

Please ask for: Mrs. J. Hunt

Extension No: 4623

E-Mail: joannahunt@cannockchasedc.gov.uk

28 May 2024

Dear Councillor,

Planning Control Committee

3:00pm, Wednesday 5 June 2024

Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda. The meeting will commence at 3.00pm or at the conclusion of the site visits, whichever is the later. Members should note that the following site visits have been arranged: -

Application Number	Application Location and Description	Start Time
CH/24/0090	Hagley Park Farm, Jones Lane, Slitting Mill, Rugeley, WS15 2UJ: Outline application (all matters reserved) - construction of 4 detached residential properties on land to the west of Hagley Park Farm.	2:20pm

Members wishing to attend the site visits are requested to meet at Hagley Park Farm, Jones Lane, Slitting Mill, WS15 2UJ at 2:20pm as indicated on the enclosed plan. Please note that, following a risk assessment, Members undertaking site visits must wear full PPE or they will not be permitted on to the site. In this case, the PPE will constitute a hard hat, hi-vis vest, and safety footwear.

In addition, a **compulsory** training session has been arranged for **Tuesday 4 June 2024 at 2:00pm in the Council Chamber** for all Members of the Planning Control Committee and nominated substitutes.

Any newly appointed members of the Committee **must** attend a training session before they are able to take part in the business of the Committee.

Yours sincerely,



Tim Clegg
Chief Executive

To Councillors:

Fisher, P. (Chair)
Cartwright, S.M. (Vice-Chair)
Aston, J. Samuels, G.
Fitzgerald, A. Sutherland, M.
Jones, V. Thornley, S.
Lyons, N. Thornley, S.J.
Mawle, D. Wilson, L.
Prestwood, F.

Agenda

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 24 April 2024 (enclosed).

- 5. Members' Requests for Site Visits**

- 6. Report of the Planning Services Manager**

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

Details of planning applications can be accessed on the Council's website by visiting www.cannockchasedc.gov.uk/residents/planning and then clicking on the square marked 'Planning Applications'.

Site Visit Application

Application Number	Application Location and Description	Item Number
1. CH/24/0090	Hagley Park Farm, Jones Lane, Slitting Mill, Rugeley, WS15 2UJ: Outline application (all matters reserved) - construction of 4 detached residential properties on land to the west of Hagley Park Farm.	6.1 - 6.17

Planning Application

Application Number	Application Location and Description	Item Number
2. CH/24/051	Former Aelfgar School, Church Street, Rugeley: Reserved Matters application for the construction of up to 58 dwellings: layout, landscaping, external appearance and scale (following outline permission CH/21/0022).	6.18 - 6.43

7. Exclusion of the Public

The Chair to move:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Agenda

Part 2

8. Enforcement Case - ENF/23/009

Not for Publication Report of the Planning Services Manager (Item 8.1 - 8.6).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

9. Enforcement Case - ENF/23/046

Not for Publication Report of the Planning Services Manager (Item 9.1 - 9.8).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

10. Enforcement Case - ENF/24/007

Not for Publication Report of the Planning Services Manager (Item 10.1 - 10.6).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

Cannock Chase Council
Minutes of the Meeting of the
Planning Control Committee
Held on Wednesday 24 April 2024 at 3:00pm
In the Council Chamber, Civic Centre, Cannock

Part 1

Present:
Councillors

Fisher, P.A. (Chair)
Cartwright, S.M. (Vice-Chair)

Aston, J.	Mawle, D.
Fitzgerald, A.A.	Pearson, A.R.
Hoare, M.W.A.	Prestwood, F.
Jones, P.T.	Stanton, P. (Substitute)
Kenny, B.	Sutherland, M.
Kruskonjic, P.	Thornley, S.J.

105. Apologies

Apologies for absence were received from Councillors V. Jones and L. Wilson.

Notification had been received that Councillor P. Stanton would be substituting for Councillor Wilson.

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

None.

107. Disclosure of Details of Lobbying by Members

None.

108. Minutes

Resolved:

That the Minutes of the meeting held on 27 March 2024 be approved as a correct record.

109. Members Requests for Site Visits

Resolved:

That a site visit be undertaken in respect of application CH/24/107, 1 Fairmount Drive, Cannock, WS11 0DZ - erection of a detached 1 x 2 bed dwelling. The reason for the site visit was to assess any possible overdevelopment of the site.

(This was moved by Councillor S. Cartwright and seconded by Councillor A. Pearson).

110. Application CH/24/034, High Oak Cottage, Penkridge Bank Road, Rugeley, WS15 2UA - Proposed remodel of existing dwelling including single storey rear extension with balcony above, proposed single storey front porch extension with balcony above, proposed single storey side extension, various external changes throughout including refitting new outdoor kitchen area

Following a site visit consideration was given to the Report of the Planning Services Manager (Item 6.1 - 6.15) (*presented by the Senior Planning Officer*).

The Senior Planning Officer provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

The Chair confirmed that, as the speaker who was registered to speak was unavailable, Carl Croft could speak in his place. Prior to consideration of the application representations were made by Carl Croft, the applicants agent, speaking in support of the application.

Following the representations, Members asked a number of questions in relation to the issues raised by the speaker in respect of the size of the proposed extensions and alterations. Members agreed that this was a technical issue that required further investigation and clarification. The Chair proposed that the application be deferred to enable officers to investigate further and provide the Committee with clarification. This was seconded by Councillor S. Thornley. Following a vote deferrment was carried.

Resolved:

That the application be deferred to enable further investigation and clarification from planning officers and legal services in respect of the size of the proposed extensions and alterations.

111. Exclusion of Public

Resolved:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

Cannock Chase Council
Minutes of the Meeting of the
Planning Control Committee

Held on Wednesday 24 April 2024 at 3:00pm
In the Council Chamber, Civic Centre, Cannock

Part 2

112. Enforcement Case - ENF/24/026

Consideration was given to the Not for Publication report of the Planning Services Manager (Item 8.1 - 8.7) *(presented by the Enforcement Officer)*.

The Enforcement Officer provided a presentation to the Committee outlining the report.

Resolved:

- (A) That prior to the expiration of the Temporary Stop Notice, and for the reasons and justification given in this report, it is recommended that authorisation be granted to serve an Enforcement Notice under s 171A of the Town and Country Planning Act 1990, for the unauthorised material change of use of the premises for the sale of sexual services.
- (B) That should the terms of the Notice not be complied with in full by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s179 of the Act.

113. Enforcement Case - ENF/24/LM

Consideration was given to the Not for Publication report of the Planning Services Manager (Item 9.1 - 9.5) *(presented by the Enforcement Officer)*.

The Enforcement Officer provided a presentation to the Committee outlining the report.

Resolved:

That:

- (A) Prior to the expiration of the Temporary Stop Notice, and for the reasons and justification given in this report, it is recommended that authorisation be granted to serve an Enforcement Notice under s 171A of the Town and Country Planning Act 1990, for the unauthorised material change of use of the premises for the sale of sexual services.
- (B) Should the terms of the Notice not be complied with in full by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s179 of the Act.

114. Enforcement Case - ENF/23/122

Consideration was given to the Not for Publication report of the Planning Services Manager (Item 10.1 - 10.5) *(presented by the Enforcement Officer)*.

The Enforcement Officer provided a presentation to the Committee outlining the report.

Resolved:

That:

- (A) That for the reasons and justification given in this report, it is recommended that authorisation be granted to serve an Enforcement Notice under s215 of the Town and Country Planning Act 1990.
- (B) That should the terms of the Notice not be complied with authorisation be granted to initiate prosecution proceedings, under s216 of the Act.
- (C) That should the Notice be not complied with within the time specified on the Notice, authorisation be granted to enter the land and carry out the requisite works under s219 of the Act, should this be necessary.

115. Enforcement Case - ENF/21/160

Consideration was given to the Not for Publication report of the Planning Services Manager (Item 11.1 - 11.5) *(presented by the Enforcement Officer)*.

The Enforcement Officer provided a presentation to the Committee outlining the report.

Resolved:

That:

- (A) For the reasons and justification given in this report, it is recommended that authorisation be granted to serve an Enforcement Notice under s215 of the Town and Country Planning Act 1990 in respect of the untidy state of the land and dilapidated building.
- (B) Should the terms of the Notice not be complied in full by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s216 of the Act.
- (C) Should the Notice be not complied with, authorisation be granted to empower the Council to enter the land, carry out the work and recover the costs from the landowner, under s219 of the Act, should this be necessary.

Following this, the Chair thanked everyone for their support during the last 12 months and wished all Members the best of luck in the forthcoming local elections in May.

The meeting closed at 3:51pm.

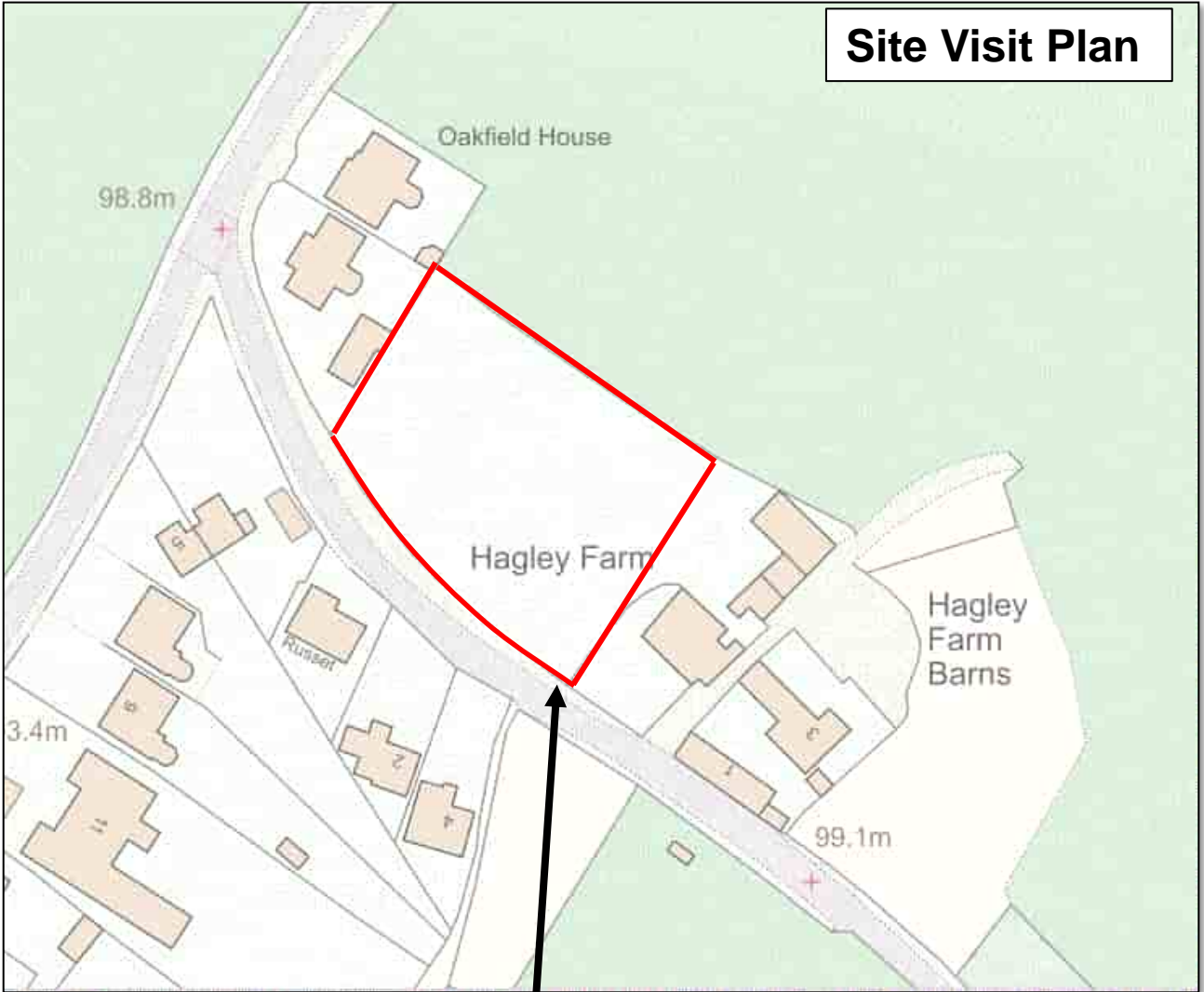
Chair



Application: CH/22/0090

Location: Hagley Park Farm, Jones lane, Slitting Mill, Rugeley, WS15 2UJ

Proposal: Outline application - all matters reserved - Construction of 4 detached residential properties on land to the West of Hagley Park Farm



