

**Please ask for:** Mrs. W. Rowe

**Extension No:** 4584

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

10 September 2024

Dear Councillor,

**Planning Control Committee**

**3:00pm, Wednesday 18 September 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: -

<b>Application Number</b>	<b>Application Location and Description</b>	<b>Start Time</b>
CH/24/094	<b>Land adjacent Newhall Inn Public House and Adjoining Car Park, Cannock:</b> Erection of 1 no: Drive-Thru unit (Use Class E(b)/Sui Generis) together with the provision of a Drive Thru Lane, reconfiguration of the parking arrangement and associated landscaping.	2:20pm

Members wishing to attend the site visits are requested to meet at Land adjacent Newhall Inn Public House and Adjoining Car Park, Cannock 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.

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 21 August 2024 (enclosed).

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

**6. Report of the Development & Policy Manager**

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

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

### Site Visit Application

	<b>Application Number</b>	<b>Application Location and Description</b>	<b>Item Number</b>
1.	CH/24/094	<b>Land adjacent Newhall Inn Public House and Adjoining Car Park, Cannock:</b>  Erection of 1 no: Drive-Thru unit (Use Class E(b)/Sui Generis) together with the provision of a Drive Thru Lane, reconfiguration of the parking arrangement and associated landscaping.	6.1 - 6.43

## Planning Applications

	<b>Application Number</b>	<b>Application Location and Description</b>	<b>Item Number</b>
1.	CH/24/175	<b>23 Heath Gap Road, Blackfords, Cannock, WS11 6DY:</b> Conversion of single dwelling into two separate flats.	6.44 - 6.63
2.	CH/24/091	<b>243 Hill Street, Hednesford, Cannock, WS12 2DP:</b> Erection of 9 dwellings.	6.64 - 6.96

## 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/24/090

Not for Publication Report of the Development & Policy Manager (Item 8.1 - 8.8).

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.

#### 9. Enforcement Case - ENF/24/025

Not for Publication Report of the Development & Policy Manager (Item 9.1 - 9.10).

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 21 August 2024 at 3:00pm**  
**In the Council Chamber, Civic Centre, Cannock**

**Part 1**

**Present:**  
Councillors

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

**32. Apologies**

Apologies for absence had been received from Councillors A. Fitzgerald and M. Sutherland.

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

<b>Member</b>	<b>Interest</b>	<b>Type</b>
Prestwood, F.	CH/24/170 - 20 Brooke Road, Pye Green, Cannock, WS12 4HH: Retrospective Application for the installation of a ramp:  <i>Reason: Member had been lobbied by the objector which had resulted in ongoing discussions in terms of mitigation. Therefore, it was difficult to approach the application with an open mind.</i>	Predetermination
Samuels, G.	CH/24/170 - 20 Brooke Road, Pye Green, Cannock, WS12 4HH: Retrospective Application for the installation of a ramp:  <i>Reason: Member had been lobbied by the objector which had resulted in ongoing discussions in terms of mitigation. Therefore, it was difficult to approach the application with an open mind.</i>	Predetermination

### **34. Disclosure of Details of Lobbying by Members**

Councillor F. Prestwood declared that he had been lobbied in respect of Application CH/24/170, 20 Brooke Road, Pye Green, Cannock, WS12 4HH: Retrospective Application for the installation of a ramp.

Councillor G. Samuels declared that he had been lobbied in respect of Application CH/24/170, 20 Brooke Road, Pye Green, Cannock, WS12 4HH: Retrospective Application for the installation of a ramp.

Councillor L. Wilson declared that she had been lobbied in respect of Application CH/24/062, Unit 1, Bennick Trading Estate, Union Street, Bridgtown, Cannock, WS11 0BP: Retrospective change of use to Pole Fitness establishment.

### **35. Minutes**

#### **Resolved:**

That the Minutes of the meeting held 31 July 2024 be approved as a correct record.

### **36. Members Requests for Site Visits**

#### **Resolved:**

That a site visit be undertaken in respect of application CH/24/176, 2 Chase Heights, Hednesford, Cannock - Holiday let - the reason for the site visit was overdevelopment and potential noise impact to adjacent neighbours.

(This was moved by Councillor S. Cartwright and seconded by Councillor L. Wilson.)

(Councillor D. Mawle abstained from voting.)

### **37. Application CH/24/062 - System Design Controls Limited, Unit 1, Bennick Trading Estate, Union Street, Bridgtown, Cannock, WS11 0BP: Retrospective change of use to pole fitness establishment**

The application had been considered at the previous Planning Control Committee on 31 July 2024 and only those Members present at that meeting would be eligible to take part in the determination of the application. Therefore Councillors J. Aston and V. Jones left the meeting at this point as they were not present at the meeting on 31 July.

Consideration was then given to the report of the Development & Policy Manager (Item 6.1 - 6.11) *(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.

Prior to consideration of the application, representations were made by Jay Forman speaking in support of the application.

Bob Eccleston objector to the application and registered to speak, was not in attendance.

#### **Resolved:**

That the application be approved for a temporary 12-month period subject to the conditions contained in the report for the reasons stated therein.

*Councillors J. Aston and V. Jones returned to the meeting.*

**38. Application CH/24/170 - 20 Brooke Road, Pye Green, Cannock, WS12 4HH: Retrospective Application for the installation of a Ramp**

(Councillors F. Prestwood and G. Samuels left the room at this point as they had predetermined this application).

Consideration was given to the report of the Development & Policy Manager (Item 6.12 - 6.22) *(presented by the Planning Officer)*.

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

Prior to consideration of the application, representations were made by Susan Stoker-Morgan objector to the application.

**Resolved:**

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

*Councillors F. Prestwood and G. Samuels returned to the room.*

**39. 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 21 August 2024 at 3:00pm**  
**In the Council Chamber, Civic Centre, Cannock**

**Part 2**

**40. Enforcement Case - ENF/22/106**

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

**Resolved:**

That:

- (A) Authorisation be granted to serve an Enforcement Notice under s171(a) of the Town and Country Planning Act 1990.
- (B) Should the Notice referred to in decision (A) above not be complied with in the time specified within the Notice, then authorisation be granted to initiate prosecution proceedings under s179 of the Town and Country Planning Act 1990.

**41. Enforcement Case - ENF/24/044**

The Development Management Team Leader reported that the application was no longer required.

**42. Enforcement Case - ENF/24/112**

Consideration was given to Not for Publication report of the Development & Policy Manager (Item 10.1 -10.6) *(presented by the Enforcement Officer)*.

**Resolved:**

That:

- (A) Authorisation be granted to serve an Enforcement Notice under s171(a) of the Town and Country Planning Act 1990.
- (B) Should the Notice referred to in decision (A) above not be complied with in the time specified within the Notice, then authorisation be granted to initiate prosecution proceedings under s179 of the Town and Country Planning Act 1990.

The meeting closed at 4.00pm.

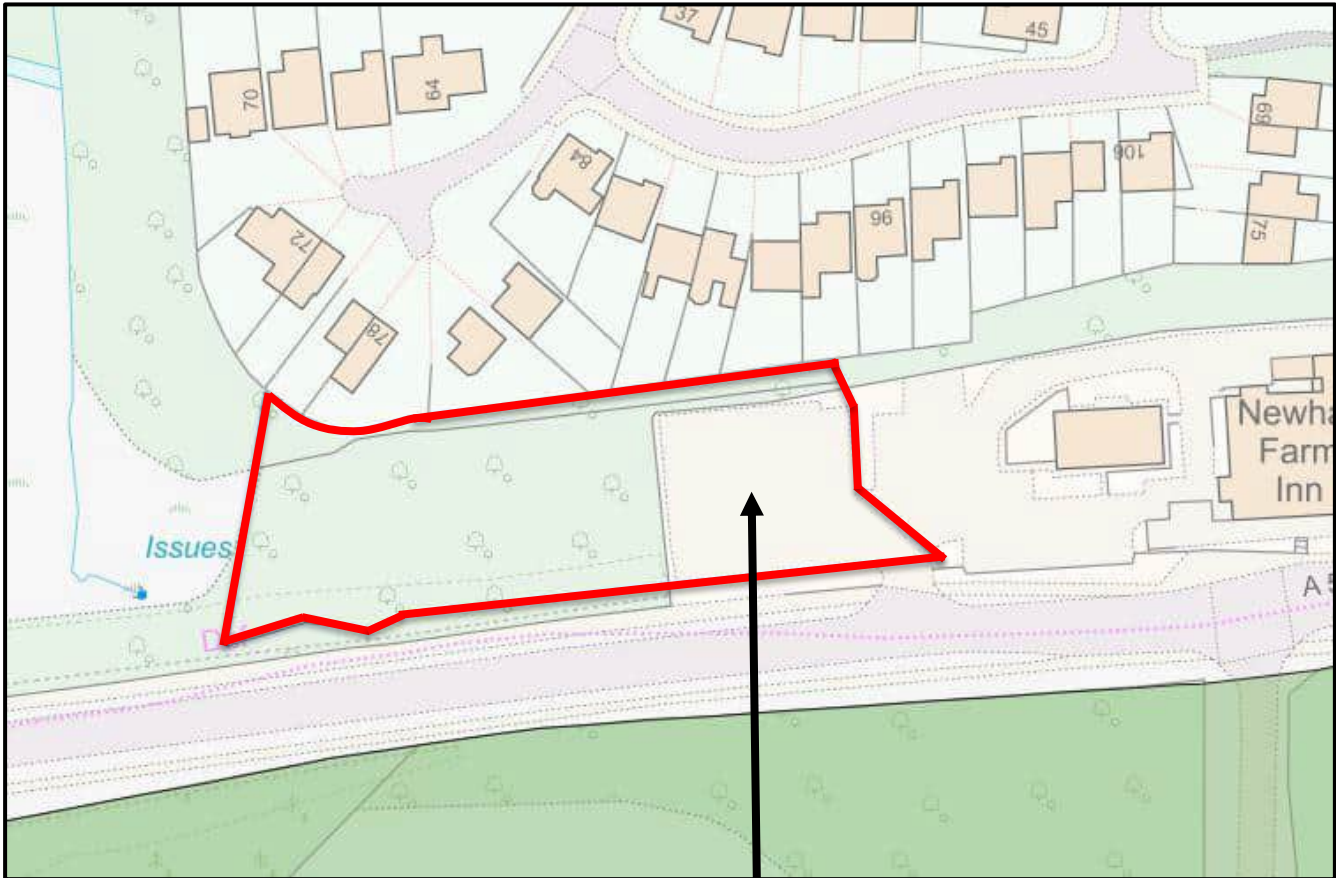
---

**Chair**

**Application No:** CH/24/094

**Location:** Land adjacent Newhall Inn Public House and Adjoining Car Par, Cannock, WS11 8NL

**Proposal:** Erection of 1no. Drive-Thru unit (Use Class E(b)/Sui Generis) together with the provision of a Drive Thru Lane, reconfiguration of the parking arrangement and associated landscaping



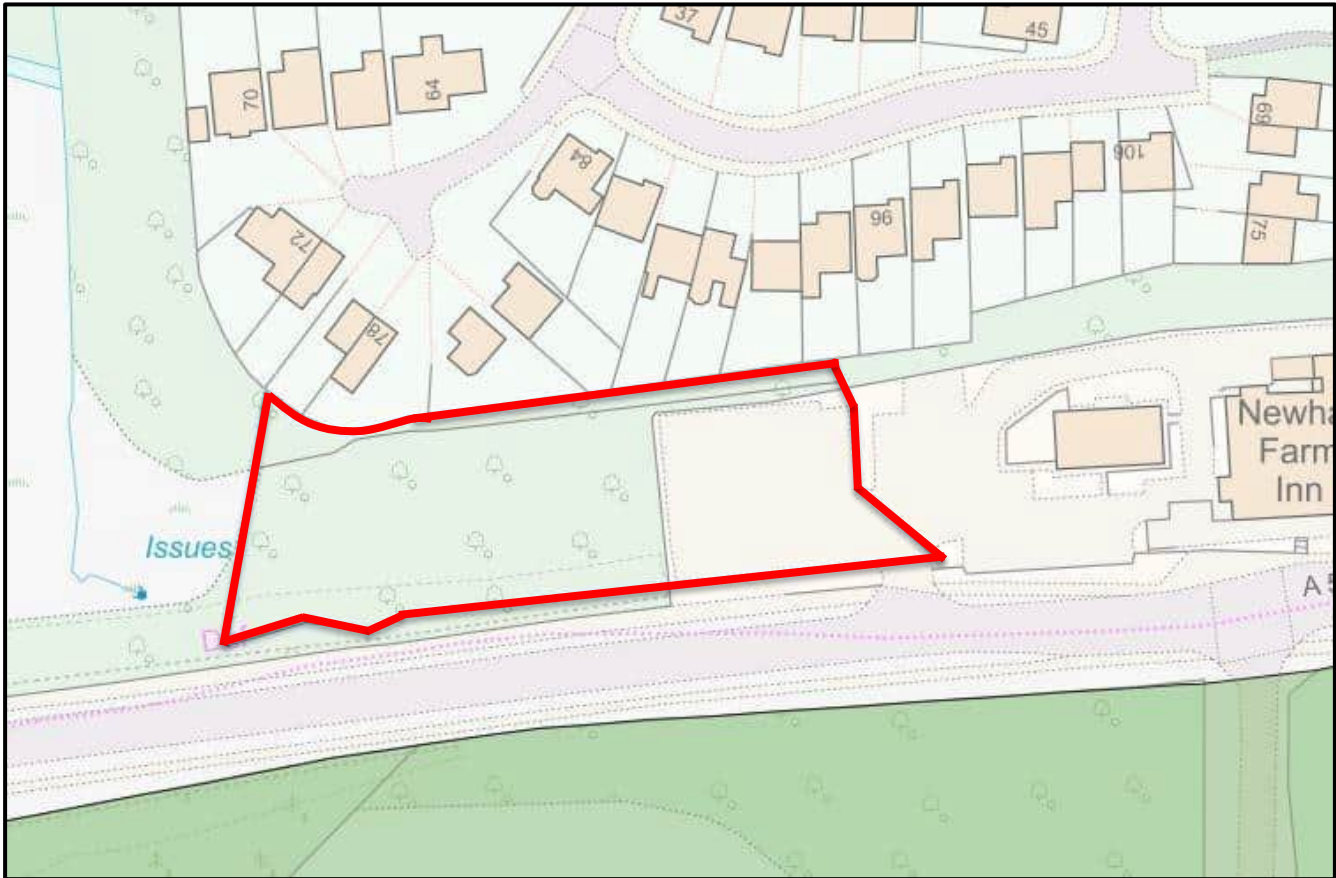
**SITE VISIT  
MEETING POINT**

**Application No:** CH/24/094

Item No.6.1

**Location:** Land adjacent Newhall Inn Public House and Adjoining Car Par, Cannock, WS11 8NL

**Proposal:** Erection of 1no. Drive-Thru unit (Use Class E(b)/Sui Generis) together with the provision of a Drive Thru Lane, reconfiguration of the parking arrangement and associated landscaping



**LOCATION PLAN**



PLANNING NOTES (SOFT LANDSCAPE):

1. SOILS: Subgrade / subsoil to be prepared in accordance with BS 8601:2013 and BS 4428:1989 and scarified or topped to 300mm depth (excluding root protection areas of retained trees refer to Tree Protection Plan) prior to spreading topsoil to alleviate compaction and promote drainage. Imported and as saved topsoil to be in accordance with BS 3882:2015 Multipurpose Grade 3 with minimum soil organic matter contents 1% greater than the minima value (or as approved). Imported topsoil (and 'as saved' if requested) is to be laboratory tested to BS 3882:2015 Multipurpose Grade 3 with minimum soil organic matter contents 1% greater than the minima value (or as approved). Refer to Greenfield Urban Soil Volume Guide for specific trees. Any weed / grass growth to be sprayed out with appropriate herbicide at least 10 days prior to cultivation. All areas to be cultivated to a minimum depth of 100mm removing weeds and rubbish / stones greater than 20mm in size. Incorporate proprietary non peat compost to BS1 PAS 100 to 50mm depth evenly worked into during cultivation.

