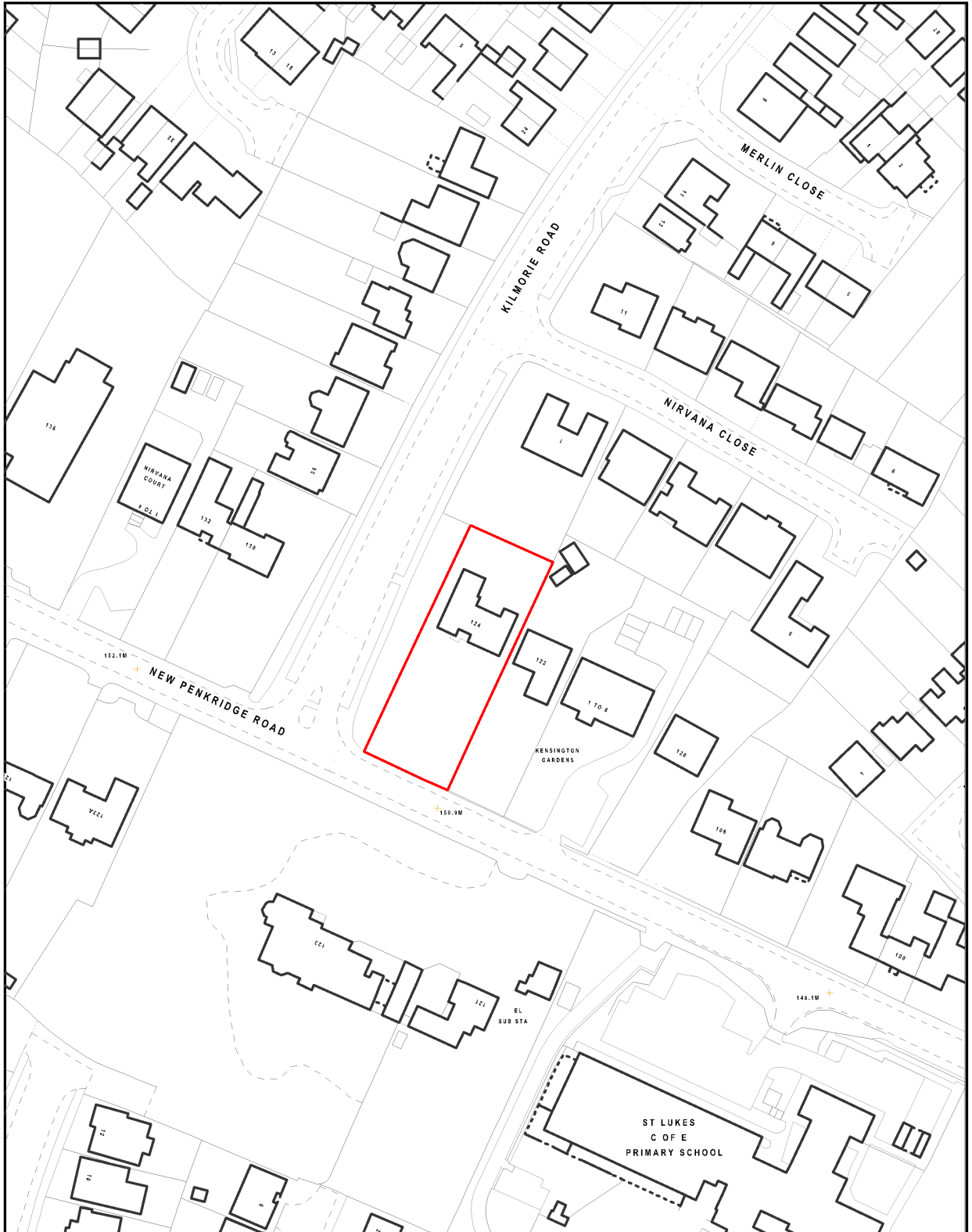


Application No: CH/18/315

Location: 124 New Penkridge Road, Cannock, WS11 1HN

Proposal: Residential Development - Erection of 6No. two bed apartments (resubmission of CH/18/092)

Item No. 6.39



Application No: CH/18/315
Received: 04-Sep-2018

Location: 124 New Penkrige Road, Cannock, WS11 1HN
Parish: Non Parish Area
Ward: Cannock West Ward
Description: Residential Development - Erection of 6No. two bed apartments
(resubmission of CH/18/092)

Application Type: Full Planning Application

RECOMMENDATION Approved subject to conditions and no additional issues being raised by the Landscape Officer and the Waste and Engineering Officer

1. B2 Standard Time Limit
2. I4 Obscured Glazing
3. D1 Materials - Details Required
4. E3 Tree & Hedge Protection Implementation
5. Bin Store Details
6. Construction and Demolition Vehicle Management Plan
7. Cycle store
8. Access
9. Frontage boundary treatment
10. Soil specification for imported material
11. E12 Landscape Implementation
12. Approved Plans

Notes to applicant

The demolition of the existing building should be undertaken in accordance with Building Act Controls in line with the guidance given in BS 6187:2011 Code of Practice for full and partial demolition.