Site Visit Plan

Site Meeting Point



Application: CH/22/0090

Item No. 6.1

Location: Hagley Park Farm, Jones lane, Slitting Mill, Rugeley, WS15 2UJ



Proposal: Outline application - all matters reserved - Construction of 4 detached residential properties on land to the West of Hagley Park Farm



Site Plan

Proposed Site Layout

Hagley Farm, Jones Lane,
Rugeley
WS15 2UJ

HFJL 01B Indicative Layout Plan_Outline
Scale - 1:500 @ A3



Contact Officer:	Helen Sherratt
Telephone No:	01543 462 621

<p>Planning Control Committee</p> <p>5 June 2024</p>
--

Application No:	CH/22/0090
Received:	04-Mar-2022
Location:	Hagley Park Farm, Jones Lane, Slitting Mill, Rugeley, WS15 2UJ
Parish:	Rugeley CP
Ward:	Etching Hill and The Heath
Description:	Outline application - all matters reserved - Construction of 4 detached residential properties on land to the West of Hagley Park Farm
Application Type:	Outline Planning Application

The application is being presented to Members due to 14no neighbour objections being received, on the grounds of loss of protected trees and existing habitats, highway safety concerns and loss of local character.

Recommendation: Approve, subject to conditions.

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and the National Planning Policy Framework.

Conditions (and Reasons for Conditions):

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

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

Reason:

To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.

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

Reason:

The permission is in principle only and does not authorise development to commence until all 'the reserved matters' have been approved. To ensure compliance with the requirements of Section 92 of the Town & Country Planning Act 1990.

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

HFJL OS1 Location Plan

HFJL 01C Indicative Layout Plan

Reason:

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

4. Prior to the commencement of the development, a Construction Environmental Method Statement shall be submitted for the written approval of the Local Planning Authority. The content of the CEMP shall include:

- details of site compound parking for site operatives and visitors,
- duration of works,
- wheel wash facilities.
- a sustainable link shall be demonstrated from the proposed access to the existing footway on Jones Lane surfaced in tarmac.
- the adoption and use of the best practicable means to reduce the effects of noise,
- effects of vibration,
- effects of dust and
- impacts of site lighting.

The development shall thereafter be carried out strictly in accordance with the approved details during the construction of the development.

Reason:

In the interest of highway safety and in the interests of the amenities of surrounding occupiers during the construction phase of the development.

5. Prior to the commencement of development (including ground works or vegetation clearance) a Precautionary Working Method Statement compiled by a suitably qualified and experienced ecologist detailing reasonable avoidance measures to be followed for reptiles during construction to avoid impacts to protected species shall be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out strictly in accordance with the approved details.

Reason:

To ensure the protection of reptiles and other wildlife.

6. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority.

The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/23 Bats and artificial lighting in the UK and Appendix G of the Preliminary Ecological Appraisal by Elite Ecology dated Sep 2023.

The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason:

To minimise disturbance to bats, which are European Protected Species

7. Notwithstanding the details provided within the Arboricultural Impact Assessment and Arboricultural Method Statement, revised details shall be submitted to and approved by the Local Planning Authority that reflect the layout amendment made to the indicative layout. The revisions shall include the retention of T1 and T2 as a consequence of the existing access into the site being utilised.

Thereafter, the development shall take place with the approved details and any recommendations set out within approved documents.

Reason

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

8. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until details for tree and hedge protection have been submitted to and approved by the Local Planning Authority.

Details shall include the position and construction of all fencing and the care & maintenance of the trees & hedges within.

Thereafter, the approved protective fencing shall be erected prior to first commencement and retained for the duration of the construction period.

Reason

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

9. The development hereby permitted shall not be occupied until its foul and surface water drainage systems have been completed and connected to the public sewerage system and a plan has been submitted to the local planning authority.

Thereafter, the approved scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:

To ensure the health and safety of the occupiers.

10. Construction activities and deliveries of construction materials to the site shall not take place outside of the hours of 08:00 hours to 18:00 hours Monday to Friday, 08:00 hours to 13:00 hours on Saturday and at no time on Sundays and Bank Holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping, Design and the NPPF.

11. 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.

Informative:

Notes to Developer:

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Right of Way

Any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the developer would need to apply to under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the application should be advised to read section 7 of DEFRA's Rights of Way Circular (01/09).

Consultations and Publicity

Internal Consultations

Development Plans and Policy Unit

The site is within the Settlement Boundary as identified on the Policies Map and the principle of development is therefore acceptable, subject to meeting the requirements of other Local Plan policies and the NPPF.

The site is not within the Green Belt or AONB and the proposal does not engage any policy within the Local Plan or the NPPF in respect to Green Belt. However, some regard should be given to the impact of the proposal on the setting of the AONB, given its close proximity.

Environmental Health

No objection subject to conditions and advisory notes.

Landscape comments

No objection, subject to additional information in respect of tree protection, Arboricultural Impact Assessment, and an Arboricultural Method Statement, of which will be required as part of a Reserved Matters application in respect of landscaping.

Ecologist comments

No objection subject to conditions.

Environmental health comments

No objection subject to conditions.

External Consultations

Rugeley Town Council

The site had a public rights of way through it which was popular with local walkers. Cllrs noted the objections made by local residents to the application. It was agreed to request a site visit by CCDC to understand the impact of the proposed development.

Landor Local History Society

Objection, due to the impact on the farmhouse.

Staffordshire Highway Authority

No objection subject to conditions.

Staffordshire Rights of Way

The application documents don't recognise the existence of Public Footpath No. 12 Rugeley Town which runs outside the western/south western boundary of the proposed development site, along Jones Lane.

Severn Trent Water Ltd

No objections.

Environment Agency

No comments.

Minerals Authority (SCC)

No objections/comments.

Response to Publicity

The application has been advertised by site notice and neighbour letter. 15no letters of representation have been received, 14no of which are written statements, 1no comprising photographs only and 4no letters containing the same comments. They are summarised as follows:

- Objectors raised concern in respect of the loss of protected trees and existing habitats and protected species, including bats and shrews.
- More traffic on an already narrow road.
- The applicant has previously removed visually important hedgerow at the site.
- The infill would destroy the visual amenity of the area.
- The scheme would destroy the character of the area.
- The existing right of way footpath across the site will not be adequately protected.
- The proposals will result in overlooking and loss of privacy for neighbouring occupiers.
- A responder questioned if the site is in Green Belt.
- Concerns were raised in respect of the height of properties.

Relevant Planning History

CH/89/0299: Residential Development (Outline) - Outline - Refuse, 05/24/1989

1 Site and Surroundings

- 1.1 The property in question is part of an agricultural holding known as Hagley Farm which is accessed via Jones Lane. The application site comprises of approx. 2545 sq.m and it is roughly rectangular in shape.

- 1.2 The site is bounded by hedgerow to the south, fronting Jones' Lane with 7no protected trees, with open agricultural land to the north. Land levels to the north are higher in comparison to the application site. An existing access is located at the south-eastern corner of the site, with a Public Right of Way footpath running along the eastern site boundary.
- 1.3 The application site sits to the northern side of Jones Lane which serves an existing 9no dwellings, with 2no dwellings recently being granted to the rear of the adjacent farmhouse (planning consent ref. CH/22/0106).
- 1.4 The application site lies adjacent to but not within the Green Belt (boundary to the rear of the site). It also lies within a Acquifer Protection Zone, Mineral Consultation Area and is defined as being within a Low Risk Area by the Coal Authority. The application site is located within the Slittingmill Settlement Boundary as designated within the Local Plan.

2 Proposal

- 2.1 The applicant is seeking consent for outline permission with all matters reserved for the construction of 4no detached residential properties on land to the West of Hagley Park Farm.
- 2.2 The indicative site layout plan and accompanying Design and Access Statement sets out that the new dwellings will be 4no bedroom properties with garages, matching the height of the adjacent farmhouse and outbuildings.
- 2.3 Access is to be taken from Jones Lane to the south, to the east of a group of protected trees. A single access point is proposed to serve the 4no dwellings however this would utilise an existing access.

3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).
- 3.3 Relevant Policies within the Local Plan Include:
 - CP1: - Strategy – the Strategic Approach
 - CP3: - Chase Shaping – Design
 - CP5: - Social Inclusion and Healthy Living
 - CP9: - A Balanced Economy
 - CP11: - Centres Hierarchy
 - CP12: - Biodiversity and Geodiversity
 - CP13: - Cannock Chase Special Area of Conservation (SAC)
 - CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
 - CP15: - Historic Environment
 - CP16: - Climate Change and Sustainable Resource Use

3.3 The policies within the Minerals Plan are:

Policy 3.2 – Safeguarding Minerals

3.5 Relevant paragraphs within the NPPF include paragraphs: -

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
126, 130, 134:	Achieving Well-Designed Places
174 & 176	Conserving and Enhancing the Natural Environment
179-182	Habitats and biodiversity
183-185	Ground Conditions & Pollution
218, 219	Implementation

3.9 Other relevant documents include: -

- 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 proposed development include:

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Impact on highway safety.
- v) Impact on nature conservation
- vi) Drainage and flood risk
- vii) Mineral safeguarding
- viii) Waste and recycling facilities
- ix) Ground conditions and contamination

4.2 Principle of the Development

4.2.1 Both paragraph 11 of the NPPF (2021) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

4.2.2 The presumption in favour of sustainable development as set out in paragraph 11 of the NPPF states: -

'For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay.

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
- (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.'

4.2.3 The starting point of the assessment is therefore whether the proposal is in

accordance with the development Plan and whether that plan is up to date. In that respect it is noted that Policy CP1 of the Local Plan states: -

"In Cannock Chase District the focus of investment and regeneration will be in existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and the green infrastructure of the District. The urban areas will accommodate most of the District's new housing and employment development, distributed broadly in proportion to the existing scale of settlement."

4.2.4 Other than the above general strategic approach there are no relevant policies within the Local Plan in respect to the approach to be taken with regard to the development of wind-fall sites. As such the proposal falls to be determined in accordance with the tests set out in subsection (d) (i) or (ii) of paragraph 11 of the NPPF show above.

4.2.5 Officer note that planning application reference CH/89/0299 proposed residential development at the site (outline). The application was refused in 1989 due the proposal comprising inappropriate development within the Green Belt (amongst other reasons). To clarify, the application site is **not within the Green Belt**, as confirmed within the consultation response received from the Planning Policy team (above). The Policy Officer has further confirmed that the 1997 Local Plan Map also showed the land as being outside the Green Belt Boundary. As such, Officers confirm that since 1997 the land subject to this planning application has not fallen within land designate as Green Belt. Both the 1997 Plan and the 2014 Plan were Examined and agreed with a Government Planning Inspector in terms of the current position of the Green Belt boundary.

The application site is not designated as SSSI or SAC, nor does it contain a listed building or conservation area or affect the setting of a designated heritage asset; nor is it located within flood zones 2 or 3.