N.B Proposed services (electric, water, gas etc) in landscape areas should be installed as a minimum below the required topsoil depths and clearly identified in accordance with planning / utility requirements.

2. BUILDING FOUNDATION DESIGN: All tree and shrub planting proposals are to be referred to by the structural engineer during building foundation design.

3. PLANT STOCK: Unless agreed otherwise all trees and shrubs are to be of UK provenance where plants have been propagated and/or grown on for a minimum of 5 years in the UK for trees and 2 years for shrubs. All plants are to comply with the requirements of all current British Standards including BS3938 'Specifications for Nursery Stock' and BS8545 'Trees from nursery to independence in the landscape' and be supplied in accordance with the Plant Schedule. Should planting be required outside of the planting season (November - March) only bare root or rootballed stock specified is to be replaced with containerised stock to an appropriate or similar specification to the approval of the landscape architect prior to ordering.

4. EXISTING TREES: Where trees are to be retained they should be subject to a full arboricultural inspection to assess condition and safety. Retained trees shall be protected from damage by erection of 2.5m waist-high fencing on a suitable framework in accordance with BS 5837:2012 Figure 2. These barriers shall be maintained in position and in good condition until works are complete. Fencing to be located in accordance with Table D.1 at a radius of 12 times the stem diameter (single stem trees) or based on the combined stem diameter for multi-stem trees (trees with more than one stem arising below 1.5m above ground level) refer to Clause 4.6. Further precautions are to be taken as detailed within BS 5837:2012 6.2.4.

5. TREE SURGERY / REMOVAL: Tree surgery and tree removal to be carried out by an Arboricultural Association approved Tree Surgeon in accordance with BS 3998:2010. Arrangements to be removed to be a licensed tip.

6. TREE PLANTING: All trees to be in accordance with BS 3936, BS8545 and The National Plant Specification - Rootballed Trees' recommendations. Trees to be planted in accordance with BS 4428:1989 double staked (10-12cm - 14-16cm girth trees) or triple staked (16-18cm - 18-20cm girth trees) led and braced with flexible webbing kopkopbaits and spacer collars/leaves (NB not with a timber cross bar) in prepared pits. Semi mature trees to be underground gaved and secured anchored using Piletop Tree System. Tree pits in open field / un-compacted ground conditions or shrub beds to be 1000mm x 1000mm (at least 75mm greater than that of the root system) with pit depth to be based on the planting depth of the tree (distance from root flare to underside of rootball) in accordance with BS 8545:2012. Topsoils and subsoils to be excavated and stored separately for reuse. Tree pits to be filled with specified depth and topsoil at depths to replicate the existing soil horizons. Topsoil to be mixed enriched with 40% of peat free tree planting compost, incorporating Rootgrow professional mycorrhizal fungi granules (RPG) as supplied by Empathy) and Serravallo N Mag Pre-planting Fertiliser in accordance with manufacturers recommendations. Root balls to be encased by Root Rain Metro or similar irrigation pipe. Wall water after planting. The bases of trees to be planted in grass areas are to be covered with 75mm amenity grade bark mulch such as Melcourt 'Amenity Bark Mulch' (or similar approved by the landscape architect) to 1.0 metre diameter and kept weed free.

Generally all trees are to be planted as shown ensuring a minimum of 5 metres from buildings and 3 metres from drainage or services. Suitable foundations are to be provided to accommodate proposed tree planting and retained trees in accordance with the NHC Standards. The NHC call are illustrated as a guide only, based on an assumed medium soil type and minimum foundation depths and should not be relied upon for construction purposes. In locations close to footpaths and roadways linear root barriers Greenfield Urban, Rootbar or similar are to be installed in accordance with manufacturers instructions. Where proposed tree locations conflict with services, trees are to be relocated in accordance with the appropriate utilities guidance notes subject to client / local authority approval. Proprietary root barrier Greenfield Urban, Rootbar or similar to be installed in accordance with manufacturers instructions where relocation is not considered appropriate.

7. SHRUB & HERBACEOUS PLANTING: plants to be in accordance with BS 3936 and handled in accordance with NPS 'Handling & Establishment' guidelines and planted in accordance with BS 4428:1989. Nursery stock supplier to be approved by the Landscape Architect. All shrubs to have a minimum of three breaks, except Hedera with a minimum of two. Shrubs to be planted incorporating Rootgrow professional mycorrhizal fungi granules (RPG) as supplied by Empathy) in accordance with manufacturers recommendations and Agrolab 'Yellow' tablets evenly distributed around the plant at 200mm depth with 2 tablets for plants up to 3 litres, 3 tablets for plants up to 5 litres and 4 litres for plants up to 10 litres. Well water plants immediately after planting and prior to spreading of mulch. Planting areas to be covered with 75mm amenity grade bark mulch such as Melcourt 'Ornamental Bark Mulch' (or similar approved by the landscape architect) and kept weed free. On slopes greater than 1:3 a biodegradable geotextile (ie Econat Weed Control Fabric) to be laid and secured pegged in place.

8. NATIVE SHRUB PLANTING: plants to be in accordance with BS 3936 and planted in accordance with BS 4428:1989. Transplants to be at least 1 metre (or as scheduled) in random groups of 3-5 and 7-10 shrub species depending on numbers of plants. Bare root transplants to be root dipped with 'Rootdip Root Dip' with 'Rootgrow' mycorrhizal fungi granules (RPG) as supplied by Empathy) and Serravallo N Mag Pre-planting Fertiliser sprinkled evenly into prepared planting pit in accordance with manufacturers recommendations prior to planting. Well water plants immediately after planting and prior to spreading of mulch. Planting areas to be covered with 75mm amenity grade bark mulch such as Melcourt 'Ornamental Bark Mulch' (or similar approved by the landscape architect) and kept weed free. On slopes greater than 1:3 a biodegradable geotextile (ie Econat Weed Control Fabric) to be laid and secured pegged in place. Plants to be protected from rabbits, with rabbit fence and / or individual mesh tree guards secured to timber stakes).

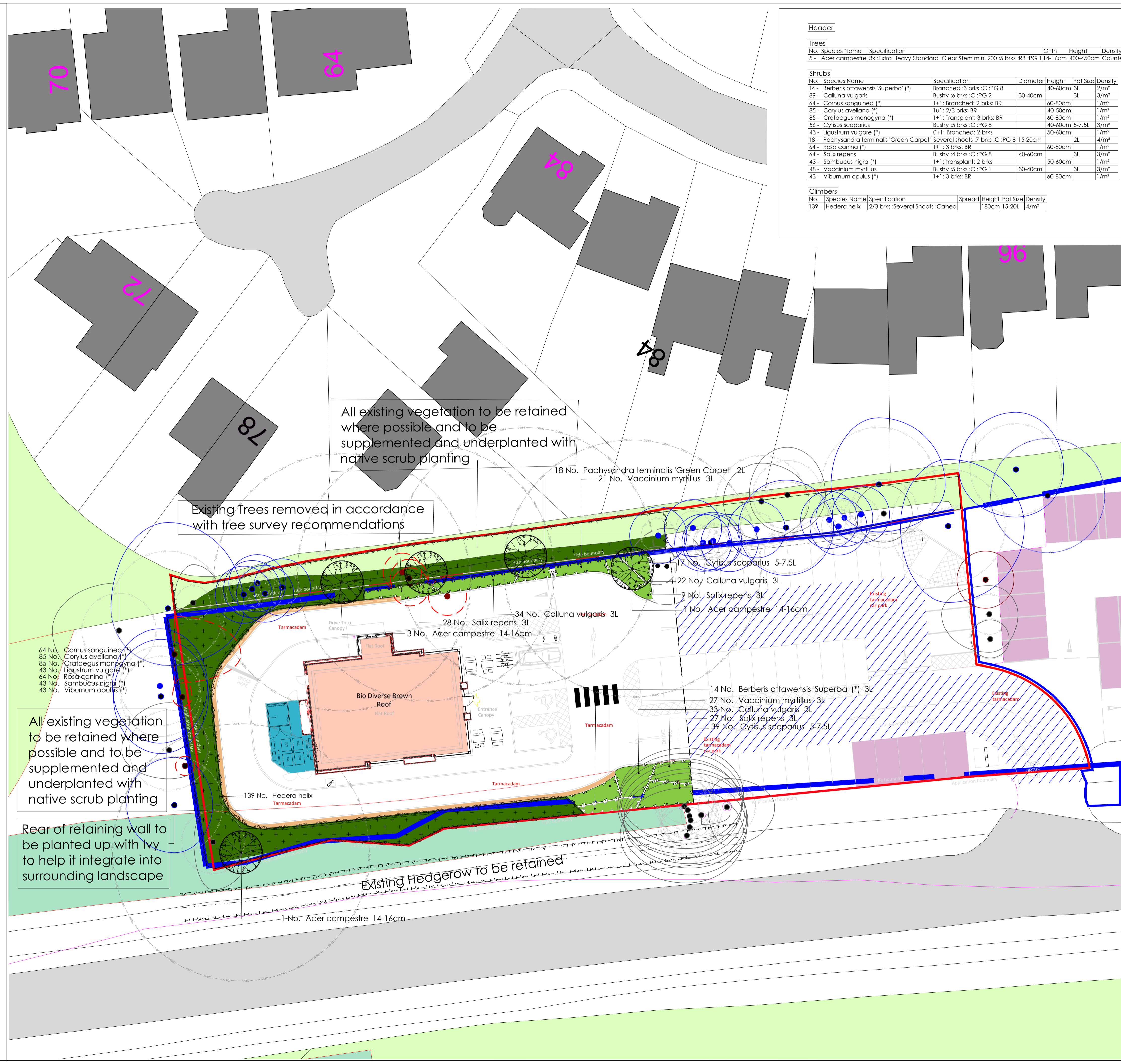
9. MAINTENANCE: To be carried out in perpetuity, for the lifetime of the development at approximately monthly intervals (or as prescribed within a landscape management plan) including replacement of any tree, hedge, shrub or grassed area which die, has been damaged, vandalised or stolen within a period of five years from practical completion. Operations to include the following:

- a. Eradicate weeds by hand or appropriate chemical means.
b. Cut out dead or and damaged stock or branches, prune as required.
c. Ensure all shrubs and trees are firmed, securely staked and tied with guards where applicable.
d. Collect litter, sweep and tidy site.
e. Apply suitable non-residual herbicides, pesticides and water as required.
f. Carry out mowing to grass areas when attained 100mm, cut to 50mm (50mm for shaded areas) approximately 2 week intervals during the growing season.
g. Carry out mowing to wildflower areas as per Emontage Seeds Ltd aftercare First year & Established seed guidance (2-3 cuts a year)
h. Carry out mowing of wildflower areas margins 1.5 - 2.0m wide when attained 200mm (approximately monthly during the growing season) where abutting buildings or hard surfacing (ie road, car park or footpath edges).
i. Carry out mowing to flowering lawn grass areas when attained 100mm, cut to 40mm (50mm for shaded areas) approximately 2 week intervals during the growing season. To allow flowering mix mowing from late June for 4-8 weeks.
j. Carry out mowing to wildflower plug grass areas when necessary during establishment at a high setting no less than 100mm.
k. Deciduous ornamental grasses to be cut back hard mid March to late April (depending on species).
l. Evergreen grasses remove dead material.
m. All hedges to be maintained at a max height of 1.0m. Hedges and shrub planting with visibility signs to be maintained in accordance with current highway design guidelines.
n. Woodland planting to be maintained free from perennial weeds, self set shrub and tree species.
o. At least visit apply granular fertiliser to all planted areas and top up bark mulch depth to 75mm.

10. WATERING: all plant material (including turf) to be watered in dry periods until established during April through to September with a fine rose until the water penetrates the topsoil to at least 5cm depth and achieves field capacity. Frequency of watering regime to be determined by weather conditions, soil conditions and underlying geology, all plant beds to be watered to ensure soil is consistently moist to promote successful establishment. During hot, dry periods, plants are to be watered every six to ten days. For individual trees a maximum of 18 watering visits per year are to be carried out commencing late March (prior to budburst) and utilising a minimum of 50 litres of water per tree. Soil probe to be used to determine soil saturation to full depth of root ball.

LEGEND: SOFT LANDSCAPING

- GROUND COVER: evergreen shrub ground cover planting with specimen shrubs.
SCRUB PLANTING: native shrub planting mix as detailed.
EXISTING HEDGE: dead plants and bramble to be removed & hedge pegged up with native species.
TREE PLANTING: deciduous tree planting with NHC radii. Tree Canopy spread illustrated at 25 years growth.
SOIL ROOTING VOLUME: as Green Blue Urban guidance, volume expressed as an area based on 600mm depth of topsoil. Where species are not listed within Green Blue Urban's 'Tree Species Soil Volume Guide V2', alternate sources have been used.
EXISTING TREES: to be retained in accordance with BS 5837 'Trees in relation to Construction' 2012.
EXISTING TREES: to be removed in accordance with tree survey recommendations.
EXISTING TREES: to be removed to facilitate development.



Header

Table with columns: No., Species Name, Specification, Diameter, Height, Pot Size, Density. Includes sections for Trees, Shrubs, and Climbers.

This drawing and the design it depicts are copyright and may not be copied or reproduced without written permission from Bea Landscape Design Ltd. No liability will be accepted for amendments made by others. This drawing is to be read in conjunction with the landscape specification and other relevant drawings.

Contains Ordnance Survey Data © Crown Copyright and Database Right 2024. © Crown Copyright. All rights reserved 100018739.

Refer any query to office of originator.

Table with columns: rev, date, amendments, att. Shows revision history for PO1 22/05/2024.

cdm 2015: designers residual risk information

LEGEND: CDM RESIDUAL RISKS

- 1. LEVEL CHANGES: changes in level across the site including ramped access, steps, slopes or ditches, restricting access with risk of operatives falling from height.
2. RETAINING WALLS: within external soft and hard landscape; risk of operatives falling from height.
7. HEAVY MATERIALS: risk injury to operatives from the movement and placement of heavy materials i.e large rootballed / semi mature trees or boulders.

It is assumed that works will be carried out by competent landscape subcontractor working, where appropriate to a risk assessment and method statement approved by the Principal Contractor.



client: SIMPLY PLANNING
project: LAND ADJACENT TO NEWHALL FARM, CANNOCK

title: DETAILED SOFT LANDSCAPE PROPOSALS

status: PLANNING

Table with columns: date, scale@A1, drawn, checked, number, revision. Shows project details like date 25.03.24 and scale 1:200.

Bea Landscape Design Ltd
132A 'The Westlands', Compton Road, Wolverhampton, WV3 9QB
T: 01902 424 950 / 01902 425 001
E: info@bealandscape.co.uk
W: www.bealandscape.co.uk





**TREE PROTECTION NOTES:**  
 'Trees in relation to design demolition and construction' BS5837:2012

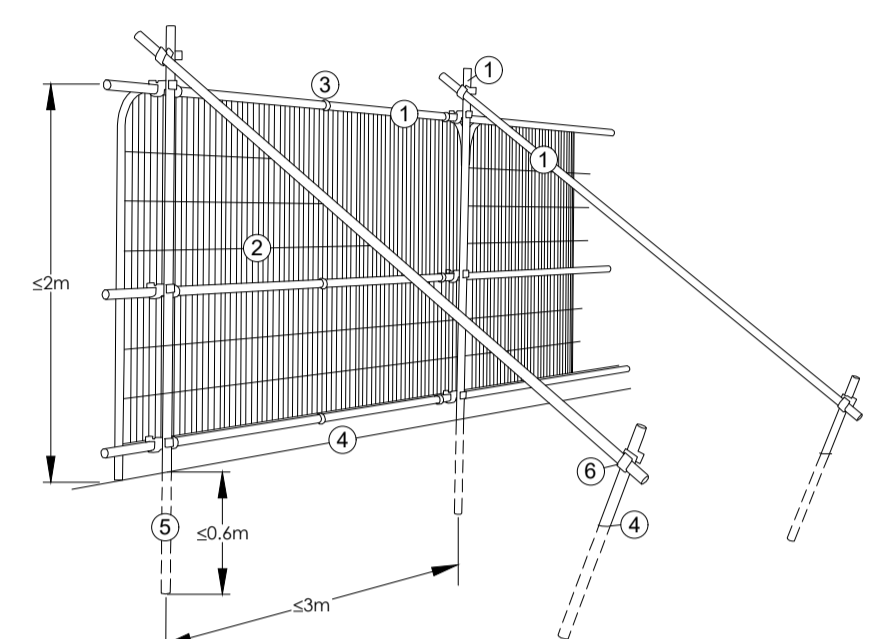
**1.0 PRIOR TO COMMENCEMENT OF WORKS:**

1.1 **PRIOR TO COMMENCEMENT:** all trees that are being retained onsite shall be protected by barriers and / or ground protection before any materials or machinery are brought onto the site, and before any demolition, development or stripping of soil commences. The 'Root Protection Area' (RPA) associated with existing trees designated for retention shall be protected from damage by erection of scaffold framework barriers in accordance BS 5837:2012 Figure 2 including where specified appropriate ground protection.