Any soakaways shall be located a minimum of 5m rear of the highway boundary

EXTERNAL CONSULTATIONS

Staffordshire County Council (Highways)

No objection subject to conditions

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

No objections

The demolition of the existing building should be undertaken in accordance with Building Act Controls in line with the guidance given in BS 6187:2011 Code of Practice for full and partial demolition.

The soil specification for material imported should be in accordance with the details given on Dwg.No. 2180-04

Housing Strategy

No affordable housing contribution required

Trees, Landscape and Countryside

No response to date for the current application.

The comments raised on the previous application are:-

The application is lacking in detailing for edging of the parking bays, fences, bin store and surfacing, service runs.

The trees identified as T20 & T21 are in direct conflict with the building making construction very difficult. Pruning of these trees will be objected to. Further details of exact amount of reduction / crown thinning is required.

Construction details for surfacing are acceptable however, there are no surface water drains shown for the access road. How will this be addressed.

Waste & Engineering Services

No response to date for the current application.

The comments raised on the previous application are:-

Cannock Chase Council does not allow its refuse collection vehicles to travel on private roads / property in order to access waste containers.

All waste collection points must therefore be positioned within 10m of an adopted metalled highway and at the same level.

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 good access, security and environmental screening.

Communal bin stores should be positioned so as to allow unobstructed access (free from parked cars) and have a safe working area of 3.5m width and 4m length with no change in level.

RESPONSE TO PUBLICITY

Site notice erected and adjacent occupiers notified. Eight letters of representation have been received raising the following issues:

- The proposal 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 vision splay being insufficient.
- The bus company Arriva has already cancelled a service due to the volume of traffic and parking on the highway, investigations should be made to ascertain their view of the traffic issues,
- The same builder has acquired land with planning permission on other sites within close proximity which will mean additional construction vehicles to both plots causing disruption and endangering the children,
- Residents have already suffered the loss of services in respect of water and electric due to other construction works within New Penkridge Road, this may happen again,
- The Authority are currently consulting on removing all school traffic attendants, which again raises concern for highway safety without the risk of this application being approved,
- Neighbours are led to believe that the landowner has also acquired a site on the opposite side of the road and wants to replicate the same form of development as currently proposed. This would result in even more traffic and disruption.
- The modern colourful cladding which has been approved has replaced homes of character in what was a distinguished and respected part of Shoal Hill and not in keeping.

- Concerned about the side kitchen windows which overlook our patio area and garden. These would appear to be frosted glass. Can we have assurances that this is the case?
- As the first floor lounge window is a Juliet type, the visibility over our garden will be considerably more than a normal window.
- It would appear that the construction vehicles will have access off Kilmorie Rd. Could this be confirmed as we still have reservations about the horse chestnut tree on our property of which roots and branches spread over the access to 124, and would be damaged by tall or heavy vehicles?
- The dustbin store is at the front of the property. This will be an eyesore to ourselves and the occupants of the front apartments. All the other flats on this road have their bins at the back and bring them to the front on collection day.

PLANNING HISTORY

CH/18/092: Residential Development - demolition of the existing building and the construction of 9 apartments and the associated parking and amenity space was refused for the following reason: -

"The proposal, by virtue of its 3 storey design and the replacement of the green lawned front garden with an extensive area of hard landscaped car parking would result in harm to the verdant character of this mature suburban area to the detriment of the visual amenity of the area"

1. SITE AND SURROUNDINGS

- 1.1 The application site relates to an existing dwelling sited at the junction of New Penkrige Road and Kilmorie Road, located within the urban area of Cannock.
- 1.2 The application site covers an area of approx. 1372.5m² and benefits from a 22m wide frontage onto New Penkrige Road.
- 1.3 The existing dwelling is a simple design set deep within the site behind a lawed frontage. The access is off New Penkrige 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 6 flats with associated amenity space, parking and landscaping.