4.2.6 Notwithstanding the above, Policy CP6 of the Cannock Chase Local Plan states that housing proposals within defined settlement boundaries shall be limited to small infill sites which accord with sustainable development principles outlined within the NPPF and the strategic approach defined within Policy CP1 and other Local Plan Policies as appropriate. In this instance, the application site relates to a small infill site which lies within the Slitting Mill Settlement Boundary.

4.2.7 The aim of Policy CP6 is to protect the landscape character of the location and provide development within sustainable locations. The impact on the landscape character will be considered within the body of the report.

4.2.8 In respect to the location of the site it is within a sustainable location, close to the schools and served by bus routes giving access by public transport. As such the site has good access by public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development.

4.2.9 The next part of the report will consider the impacts of the proposal on acknowledged interests to determine whether, if approved, there are any adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

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

4.3.1 Given the outline nature of the application, limited detail is provided with regards to the appearance of the development. Notwithstanding, it is reasonable to assume the development would at most be two storeys (in line with the adjacent farmhouse), and the general conclusions that the location is not particularly prominent from wider vantage points due to local topography and notwithstanding the adjacent public footpath.

4.3.2 The proposed development proposes a, high quality scheme of 4 residential dwellings set back from the adjacent highway behind a landscaped buffer and set within spacious individual plots with rear gardens. The proposed layout, whilst indicative, would replicate the grain of development of the immediate surrounding area.

4.3.3 Therefore, having had regard to Policy CP3 of the Local Plan and the above-mentioned paragraphs of the NPPF it is considered that the proposal at this outline stage, would be well-related to existing buildings and their surroundings, is capable of being visually attractive such that it would be acceptable in respect to its impact on the character and appearance of the area.

4.4 Impact on Residential Amenity

4.4.1 A range of respondents raise the issue of the loss of the quiet enjoyment of their gardens and privacy impacts if the development was to go ahead. In relation to this Officers assess that the predicted vehicle movements per day from 4no dwellings would not be a significant number and that noise impacts generally from construction are temporary in nature and capable of being controlled by condition. Any noise generated following construction would be reflective of a family dwelling similar to the noise created from the neighbouring properties.

4.4.2 Concerns have been raised in respect of the relationship between the northernmost new dwelling and no. 1 Jones Lane to the west. Whilst noted, this is of sufficient distance from the new dwelling and will face side on to the new property. Whilst indicative elevational drawings have not been provided at this stage, it would be appropriate for the western elevation of plot one to contain no side facing windows or obscure glazed ones if necessary. This would however be considered at the reserved Matter stage following the grant of outline permission.

4.4.3 Properties to the south of the site, fronting Jones Lane, face the application site at a distance of approximately 15 metres and are screened by the existing mature frontage trees, the majority of which are to be retained. As such, given the sufficient distance and screening, the development proposal has no impact on properties to the south, in respect of amenity.

4.4.4 Given the above, and subject to the recommended conditions, it is considered that the proposal would, on balance, not cause any significant detrimental impact upon amenity to the occupiers of the neighbouring units. The proposal is therefore considered acceptable in accordance with Local Plan Policy CP3 and the NPPF.

4.5 Arboricultural Considerations

4.5.1 Neighbours have raised concerns that the proposals do not consider trees adequately within the submissions and the potential loss of the protected trees and existing habitats. A number of protected trees lie at the site's southern boundary fronting Jones Lane. The trees to the frontage would be retained as part of the proposal as the access to the proposed dwellings would be via the existing access and thereafter a single shared drive that serves the four dwellings.

4.5.2 The Council's Landscape Officer has confirmed that the principle of the proposal is acceptable but has requested a number of the submitted documents are updated. A condition to secure this has been imposed.

4.5.3 The Landscape Officer has requested additional ecological information, however as the Council's Ecology Officer is satisfied with the proposals, subject to appropriate planning conditions, this is not considered to be necessary.

4.5.4 The neighbours' comments in regard to the removal of the hedgerow along the rear boundary are noted. The loss of this hedgerow is unfortunate however landscape details will be required as part of any forthcoming Reserved Matters application and Officers could seek a replacement hedge within. As such, the scheme is considered to be in accordance with the provision of CP12 of the Local Plan and relevant paragraphs contained within the NPPF.

4.6 Impact on Highway Safety

4.6.1 Paragraph 115 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.

4.6.2 The Council's Parking Standards require a minimum of three off street parking spaces for dwellings with four or more bedrooms as a maximum standard. Officers see no reason these parking standards would not be met within the development.

4.6.3 As the County Highway Authority, Staffordshire County Council were consulted on this application. They have considered the access solution to utilise the existing access point as a single vehicular access to the site, and the County Council are satisfied this is an appropriate solution and raise no objections to the development in regard to highway safety. Officers do not seek to dispute this.

4.6.4 Given the above, it is concluded that, subject to the attached conditions the proposal would not lead to unacceptable impacts on highway safety and that the residual cumulative impacts on the road network would not be severe. As such the proposal would accord with the broad thrust of Policy CP10 of the Local Plan and Paragraph 115 of the NPPF.

4.7.1 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 are given special protection, or which are of particular conservation interest. Furthermore, no substantial evidence has been presented to demonstrate that any such species or habitat exists on the site. The comments from the neighbours in this regard, however, are noted.

4.7.2 The Council's Ecologist has confirmed that there are no ponds within 250m of the site, although the Precautionary Ecological Assessment (PEA) identifies that there are two ditches and one stream within 500m of the site. Notwithstanding this, when taking into account the distances from the ditches, the size of the development site and the habitats within the site, the risk of impacting great crested newt is considered highly unlikely. Therefore, the Council's Ecologist does not consider that further surveys/investigations for the likely presence of this species is required.

4.7.3 The PEA also identifies that the development site has the potential to support reptiles, which are protected from intentional killing and injury under the Wildlife & Countryside Act, however the Council's Ecologist has confirmed that only small areas on the site peripheries were assessed as suitable, and therefore the site is unlikely to support notable populations of reptiles. For completeness a condition for a Precautionary Working Method Statement has been recommended and secured via condition in this regard.

4.7.4 Further, a planning condition requiring the submission of a lighting plan has been imposed in order to minimise any impact upon the migratory behaviour of protected species within or near to the application site.

4.7.5 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) 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 and would be calculated at the RM stage.

4.7.6 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. With the opportunities for bat box provision, bird box provision, hedgehog corridors and new and retained landscaping, the proposal would provide opportunities to enhance nature conservation. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.8 Drainage and Flood Risk

4.8.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps. Policy in respect to drainage and flood risk is provided by 165-175 of the NPPF. Of particular note is paragraph 173 which states:

'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere'.

4.8.2 In this respect the applicant has stated that foul water will be disposed to mains drains and that surface water would be taken to soakaway. There is no evidence to suggest that in principle these systems of discharge would be inappropriate, particularly given the size of the site and its location within an urban area with access to sewerage infrastructure.

4.8.3 Severn Trent was consulted on the application and raised no objections. As such, the development would not be liable to flooding and that an adequate means of disposal of foul and surface water can be achieved.

4.9 Mineral Safeguarding

4.9.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 209, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.9.2 The advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.

4.9.3 As such, the proposal would not prejudice the aims of the Minerals Local Plan.

4.10 Ground Conditions and Contamination

4.10.1 The site is located in a general area which the Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application, and it is advised that any risk can be managed by the attachment of an advisory note to any permission granted.

4.10.2 Paragraphs 189-194 of the NPPF seek to ensure new development is suitable for the proposed use considering ground conditions and any risks arising from land instability and contamination.

4.10.3 The Council Environmental Health Officer was consulted on the application and raised no objection to the proposal subject to conditions. As such, the proposal is considered to accord with the requirements of the NPPF and Policy CP16 of the Cannock Chase Local Plan, subject to the recommended conditions.

4.11 Affordable Housing

4.11.1 Under Policy CP2 the proposal would be required to provide a contribution towards affordable housing. In this instance however, the application is for 4 units and the site area is well under 0.5Ha, therefore the proposal falls outside the thresholds for affordable housing contributions.

4.11.2 As such, it is considered on balance that the proposal is acceptable without a contribution towards affordable housing.

4.12 Other matters not already covered above

4.12.1 Neighbour objections and comments received from the Landor Society allude to the loss of the adjacent farmhouse. Whilst noted, to clarify the development proposals do not include the demolition or any works to the farmhouse to the west and so comments received in respect of this are not considered to be relevant in the determination of this application.

4.12.2 Neighbour concerns in respect of the loss of views provided to countryside from Jones Lane beyond the site are noted. However, the loss of views across third party land is not a material consideration for the determination of this application. Notwithstanding,

5 Human Rights Act 1998 and Equality Act 2010
--

Human Rights Act 1998

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.

Equality Act 2010

5.2 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.

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.

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

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 Equality Act.

6 Conclusion

- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that, on balance, the proposal, subject to the attached conditions, would not result in any significant harm to acknowledged interests and is therefore considered to be in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions.



Application: CH/24/051

Location: Former Aelfgar School, Church Street, Rugeley

Proposal: Reserved Matters for the construction of up to 58 dwellings:- layout, landscaping, external appearance and scale following outline permission CH/21/0022



Location Plan

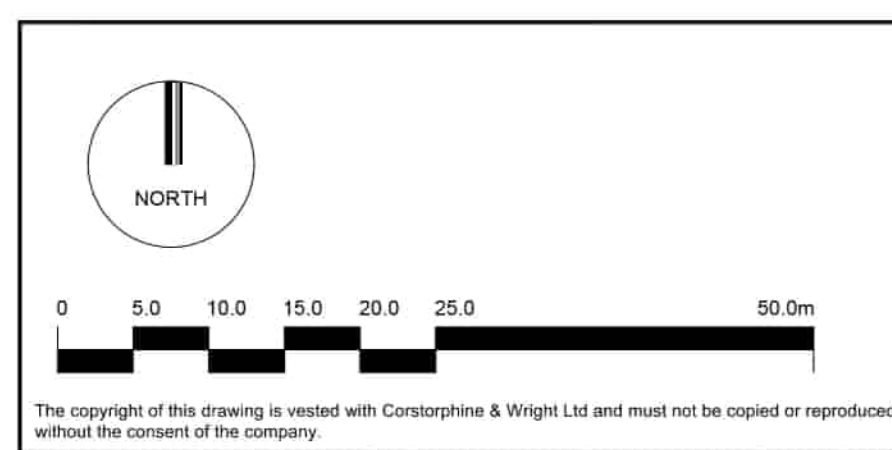


SCHEDULE OF ACCOMODATION			
OPEN MARKET	area(sqft)	no.units	total area(sqft)
gove - 2 bed, 2 storey	763	6	4,578
lambourne - 3 bed, 2 storey	859	5	4,295
leaside - 3 bed, 2 storey	898	5	4,490
newbury - 3 bed, 2 storey	1016	2	2,032
puttenham - 3 bed, 2 storey	1016	3	3,048
eaton - 4 bed, 2.5 storey	1209	2	2,418
stockwood - 4 bed, 2 storey	1261	3	3,783
richmond - 4 bed, 2 storey	1438	3	4,314
open market total:		29	28,958

AFFORDABLE			
	area(sqft)	no.units	total area(sqft)
henbury+ - 2 bed, 2 storey	848	15	12,720
lightcliffe+ - 3 bed, 2 storey	961	6	5,766
newbury+ - 3 bed, 2 storey	1016	6	6,096
ramsay+ - 4 bed, 2 storey	1130	2	2,260
affordable total:		29	26,842
overall total:		58	55,800

SITE AREA		
	hectares	acres
site area (gross):	1.94	4.79
site area (net):	1.54	3.81
density (plots / net area):	37.66	15.22
coverage (ft ² / net area):	36,234	14,646

- Site Boundary
- * Affordable units
- Existing Cat A trees
- Existing Cat B trees
- Existing Cat C trees
- Existing Root Protection Areas
- Existing trees to be removed
- Proposed new tree planting
- BCP - Bin Collection Points
- Rotary Dryers
- Refuse Storage
- Maintenance Access Barrier
- ... Retractable Bollards