1.2 **EXTENT OF ROOT PROTECTION AREA (RPA):** as shown on the Tree Protection Plan (TPP) the RPA is generally to be in accordance with Annex D, Table D.1 'Root Protection Area' - as an area equivalent to a circle radius 12 times the stem diameter (single stem trees) or based on the combined stem diameter for multistem trees (trees with more than one stem arising below 1.5m above ground level) refer to Clause 4.6.

1.3 **TREE PROTECTION BARRIER:** a vertical and horizontal scaffold framework, will be braced to resist impacts as illustrated below (refer to Figure 2 of BS5837:2012). The vertical tubes should be spaced at a maximum interval of 3 metres and driven securely into the ground. Care should be taken to avoid underground services and contact with structural roots. In the presence of underground services, retained hard surfacing or where special circumstances dictate an alternative specification as illustrated in Figure 3 of BS5837:2012 may be acceptable subject to agreement with the project arboriculturalist and the local planning authority.

All weather site notices should be attached to the barrier with words such as "CONSTRUCTION EXCLUSION ZONE - NO ACCESS". Once installed barriers and ground protection shall not be removed or altered without prior approval of the project arboriculturalist and where necessary approval from the local planning authority.



- 1. Standard scaffold poles
- 2. Heavy gauge 2m tall galvanised tube and weld mesh infill panels
- 3. Panels secured to uprights and cross members with wire ties
- 4. Ground Level
- 5. Uprights driven into ground until secure (minimum depth 0.6m)
- 6. Standard scaffold clamps

**2.0 ADDITIONAL PRECAUTIONS:**

2.1 Planning of site operations should take sufficient account of wide or tall loads, or plant with booms, jibs or counterweights (including drilling & piling rigs) in order that they can operate without coming into contact with retained tree. The transit or traverse of plant in proximity to trees shall be conducted under supervision of a bankman to ensure adequate clearance from trees is maintained at all times. Access facilitation pruning as agreed with the project arboriculturalist and/or local authority should be undertaken where necessary to maintain clearance. NB Works to trees protected by a Tree Preservation Order or within a Conservation Area will need approval by the local authority.

2.2 Any materials whose accidental spillage would cause damage to a tree should be stored and handled well away from the outer edge of its RPA e.g. concrete mixings, diesel oil and vehicle washings. Allowances shall be made for sloping ground to avoid damaging materials running towards retained trees.

2.3 Fires on sites should be avoided. Where they are unavoidable, they should not be lit in a position where heat or flames could affect foliage or branches. The potential of a fire and wind direction should be taken into account when determining its location, and should be attended at all times until safe to leave.

2.4 Trees are not to be used as anchorages for equipment, or for other purposes. Notice boards, telephone cables, or other services should not be attached to any part of the tree.

2.5 The dumping of spoil or rubbish, placing of temporary accommodation and storage of materials within the root protection area is prohibited.

2.6 The change of ground level, excavating, stripping or disturbing topsoil within the RPA is prohibited.

**3.0 GROUND PROTECTION DURING DEMOLITION & CONSTRUCTION**

3.1 Where construction working space or temporary construction access is specified within the RPA, this should be facilitated by a set-back in the alignment of the tree protection barrier. In such areas, suitable existing hard surfacing that is not proposed for re-use as part of the finished design should be retained to act as temporary ground protection during construction, rather than being removed during demolition. The suitability of such surfacing for this purpose should be evaluated by the project arboriculturalist and an engineer as appropriate.

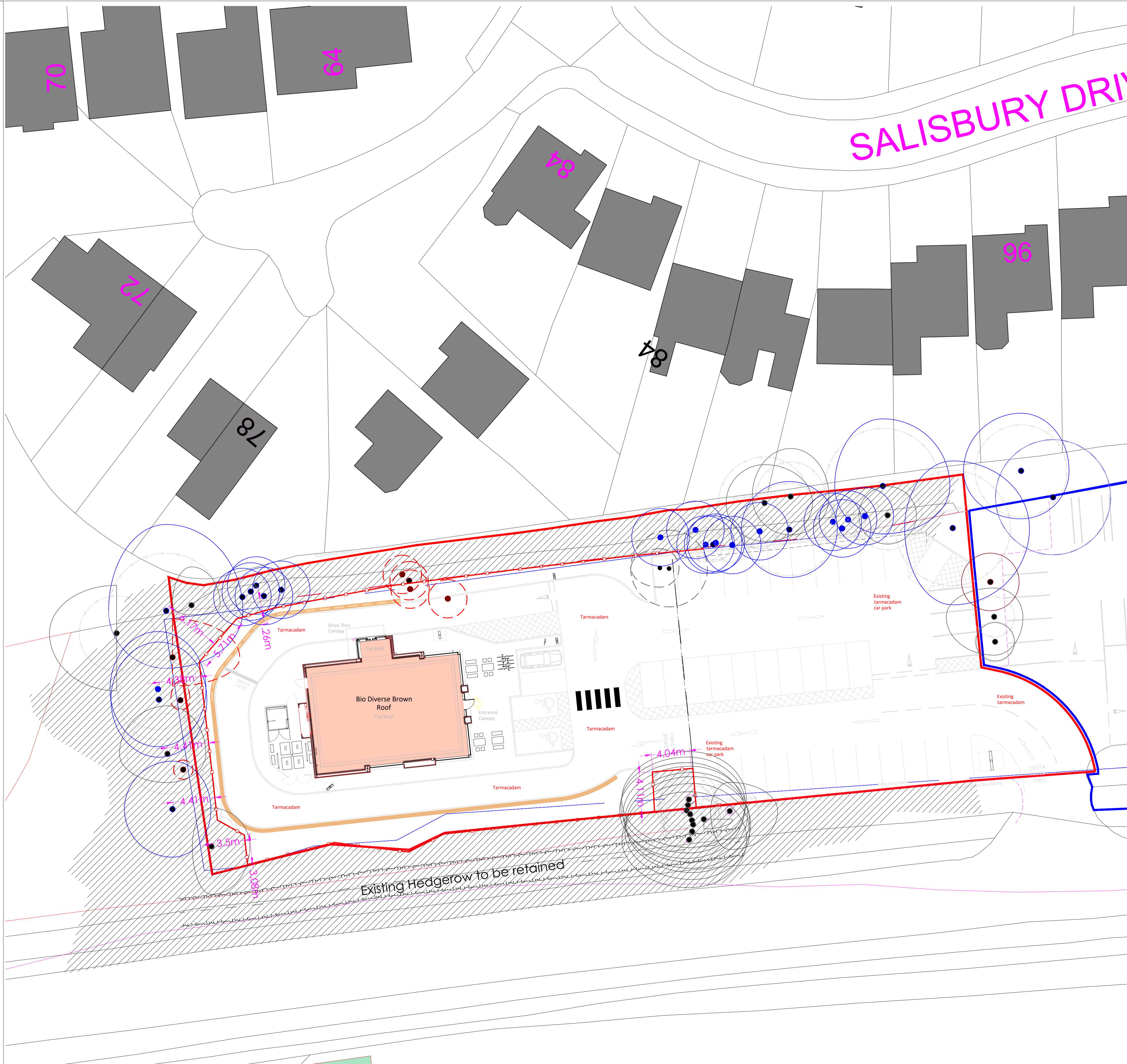
3.2 Where the set-back of the tree protection barrier exposes unmade ground to construction damage, new temporary ground protection should be installed as part of the implementation of physical tree protection measures prior to work starting on site.

3.3 New temporary ground protection should be capable of supporting any traffic entering or using the site without being distorted or causing compaction of underlying soil, for example:

- a) for pedestrian movements only, a single thickness of scaffold boards placed either on top of a driven scaffold frame, so as to form a suspended walkway, or on top of a compression-resistant layer (e.g. 100 mm depth of woodchip), laid onto a geotextile membrane;
- b) for pedestrian-operated plant up to a gross weight of 2 t, proprietary, inter-linked ground protection boards placed on top of a compression-resistant layer (e.g. 150 mm depth of woodchip), laid onto a geotextile membrane;
- c) for wheeled or tracked construction traffic exceeding 2 t gross weight, an alternative system (e.g. proprietary systems or pre-cast reinforced concrete slabs) to an engineering specification designed in conjunction with arboricultural advice, to accommodate the likely loading to which it will be subjected. If necessary sand should be laid on the ground as a compressible layer.

**LEGEND: TREE PROTECTION TO BS 5837:2012**

- TREE PROTECTION FENCE: to be constructed in accordance with BS5837 prior to commencement.
- CONSTRUCTION EXCLUSION ZONE: to be protected from construction in accordance with BS5837.
- DIMENSIONS: setting out dimensions from trunk of retained trees or other existing site features. Phase 2 fencing to be erected prior to removal of Phase 01 fencing.
- TREES TO BE RETAINED: with root protection zone illustrated.
- TREE REMOVAL: trees to be removed to enable construction.



This drawing and the design it depicts are copyright and may not be copied or reproduced without written permission from Beo Landscape Design Ltd. No liability will be accepted for amendments made by others. This drawing is to be read in conjunction with the landscape specification and other relevant drawings.

Contains Ordnance Survey Data © Crown Copyright and Database Right 2024. © Crown Copyright. All rights reserved 100018739.

Refer any query to office of origination.

rev	date:	amendments:	alt:
P01	??/??/24	First issue	STAFF

**cdm 2015: designers residual risk information**

**LEGEND: CDM RESIDUAL RISKS**

- 1. LEVEL CHANGES: changes in level across the site including ramped access, steps, slopes or ditches, restricting access with risk of operatives falling from height.
- 2. RETAINING WALLS: within external soft and hard landscape; risk of operatives falling from height.
- 7. HEAVY MATERIALS: risk injury to operatives from the movement and placement of heavy materials i.e large rootballed / semi mature trees or boulders.

It is assumed that works will be carried out by competent landscape subcontractor working, where appropriate to a risk assessment and method statement approved by the Principal Contractor.



**client:**  
SIMPLY PLANNING

**project:**  
LAND ADJACENT TO NEWHALL FARM, CANNOCK

**title:**  
Tree Protection Plan to BS 5837 :2012

**status:**  
PLANNING

<b>date:</b> 25.03.24	<b>drawn:</b> IGW	<b>number:</b> BEA-24-21-04
<b>scale@A1:</b> 1:200	<b>checked:</b> ECH	<b>revision:</b> P01

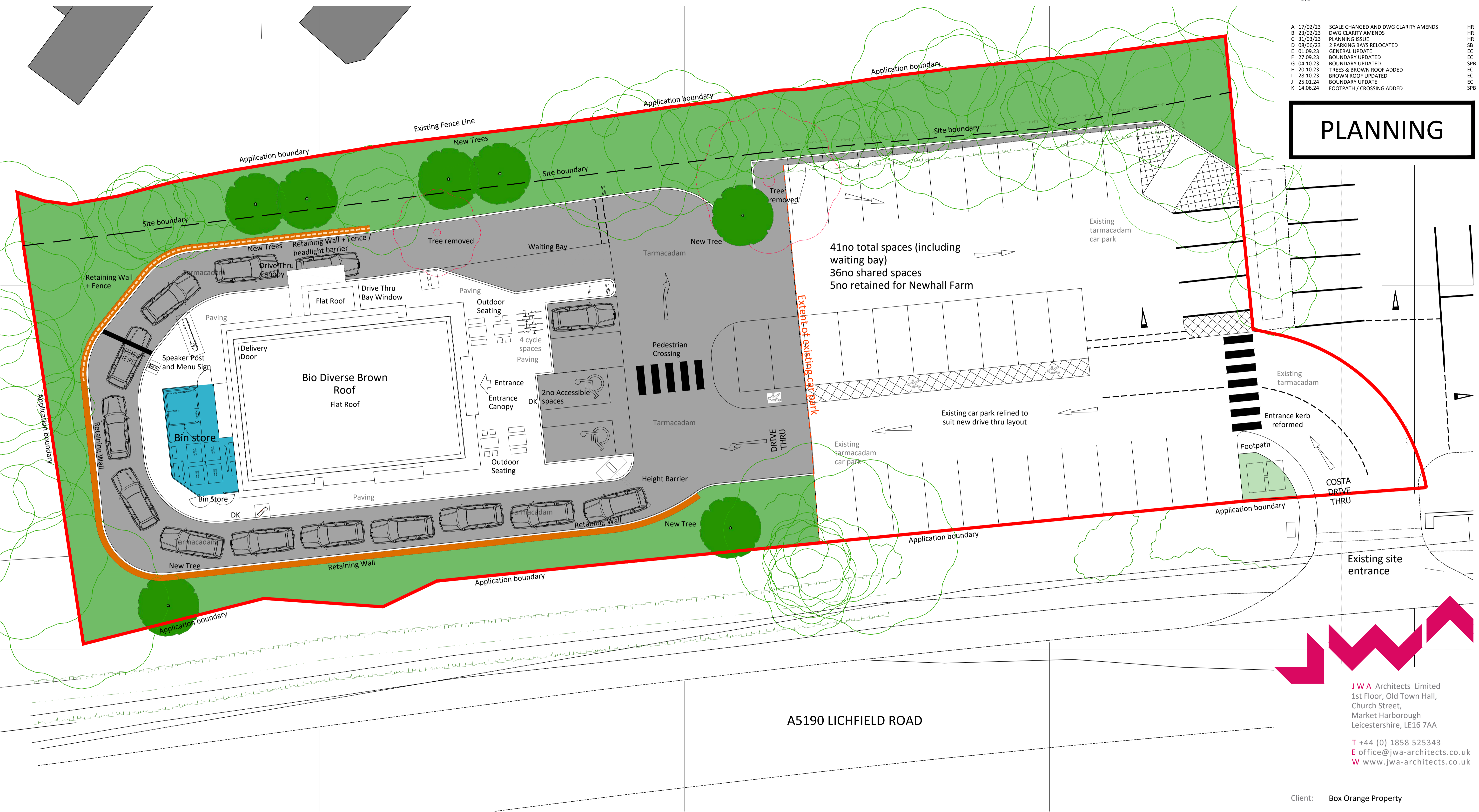
**Beo Landscape Design Ltd**  
 132A 'The Westlands', Compton Road,  
 Wolverhampton, WV3 9QB  
 T: 01902 424 950 / 01902 425 001  
 E: info@beolandscape.co.uk  
 W: www.beolandscape.co.uk

**Landscape Institute Registered Practice**



A	17/02/23	SCALE CHANGED AND DWG CLARITY AMENDS	HR
B	23/02/23	DWG CLARITY AMENDS	HR
C	31/03/23	PLANNING ISSUE	HR
D	08/06/23	2 PARKING BAYS RELOCATED	SB
E	01/09/23	GENERAL UPDATE	EC
F	27/09/23	BOUNDARY UPDATED	EC
G	04/10/23	BOUNDARY UPDATED	SPB
H	20.10.23	TREES & BROWN ROOF ADDED	EC
I	28.10.23	BROWN ROOF UPDATED	EC
J	25.01.24	BOUNDARY UPDATE	EC
K	14.06.24	FOOTPATH / CROSSING ADDED	SPB