2.2 The proposed new building would be two stories and would have an inverted 'T' layout with a footprint of 17.5m x 16.5m (maximum depth). The proposed building would be constructed to a height of 8.4m (5m to the eaves).

2.3 The design of the proposed building would incorporate feature gables, cladding panels and Juliet balconies.

2.4. The proposed building would be sited approx. 13m from the rear boundary providing some 370m² private rear amenity space.

2.5 The proposal would utilise the existing access from New Penkrudge Road which would lead to a parking area for 9 vehicles and a communal bin store.

2.6 Where possible the existing landscaping would be retained and new planting included throughout the site.

3.0 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 (2018) 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 states that there should be a “presumption in favour of sustainable development” and sets out what this means for decision taking.

3.7 The NPPF (2018) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

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

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
124, 127, 128, 130:	Achieving Well-Designed Places
212, 213	Implementation
172	Conserving and enhancing the natural environment

3.9 Other Relevant Documents

- Design Supplementary Planning Document, April 2016.
- 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

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 2014 Policy CP1 advocate a presumption in favour of sustainable development unless material considerations indicate otherwise. The site is a previously developed site which currently accommodates a single dwelling and its residential curtilage. It is a 'windfall site' having not been previously identified within the Strategic Housing Land Availability Assessment (SHLAA) as a potential housing site.
- 4.2.3 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 11 of the NPPF. However, paragraph 177 of the NPPF makes it clear "the presumption in favour of sustainable development does not apply where development requiring appropriate assessment (under habitat Regulations) because of its potential impact on a habitats site is being planned or determined"
- 4.2.4 Policy CP13 of the Local Plan recognises that any project involving net new dwellings will have an impact on the SAC and as such should be subject to an appropriate assessment under the Habitat Regulations. This being the case it can only be concluded that the presumption in favour of sustainable development does not apply to the current application and that the proposal should be considered having regard to the development plan and other material considerations.
- 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. In addition the proposal entails the reuse of an existing building and therefore constitutes a sustainable use of resources. The site is not located within either Flood Zone 2 or 3. The site is not designated as a statutory or non- statutory site for nature conservation nor is it located within a Conservation Area (CA) nor does it affect the setting of a designated or undesignated heritage asset.

4.2.6 As such the proposal is considered to be in a sustainable location and is in accordance with the thrust of Policy CP1 of the Local Plan and therefore is considered acceptable in principle. However, 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. 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 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.

4.3.5 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 124, 127, 128 and 130. Paragraph 124 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.6 Paragraph 127 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.7 Finally Paragraph 130 states planning 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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.

4.3.8 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 6 x two bedroom flats with the majority of existing mature landscape within the grounds being retained. In respect to the proposed new building, this would replace the existing building with a building of a slightly larger footprint. The design of the existing dwelling is simple and the catslide roof gives the building a lower profile than the adjoining dwellings. The proposed building would provide a two storey form of development which would be of a mass larger than the

- existing. Notwithstanding this, the proposed building would be lower in height and of a similar scale to the adjoining buildings within this part of New Penkrigde Road.
- 4.3.9 The proposed building would, for the majority be constructed from facing brickwork under a tile roof. Feature gables are proposed to the front elevation which would be finished in a contrasting cladding material. The proposed building would sit within a row of existing and varied houses against which context it would be viewed.
- 4.4.8 The application site is rectangular in shape and comprises an area of approx. 1372.5m². There is a frontage onto New Penkrigde Road of approx. 22m. The application site benefits from hedgerow planting along the front boundary and a mature landscaping strip adjacent the side boundary within Kilmorie Road comprising of trees both within and outside of the red line boundary of the application site. There is a protected Horse Chestnut tree adjacent the entrance to the application site within the curtilage of No. 122 New Penkrigde Road (TPO 1986/07).
- 4.4.9 As such, the applicant submitted a tree report with which to inform the submission. This outlines that the quality of trees is categorised as follows: -A (high quality and value), B (moderate quality and value), C (low quality and value) and U which are considered as unsuitable for retention.
- 4.3.10 The protected tree to the front of the site is indicated as being T4 and assigned the retention of category B (No works were proposed to this tree as a consequence of the proposed development). No objections have been raised by the Landscape Officer in respect to the impact on this tree. The trees along the side boundary with Kilmorie Road range from category B (9 in total) to category C (6 in total) and 1 category U tree.
- 4.3.11 The tree officer has not made any comments in light of the current submission therefore the comments from the previous application have been used. The applicant has 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. Landscape Officers previously raised no objection in relation to the impact on this tree.
- 4.3.12 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 T20 & T21 which overhang the site. As such, pruning of these trees is required to facilitate the proposed building. Landscape Officers previously objected to the pruning of these trees which are not within the boundary of the application site. 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 the proposal would therefore result in no further harm than what could be achieved by an private landowner going about his /her lawful business.