Rev.	Description	Date	Drw.	Chk.
10	Minor amendments made to layout in co-ordination with Client comments.	07.12.23	AW	LL
09	Minor amendments made to layout in co-ordination with LPA and Client comments.	23.11.23	AW	LL
08	Access Barriers added to private drives for fire access from Taylor's Lane. Plots 18/19 and 44/45 repositioned to increase back to back distance. Parking spaces for Almshouses as 'AH' not 'V'.	06.10.23	AW	LL
07	Amendments made to layout and accommodation in line with Planning Officer's comments received on 22.09.2023.	27.09.23	AW	LL
06	Rotary dryers removed from open market dwellings. Brick pillars added to refurbished railings at northern site entrances. Additional layout amendments carried out as per Client's request.	13.09.23	AW	LL
05	Layout amended to suit client's comments.	08.09.23	AW	LL
04	Layout and Acc. Schedule amended to suit alterations to all house types. Rear Garden Footpaths, refuse storage/collection and rotary dryers shown on plan.	04.09.23	AW	LL
03	1 x Footpath to northern corner of the site added along boundary - 1 x added adjacent plot 58.	28.06.23	AW	LL
02	Layout amended to suit Client's comments. Schedule of Accommodation altered.	12.06.23	AW	LL
01	Red line boundary updated in accordance with Outline consent	24.05.23	LL	LL

Client
LOVELL HOMES

Project
AELFGAR SITE, CHURCH STREET RUGELEY

Drawing Title
PROPOSED SITE LAYOUT

Drawing Status
PLANNING

Corstorphine & Wright
Stourbridge Studio
The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH
01384 909 850
corstorphine-wright.com

Drawing No.
22690-301

Revision
10

Date
APRIL 2023

Drawn
AW

Checked
LL

Paper Size
A1

Scale
1:500



Street Scene A-A



Street Scene B-B



Key Plan (scale 1:1250)



Street Scene C-C

	<p>05 First floor window heights amended in accordance to Client comments. 12.02.24 AW LL</p> <p>04 Railings added to Plot 46 on street scene B-B. 18.01.2024 AW LL</p> <p>03 Drawing amended to suit Client's comments. 15.01.2024 AW LL</p> <p>02 Streetscenes updated to suit Drawing 22690-301-10 07.12.23 AW LL</p> <p>01 Streetscenes updated to suit Drawing 22690-301-02 12.06.23 AW LL</p> <p>Rev. Description Date Dwn. Chk.</p>	<p>Client LOVELL HOMES</p> <p>Project AELFGAR SITE, CHURCH STREET RUGELEY</p> <p>Drawing Title PROPOSED STREET SCENES</p> <p>Drawing Status PLANNING</p>	<p>Corstorphine & Wright</p> <p>Stourbridge Studio The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH 01384 909 850 corstorphine-wright.com</p>	<p>Drawing No. 22690-319</p>	<p>Revision 05</p>
				<p>Drawn AW</p>	<p>Checked LL</p>



KEY:

- 1.8m high brick screen wall
- 0.9m high brick dwarf wall
- 1.8m high close boarded fence
- 1.8m high close boarded fence (to Lion Street boundary)
- Metal railings
- 1.2m high metal railings with flat square top
- Low level opening gate
- Collapsible Bollards (emergency use)

TYPICAL BOUNDARY TREATMENTS:



Brick screen wall



Brick dwarf wall



Close board fencing



Metal railings



Low level opening gate



Metal railings with flat square top



Collapsible bollard



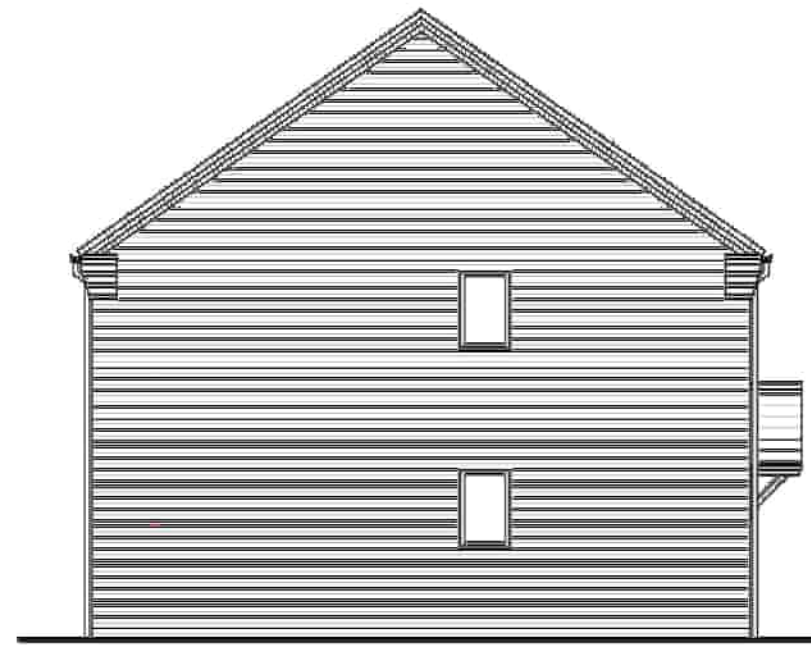
Rev	Description	Date	Drw	Chk
06	Updates made to layout in accordance with comments from CCDC.	12.02.24	AW	LL
05	Layout updated to suit Client's comments.	18.01.24	AW	LL
04	Panel fencing removed and replaced with close board fencing throughout proposed development.	15.01.24	AW	LL
03	Drawing updated to suit Dwg 22690-301-10	07.12.23	AW	LL
02	Drawing updated to suit Dwg 22690-301-03	29.06.23	AW	LL
01	Drawing updated to suit Dwg 22690-301-02	14.06.23	AW	LL

Client LOVELL HOMES		Corstorphine & Wright Stourbridge Studio The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH 01384 909 850 corstorphine-wright.com	
Project AELFGAR SITE, CHURCH STREET RUGELEY			
Drawing Title PROPOSED BOUNDARY TREATMENT PLAN		Drawing No. 22690-321	Revision 06
Drawing Status PLANNING		Drawn AW	Checked LL
		Paper Size A1	Scale 1:500
		Date APRIL 2023	

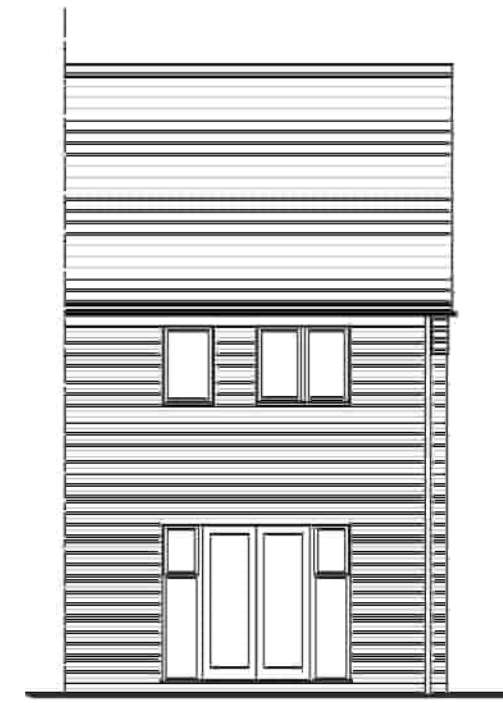
Plot Numbers:
 A8 - 41
 Opp - 43
 Mid terrace (A8) - 42



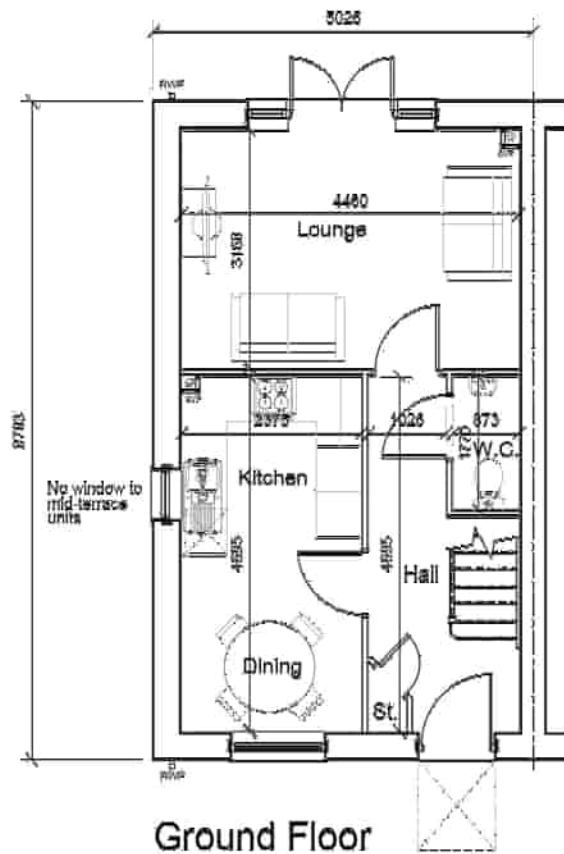
Front Elevation



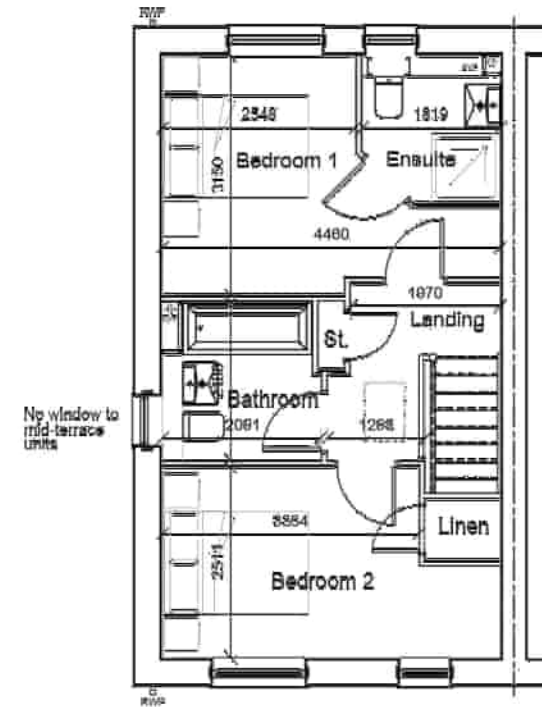
Side Elevation



Rear Elevation



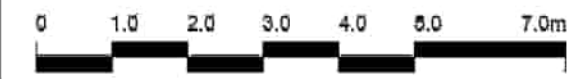
Ground Floor



First Floor

Floor Area: 763 ft²

00	First floor window heights amended in accordance to Client comments.	12.03.21	AW	LL
02	External dimensions amended to suit increase of cavity insulation - no change to floor area. Plot numbers amended. Internal dimensions added to floor plans. Canopy changed to pitched roof type.	01.11.23	AW	LL
01	Updated in accordance to Client comments.	12.06.23	PJP	LL
Rev.	Drawn	Des	Drw	Shd



The copyright of this drawing is vested with Corstorphine & Wright Ltd and must not be copied or reproduced without the consent of the company.