# PLANNING



41no total spaces (including waiting bay)  
 36no shared spaces  
 5no retained for Newhall Farm

**JWA Architects Limited**  
 1st Floor, Old Town Hall,  
 Church Street,  
 Market Harborough  
 Leicestershire, LE16 7AA  
 T +44 (0) 1858 525343  
 E office@jwa-architects.co.uk  
 W www.jwa-architects.co.uk

Client: Box Orange Property

Project: Costa Drive Thru, Lichfield Road, Cannock, WS11 8NL

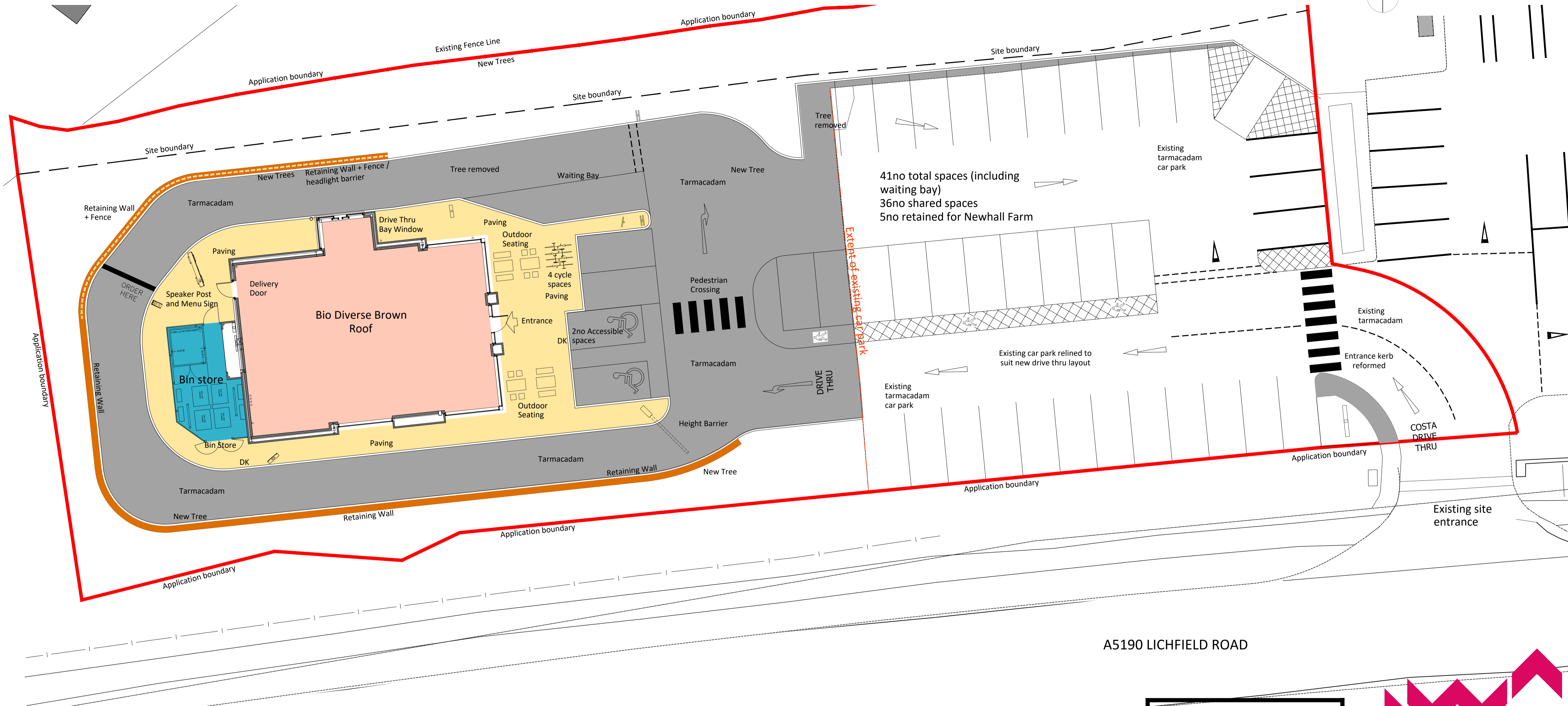
Drawing: Proposed Site Layout

A Proposed Site Layout  
 03 1:250@A3



Purpose: PLANNING Date: 12.09.22  
 Scale: 1:250@A3 Drawn: HR  
 Dwg. No: J9490-03 Revision: K





A5190 LICHFIELD ROAD

A 08 Proposed Hard Landscaping Plan  
1:250@A3

- Hard Landscaping key**
- Brushed Concrete
  - Retaining Wall
  - Retaining wall & fence / headlight barrier
  - Brett Paving Yorktone Charcoal. Paving 450 x 450 x 50mm
  - Tarmacadam
  - DK Drop kerbs  
Kerbs to match existing

## PLANNING

**General**

- IF IN DOUBT ASK
- Copyright JWA Architects Limited. This drawing remains the property of JWA Architects Limited & may not be reproduced in any way without prior consent.
- Do not scale off this drawing.
- Figured dimensions / coordinates are for reference only. Differences between figured dimensions / coordinates and actual dimensions / coordinates are to be reported immediately to the architect and confirmation sought before proceeding. Contractors must verify all dimensions / coordinates on site before any works or manufacturing commences.

**Client responsibilities**

- CDM 2015 places legal duties on virtually everyone involved in construction work including Clients.
- Full details available from hse.gov.uk. If in doubt ask.
- Regulatory Reform (Fire Safety) Order 2005: The attention of the client is drawn to the legal requirements on the building owners/occupiers to carry out a site specific written Fire Risk Assessment of commercial premises.

A	21.06.23 PARKING UPDATED	SB
B	01.09.23 GENERAL UPDATED / NOTES	SB
C	27.09.23 BOUNDARY UPDATED	EC
D	04.10.23 BOUNDARY UPDATED	SPB
E	23.11.23 LANDSCAPE UPDATED	EC
F	28.11.23 BUILDING PLAN UPDATED	EC
G	25.01.24 BOUNDARY UPDATED	SPB
H	14.06.24 FOOTPATH ADDED	SPB

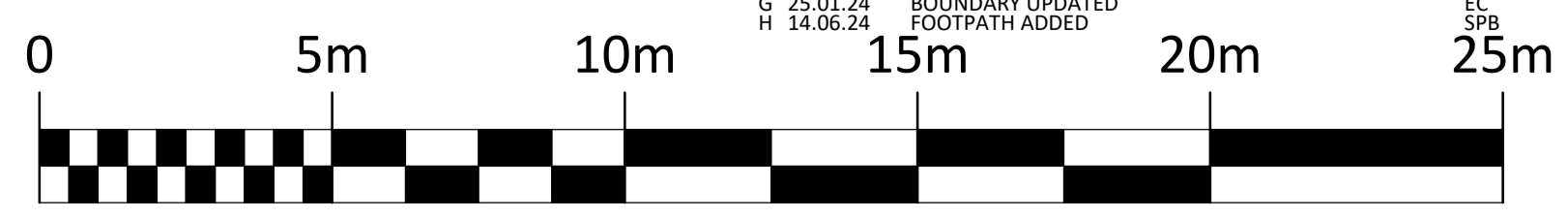
**JWA Architects Limited**  
1st Floor, Old Town Hall,  
Church Street,  
Market Harborough  
Leicestershire, LE16 7AA

T +44 (0) 1858 525343  
E office@jwa-architects.co.uk  
W www.jwa-architects.co.uk

Client: **Box Orange Property**

Project: **Costa Drive Thru, Lichfield Road, Cannock, WS11 8NL**

Drawing: **Proposed Site Layout  
Hard Landscaping**



Purpose: **PLANNING**      Date: **12.09.22**

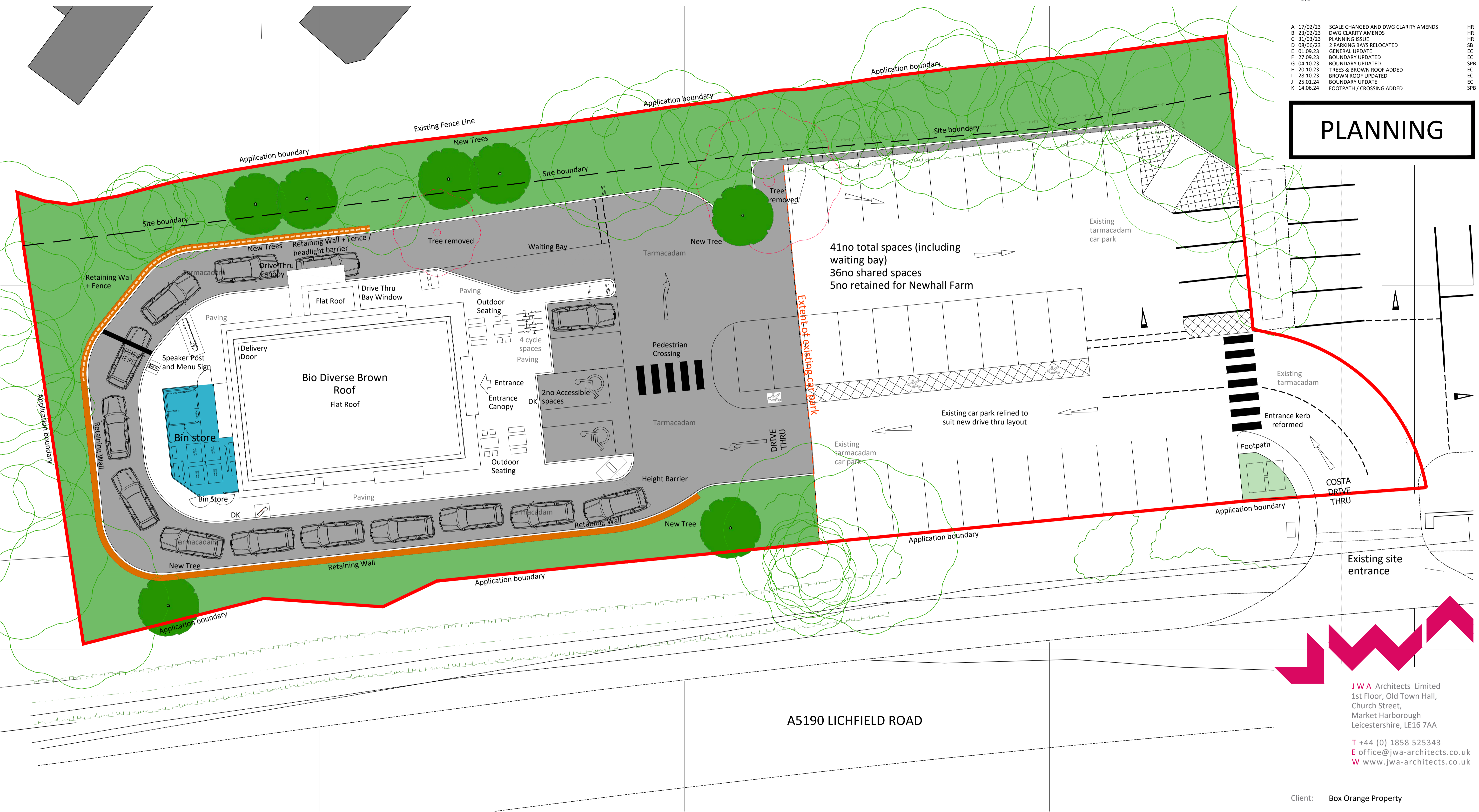
Scale: **1:250@A3**      Drawn: **HR**

Dwg. No: **J9490-08**      Revision: **H**



A	17/02/23	SCALE CHANGED AND DWG CLARITY AMENDS	HR
B	23/02/23	DWG CLARITY AMENDS	HR
C	31/03/23	PLANNING ISSUE	HR
D	08/06/23	2 PARKING BAYS RELOCATED	SB
E	01/09/23	GENERAL UPDATE	EC
F	27/09/23	BOUNDARY UPDATED	EC
G	04.10.23	BOUNDARY UPDATED	SPB
H	20.10.23	TREES & BROWN ROOF ADDED	EC
I	28.10.23	BROWN ROOF UPDATED	EC
J	25.01.24	BOUNDARY UPDATE	EC
K	14.06.24	FOOTPATH / CROSSING ADDED	SPB

# PLANNING



41no total spaces (including waiting bay)  
 36no shared spaces  
 5no retained for Newhall Farm

A5190 LICHFIELD ROAD

**JWA Architects Limited**  
 1st Floor, Old Town Hall,  
 Church Street,  
 Market Harborough  
 Leicestershire, LE16 7AA  
 T +44 (0) 1858 525343  
 E office@jwa-architects.co.uk  
 W www.jwa-architects.co.uk

Client: **Box Orange Property**

Project: **Costa Drive Thru, Lichfield Road, Cannock, WS11 8NL**

Drawing: **Proposed Site Layout**

**A** Proposed Site Layout  
**03** 1:250@A3



Purpose: **PLANNING** Date: **12.09.22**  
 Scale: **1:250@A3** Drawn: **HR**  
 Dwg. No: **J9490-03** Revision: **K**



A	30.03.23	FENCE HEIGHT REDUCED + PLANNING ISSUE	HR
B	04.10.23	BOUNDARY UPDATED	SPB
C	27.11.23	REDRAWN / BOUNDARY UPDATED	NB
D	25.01.24	BOUNDARY UPDATED	EC
E	25.01.24	RESIDENTIAL OUTLINE ADDED	SPB



**MATERIAL KEY**

1. BAUDER BIODIVERSE ROOF INSULATION TO LATEST PART L REGULATIONS. INTERNAL UNDERSIDE OF ROOF SPRAYED DULUX TRADE 30YY 46/036 (GREY)
- 2a METAL/ZINC STANDING SEAM FASCIAS AND SOFFIT
- 2b 2mm THICK ALUMINIUM PANELS. POWDER COATED RAL 3005 - WINE RED
- 3a RED FACING BRICK TO RESEMBLE EXISTING BUILDINGS ON SITE.
- 3b COURSES UP TO DPC LEVEL IN WIENERBERGER STAFFORDSHIRE SMOOTH SOLID BLUE BRICK WITH LIGHT GREY MORTAR.
- 3c MASONRY CORNER DETAILING TO MATCH LISTED BUILDING ON SITE
- 3d GABION STONE RETAINING WALL
4. THERMALLY BROKEN ALUMINIUM SHOPFRONT WINDOW SYSTEM (KAWNEER OR SIMILAR APPROVED), FRAME COLOUR ANTHRACITE GREY RAL 7016. FOR ALL SOUTH, SOUTH-EAST AND SOUTH WEST FACING GLAZING, DEVELOPER TO CONSIDER SOLAR REFLECTIVE FILM.
5. SERVICE DOOR FACTORY FINISHED POWDER COATED STEEL DOORS AND FRAMES- COLOUR RAL 7016 WITH RAL 7016 FRAMES
6. LOUVRES 2No LOUVRES WITH INTERNAL INSECT MESH. FINISHED RAL 9010
7. SIGNAGE SIGNAGE TO SEPARATE ADVERTS APPLICATION

**General**

- IF IN DOUBT ASK
- Copyright JWA Architects Limited. This drawing remains the property of JWA Architects Limited & may not be reproduced in any way without prior consent.
- Do not scale off this drawing.
- Figured dimensions / coordinates are for reference only. Differences between figured dimensions / coordinates and actual dimensions / coordinates are to be reported immediately to the architect and confirmation sought before proceeding. Contractors must verify all dimensions / coordinates on site before any works or manufacturing commences.

**Client responsibilities**

- CDM 2015 places legal duties on virtually everyone involved in construction work including Clients.
- Full details available from hse.gov.uk. If in doubt ask.
- Regulatory Reform (Fire Safety) Order 2005: The attention of the client is drawn to the legal requirements on the building owners/occupiers to carry out a site specific written Fire Risk Assessment of commercial premises.