- 4.3.13 Whilst the immediate properties benefit from being occupied by single families, the siting of one building of a similar scale and mass to existing buildings would not be detrimental to the character and form of the area. The layout of the building, being set approx.34m into the site and occupying a similar footprint would reflect the existing layout and would be in line with the adjacent dwelling at No.122. The majority of hardstanding to the front already exists and the hedgerow that delineates the front boundary would be retained, which would soften the proposed development when viewed from within the street scene. As such, the proposal would be accord with the guidance within the Design SPD and would accord with the aims of Local Plan Policy CP3 and the aims of the NPPF.
- 4.3.14 Taking all of the above into account, and having had regard to Policies CP3 and CP14 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 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.4.2 Paragraph 127(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 In this respect it is noted that the street scene comprises of a variety of single dwellings and apartment buildings set within spacious plots. The proposed development would continue this form of development being set deep within the site and adequate amenity space provided to the rear for the future occupiers of the site. The Design SPD seeks amenity space of 30m² per flat. The proposed development would provide a total of 370m² which equates to 62m² per flat which is over and above the requirement of the Design SPD.
- 4.4.3 In terms of privacy to existing dwellings, the comments of the neighbours are noted. 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 7m 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 again would be obscure glazed. A condition has been recommended for the side facing windows to be obscure glazed and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.
- 4.4.4 Floor to ceiling windows with Juliet balconies are proposed to the main living areas of the proposed development. These windows are proposed in the rear elevations and would give direct views over the application site. Whilst some views would be possible over the neighbouring property, these views would be oblique in nature..
- 4.4.5 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 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.
- 4.4.6 Therefore it is concluded that the proposal by virtue of the distance from the nearest dwellings, would not result in any significant impact, by virtue of overlooking, loss of light or loss of outlook, on the residential amenities of the occupiers of the neighbouring properties or the future occupiers of the site and that a high standard of amenity would be attained for all future and existing occupiers.
- 4.5. Access and Parking
- 4.5.1 Paragraph 109 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.5.2 The proposal would reuse the existing access which would lead to a small parking / turning area. The application would not create a new vehicle access as the existing site benefits from a well established vehicle access with good visibility. Staffordshire County Highways assessed the proposal and raised no objections in terms of highway safety.
- 4.5.3 The comments from the neighbours in respect of the safety of local children at peak times of the day are noted. To that end, the Highway Authority has recommended a condition requiring a Vehicle Management Plan to include details of vehicle movements for the demolition and construction phase of the

- development to avoid school travel times to be submitted to and approved by the Planning Authority.
- 4.5.4 The comments from the neighbours are noted in respect that the New Penkrige Road and surrounding roads are highly trafficked at certain times of the day in terms of traffic volumes and on street parking. Officers confirm that the planning application provides adequate parking provision within the site for the quantum of development. Staffordshire County Highways Officers were consulted on the safety implications of the proposal and raised no concern in this instance. 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.
- 4.5.5 Staffordshire County Highways have requested a condition for cycle store provision to be made at a rate of 1 space per flat.
- 4.5.6 Staffordshire County Highways have also recommended a condition for the control of vehicle movements associated with the demolition works. These could be incorporated into the construction management plan so that it includes the demolition phase of the development.
- 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 purpose or lead to a soakaway. In this instance, the proposal does include a replacement planting scheme to soften the impact of the hardstanding and to mitigate against the loss of two frontage trees.
- 4.6.2 Landscape Officers previously commented that the application was lacking in detailing. A condition has been recommended for such details to be provided where necessary.
- 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 involve a net increase in floors space and as such there is an established mechanism for collecting the SAC mitigation monies.
- 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 is via the existing foul drainage and a soakaway located under the proposed parking area to the front of the proposed building. It is further noted that the site immediately abuts a main road and is within 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.
- 4.9.2 In addition the increase in the area of hardstanding and building would be only marginal and insufficient to warrant a specific drainage condition in this instance
- 4.10. Waste and Recycling
- 4.10.1 All waste storage points must be positioned within 10m of an adopted metalled highway and at the same level. Communal bin stores must be designed to accommodate the number of bins required for the development and allow for good access, security and environmental screening.
- 4.10.2 The comments from the neighbour are noted in relation to the location of the bin store to the front of the property however, this is in compliance with the comments from Waste and Engineering Services. The final design of the bin store

has not been submitted for consideration; as such a condition has been recommended for the final design and appearance of the bin store/ collection point to be submitted to and approved in writing by the Planning Authority to ensure there is no detrimental impact to the neighbours or the wider street scene.