Client
 LOVELL HOMES
 Project
 AELFGAR SITE
 CHURCH STREET, RUGELEY
 Drawing Title
 HOUSE TYPE GOVE
 (OPEN MARKET)
 Drawing Status
 PLANNING

Corstorphine & Wright

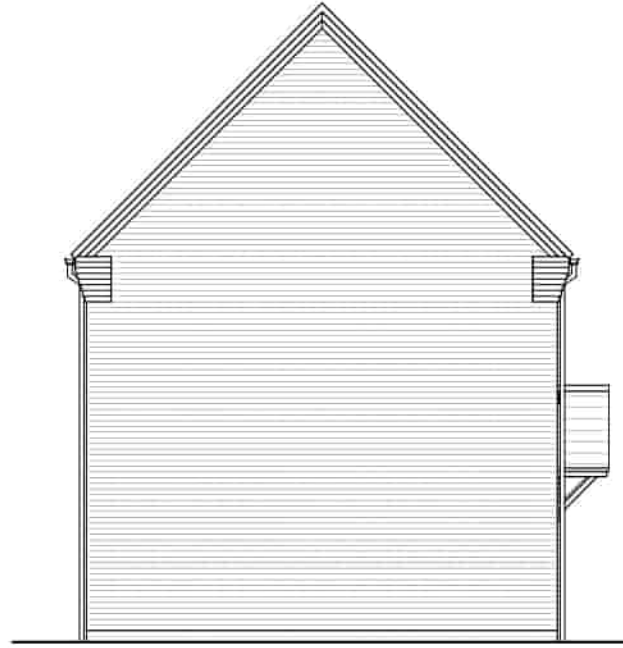
Stourbridge Studio
 The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH
 01824 509 600

Drawing No. 22690-302				Revision 03
Drawn LL	Checked LL	Paper Size A3	Scale 1:100	Date APRIL 2023

Plot Numbers:
As - 48
Opp - 49



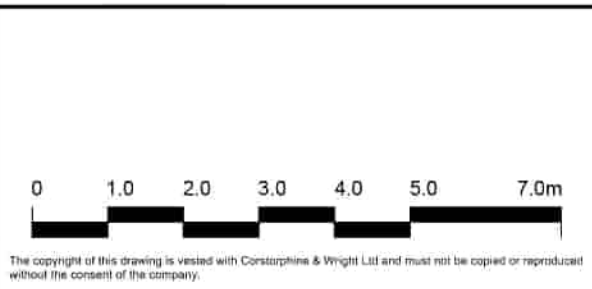
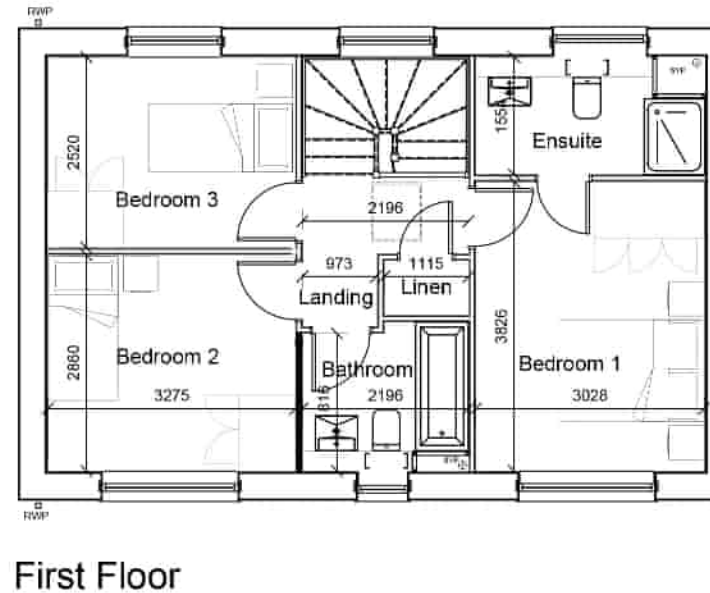
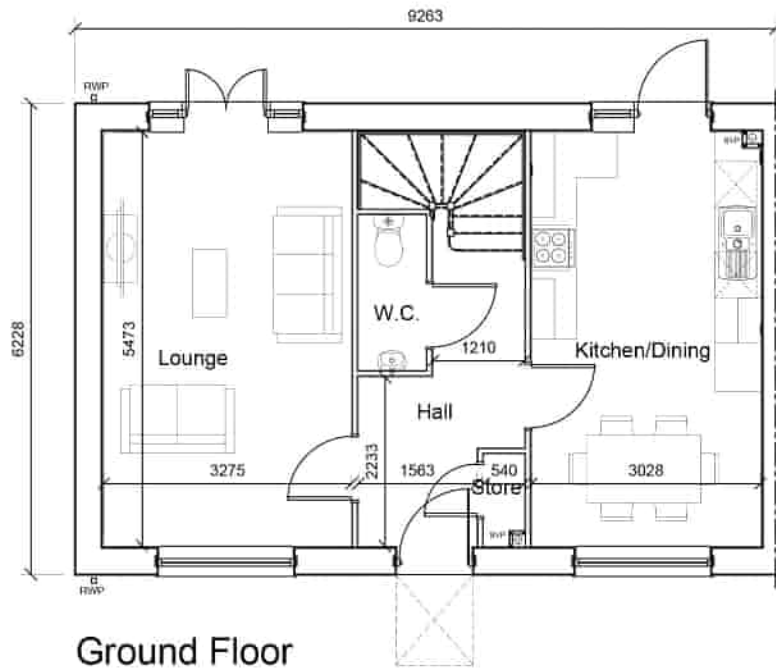
Front Elevation



Side Elevation



Rear Elevation



Rev	Description	Date	Drw	CHK
02	First floor window heights amended in accordance to Client comments.	12.02.24	AW	LL
01	Brick header details amended.	15.01.2024	AW	LL

Floor Area: 1013 ft²

Client
LOVELL HOMES

Project
AELFGAR SITE
CHURCH STREET, RUGELEY

Drawing Title
HOUSE TYPE PUTTENHAM
(OPEN MARKET)

Drawing Status
PLANNING

Corstorphine & Wright

Stourbridge Studio
The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH
01384 909 850

corstorphine-wright.com

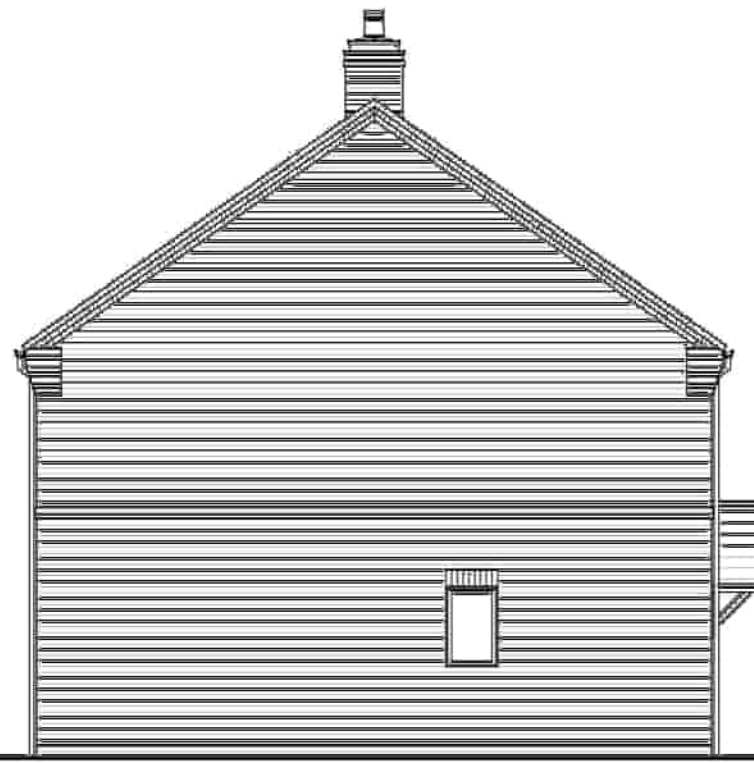
Drawing No. 22690-324

Drawn	Checked	Paper Size	Scale	Date	Revision
AW	LL	A3	1:100	OCT 2023	02

Plot Numbers:
A9 - 12



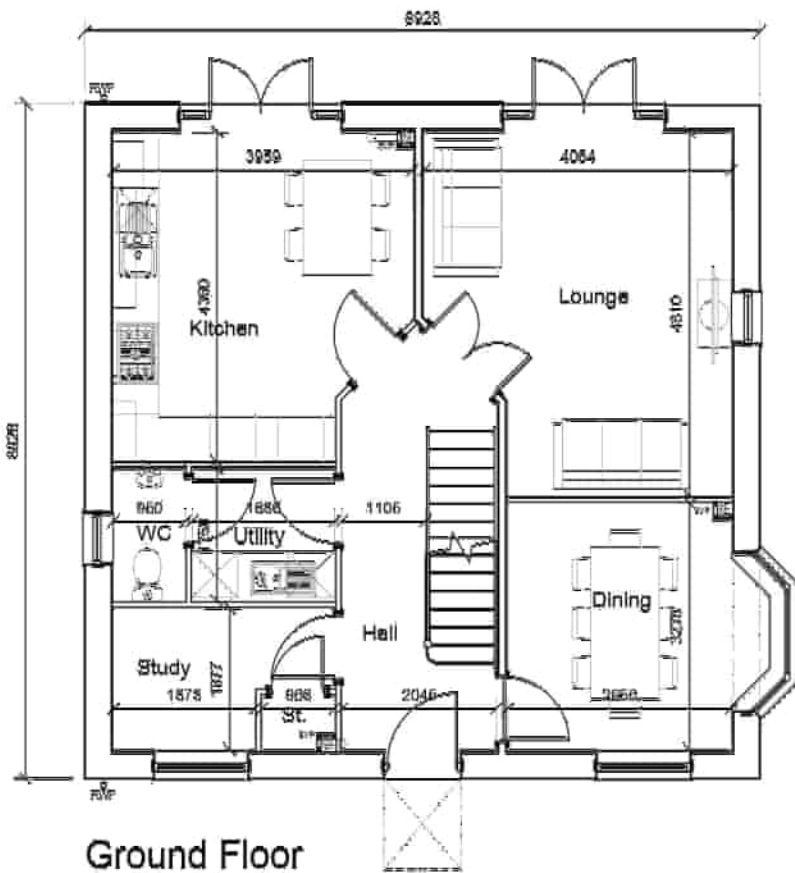
Front Elevation



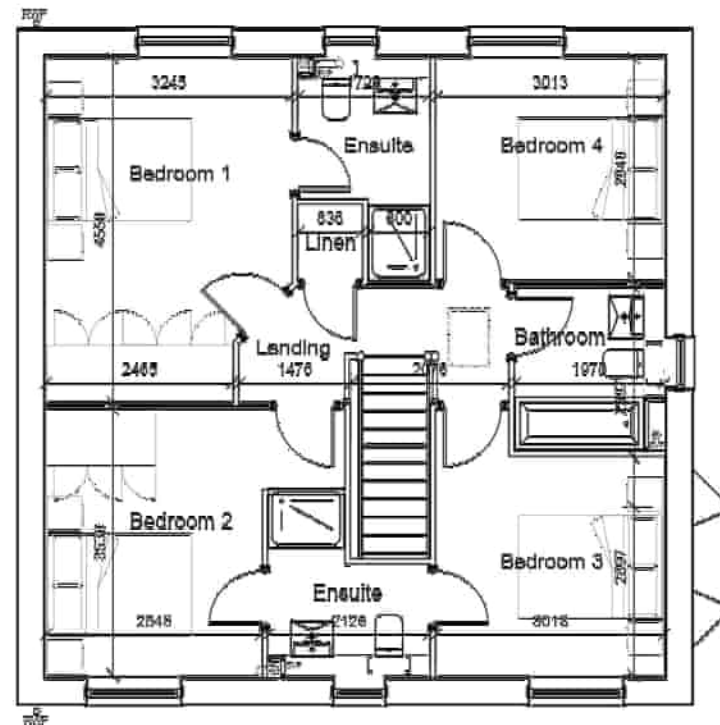
Side Elevation



Rear Elevation



Ground Floor

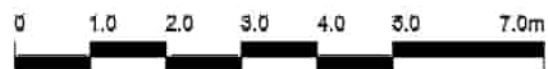


First Floor



Side Elevation

Floor Area: 1438 ft²



03	External dimensions amended to suit increase of cavity insulation - no change to floor area. Plot numbers	01.11.23	AW	LL
01	Revised. Internal dimensions added to Floor Plans. Updated in accordance to Client comments	14.06.23	FJP	LL
Rev.	Description	Date	Draw.	Chk.