**Legal / Statutory**

- This drawing is subject to confirmation of legal boundaries and agreements of all statutory authorities and undertakers necessary for all supplies, way leaves and diversions, all of which are unknown at the time of preparing this drawing. This drawing is also subject to all necessary local authority approvals and agreements.
- This drawing is subject to relevant statutory approvals

**Survey Notes**

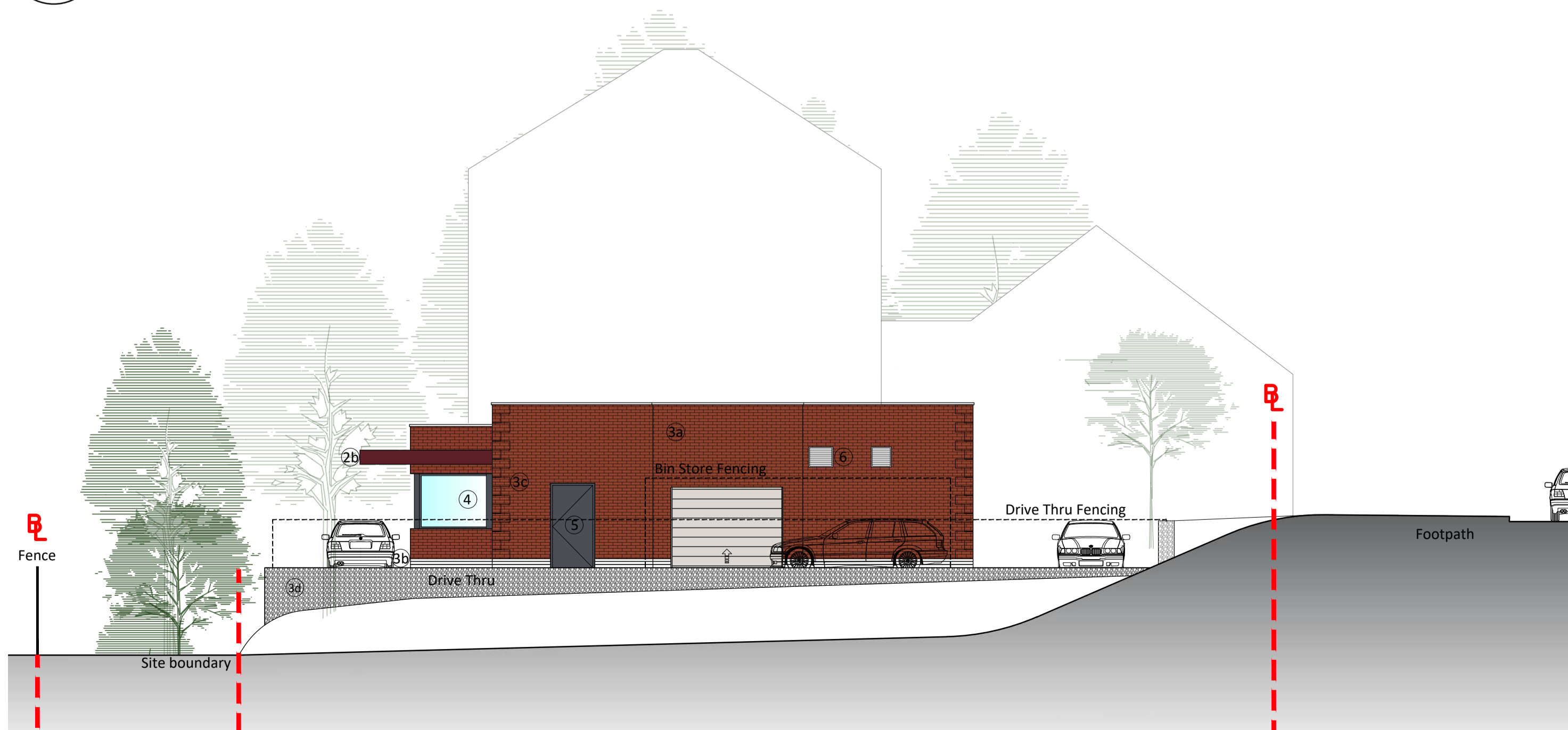
- Measured Survey undertaken by Greenhatch Group
- This drawing contains data surveyed at a scale of 1:1 with the accuracy and tolerances of the digital data therein being appropriate to plot scale stated on the drawing
- Detail, services and features may not have been surveyed if obstructed or not reasonably visible at the time of the survey. Height data is given from datum.
- Trees are drawn to scale showing the average canopy spread. Descriptions and heights should be used as a guide only. All building names, descriptions, number of storeys, construction type including roof line details are indicative only and taken externally from ground level. All below ground details including drainage, voids and services have been identified from above ground and therefore all details relating to these features including; sizes, depth, description etc will be approximate only. All critical dimensions and connections should be checked and verified prior to starting work.
- Measurements to internal wall are taken to the wall finishes approx 1m above the floor level and the wall assumed to be vertical. Cill heights are measured as floor to the cill and head heights are measured from cill to the top of window.

PLANNING

**A** South Elevation  
06 1:100@A1



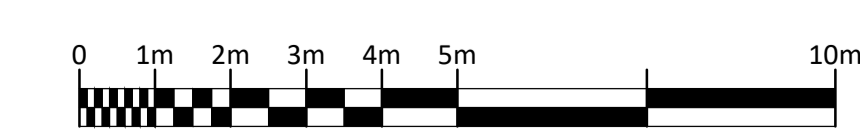
**B** East Elevation  
06 1:100@A1



**C** West Elevation  
06 1:100@A1



**D** North Elevation  
06 1:100@A1



**JWA Architects Limited**  
1st Floor, Old Town Hall,  
Church Street,  
Market Harborough  
Leicestershire, LE16 7AA  
T +44 (0) 1858 525343  
E office@jwa-architects.co.uk  
W www.jwa-architects.co.uk

Client: **Box Orange Property**

Project: **Costa Drive Thru, Lichfield Road, Cannock, WS11 8NL**

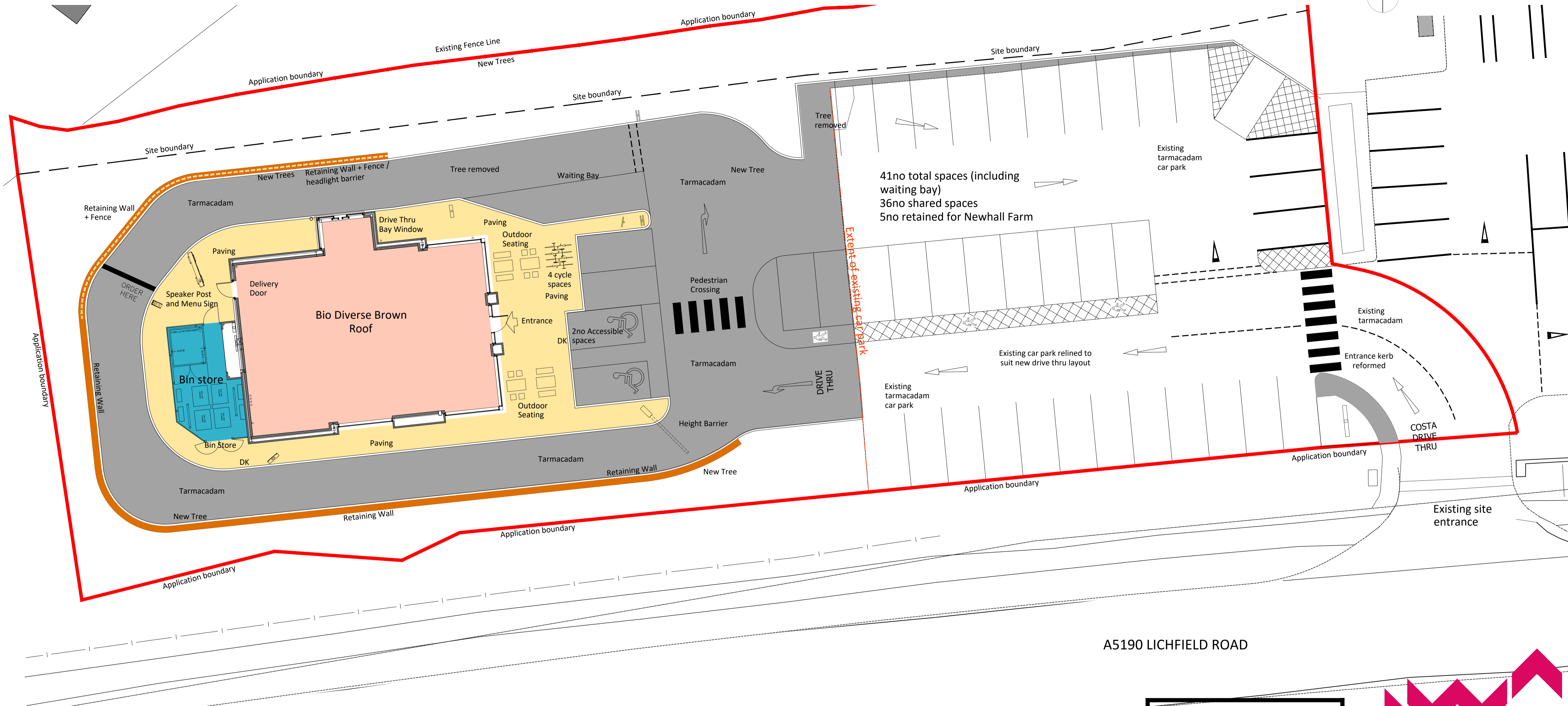
Drawing: **Proposed Elevations**

Purpose: **PLANNING** Date: **12.09.22**

Scale: **1:100@A1** Drawn: **HR**

Dwg. No: **J9490-06** Revision: **E**





A5190 LICHFIELD ROAD

A Proposed Hard Landscaping Plan  
08 1:250@A3

- Hard Landscaping key**
- Brushed Concrete
  - Retaining Wall
  - Retaining wall & fence / headlight barrier
  - Brett Paving Yorktone Charcoal. Paving 450 x 450 x 50mm
  - Tarmacadam
  - DK Drop kerbs  
Kerbs to match existing

## PLANNING

**General**

- IF IN DOUBT ASK
- Copyright JWA Architects Limited. This drawing remains the property of JWA Architects Limited & may not be reproduced in any way without prior consent.
- Do not scale off this drawing.
- Figured dimensions / coordinates are for reference only. Differences between figured dimensions / coordinates and actual dimensions / coordinates are to be reported immediately to the architect and confirmation sought before proceeding. Contractors must verify all dimensions / coordinates on site before any works or manufacturing commences.

**Client responsibilities**

- CDM 2015 places legal duties on virtually everyone involved in construction work including Clients.
- Full details available from hse.gov.uk. If in doubt ask.
- Regulatory Reform (Fire Safety) Order 2005: The attention of the client is drawn to the legal requirements on the building owners/occupiers to carry out a site specific written Fire Risk Assessment of commercial premises.

A	21.06.23	PARKING UPDATED	SB
B	01.09.23	GENERAL UPDATED / NOTES	SB
C	27.09.23	BOUNDARY UPDATED	EC
D	04.10.23	BOUNDARY UPDATED	SPB
E	23.11.23	LANDSCAPE UPDATED	EC
F	28.11.23	BUILDING PLAN UPDATED	EC
G	25.01.24	BOUNDARY UPDATED	SPB
H	14.06.24	FOOTPATH ADDED	SPB

**JWA Architects Limited**  
1st Floor, Old Town Hall,  
Church Street,  
Market Harborough  
Leicestershire, LE16 7AA

T +44 (0) 1858 525343  
E office@jwa-architects.co.uk  
W www.jwa-architects.co.uk

Client: **Box Orange Property**

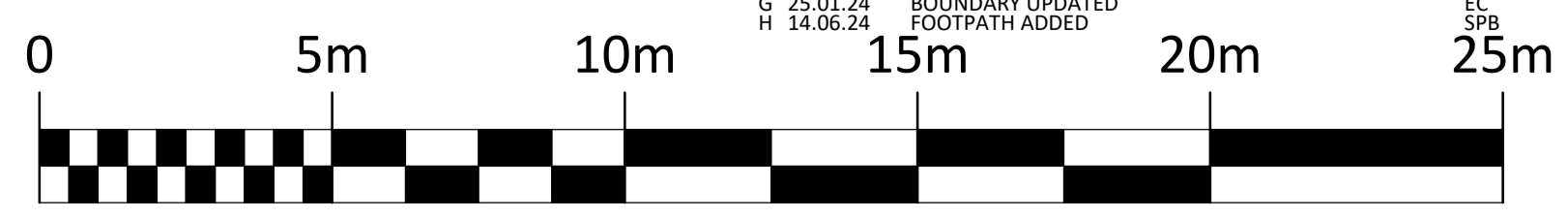
Project: **Costa Drive Thru, Lichfield Road, Cannock, WS11 8NL**

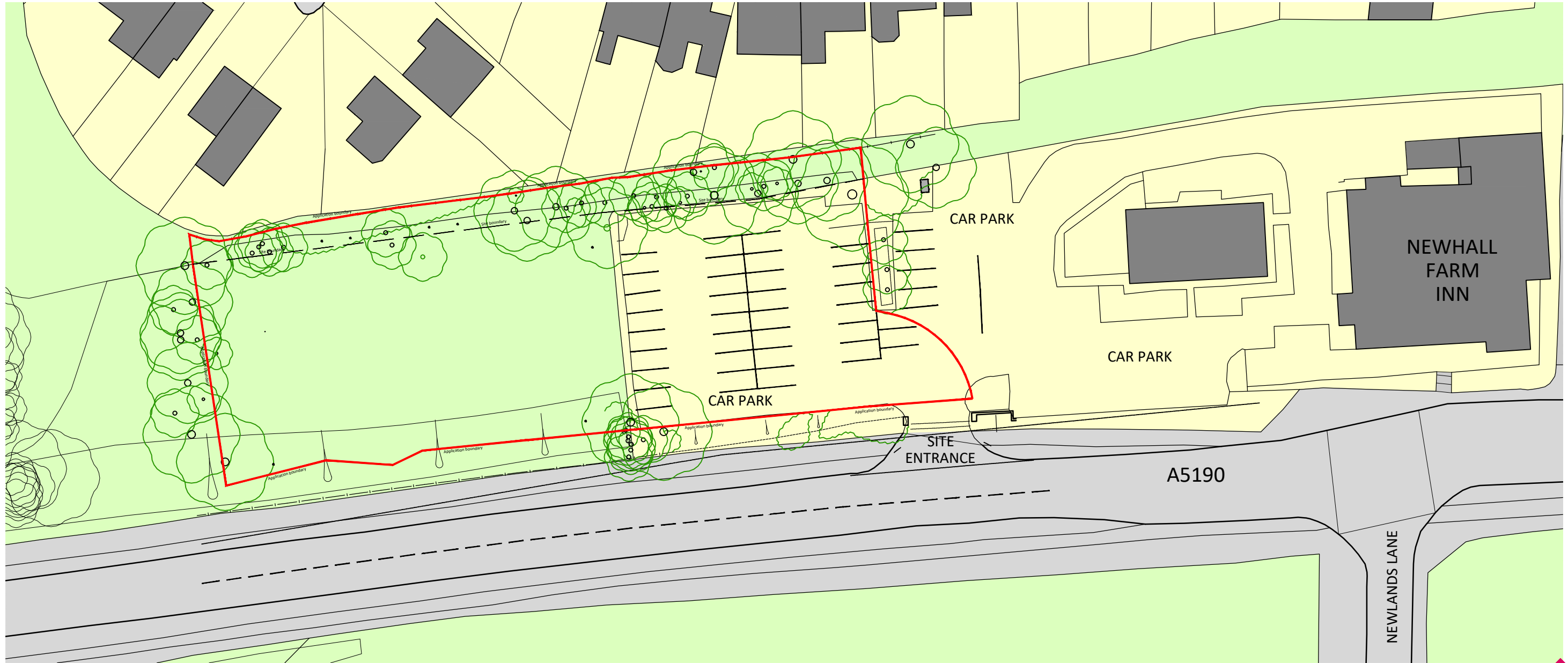
Drawing: **Proposed Site Layout  
Hard Landscaping**

Purpose: **PLANNING**      Date: **12.09.22**

Scale: **1:250@A3**      Drawn: **HR**

Dwg. No: **J9490-08**      Revision: **H**





JWA Architects Limited  
 1st Floor, Old Town Hall,  
 Church Street,  
 Market Harborough  
 Leicestershire, LE16 7AA  
 T +44 (0) 1858 525343  
 E office@jwa-architects.co.uk  
 W www.jwa-architects.co.uk

Client: Box Orange Property

Project: Costa Drive Thru, Lichfield Road,  
 Cannock, WS11 8NL

Drawing: Existing site plan / Survey

Purpose: PLANNING Date: 04.04.24  
 Scale: 1:500@A3 Drawn: SPB  
 Dwg. No: J9490-15 Revision: -

**General**

- IF IN DOUBT ASK
- Copyright JWA Architects Limited. This drawing remains the property of JWA Architects Limited & may not be reproduced in any way without prior consent.
- Do not scale off this drawing.
- Figured dimensions / coordinates are for reference only. Differences between figured dimensions / coordinates and actual dimensions / coordinates are to be reported immediately to the architect and confirmation sought before proceeding. Contractors must verify all dimensions / coordinates on site before any works or manufacturing commences.