4.11 Previous reason for refusal

4.11.1 The previous proposal for a three storey building comprising of 9 apartments and associated parking and amenity. The application was refused for the following reason:-

"By virtue of its 3 storey design and the replacement of the green lawned front garden with an extensive area of hard landscaped car parking would result in harm to the verdant character of this mature suburban area to the detriment of the visual amenity of the area."

4.11.2 The current application has addressed the previous reason for refusal by virtue of the proposed scale being reduced from three storeys to two storeys. This reduction has resulted in the number of units proposed being reduced from nine to six and, as a consequence of this, a total reduction in the parking requirement which would allow the retention the majority of existing frontage to be retained.

4.11.3 As a consequence of the above, it is considered that the current application has addressed the previous reason for refusal and would not result in harm to the verdant character of this mature suburban area or as a consequence detrimental harm to the visual amenity of this area.

4.12 Objections received not already addressed above:

4.12.1 One objection suggested your Officers consult with the bus company Arriva to ascertain their views on the traffic issues within this area as they have already cancelled a bus route due to lack of manoeuvrability created as a result of on road parking. However, the Planning Authority do not have a statutory duty to consult with Arriva. The Planning Authority does however, have a statutory duty to consult with the County Highways Authority who, in this instance, raised no objection subject to conditions.

4.12.2 The current planning application should be considered based on the individual planning merits of the site. The landownership of the adjacent plot is not relevant to this application as the construction traffic would be the same regardless of who owned the sites. Your Officers confirm that both applications consulted with the Highway Authority in terms of highway safety and no objections were received.

- 4.12.3 Concerns were raised as some residents have already suffered the loss of services in respect of water and electric due to other construction works within New Penkridge Road, this may happen again. Whilst the loss of services is unfortunate, disruption as a consequence of building works is generally for a temporary period only and does not form a material consideration for the determination of the planning application.
- 4.12.4 The Authority are currently consulting on removing all school traffic attendants, which again raises concern for highway safety without the risk of this application being approved. Highway safety and a capacity issues have been considered by the Highway Authority which has no objections to the proposal.
- 4.12.5 Concerns were raised as some neighbours are led to believe that the landowner has also acquired a site on the opposite side of the road and wants to replicate the same form of development as currently proposed and this would result in even more traffic and disruption. Hearsay is not a material consideration for a planning application. If the applicant does own the opposite site and wishes to redevelop it in a similar nature to the current application this is something that will require planning permission and would be considered on its individual planning merits at the time any decision is made..
- 4.12.6 One objector raised concerns regarding the use of modern colourful cladding as not being in keeping with the area. There are several properties both new build and renovated properties within the wider area that benefit from the use of cladding. There is no dominant design or appearance of building within New Penkridge Road which results in a very varied street scene. Also, the use of cladding, like all materials, is subjective. Paragraph 130 of the NPPF states that where the design of a development accords with clear expectations in plan policies, design should not be used by the decision -maker as a valid reason to object to development. In this instance, the New Penkridge Road comprises of a varied street scene within which cladding already exists. Therefore the use of cladding in this instance is considered acceptable.
- 4.12.7 Neighbours have stated that it would appear that the construction vehicles will have access off Kilmorie Rd and have asked whether this could be confirmed as they still have reservations about the horse chestnut tree on their property of which roots and branches spread over the access to 124, and would be damaged by tall or heavy vehicles? The application site does not include the property off Kilmorie Road and therefore access by this means cannot be secured. The tree is covered and protected by a Tree Preservation Order and any damage could constitute a criminal offence. However, it is possible to undertake demolition / construction without damaging the tree and this could be controlled by the Construction Vehicle Management Plan.

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 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.

6.2 By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

6.3 It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

6.4 Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would make a neutral contribution towards the aim of the Equalities Act.

7.0 CONCLUSION

7.1 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 considered that having had regard to all relevant national and local policy the proposal is acceptable.