Client
LOVELL HOMES

Project
AELFGAR SITE
CHURCH STREET, RUGELEY

Drawing Title
HOUSE TYPE RICHMOND
(OPEN MARKET)

Drawing Status
PLANNING

Corstorphine & Wright

Stourbridge Studio
The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1GH
01824 805 692

corstorphine-wright.com

Drawing No. 22690-312				Revision 02
Drawn LL	Checked LL	Paper Size A3	Scale 1:100	Date APRIL 2023

The copyright of this drawing is vested with Corstorphine & Wright Ltd and shall not be copied or reproduced without the consent of the company.



Front Elevation



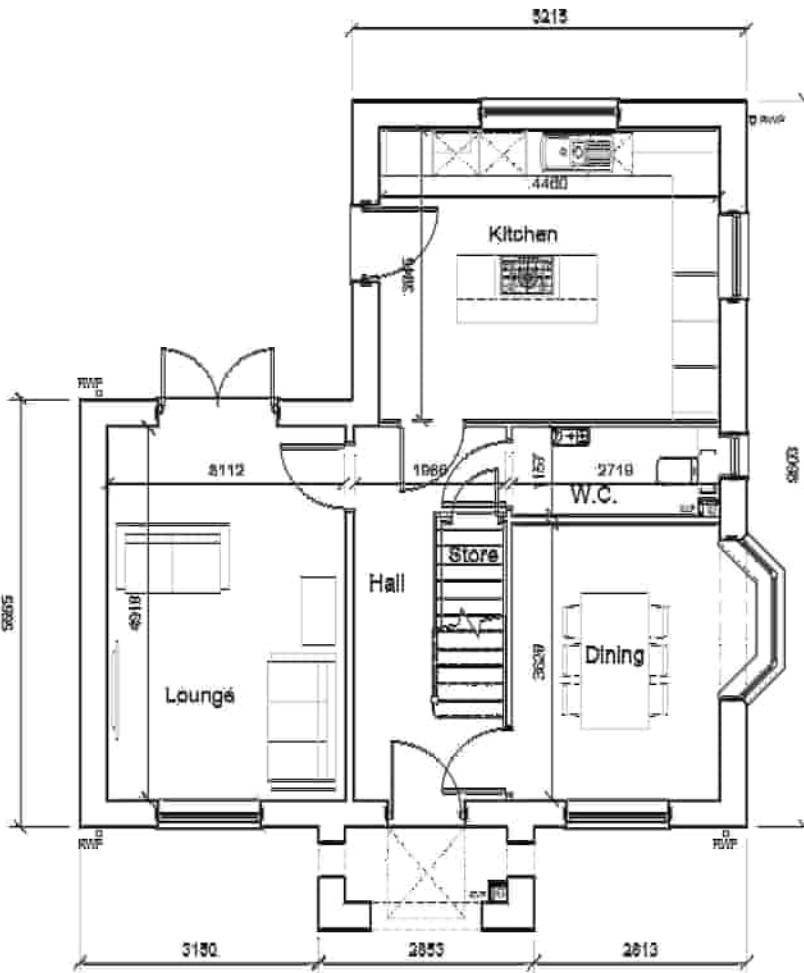
Side Elevation



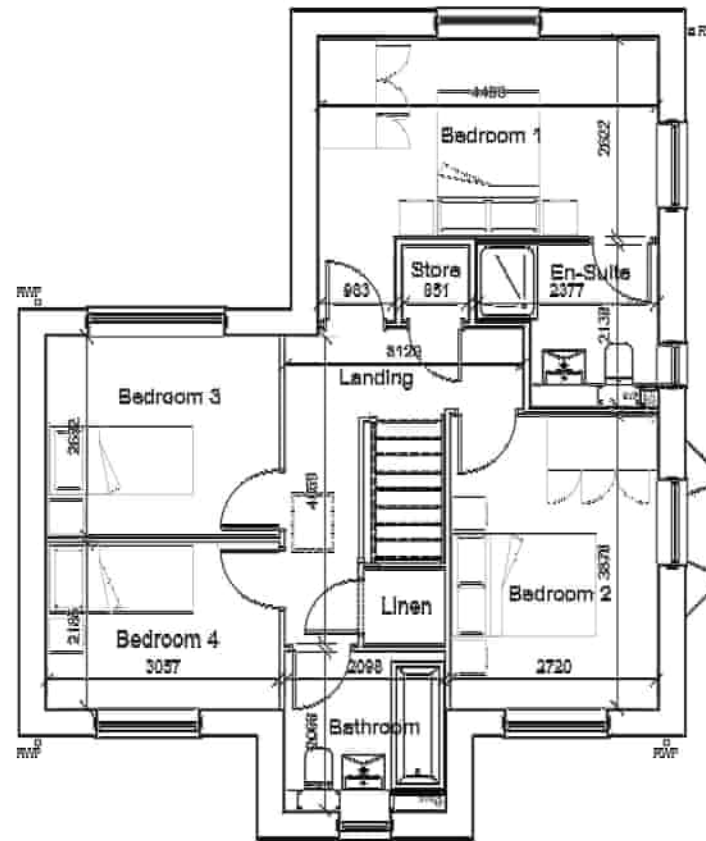
Rear Elevation

Plot Numbers:
As - 30
Opp - 1 & 13

Note:
Alternate elevation treatments are used for this house type. Please refer to Dwg 22690-320-04 for locations.



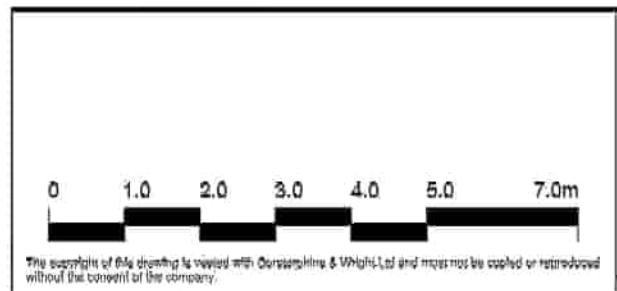
Ground Floor



First Floor



Side Elevation



02	First floor window heights amended in accordance to Client comments.	12.02.24	AW	LL
01	External dimensions amended to suit increase of cavity insulation - no change to floor area. Plot numbers amended. Internal dimensions added to Floor Plans. Brick banding above canopy introduced.	04.11.23	AW	LL
Rev.	Description	Date	Rev.	Chg.

Floor Area: 1261 ft²

Client: **LOVELL HOMES**

Project: **AELFGAR SITE, CHURCH STREET, RUGELEY**

Drawing Title: **HOUSE TYPE STOCKWOOD (OPEN MARKET)**

Drawing Status: **PLANNING**

Corstorphine & Wright

Stourbridge Studio
The Old Library, Hagley Road, Stourbridge, West Midlands, DY8 1QH
01924 909 880
corstorphine-wright.com

Drawing No: **22690-310** Revision: **02**

Drawn: LL	Checked: LL	Paper Size: A3	Scale: 1:100	Date: APRIL 2023
-----------	-------------	----------------	--------------	------------------

Planning Control Committee

5 June 2024

Application No:	CH/24/051
Received:	26 th February 2024
Location:	Former Aelfgar School, Church Street, Rugeley
Parish:	Rugeley CP
Ward:	Western Springs
Description:	Reserved Matters Application for the construction of up to 58 dwellings:- layout, landscaping, external appearance, and scale following outline permission CH/21/0022
Application Type:	Reserved Matters

The application is being presented to Members as Cannock Chase District Council has an interest in the site and will be in control of the affordable housing delivered, in the instance that planning permission is granted.

RECOMMENDATION: Approve, subject to conditions

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and the National Planning Policy Framework.

Conditions (and Reasons for Conditions):

1. This approval of Reserved Matters is granted in respect of Outline permission CH/21/0022 and the development hereby approved shall comply in all respects with the terms of that permission and the conditions imposed on it.

Reason:

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 22690-334-02 House Types Lightcliffe Plus and Newbury Plus Elevations
 - 22690-333-00 House Types Lightcliffe Plus and Newbury Plus Plans
 - 22690-330-04 House Type Ramsay Plus
 - 22690-329-03 House Types Henbury Plus and Newbury Plus Elevations
 - 22690-328-02 House Types Henbury Plus and Newbury Plus Plans

- 22690-327-04 House Type Newbury Plus
- 22690-326-03 House Type Lightcliffe Plus
- 22690-325-04 House Type Henbury Plus
- 22690-332-02 House Types Puttenham and Leaside Elevations
- 22690-331-01 House Types Puttenham and Leaside Plans
- 22690-324-02 House Type Puttenham
- 22690-323-02 House Types Lambourne and Leaside Elevations
- 22690-322-00 House Types Lambourne and Leaside Plans
- 22690-321-06 Proposed Boundary Treatment Plan
- 22690-320-05 Proposed Materials Plan
- 22690-319-05 Proposed Street Scenes
- 22690-312-03 House Type Richmond
- 22690-311-03 House Type Richmond
- 22690-310-02 House Type Stockwood
- 22690-309-03 House Type Eaton Elevations
- 22690-308-03 House Type Eaton Plans
- 22690-307-04 House Type Newbury
- 22690-306-04 House Types Gove and Leaside Elevations
- 22690-305-02 House Types Gove and Leaside Plans
- 22690-303-04 House Type Lambourne
- 22690-302-03 House Type Gove
- 22690-301-10 Proposed Site Layout
- 22690-300-00 Location Plan
- BEA-24-001-02-P02_DETAILED SOFT LANDSCAPE PROPOSALS Sh2
- BEA-24-001-01-P02_DETAILED SOFT LANDSCAPE PROPOSALS Sh1
- Location Plan
- SHD1342-SHD-HLG-TAYL-DR-EO-Lighting Layout-R1
- BEA-24-001-DR-LMP01_Church Street LANDSCAPE MANAGEMENT PLAN
- Former Aelfgar School AIA Report 12.01.202

Reason:

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

3. No materials shall be used for the external surfaces of the development other than those specified within the application and on the Materials Plan (reference 22690-320-05).

Reason:

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

4. Notwithstanding details already provided, no part of the development hereby approved shall commence above ground level until a scheme detailing the surface treatment, including internal roads, parking and pedestrian areas, access, servicing and turning areas has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be managed for the lifetime of the development in accordance with the Long Terms Landscape Management Plan, dated January 2024 (reference BEA/24-001/DR/LPP01).

Reason:

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

5. The approved landscape works shown on Dwg. Nos:

BEA-24-001-01-P02_DETAILED SOFT LANDSCAPE PROPOSALS Sh1 and BEA-24-001-02-P02_DETAILED SOFT LANDSCAPE PROPOSALS Sh2

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

6. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until the tree and protection measures as detailed within Appendix 7 of the Arboricultural Impact Assessment dated January 2024, produced by Westside Forestry Ltd have been fully implemented.

Thereafter, the protective fencing shall remain in place for the duration of the construction period.

Reason:

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

7. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until full details of the installation of warning notices relating to tree exclusion zones to be installed on tree protection fencing have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved signage shall be installed on the protective fencing prior to commencement of the development and shall remain in place for the duration of the construction period.

Reason:

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

8. Notwithstanding the ecological mitigation measures shown on drawing BEA-24-001-01-P02_DETAILED SOFT LANDSCAPE PROPOSALS Sh1, no part of the development hereby approved shall commence above ground level until details of hedgehog corridors shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the approved scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:

In the interests of enhancing hedgehog habitat in accordance with Policy CP12 of the Local Plan and paragraph 180 of the NPPF.

9. The development hereby permitted shall not be brought into use until the access to the site within the limits of the public highway has been completed.