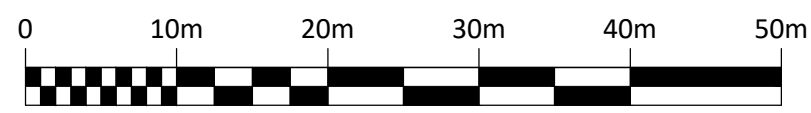
**Legal / Statutory**

- This drawing is subject to confirmation of legal boundaries and agreements of all statutory authorities and undertakers necessary for all supplies, way leaves and diversions, all of which are unknown at the time of preparing this drawing. This drawing is also subject to all necessary local authority approvals and agreements.
- This drawing is subject to relevant statutory approvals

**Survey Notes**

- Measured Survey undertaken by Greenhatch Group
- This drawing contains data surveyed at a scale of 1: with the accuracy and tolerances of the digital data therein being appropriate to plot scale stated on the drawing
- Detail, services and features may not have been surveyed if obstructed or not reasonably visible at the time of the survey. Height data is given from datum.
- Trees are drawn to scale showing the average canopy spread. Descriptions and heights should be used as a guide only. All building names, descriptions, number of storeys, construction type including roof line details are indicative only and taken externally from ground level. All below ground details including drainage, voids and services have been identified from above ground and therefore all details relating to these features including; sizes, depth, description etc will be approximate only. All critical dimensions and connections should be checked and verified prior to starting work.
- Measurements to internal wall are taken to the wall finishes approx 1m above the floor level and the wall assumed to be vertical. Cill heights are measured as floor to the cill and head heights are measured from cill to the top of window.

**PLANNING**





KEY	
+ 147.62	Existing levels
+ 147.845	Proposed levels

# PLANNING



JWA Architects Limited  
 1st Floor, Old Town Hall,  
 Church Street,  
 Market Harborough  
 Leicestershire, LE16 7AA  
 T +44 (0) 1858 525343  
 E office@jwa-architects.co.uk  
 W www.jwa-architects.co.uk

Client: Box Orange Property

Project: Costa Drive Thru, Lichfield Road, Cannock, WS11 8NL

Drawing: Proposed Site Levels Plan

A Proposed Site Layout  
 16 1:250@A3



Purpose: PLANNING Date: 11.07.24  
 Scale: 1:250@A3 Drawn: EC  
 Dwg. No: J9490-16 Revision:

<b>Contact Officer:</b>	Amy Jackson
<b>Telephone No:</b>	4577

<p><b>Planning Control Committee</b></p> <p><b>18<sup>th</sup> September 2024</b></p>
---

<b>Application No:</b>	CH/24/094
<b>Received:</b>	28-Mar-2024
<b>Location:</b>	Land adjacent Newhall Inn Public House and Adjoining Car Park, Cannock, WS11 8NL
<b>Parish:</b>	Heath Hayes and Wimblebury CP
<b>Ward:</b>	Hawks Green
<b>Description:</b>	Erection of 1no. Drive-Thru unit (Use Class E(b)/Sui Generis) together with the provision of a Drive Thru Lane, reconfiguration of the parking arrangement and associated landscaping
<b>Application Type:</b>	Full Planning Application

**Reason for committee determination**

This application is being presented to committee due to Councillor request for call in, Parish Council objection and significant public interest.

**Recommendation:** Full Refusal

**Reason(s) for Recommendation:**

1. The proposal includes the loss of part of Cannock Chase Green Space Network. The benefits of the scheme provided by the applicant do not outweigh the loss of the Green Space Network and no alternative green space has been provided to compensate for this loss. Therefore, the proposal would be contrary to Policy CP5 of the Local Plan and as such would not be acceptable in principle.



2. It has been identified that the proposal would result in less than substantial harm to the Grade II Listed Building due to the loss of the Green Space Network. In this instance, the wider public benefits associated with the proposal do not outweigh the less than substantial harm the proposal would cause and therefore the proposal fails to have regard to the provisions of Section 66 of Planning (Listed Building and Conservation Areas) Act 1990 and is contrary to the National Planning Policy Framework and Policy CP15 of the Cannock Chase Local Plan.
3. The application site sits on higher ground than the adjacent dwellings within Salisbury Drive located to the rear (north) of the application site. The siting of the proposed building with serving hatch and drive-thru lane would remain in an elevated position to these neighbouring dwellings and would result in an unacceptable loss of privacy and outlook for these occupiers. Whilst there is an established landscape strip that would act to some degree as a buffer to these adjacent dwelling, there are some gaps that allow views through, and the level of screening would significantly be reduced in the winter months when the trees lose their leaves. As such the proposed development would not accord with requirements of Policy CP3 of the Cannock Chase Local Plan and paragraphs 135 and of the NPPF
4. Insufficient information has been provided in respect of potential noise and disturbance arising from the proposal. The potential increased activity at the site in respect of comings and goings, vehicle activity and associated noise and pollution, in this residential location has the potential to have a detrimental impact upon the amenity of neighbouring occupiers and the wider locality. The development proposal is therefore in conflict with Policies CP3 of the Cannock Chase Local Plan (Part 1) 2014 and paragraphs 135 and 191 of the National Planning Policy Framework.
5. Insufficient information has been provided in respect of parking requirements, pedestrian access and servicing vehicle access. The potential increased activity at the site has the potential to have a detrimental impact upon highway safety and as such would not accord with paragraph 115 of the National Planning Policy Framework.

## Consultations and Publicity

### External Consultations

#### Heath Hayes & Wimblebury Parish Council - Objection

Not in keeping with the Managers accommodation, has an impact on the wildlife within the area. Litter will be increased, meaning a higher chance of vermin. Danger turning right across a 60mph road, already a RTA hot spot.

Noise impact on the residents on Salisbury Drive it backs on to their gardens. Smells for the residents

#### Highways Authority- Objection

- There is insufficient information for the Highway Authority to determine whether the parking provision is acceptable
- No details of the anticipated vehicle movements associated with the proposed development's servicing have been submitted.
- The Applicant has failed to demonstrate that the development can provide a safe point of access for pedestrians

The applicant submitted further information following comments made by Highways, however still failed to address the concerns raised, therefore comments from Highways remain the same.

#### Staffordshire Police-

No objection.

### Internal Consultations

#### Environmental Health - Objection

Lack of appropriate noise risk assessment.

### Parks & Open Spaces & Countryside Ecologist - Objection

Due to the loss of green space and being unable to review the application in full due to limited detail on the impact on adjacent residents. The proposal does not warrant the erosion of the Green Space Network and alternative green space provision has not been provided within the application.

### Economic Development

No objection.

### Planning Policy

The proposed should respect the character of the area and promote the creation of better places in which to live and work; consideration should be given to the suitability of the proposed use in consideration of surrounding uses and the protection of amenity for both existing and future uses and neighbouring properties.

The setting of the adjacent heritage asset should be taken into consideration, and we will leave it to the Case Officer to whether they consider enough information has been provided to assess the potential harm to the Grade II Listed Building.

It is noted that the proposal would result in the loss of an area of the Green Space Network, we defer consideration of this loss to the expertise of the Parks and Open Spaces Officer.

### **Response to Publicity**

The application has been advertised by site notice and neighbour letter. 36 letters of representation have been received. The comments received have been summarised below:

### Design & Impact on Character of Area

- The overall cumulative impact of the Costa Coffee signage and associated illumination would result in significant harm to the visual amenity of the area and contribute to visual clutter.
- Will have a negative impact on the area, changing to a more commercial environment.

### Pollution including noise, light, air etc.

- Likely 24/7 lighting as well as car beams will affect residents and wildlife. The increase and frequency of vehicle head and taillights, in conjunction with the addition of building lights and external lights, will result in lights shining, and being turned on and off, directly into our rear gardens. No proposed measures to reduce this impact on residents.
- Cars queueing for the drive thru element of the facility will create air pollution - in the form of exhaust fumes from running engines impacting nearby occupiers and wildlife
- Noise pollution will be created by the order point loudspeakers, running engines, external seating areas for the facility, people shouting etc. Staff arriving for the set-up procedures prior to opening, and leaving after the facility has closed, will also add to the noise pollution. Noise report is considered to be invalid as it doesn't cover all noise factors.
- Litter issues,
- Odour from business will be present in nearby residential gardens
- Smoke/vape emissions from customers and staff will be metres from residential gardens.
- The development clearly expects a high level of waiting times with moving and idling traffic. This will significantly increase the pollution health threat to local residents. Would increase carbon emissions.

#### Impact on Nature Conservation Interests

- Proposal will harm wildlife present in the area such as bats, squirrels, frogs, birds, mice, badgers, foxes, newts, hedgehogs and deer.
- The Deer use this route to access in and out of the nature reserve on a regular basis
- A previous hotel planning application at this site was rejected. One of the key rejection points was the destruction of newt habitations.
- Encroach on a beautiful well-used nature reserve
- Green spaces within area are being eroded at a huge rate.

#### Residential Amenity

- Proposal will result in neighbouring homes being overlooked.
- Impact outlook from residential gardens, as proposed planting is not enough to shield view of building.
- Development will be visible from Salisbury Drive, having a detrimental effect on the aesthetics of the street
- Unsociable trading hours are disruptive and inconsiderate to local residents who currently have no activity behind their properties.

### Highway Safety

- The traffic turning right across the traffic will significantly increase. This is an already busy junction with Newlands Lane and frequently a site for RTA. Turning out of the public house carpark is already a problem due to the speed of the road (National Speed Limit).
- Less parking space for those visiting the Newhall Farm pub. Insufficient car parking spaces, car park is already at capacity on weekends.
- Heightened risk of accidents due to increased traffic.
- Drive-Thru will encourage illegal car cruising and bike racing.
- Application indicates existing pub car park entrance to be widened to accommodate drive thru however on the plan, vehicles would be required to enter car park and go 'back on themselves' to enter the service lane. This change would encourage queuing or pavement parking if the overcrowded car park is already full.

### Impact on Listed Building

- Detrimental impact to adjacent Listed Building due to unsuitable design and size

### Other

- Chose to buy/rent property due to peaceful nature of the location
- Construction of proposal will create excessive noise, dust and disturbance to residents and wildlife
- Will attract a rise in the crime rate and antisocial behaviour.
- Property values in the immediate vicinity will be directly affected in a negative way.

- There is no need for another coffee outlet. Will erode local business possibilities. There is no commercial demand as suggested by the applicant.
- Severe impact on mental health
- Queried whether this a way of the Council raising funds by selling the land to developers, understand they are having financial difficulties.
- Poplars Landfill site already causes air pollution and odours for nearby residential properties. The application is for a building opposite a Biffa landfill site, with foul landfill and recycled food waste emissions, heightened during the Summer months.
- May discourage the use of the local pub.
- Serves very little purpose to the locals.
- The outlet has created huge issues with drivers blocking roads.
- No indication of business signage, business and residential properties footprint, max height of border or security fencing or entrance/exit barriers, if signage is illuminated fulltime, maximum height of building incl. 'green' roof.
- Inconsistencies between plans. Ambiguity re land at the rear of our property: REF Design & Access Statement C.7, states the strip of land between the boundary and the site is marked as "to be incorporated into the overall landscaping scheme." One statement contradicts the other - one confirms it is included and one confirms it isn't. Clarification required
- If this application is to proceed, costa coffee must state expected vehicle and customer volumes and footfall (they will have clearly Defined in their business plan). All negative factors must be identified, synthesised and compounded to ascertain the levels of devaluations of adjacent and surrounding properties. Without such detailed, factual, analysis, the levels of properties devaluations cannot be accurately considered or calculated.
- The rural view we have from our properties is worth preservation.
- Compensation must be provided for impact on lives and property sales.
- Would also require a wall installation at our rear boundary (no. 90) to reduce the impacts.

- Costa could be included as part of the 700 new homes proposed on land opposite the site.
- Heath Hayes Park would be a better site option for the proposal.
- Concerned regarding the lack of consultation regarding the proposal.

### Relevant Planning History

#### CH/07/0095

Construction of two storey 41 bed hotel associated parking, landscaping and ancillary works. Refused - 16-May-2007 for the following reasons:-

- 1) *The proposed development by virtue of its siting, size, design and layout of the car parking would prejudice the amenity of nearby residential properties to an unacceptable degree, contrary to policy B8 of the adopted Local Plan.*
- 2) *The proposed development would include loss of Greenspace Network identified for protection in the Cannock Chase Local Plan 1997. No satisfactory alternative Greenspace Network is proposed. Accordingly, the proposal would be prejudicial to the purpose of the Green Space Network and contrary to Policy B6 of the adopted Local Plan.*

**Appeal dismissed.**

### 1 Site and Surroundings

- 1.1 The application site comprises of hardstanding land utilised as parking for Newhall Farm public house and undeveloped land, designated as Green Space Network.
- 1.2 The site is located on Lichfield Road, which is a classified 60mph road, with footways on both sides and street lighting.
- 1.3 The application site lies approximately 1.5 miles east of Cannock Town Centre. Mill Green roundabout is situated half a mile to the west which serves McArthur Glen

Designer Outlet West Midlands, Cannock Town Centre, A460/A5/Orbital Retail Park and Biffa Landfill.

- 1.4 This section of Lichfield Road falls to be defined as providing 'high levels of noise' by the Department for Environment, Food and Rural Affairs (DEFRA).
- 1.5 The site is adjacent to a Grade II listed 2 storey farmhouse and Newhall Farm Public House. There are residential properties located to the rear, directly abutting the application site.
- 1.6 There is existing fencing and substantial landscaping located between the site and properties to the rear, none of which benefit from Tree Preservation Orders.
- 1.7 Mill Green and Hawks Green Local Nature Reserve is located to the west of the application site, which is also designated as a Site of Biological Interest. Land located opposite the site is designated as Green Belt land.
- 1.8 The site is an historic landfill site and is considered low risk by the Coal Authority.

## **2 Proposal**

- 2.1. The applicant is seeking consent for the erection of 1no. Drive-Thru unit (Use Class E(b)/Sui Generis) together with the provision of a Drive Thru Lane, reconfiguration of the parking arrangement and associated landscaping.
- 2.2. The proposal includes the remodelling/reconfiguration of the existing parking arrangements, meaning the site would accommodate 41no car parking spaces, which would be shared between the public house and the proposed drive-thru unit. Cycle parking would be located to the front of the building and would provide 4no. spaces.
- 2.3. The proposed building would be single storey, constructed with a flat roof and would be finished with red facing brick and 'shop front style' aluminium windows and doors. The proposed building would include a bio-diverse roof.
- 2.4. The proposed building would be located on a lower level than the highway. The building would occupy a central location within the western portion of the site. The associated drive thru lane would loop around the building, an order point is proposed to the west elevation, with the server window to the north. The bin storage is proposed adjacent the west elevation.



- 2.5. The proposal includes removal of 5 Category U trees and planting of new specimen trees. The existing roadside boundary planting will be retained.
- 2.6. The proposed opening hours would be Monday to Sunday (including Bank holidays 06:00 - 22:00. No hours are provided for staff working or delivery of goods.