Reason:

In the interest of highway safety, to comply with the principles set out in the National Planning Policy Framework.

10. Prior to first occupation, each property shall have the access to the plot and the parking areas for that plot completed.

Reason:

In the interest of highway safety, to comply with the principles set out in the National Planning Policy Framework.

11. The development hereby permitted shall not be brought into use until details of the cycle storage facilities for each property have been submitted and approved in writing by the Local Planning Authority.

The approved details shall thereafter be provided for each property affected prior to first occupation of the respective dwelling.

Reason:

In order to secure appropriate secured and covered cycle storage, to comply with relevant sections of the Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport, July 2005 and the principles set out in the National Planning Policy Framework.

12. The boundary treatments shall be provided in accordance with the approved details, as identified on plans reference BT-FP-A-01-A and BT-FP-B-01-A, prior to the first occupation of the dwelling the respective boundary treatment is to serve and thereafter shall be retained for the life of the development.

Reason:

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

13. Any tree, hedge or shrub planted as part of the approved landscape and planting scheme (or replacement tree/hedge) on the site, which dies or is lost through any cause during a period of 5 years from the date of first planting, shall be replaced in the next planting season with others of similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

14. No trees, shrubs or hedgerows planted or retained as part of the access Public Open Space, shall be topped, lopped, or cut down without the prior consent in writing of the Local Planning Authority.

Reason:

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

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification), the garage accommodation hereby approved, shall only be used for the garaging of private cars and for ancillary storage purposes, and shall not be used as additional living accommodation, without the prior written permission, on application, to the Local Planning Authority.

Reason:

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

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, or any subsequent re-enactment thereof, no fences, walls or other means of enclosure shall be erected between any elevation of the proposed dwellings and any highway boundary or boundary to a private drive, without the prior written permission, on application to the Local Planning Authority.

Reason:

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

Notes to the Developer:

Coal Authority

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Highway Authority

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

It will be necessary for any areas of highway land within the red line boundary to be "stopped up" under Section 247 of the Town and Country Planning Act 1990. See Highways Stopping Up Form. www.staffordshire.gov.uk/highways/highway-data/highway-records/termination-of-highway-rights.aspx.

Please note that prior to the access being widened you require a 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 crossing information pack' and an application form for a dropped crossing.

Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)

Trees

The submitted details do not set out what, if any, works are required on the retained trees that will form part of the accessible public open space. If works to these trees are proposed, details of the works will need to be supplied as part of a TPO works application.

Consultations and Publicity

Internal Consultations

Landscape Officer

Amended plans

- Notwithstanding the yet unanswered queries/minor amendments needed from previous memo of 28 March 2024, the following conditions will be required with any consent:
 - o Tree protection details to be supplied and approved prior to commencement of development.
 - o Tree protection implementation prior to any site clearance works.
 - o Arboricultural Method Statement to be supplied and approved prior to commencement of development. (As with the CMP)
 - o AMS implementation.
 - o Details of all underground service details to be provided and approved.
 - o Landscape details to be submitted and approved.
 - o Landscape implementation.

Initial holding objection

- No tree survey information has been provided and so the team cannot advise of condition, works needed or retention and loss of existing trees.
- There is a memorial tree on site which is potentially to be lost, how is this to be accounted for?
- No details have been provided in respect of services, so the team are unable to confirm if there are any conflicts with proposed tree planting.
- Hard landscape - no details of path construction, no indication of how vehicle access is to be prevented but also enable maintenance access. Footpath needs moving further southwards away from properties to avoid conflicts and increase privacy aspects.

- Needs footpath link to access road south of Alms Houses.
- Boundary treatments - generally good, but issues with some properties facing onto the POS area and delineation of private/public space.
- The proposed lighting through the POS should be omitted to cater for bat activity.
- Soft landscaping - overall good but there are some narrow and impractical planting areas between the paved areas that will have insufficient rootzones.
- The landscape management plan whilst detailed appears to be more generic than site specific in that it covers vegetation types not on the landscape drawings.
- Ecological mitigation - the proposed provision is inadequate for a development of this size; all buildings need to include inbuilt bat and or bird boxes and bat and bird boxes can and should also be fixed appropriately to existing retained mature trees.
- Details need to be confirmed as to who will maintain the POS areas.
- No details of site compound or storage area has been provided and these should not be located within the proposed buffer area or within the root protection areas of the trees.

Environmental Protection

No comments/objections.

Planning Policy (CCDC)

The proposal should respect the character and density of the area and promote the creation of better places in which to live and work.

Housing Strategy Officer

No objection, as the scheme exceeds policy requirements by providing 50% of units for affordable housing, with an appropriate size mix provided.

Economic Development

The Team would be supportive of the redevelopment of a key town centre site. The team would welcome possible employment and apprenticeship opportunities for local residents that the construction phase may bring to the area and the developer should be encouraged to provide such opportunities as a consequence.

External Consultations

Staffordshire County Council (Highways)

No objection, subject to conditions.

School Organisation

This development falls within the catchments of Chancel Primary School and The Hart School. The relevant Outline Application for this site is CH/21/0022. The REM application details a development which is scheduled to provide all 58 dwellings of the 58 dwellings expected from the original outline approval. A Unilateral Undertaking was sealed when the Outline Application was granted, and the education contribution amount and terms should be provided in line with this.

Network Rail

No objections.

Landor Society

The area has been unused and has created an eye-sore in a Conservation Area. The development appears to have been carefully considered. Buildings are attractive and landscape proposals will enhance the appearance of the area. The only real concern is the additional traffic footprint on Church Street and Anson Street that the development will generate.

Staffordshire Police

No objections, subject to a high level of physical security being incorporated in the proposals.

Response to Publicity

The application has been advertised by site notice and neighbour letter.

13no letters of representation have been received, of which are summarised as follows:

- 8no representations received make the same comment, in which concerns are raised that all the on-site trees subject to a TPO are not shown on the site layout plan.
- Concerns have been raised in respect of the loss of on-site trees and the subsequent ecological implications of this.
- A resident queried whether a buffer would be in place to deflect noise and sufficient fencing to prevent trespassing onto properties adjoining the site.
- Queries have been raised in respect of potential overlooking into the windows of neighbouring properties.

Relevant Planning History

CH/21/0022

Outline application for the construction of up to 58 dwellings including access (layout, landscaping, external appearance, and scale reserved).

Approved 06/07/2021. S106 agreement for education contribution and SAC mitigation.

1 Site and Surroundings

- 1.1 The site comprises the site of the former Aelfgar School which has now been demolished. The site area is 1.97 hectares and is located between Church Street and Taylor's Lane in Rugeley.
- 1.2 The school closed in 2011 and all buildings on the site have subsequently been demolished. There is a Council Pay and Display car park at the eastern end of the site accessed off Taylor's Lane, with the remainder of the site being vacant.
- 1.3 The site boundary with Church Street is defined by a low wall but is currently delineated with 2m high hoarding. This continues round along the north-east boundary with Taylor's Lane. The south-east boundary between the car park and

Taylor's Lane is open. The boundary with the rear gardens of properties in Lion Street to the south-west is a mixture of iron railings and timber fencing at various heights.

- 1.4 There is a fall of approx. 3 m diagonally across the site from west to east.
- 1.5 The application site is located within the Rugeley Town Centre Area Action Plan Boundary and the southern part of the site is designated as Green Space Network. The site is also located adjacent to the Church Street Conservation Area which abuts the site to its north, western and southern boundary. Part of the south-eastern corner of the site also abuts the Sheep Fair- Bow Street Conservation Area.
- 1.5 The majority of trees on site are situated towards the southern and eastern boundaries of the site and 22no trees on site are subject to a Tree Protection Order (reference 2009/14).

2 Proposal

- 2.1 The applicant is seeking consent for a Reserved Matters application for the layout, landscaping, external appearance, and scale pursuant to CH/21/0022.
- 2.2 The proposed 58 dwellings will be a mix of 2, 3 and 4 bed houses and equates the following:
 - 38% 2 beds
 - 43% 3 beds
 - 19% 4 beds
- 2.3 Of the 58 dwellings proposed 50% (29 dwellings) would be affordable housing to be retained by the Council. The remaining 29 dwellings would be developed for private sale.

There are two access points serving the scheme, the details of which were agreed at Outline Application stage. One access is from Church Street along the north-western boundary and the second is from Taylor's Lane to the eastern site boundary.
- 2.4 All proposed units have a minimum of 2no parking spaces, with the majority of this being in tandem form. To the eastern boundary, adjacent to Taylor's Lane, there are 6no allocated spaces, designated for existing residents of the Almhouses. This replaces the existing car park previously there.
- 2.5 The majority of the dwellings will be two storey, with 2no 2.5 storey dwellings facing Church Street. Along the southern part of the site a landscape buffer would be retained between the proposed dwellings and the rear boundaries of the properties fronting onto Lion Street. At its narrowest this buffer would be 15m wide.
- 2.6 The design of the dwellings is characteristic of the surrounding area, with architectural details including brick arch heads, stone cills, corbeled brick eaves, chimneys and pitched canopies with corner plots having dual aspects.

3 Planning Policy

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

3.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1 (2014) and the Minerals Local Plan for Staffordshire (2015 – 2030).

The Development Plan

3.3 Cannock Chase Local Plan Part 1

CP1 - Strategy – the Strategic Approach

CP2 - Developer Contributions for Infrastructure

CP3 - Chase Shaping – Design

CP4 - Neighbourhood-Led Planning

CP5 - Social Inclusion and Healthy Living

CP6 - Housing Land

CP7 - Housing Choice

CP10 - Sustainable Transport

CP12 - Biodiversity and Geodiversity

CP13 - Cannock Chase Special Area of Conservation (SAC)

CP14 - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty

CP16 - Climate Change and Sustainable Resource Use

3.4 Minerals Local Plan for Staffordshire

Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure

Other Material Considerations

3.5 The National Planning Policy Framework (NPPF)

Relevant Paragraphs:

8: Three Dimensions of Sustainable Development

11-14: The Presumption in favour of Sustainable Development

47-50: Determining Applications

60, 74, 75, 76, 77: Delivering a Sufficient Supply of Homes

115: Highway Safety and Capacity

131, 135, 136, 137: Achieving Well-Designed and Beautiful Places

157-159, 165, 168-175: Planning and Flood Risk

180, 186 -188:	Landscaping and Biodiversity
189, 190, 191:	Ground conditions and Pollution
224, 225	Implementation

3.6 Other relevant documents

- Design Guide Supplementary Planning Document, April 2016.
- Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport, July 2005
- Developer Contributions and Housing Choices SPD (July 2015)
- Manual for Streets
- Sheepfair / Bow Street Conservation Appraisal (Feb 2018)
- Church Street Conservation Area Appraisal (2019)

4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Housing Mix and Affordable Housing
- iii) Layout
- iv) Landscaping
- v) External Appearance
- vi) Scale
- vii) Access and Highway Safety
- viii) Residential Amenity

4.2 Principle of the Development

4.2.1 It has been established through the grant of outline planning permission (CH/21/0022) that the principle of residential development in this location is acceptable.

4.2.2 Given that the principle of development (access) has been accepted only the matters of layout, landscaping, external appearance, and scale are to be considered in this application.

4.3 Housing Mix and Affordable Housing

Housing Mix

4.3.1 Policy CP7 of the Local Plan states that developments should encourage increases in the following types of provision:

- Smaller dwellings suited to younger people.
- Housing suitable for households with specific needs.
- Larger 3- and 4-bedroom houses, including to meet aspirational needs.

- 4.3.2 The proposed 58 dwellings will be a mix of 2, 3 and 4 bed houses.
- 4.3.3 The housing mix proposed is acceptable and will deliver an appropriate level of housing at the site, providing a wide variety of house types. As such, the scheme is compliant with Policy CP7 in this regard.

Affordable Housing

- 4.3.4 Of the 58 dwellings proposed 50% (29 dwellings) would be affordable housing to be retained by the Council. The remaining 29 dwellings would be developed for private sale.
- 4.3.5 The affordable units will be visually indistinguishable from the market units and will be dispersed throughout the development and therefore the scheme will successfully integrate these dwellings into the surrounding built form. The Council's Housing Officer has considered the acceptability of the proposed affordable housing mix, type and location and confirmed that what is being proposed is acceptable. Thus, the development is compliant with the requirements of the Local Plan and NPPF in this regard.

4.4 Layout

- 4.4.1 The layout of the site, complements and will integrate with that of the surrounding area. The cul-de-sacs proposed throughout the site, are to be enclosed and framed by either feature dwelling types or views across the proposed strip of Public Open Space, which will create character details in the development and assist legibility and permeability. The buildings proposed adjacent to the vehicular accesses off the main estate road have been designed to provide active frontages to this route and where side elevations face onto streets, internal or external to site, they exhibit dual frontages.

4.5 Landscaping

- 4.5.1 The Landscape Officer has reviewed the landscaping information submitted in support of this application and considers it to be largely acceptable. Points of clarification have been requested of which have been addressed within plans and technical documents received from the applicant in respect of trees that are to be retained or removed, tree protection details and landscaping details.
- 4.5.2 The Landscape Officer raised concerns in respect of tree protection details, however this has been provided in Appendix 7 of the submitted Arboricultural Impact Assessment and is considered to be sufficient, with site storage details to be submitted as part of condition 12 attached to the outline consent. The soft landscaping details submitted are also acceptable and have been secured by planning condition. Details of hard landscaping, including surface treatment of internal roads, parking areas and pedestrian areas have been secured by planning condition.
- 4.5.3 A number of neighbour comments received object to the loss of protected on site trees and the subsequent loss of habitat. Whilst noted, the majority of trees are to be retained with the inclusion of a tree 'buffer' zone along the southern boundary. The applicant has been proactive in engaging with the Local Authority, at Outline and Reserved Matters stage, in addressing concerns relating to loss of trees and it is acceptable that the loss of trees is unavoidable in this instance.

Notwithstanding this, the proposed landscaping details appropriately mitigate this loss and are considered to be acceptable.

- 4.5.4 The Landscape Officer raised concerns in respect of proposed lighting measures within the area of Public Open Space and its potential impact upon protected species, such as bats. Whilst noted, lighting of pedestrian areas is a public safety requirement as noted within the consultation response received from Staffordshire Police. Furthermore, the intensity of the lighting will be reduced to 50% overnight. In respect of this, the proposed outdoor lighting measures are considered to be acceptable.
- 4.5.5 The on-site memorial tree has been marked for relocation to nearby Etching Hill Primary School, with the relocation being scheduled for Autumn/Winter 2024.
- 4.5.6 In respect of the above, the landscaping measures are acceptable, with the loss of on-site protected trees being appropriately mitigated and sufficient tree protection measures in place to protect those to be retained. As such, the scheme is compliant with Policy CP12 of the Cannock Local Plan

4.6 External Appearance

- 4.6.1 The design of the dwellings exhibit features typical of the wider development and modern housing estates in general. As such, architectural detailing is evidenced, through the use of brick arch heads, stone cills, corbeled brick eaves, chimneys, and pitched canopies. Chimneys are in evidence within the street scene to help break up the roofscape.
- 4.6.2 The design of the dwellings remain broadly reflective of the those within the surrounding area and therefore, it is considered that the building heights and street character areas, accord with the outline consent to create a positive residential character.
- 4.6.3 Details of materials to be used within the development have been submitted with this application. It is proposed to use for the external wall finishes a mixture of red, red/orange, and blue brick. All plots are to have grey roof tiles, white UPVC windows, black rainwater goods and all doors are to be black. These materials are considered to be appropriate, and a condition has been imposed ensuring that the development is carried out in accordance with these details.
- 4.6.4 The proposed fencing and walling scheme has also been submitted. The siting of fences within the site is appropriate to ensure they are visually subservient features within the street scene, whilst prominent boundaries, for instance those facing onto external routes around the site, are proposed to be constructed from either brick or metal railings to ensure that they remain of a high visual quality throughout the life of the development. To ensure that the fencing scheme remains as approved, a condition is proposed to remove permitted development rights for the erection of new boundary structures.
- 4.6.5 The proposed housing and associated development would be satisfactorily assimilated into its surroundings and would not have a harmful impact in the wider landscape. Accordingly, it is considered that the application, in this regard, is consistent with the Local Plan as well as relevant paragraphs contained within the NPPF.

Impact on Heritage Assets

4.6.6 The application site lies adjacent to the Church Street Conservation Area which abuts the site to its north, western and southern boundary. Part of the south-eastern corner of the site also abuts the Sheep Fair- Bow Street Conservation Area. Whilst the principle of the proposal considered the impact on the Conservation Areas at Outline stage the finer details of the impact on appearance and layout are subject to the current RM application and as such require further consideration. In this respect, it is noted that The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the local planning authority's duties: -

“section 72(i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on a local planning authority in the exercise, with respect to any buildings or other land in a conservation area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area”.

4.6.7 It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 16 of the National Planning Policy Framework at para 205 states that

“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

4.6.8 Paras 195-214 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

4.6.9 In line with para 208 of the NPPF it is necessary to weigh this against any public benefit, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset. In this instance the public benefit has been identified and does outweigh the harm to the heritage asset and therefore having regard to the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

4.6.10 The proposed layout shows that the estate would be accessed from two vehicular access points one off Church Street and the other from Taylors Lane. Furthermore, the green strip of land designated as Green Space Network would be largely retained as a 'landscape buffer' and this would be enhanced and would complement the 'green heart' of the conservation area.

4.6.11 The proposed layout also includes several larger detached houses fronting on to Church Street which reflect the size, scale and character of the Victorian/Edwardian villa style properties that can be found along Church Street. Such detailed architectural design would preserve the character, appearance, and significance of the Church Street Conservation Area and therefore the setting of the nearby listed buildings.

- 4.6.12 An important design consideration for the development is that it affords a good degree of natural surveillance to Taylors Lane. The proposed layout includes some active frontages to the “side” facing Taylors Lane as well as in the front and rear.
- 4.6.13 In addition, the proposed boundary treatments and materials would contribute to providing a green and open the character that would further compliment the adjacent Conservation Areas.
- 4.6.14 Given the above, the development proposal would not have an overarching detrimental impact upon the character and appearance of the designated heritage assets and will provide a favourable mix of 2-, 3- and 4-bedroom properties within a highly sustainable location, on a currently vacant site, 50% of which will contribute to the affordable housing stock for the District.
- 4.6.15 In this instance, the less than substantial harm to the significance of the designated heritage assets would be outweighed by the public benefit identified above and therefore, having regard to the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Paragraph 208 of the NPPF Policies CP3 and CP14 of the Local Plan, it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

4.7 Scale

- 4.7.1 The application proposes a mix of 2 and 2.5 storey dwellings, which vary in height between 8.6 metres and 11.9 metres; this is of comparable height to adjacent neighbours on Church Street and Lion Street. Furthermore, there is sufficient distance between them and surrounding roads to not result in overbearing effects on those dwellings or the character of the street scene. It is noted that the variation in roof height, along with the use of roof furniture such as chimneys, will create visual interest and texture to the street scene views.
- 4.7.2 The proposed heights would not be significantly taller than a typical two storey dwelling and will align with the heights of the dwellings facing onto the application site along Church Street. The scheme responds to its setting, with only 2no 2.5 storey dwellings proposed. These have been positioned in a strategic location to terminate the view into the site from Church Street and are a focal point within the development.
- 4.7.3 The scale of the units, and development overall, are therefore considered acceptable with respect to the character and appearance of the area.

4.8 Access & Highway Safety

- 4.8.1 Means of access into the wider application site was granted permission at the outline stage.
- 4.8.2 The outline application included an access plan, of which was found acceptable by the Highways Authority. The main consideration of this Reserved Matters application is whether the internal road layout and pedestrian routes are useable and safe. Staffordshire County Council Highways were consulted on the application and raised no objection subject to the imposition of conditions. The siting of the new driveways to serve the dwellings and their proximity to junctions and wider siting has been considered with no concerns raised.

- 4.8.3 In light of the above, the proposal is considered not to be the cause of highway danger and therefore is consistent with local and national policy including the requirements of Core Policy 10 and relevant paragraphs contained within the NPPF.
- 4.8.4 In respect of parking, the scheme either delivers the maximum provision required by the Parking SPD or in the vast majority of cases exceeds this provision. Thus, nearly all of the 3- and 4-bedrooms dwellings within the site are served by three off street car parking spaces. The parking levels identified within this site are therefore considered to be acceptable, whilst they are recommended to be retained for their specified use, in order to prevent on street car parking congestion, via the use of a suitably worded condition.
- 4.8.5 The parking bays within the site all comply in terms of scale, being 2.4m wide, with a depth of 4.8 metres. In addition, the garage spaces are of sufficient size, being 3m by 6m, to also be considered as sufficiently large, so as to accommodate a vehicle. Where garages are provided for a dwelling, it is considered that this structure would provide opportunity for cycle storage. Where garages are not available, sheds should be erected to provide for cycle storage. A suitably worded condition has been recommended to secure this provision.
- 4.8.6 The development, subject to the abovementioned conditions, will offer suitable vehicular and pedestrian access, sufficient car parking to meet the likely future demands of the site, whilst also offering appropriate alternative access to sustainable forms of transport and is therefore compliant in this regard with the requirements of the Local Plan and the NPPF.

4.9 Residential Amenity

- 4.9.1 The Council's Design Supplementary Planning Document contains guidance detailing appropriate space around dwelling standards. These standards establish a minimum distance of 21.3 metres to separate principle habitable windows and that there should be at least 10 metres between side facing first floor principal windows overlooking neighbouring private amenity space.
- 4.9.2 Where the side of one dwelling (blank elevation) faces the rear of a neighbouring properties the minimum distance should be 13.7 metres between the two storey parts of each dwelling. Finally, the SPD identifies that for 1- or 2-bedroom dwellings, a minimum garden size of 40-44 sqm should be provided, for 3 bed 65m² and 4 + bedroom dwellings 80m².
- 4.9.3 The layout broadly complies with the requirements of the SPD and the layout of the scheme, given the above-described circumstances, will ensure an appropriate standard of living accommodation for future residents and therefore, the development will comply with the requirements of the Development Plan and NPPF in this regard.
- 4.9.5 Consequently, it is considered that the proposals are in accordance with the Council's Supplementary Planning Documents, the Development Plan and NPPF, and will not lead to a loss of amenity for existing or future residents.

4.10 **CIL Matters and Cannock Chase SAC Mitigation**

4.10.1 Notwithstanding the provision of affordable housing units on site, 29no of the dwellings will be market housing and will therefore be liable to CIL payment.

4.10.2 In respect of the Cannock Chase SAC Mitigation payment, it is noted that only 17 dwellings were subject to this payment at Outline stage. The shortfall of 12 dwellings will be addressed via a S111 payment of which will be secured prior to a decision being issued, in the instance that planning consent is granted.

5 Human Rights Act 1998 and Equality Act 2010

Human Rights Act 1998

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.

Equality Act 2010

5.2 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.

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.

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

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 Equality Act.

6 Conclusion

6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the attached conditions, would not result in any significant harm to acknowledged interests and is therefore considered to be in accordance with the Development Plan.

6.2 The principle of residential development in this location was established under planning application reference CH/21/0022. The design and scale of the

development will fit in comfortably with the surroundings and provide sufficient garden land and access, parking and turning arrangement with no adverse impact to residential amenities. Landscaping and biodiversity enhancement measures will be provided, and the proposals will provide a high standard of development for future occupiers.

- 6.3 It is therefore recommended that the application be approved subject to the attached conditions for the above reasons.