<b>3 Planning Policy</b>
--------------------------

- 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).

3.3 Cannock Chase Local Plan Part 1

- |         |  |
|---------|--|
| CP1: -  | Strategy – the Strategic Approach  |
| CP3: -  | Chase Shaping – Design   |
| CP5: -  | Social Inclusion and Healthy Living                                      |
| CP8: -  | Employment Land  |
| CP9: -  | A Balanced Economy   |
| CP10: – | Sustainable Transport  |
| 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                              |

3.4 Relevant paragraphs within the NPPF: -

- |        |  |
|--------|--|
| 8:     | Three dimensions of Sustainable Development          |
| 11-14: | The Presumption in favour of Sustainable Development |
| 47-50: | Determining Applications                             |

90:	Ensuring the vitality of town centres
96:	Promoting healthy and safe communities
115:	Highway Safety and Capacity
131, 135, 136, 139 :	Achieving Well-Designed Places
186, 188:	Biodiversity
183, 184, 185, 191:	Ground conditions and pollution
200-208:	Conserving and enhancing the historic environment
218, 219	Implementation

### 3.5 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets

## 4 Determining Issues

- i. Principle of Development
- ii. Design and Impact on Character and Form of the Area
- iii. Impact on Residential Amenity
- iv. Impact on Highway Safety
- v. Impact on Nature Conservation Interests
- vi. Impact on Air Quality
- vii. Waste and Recycling Facilities
- viii. Anti-social Behaviour and Crime
- ix. Drainage and Flood Risk
- x. Ground Conditions and Contamination

## 4.1 Principle of Development

4.1.1. Both paragraph 11 of the NPPF (2023) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

4.1.2. 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

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

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.’

4.1.3. 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.”

4.1.2. Whilst the application site is located within a sustainable location, the proposed use is considered to be a main Town Centre Use. Paragraph 90 of the NPPF identifies that planning policies and decisions should support the role that town centres play at

the heart of local communities, by taking a positive approach to their growth, management and adaptation.

- 4.1.3. Policy CP11 seeks to maintain the roles of the districts centres including the town centre retail uses including retail and offices and sets out that new retail development will be directed towards the Primary Retail Area. CP11 also adds that:-

‘A primary retail area is also defined within which existing class A1 retail uses will be retained and to which new retail development will be directed, together with secondary frontages.’

### **Sequential Test**

- 4.1.4. The application site is located approximately 1.8km to the east of Cannock Town Centre and is therefore considered out of centre. The applicant has undertaken a search of potential alternative sites within, and on the edge of, Cannock Town Centre, which is deemed appropriate having regard to the town centre hierarchy, the likely catchment area of the proposal and the commercial requirement to have accessibility to the A51. It was not deemed appropriate to consider, whether there are sequentially preferable sites in any other centre because the need for the proposal is inherently locationally specific. A drive-thru format is considered a distinct and individual operating format in its own right. Consequently, district and local centres are unlikely to meet the respective operator’s key locational requirements for a drive-thru retail/service provision.
- 4.1.5. It has been established through planning appeal decisions for such facilities that :-
- ‘Given that the purpose of this development is to provide roadside facilities for motorists, which by definition is unlikely to within a town centre, the sequential test is of little relevance to such applications.’*
- 4.1.6. As such the need for a sequential test has limited relevance to this application, as the proposal, by nature, has general locational requirements which include, but are not limited to the need for prominent locations with direct access to the major/primary road network and resultant significant traffic flows; site that benefits from excellent visibility to passing motorists; ability for a site to accommodate a dedicated drive-thru lane, site circulation alongside electric vehicle charging and adequate provision of signage etc; good road access and circulation space; provision of ample adjacent surface level car parking etc.

- 4.1.7. However, for robustness, the sequential analysis has concentrated on whether there is a sequentially preferable site within, or on the edge of, Cannock Town Centre.
- 4.1.8. High street town centre units within Cannock and which were vacant, at the time of the sequential appraisal, have been immediately discounted from the sequential test assessment owing to their clearly insufficient footprint and inability to accommodate the required drive-thru lane. Furthermore, Costa Coffee already have representation within Cannock Shopping Centre and would therefore be unlikely to operate a comparable proposal in that location.
- 4.1.9. Taking the business model requirements for a drive-thru proposal into account, as described above, there are no other sites within any centre which could be considered as sequentially preferable for any component of the scheme. It is not appropriate to assess district or local centres as they will not meet with the locational requirements of any drive-thru operator. Taking the business model requirements for a drive-thru proposal into account, as described above, there are no other sites within any centre which could be considered as sequentially preferable for any component of the scheme.
- 4.1.10. Given the above findings and the specific locational needs of the proposed, it is assessed that there would be no conflict with Policy CP11 of the Local Plan, or paragraph 90 of the NPPF. Notwithstanding, part of the site comprises of Green Space Network (GSN) and adjacent to a designated heritage asset. This issues are considered below:-

### **Green Space Network**

- 4.1.11. In this respect the location of the site is within Green Space Network (GSN), for which there is a presumption against development, as per Local Plan policy CP5, unless it meets the following points:

*'The wider sustainability benefits or major community benefits delivered by the proposal outweigh the loss (taking into account the value of the site);*

*or appropriate mitigation measures and/or replacement space/facilities, equivalent or better in terms of quantity, quality and accessibility, can be provided to compensate for loss of the site and its value.'*

- 4.1.12. The applicant states that the GSN is of extremely poor quality and is of no recreational, amenity or ecological value due to the lack of management / maintenance as an open space, is not accessible to the public and the site is of low aesthetic value to the wider GSN.
- 4.1.13. Within the application, the applicant refers to appeal decision APP/X3405/A/07/2055123 in relation to a previous application for a hotel on this site, which did conclude the site is not managed, not public and not particularly attractive. However, the appeal decision also identified that the site provides a useful buffer, distancing the adjacent houses from the busy road. In addition, as with the current proposal, the appeal was dismissed as no alternative green space had been provided as part of the application.
- 4.1.14. The applicant goes on further to reference the “Strategic Green Space Network 2022 Assessment’, which was commissioned by the Council and recommended removal of the application site from the GSN. However, it should be noted that despite this recommendation, the application site was not removed from GSN as part of the ‘Strategic Green Space Network’ update published by the Council 17<sup>th</sup> October 2022 and remains within the Cannock Chase District Pre-Submission (Regulation 19) Local Plan Policies Map.
- 4.1.15. The applicant outlines that the benefits of the proposal are creation of jobs for local people, including career progression opportunities; delivery of a high quality meeting space for the community which encourages social interaction; improved linkages to the Green Space Network; strengthened landscaping and ecological/biodiversity enhancements; an attractive, heritage-led design which respects the setting of the adjacent Grade II listed building; co-locational benefits, including increased footfall/trade for Newhall Farm Public House and investment in an underutilised site. Assessments are made against the validity of the site’s inclusion within the GSN.
- 4.1.16. Your Officers however maintain that the space clearly provides benefit to the adjacent residents and enhances their quality of life, providing a buffer and privacy from the adjacent road and existing land use, as well as connecting wildlife corridors within the surrounding landscape. It should also be noted that the site is not an isolated parcel of land as described by the applicant and it directly connects to the Local Nature Reserve and forms corridors in varying degrees.

- 4.1.17. Your Officers confirm that the points raised by the applicant regarding the validity of the site being designated as GSN are subjective. The site offers visual merit through plantings seasonal interest when transiting through a full annual life cycle, which provides valuable contrast against the built environment and managed surrounding landscape. It is noted that there have been no practical examples given by the applicant of how the proposal would improve linkages to the GSN. In addition, the creation of the equivalent of 15 full-time jobs would not be deemed to outweigh the loss of GSN.
- 4.1.18. Given the assessment above, and that there has been no alternative green space provided as part of the proposal, it is considered that the proposal would not comply with Policy CP5 and the Local Plan and as such would not be acceptable in principle and should therefore be refused based on loss of GSN.
- 4.1.19. The application site also lies adjacent to a Grade II Listed Building and the impact to this designated heritage asset is considered below:-

#### **Impact on a Listed Building**

- 4.1.20. The application site is located within 25m from a Grade II listed building, New Hall Farmhouse (1344628). In this respect, it is noted that The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the local planning authority's duties: -
- 4.1.21. "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".
- 4.1.22. 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 201 sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 4.1.23. Paras 200-214 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.

4.1.24. Newhall Farmhouse is a Grade II Listed Building and is defined as:

*'Late C18. A modest farmhouse of red brick; 2 storeys plus attic; 4 early wood casement windows with cambered heads, generally without glazing bars; modern door in round-headed brick reveal with segmental fanlight; false quoins; bay window on right-hand side; hipped tiled roof.'*

4.1.25. The Heritage Assessment submitted as part of this application outlined that Newhall Farmhouse has not been used as a farmhouse for some time, with its historical setting eroded by the conversion of its outbuildings into Newhall Farm Inn, the extensive 20th century development of surrounding agricultural land for residential use, particularly to the north; and the implementation of extensive car parking and the change to the access to the farmhouse; as well as the widening of Lichfield Road.

4.1.26. The setting of Newhall Farmhouse has been substantially impacted by modern development. Elements of the setting of the asset, which contribute most strongly to its significance, are its open situation to Lichfield Road, from which its primary architectural interest, as an example of an 18th century farmhouse in relatively good condition, can best be experienced; and its relationship with the surviving converted farm buildings, which allows the informed viewer to better understand its historical function. Land within the Site makes little contribution to its interest, being unrecognisable as former agricultural land.

4.1.27. The assessment goes on further to explain that it is assessed that the proposed development will provide a slight distraction to the appreciation of the asset, in mid-range views from the west and in changing the current backdrop of the views from the east. However, the smaller scale of the proposed building, existing topography and the existing context of the car park, reduces the impact.

4.1.28. As such, the applicant concluded that the proposed development would cause a low level of harm to the heritage significance of Newhall Farmhouse, through introducing further change to the setting of the asset, in the context of the loss of the contemporary agricultural setting and current modern development and that this harm will be far less than substantial.

4.1.29. As part of the consideration of the application the Council sought additional heritage advice. It was advised that although the statement considered tangible elements such as views, there was a need to consider aspects such as intangible values, the agrarian setting, experience (including the general lack of lighting, busyness etc) and feeling



that is still able to be experienced in this location and the erosion of openness. Nevertheless, the advice did conclude that the harm caused would be 'less than substantial', as such, harm has been identified by both parties, requiring Officers to weigh up this harm against the public benefit of the scheme, in line with para 208 of the NPPF.

- 4.1.30. In this instance the proposal would result in very modest social and economic benefits such as employment during the construction and providing the equivalent of 15 full time jobs, with opportunities for progression and further training. The applicant outlined that further benefits of the scheme include delivery of a high-quality meeting space for the community which encourages social interaction; improved linkages to the Green Space Network; strengthened landscaping and ecological/biodiversity enhancements; increased footfall and potential patronage to Newhall Farm public house.
- 4.1.31. As previously outlined by your Officers, this scheme would result in a loss of GSN which has been designated within the current and emerging Local Plan. This area of GSN is considered to provide benefit to the adjacent residents and enhances their quality of life, providing a buffer and privacy from the adjacent road and existing land use, as well as connecting to wildlife corridors within the surrounding landscape. This unmanaged piece of land is deemed to provide a valuable contrast to the neighbouring built environments including to the setting of the Listed Building, and surrounding managed landscape.
- 4.1.32. Your Officers confirm that the benefits of the strengthened landscaping and ecological/biodiversity enhancements are unable to be assessed as further information is required regarding tree protection measures, the proposed brown roof and long-term landscape management plan.
- 4.1.33. Whilst Officers consider the proposal would have less than substantial harm on a listed building, given the loss of valuable GSN which forms part of the setting of the Listed Building, it is considered the public benefit does not 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, the application should be refused due to conflicting with CP15 of the Local Plan and the relevant paragraphs of the NPPF

## **4.2 Impact to the character and appearance of the surrounding area**

- 4.2.1. The character of the wider area comprises a busy 60mph road which has limited development, with the majority being of an open nature consisting of soft landscaping, albeit densely populated to the north, however these are not overtly visible from Lichfield Road.
- 4.2.2. The building proposed would be of a modest size, being single-storey and constructed with a flat roof. The proposed material would be red facing brick, to reflect the existing buildings located adjacent to the site.
- 4.2.3. The site includes substantive landscaping, both within and bordering the site boundary, these provide an important contribution to the visual amenity of the area as well as providing a buffer between the residential properties to the rear of the site and busy road.
- 4.2.4. The proposal includes the removal of five Category U trees, and replacement trees, the species of which has been deemed acceptable by Landscape and Ecology Officers. The existing hedgerows bordering the site are to be retained. The Landscape & Visual Impact Appraisal submitted as part of this application concluded that the visual impact regarding landscape, would be negligible to moderate. However, Landscape Officers were unable to assess in full the impact as there is not sufficient information, including protective measures for existing landscaping, long term management plan for all landscaping, impact on root protection zones etc. In addition, there are discrepancies between the plans and information submitted. Notwithstanding, such matters are not considered sufficient to warrant refusal and conditions regarding further information could be attached to any permission granted, to enable Officers to fully assess landscape matters.
- 4.2.5. Having had regard to Policies CP3 and CP14 of the Local Plan and the appropriate sections of the NPPF it is considered that on balance, although the proposal would remove some degree of openness within the area, the proposal would sit adjacent two existing buildings of a larger scale and a hardstanding car park. The proposal does aim to mitigate any loss of low value trees with additional landscaping, although further information would be required. As such, without the consideration of the impact on the listed building (assessed separately), the proposal subject to conditions, could successfully integrate with existing features of amenity value and would be acceptable in respect to its impact on the character and form of the area.

### **4.3 Impact on Residential Amenity**

4.3.1. The nearest neighbours to the application site are No's. 80 +82, 86-98 Salisbury Drive, which are located to the rear of the application site, with intervening fencing and landscaping. The rear elevations of these properties face the application site.

#### **Overlooking/loss of privacy**

4.3.2. Objections have been received from neighbours regarding the risk of overlooking into gardens and windows as a result of the development. The objections have been received from the majority of occupiers within Salisbury Drive to the rear.

4.3.3. The private rear gardens of No's 76-90 would directly abut the proposed unit and drive-thru lane. The closest distance between the proposed parking spaces and these dwellings are at a distance of 15m+, with intervening landscaping and fencing. The plans indicate a significant difference in levels between the proposed drive-thru and the rear garden of these properties, with the drive-thru lane and unit being on approx. 2m higher ground than these gardens.

4.3.4. There is approx. 2m high fencing to the rear these gardens and although it is noted that there is a landscape buffer between these properties, much of these trees are deciduous and as such would not provide acceptable screening all year round. Officers note the proposal includes 1.4m boundary fencing around the perimeter of the drive-thru lane, however this would not be sufficient to obscure views for larger vehicles, such as vans, nor would it obscure view for the serving windows facing directly onto these rear gardens.

4.3.5. Furthermore, there are inconsistencies within the plans provided, which do not allowed officers to fully assess this impact.

4.3.6. As such, based on the information submitted, it is deemed that the proposal would lead to unacceptable views into the private amenity areas of these neighbouring occupiers leading to a detrimental loss of privacy.

4.3.7. No's 92-96 are located to the rear of the application site, however these border the existing car park utilised for Newhall public house, with an intervening boundary fencing and planting. This car park is located on lower ground than these properties. Although it is noted the scheme proposes to change the position of these spaces to face towards these dwellings, it is deemed unlikely that the view from a vehicle would give rise to unacceptable levels of overlooking, into these gardens over and above the existing situation.

4.3.8. Further objections from the wider street have raised concerns regarding overlooking, however these dwellings are not directly orientated towards the application site and are positioned toward the existing public house/associated car park or the nature reserve which is not subject to the proposed development. Given this, the distance between these and the proposed drive-thru and the intervening boundary treatments, it is no envisioned the proposal would have a significant detrimental impact in terms of loss of privacy, over and above the existing situation.

### **Outlook**

4.3.9. Objectors have raised concerns that the proposal would result in an unacceptable negative impact on outlook from their gardens and homes. The proposed building would be single-storey with a flat roof, constructed to a maximum height of 4.3m. There is a significant difference in levels between the proposed drive-thru and the rear garden of these properties, with the drive-thru lane and unit being on approx. 2m higher ground than these gardens. It is noted that there is a landscape buffer between these properties, however, much of these are deciduous and as such would not provide acceptable screening year round.

4.3.10. Although the building is single storey, due to the difference in levels it is likely that the proposal would result in an overbearing, visually intrusive feature which would have a severe detrimental impact on the outlook of the properties located to the rear when using their private amenity space.

### **Noise**

4.3.11. Paragraph 191 of the NPPF states:

*'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

- a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'*

- 4.3.12. Concerns have been raised by objectors that the proposal will result in unacceptable levels of noise from order point loudspeakers, running engines, external seating areas for the facility, people shouting etc. In addition to staff arriving prior to opening, leaving after the facility has closed and when deliveries are being made.
- 4.3.13. Objectors have also commented that the noise assessment submitted with the application is misleading and fails to consider impacts of volume of vehicles, footfall and the change of noise resulting from the proposal. Concerns were raised by objectors that the opening hours would lead to disturbance to residents.
- 4.3.14. The applicant has submitted a noise assessment with which to inform the application. The noise assessment concluded that the proposal was unlikely to lead to adverse impacts on the neighbouring properties in regard to noise, assessing the increase of one decibel would be inaudible.
- 4.3.15. The Councils Environmental Health Officer (EHO) was consulted on the application and raised concern with the applicants noise impact assessment, concluding that it does not accurately assess the impact on neighbouring occupiers in terms of noise.
- 4.3.16. Concerns regarding opening hours were also raised by the EHO. Such concerns stem from the predominantly residential nature of the existing area and the proposal to trade from 06:00 may not be appropriate, particularly on Sundays. The EHO identified that potential sources have not been considered for engine idling/amplified music at designated waiting bay or for deliveries/waste collection. They continued that a typical garden fence is unlikely to be of sufficient density to act as an effective acoustic barrier as claimed by the noise impact assessment and the relative elevation of the proposed development to the receptors will also limit the effectiveness of any existing barriers. The methodology used in the noise report is not appropriate nor does it take into account character or intermittency of the potential noise.

### **Lighting**

- 4.3.17. Concerns have been raised by objectors that the proposal will lead to unacceptable levels of light pollution through internal lighting, proposed street lighting and car headlights and taillights. There are also concerns that the new layout proposed, having cars orientated towards the adjacent properties' gardens will lead to vehicle lights shining directly into gardens.

- 4.3.18. In this regard it should be noted that much of the existing site is used as a car park, serving a public house, which includes lightning and would also be subject to car lighting from vehicles using the carpark.
- 4.3.19. As part of the proposal, additional fencing is proposed to the retaining wall surrounding the drive-thru lane, where car beams would be orientated towards residential properties. Vehicle lighting, due to its height, would shine directly onto intervening boundary treatments of the neighbouring properties as opposed to gardens. Officers confirm that due to the difference in levels, vehicle lights would only be projecting slightly upwards when exiting the drive-thru and site, where they would not be orientated towards residential properties.
- 4.3.20. The EHO raised no concerns regarding lighting and noted that the proposed 432 daily vehicle trips outlined in the transport statement would not constitute a request for a lighting impact assessment. Taking this into account and considering the existing street lighting from the adjacent road and vehicles, the proposal would not result in unacceptable levels of light pollution.

### **Odour**

- 4.3.21. Objectors have raised concerns that the proposal would result in additional levels of odours for residential properties.
- 4.3.22. Officers do not consider this to be an issue as Costa Coffee units do not generally 'cook' food on the premises just heat pre cooked foods up. The Council EHO raised no concerns in this regard. If however, the application is approved, an appropriate odour management plan could be required via condition.
- 4.3.23. In respect of all the above matters considered, the noise impact assessment provided does not allow Officers to carry out a meaningful assessment of the potential impact on residential amenity as a result of the proposed development. As such Officers are unable to determine whether the proposed development would accord with requirements of Policy CP3 of the Cannock Chase Local Plan and paragraphs 135 and 191 of the NPPF and as such, the proposal should be refused. In addition, by reason of the proposed unit and drive-thru lanes higher position and relationship with the residential dwellings to the rear, the proposal would be considered to result in an unacceptable loss of privacy and outlook for these occupiers. As such the proposed development would not accord with requirements of Policy CP3 of the Cannock Chase Local Plan and paragraphs 135 and 191 of the NPPF and the proposal should be refused.

#### **4.4 Impact on Highway Safety**

- 4.4.1. 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.
- 4.4.2. Concerns have been raised by objectors that the proposal would result in an unacceptable impact on highway safety due to increased traffic on an already busy 60mph road, especially in regard to turning right out of the site; the proposal reduces car parking for those visiting Newhall public house, as car park is already at capacity on weekends; the proposal would encourage illegal car cruising and bike racing; the proposal would result in queueing and pavement parking.
- 4.4.3. The Highway Authority (HA) was consulted on this application and observed that no information has been provided regarding the floor area of the existing public house to assess whether the proposed level of parking provision would meet parking standards. As such, there is insufficient information for the HA to determine whether the parking provision is acceptable.
- 4.4.4. No information has been provided with regards to how servicing will take place, including delivery vehicles and the applicant has failed to demonstrate that the development can provide a safe point of access for pedestrians. As such the HA have been unable to assess whether the development would have significant detrimental impact in terms of highway safety.
- 4.4.5. The HA raised no concerns regarding the proposed access, potential for illegal car cruising or safety regarding additional traffic or safety when turning right out of the site.
- 4.4.6. Given the above, in this instance, Officers are unable to assess whether the proposed development would result in an unacceptable impact on highway safety and as such would not accord with paragraph 115 of the NPPF and should be refused.

#### **4.5 Impact on Nature Conservation Interests**

- 4.5.1. Both paragraph 186 of the NPPF and Policy CP12 within the Local Plan encourage the protection of sites of ecological interest and dictate that development will not be permitted where significant harm to biological interests cannot be avoided, adequately mitigated or compensated for.

- 4.5.2. Concerns have been raised by objectors that the proposal will harm wildlife present in the area such as bats, squirrels, frogs, birds, mice, badgers, foxes, newts, hedgehogs and deer.
- 4.5.3. Objectors identified that one of the key reasons for refusal for previous planning application on the site was the destruction of newt habitations. In this regard, previous application CH/07/0095 was dismissed by the Planning Inspectorate due to loss of GSN and not regarding newt habitats. The objector also suggests that the reptile survey in this application is on the area to the west of the car park and there has been no reptile survey in the land to the north of the car park.
- 4.5.4. A Preliminary Ecological Appraisal Report was submitted as part of the application which concluded that the site was considered to be of relatively low value to wildlife, this due to the site being dominated by habitats with relatively limited floristic diversity. However, the trees and hedge had potential to support nesting and foraging birds. None of the trees/hedgerows contained features such as woodpecker holes, fissures and exfoliating bark, that provided potential for bat roosting and/or hibernation. The site was considered to offer very low value habitat for foraging bats, although the trees and perimeter hedgerows provided some potential foraging and commuting habitat. There were no signs or evidence of badger activity, whilst there were no suitable habitats for riparian mammals. With an absence of any standing water or pond habitats, there was negligible potential for breeding amphibians. The mosaic of Bracken, scrub and tall ruderal vegetation that dominated much of the plot, offered good quality habitat for common reptiles, despite being limited in extent.
- 4.5.5. A further full reptile survey was undertaken to establish presence or absence of reptiles. No reptiles were recorded on any of the survey visits and reptiles are considered to be absent from the application site. As such, no mitigation measures or further surveys are required for reptiles.
- 4.5.6. The Council Countryside Ecologist was consulted on the application and raised no objection to the findings of the applicants' assessments, nor the location of the report surveys. However, the Ecologist commented that it is unclear how the proposed retaining wall and associated earthmoving etc would be undertaken whilst retaining trees to the west which provide a buffer to the adjacent Local Nature Reserves/Local Wildlife Site. Notwithstanding, if the application is approved, the required detail could be covered via condition, in addition to details of lighting which must be sensitive to wildlife and retain dark corridors along the northern and western perimeters of the site.



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

### **Biodiversity Net Gain**

4.5.8. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the biodiversity gain condition that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

4.5.9. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

4.5.10. In this instance, the original application was made prior to 2<sup>nd</sup> April 2024 and is therefore exempt from BNG.

### **4.6 Impact on Air Quality**

4.6.1. Both Paragraph 192 of the NPPF and Local Plan Policy CP16 encourage development proposals to reduce or mitigate forms of pollution. Several objections were received in relation to the impact the proposal will have on air quality, due to increased traffic, idling vehicles and smoke/vape emissions from customers and staff.

4.6.2. In this instance the application site is not located in Air Quality Management Area or Clean Air Zones. The EHO raised no concerns in regards to air quality and pollution.

4.6.3. The Council's Environmental Health Officer (EHO) was consulted on the application and raised no objections to the proposal. It is therefore concluded that the proposal would not be contrary to the aims of paragraph 186 of the NPPF.

#### **4.7 Waste and Recycling Facilities**

- 4.7.1. Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).
- 4.7.2. Objectors have outlined concerns that the proposal would result in increased levels of litter and as such would result in pests.
- 4.7.3. In this instance, bin storage to the west of the site has been identified as part of the application. It is noted that the proposal does not include litter bins, as such, if Members were to approve the application, an appropriate condition could be attached which necessitates details of litter bins and waste collection to be submitted to the Council for review prior to the development being brought into use. EHO were consulted on this application and raised no concerns regarding potential for pests or litter.
- 4.7.4. As such, subject to conditions, the proposal is deemed to comply with Policy CP16 of the Local Plan.

#### **4.8 Anti-social Behaviour and Crime**

- 4.8.1. Paragraph 96 and 135 of the NPPF outline that planning decisions should ensure that developments are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
- 4.8.2. Objectors have raised concerns that the proposal will attract a rise in the crime rate and antisocial behaviour. This, in turn, will expose properties to a heightened threat of burglary, break ins and people using the gardens for shortcuts. Objectors carry concerns that unsupervised children may cause fires, climb into neighbouring residential properties, be cruel to wildlife.
- 4.8.3. In this instance the Designing Out Crime Officer was consulted on the application and raised no objections or proposed conditions. The Designing Out Crime Officer has offered advice to be taken into consideration in the design of the scheme.

4.8.4. Given the above, the proposal is not considered to increase the risk of crime or anti-social behaviour especially given that there is an existing public house adjacent. As such, the proposal accords with the relevant paragraphs of the NPPF.

#### **4.9 Drainage and Flood Risk**

4.9.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps.

4.7.2 Policy in respect to drainage and flood risk is provided by 159-169 of the NPPF.

4.9.2 Of particular note is paragraph 167 which states:

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

4.9.3 In this respect it is noted that the building and surrounding hardstanding already exist and is serviced by drainage. The proposal would not increase the area of buildings or hard standing occupying the site to such an extent that would generate significant additional run-off from the site.

#### **4.10. Ground Conditions and Contamination**

4.10.1. The site is located in a general area in which 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. The Council's Environmental Health Officer was consulted on the application and raised no objection. As such, the proposal is considered to accord with the requirements of the NPPF and Policy CP16 of the Cannock Chase Local Plan.

#### **4.11 Other Issues Raised by Objectors not covered above**

4.11.1. Objectors outline they chose to buy/rent property due to peaceful nature of the location

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

4.11.2. Objectors are concerned the construction of the proposal will create excessive noise, dust and disturbance to residents and wildlife

All construction activities have the potential to generate dust nuisance, however these would be temporary. The EHO was consulted on the application and raised no objection in regard to excessive noise, dust and disturbance as a result of construction.

- 4.11.3. Objectors raised concern the property values in the immediate vicinity will be directly affected in a negative way.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

- 4.11.4. Objectors believe there is no need for another coffee outlet, already many within the area, which is being inundated with takeaway establishments. Costa Coffee and Starbucks Coffee outlets are already prevalent in the area. Will erode local business possibilities. There is no commercial demand as suggested by the applicant.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

- 4.11.5. Objectors believe the proposal will have a severe impact on mental health on neighbourhood.

Your officers confirm that the proposal has been assessed in regard to the impact on neighbouring amenity.

- 4.11.6. Objectors queried whether this is a way of the Council raising funds by selling the land to developers, understand they are having financial difficulties.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

- 4.11.7. Objectors explain Poplars Landfill site already causes air pollution and odours for nearby residential properties. The application is for a building opposite a Biffa landfill site, with foul landfill and recycled food waste emissions, heightened during the Summer months.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

- 4.11.8. Objectors are concerned the proposal may discourage the use of the local pub.

In this instance the proposed would provide different products and services to a public house, in any case your officers confirm this would not be a material planning consideration in the determination of this planning application.

4.11.9. Objectors believe the proposal serves very little purpose to the locals.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

4.11.10. Objectors point out the outlet has created huge issues with drivers blocking roads.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

4.11.11. Objectors state no indication of business signage, business and residential properties footprint, max height of border or security fencing or entrance/exit barriers, if signage is illuminated fulltime, maximum height of building incl. 'green' roof.

Elevations plans show scaled heights of the proposals. Details of signage and advertisement would need to be submitted as part of a separate planning application.

4.11.12. Objectors state there are inconsistencies between plans- One statement provided contradicts the other - one confirms certain land is included and one confirms it is isn't. Clarification required - is this land included and will it be cleared, resulting in our rear fencing being visible and open?

Your Officers confirm the proposed landscaping plans show details of the proposed removal and planting of trees. However, it has been acknowledged that there are inconsistencies regarding plans, which would need to be addressed if Members were minded to approve the application. Any land outside the red line plan would not be subject to this proposal and as such vegetation could not be removed outside of this boundary.

4.11.13. Objectors state if this application is to proceed, costa coffee must state expected vehicle and customer volumes and footfall (they will have clearly Defined in their business plan). All negative factors must be identified, synthesised and compounded to ascertain the levels of devaluations of adjacent and surrounding properties. Without such detailed, factual, analysis, the levels of properties devaluations cannot be accurately considered or calculated.

Vehicle volumes have been identified within the Transport Statement. Detailed assessments have been submitted as part of this planning application, in line with the Councils Validation Requirements document. These assessments have been scrutinised by Officers and statutory consultees as part of the determination of this application.

4.11.14. Objectors state the rural view we have from our properties is worth preservation.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

4.11.15. Objectors state compensation must be provided for impact on lives and property sales.

Your officers confirm this would not be a material planning consideration in the determination of this planning application.

4.11.16. Objectors state they would also require a wall installation at our rear boundary (no. 90) to reduce the impacts.

There is no wall proposed to the rear of this property included as part of the plan. However, there are outstanding queries in respect of the height of the retaining wall proposed bordering the drive-thru. EHO has commented that existing fencing would not be sufficient to mitigate noise, which would be further assessed under an appropriate noise impact assessment as outlined in this report. Notwithstanding, if the occupiers of No.90 required a wall to the rear, they could construct a 2m high wall along their rear boundary without the benefit of planning permission.

4.11.17. Objectors state Costa could be included as part of the 700 new homes proposed on land opposite the site.

Your Officers confirm that the application should be assessed on what is currently proposed. In this instance the proposal seeks a drive-thru unit on land adjacent Newhall inn Public House.

4.11.18. Objectors state Heath Hayes Park would be a better site option for the proposal.

Your Officers confirm that the application should be assessed on what is currently proposed. In this instance the proposal seeks a drive-thru unit on land adjacent Newhall inn Public House.

4.11.19. Objectors concerned regarding the lack of consultation regarding the proposal.

Your Officers confirm the planning application was advertised via letters posted to the adjoining owners/occupiers and through site notice of the application site in accordance with Regulation 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

## **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 refuse accords with the policies of the adopted Local Plan and the applicant has the right of appeal against this decision.

### **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, would result in any significant harm to acknowledged interests and would therefore not be considered to be in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be refused for the reasons outlined at the beginning of this report.

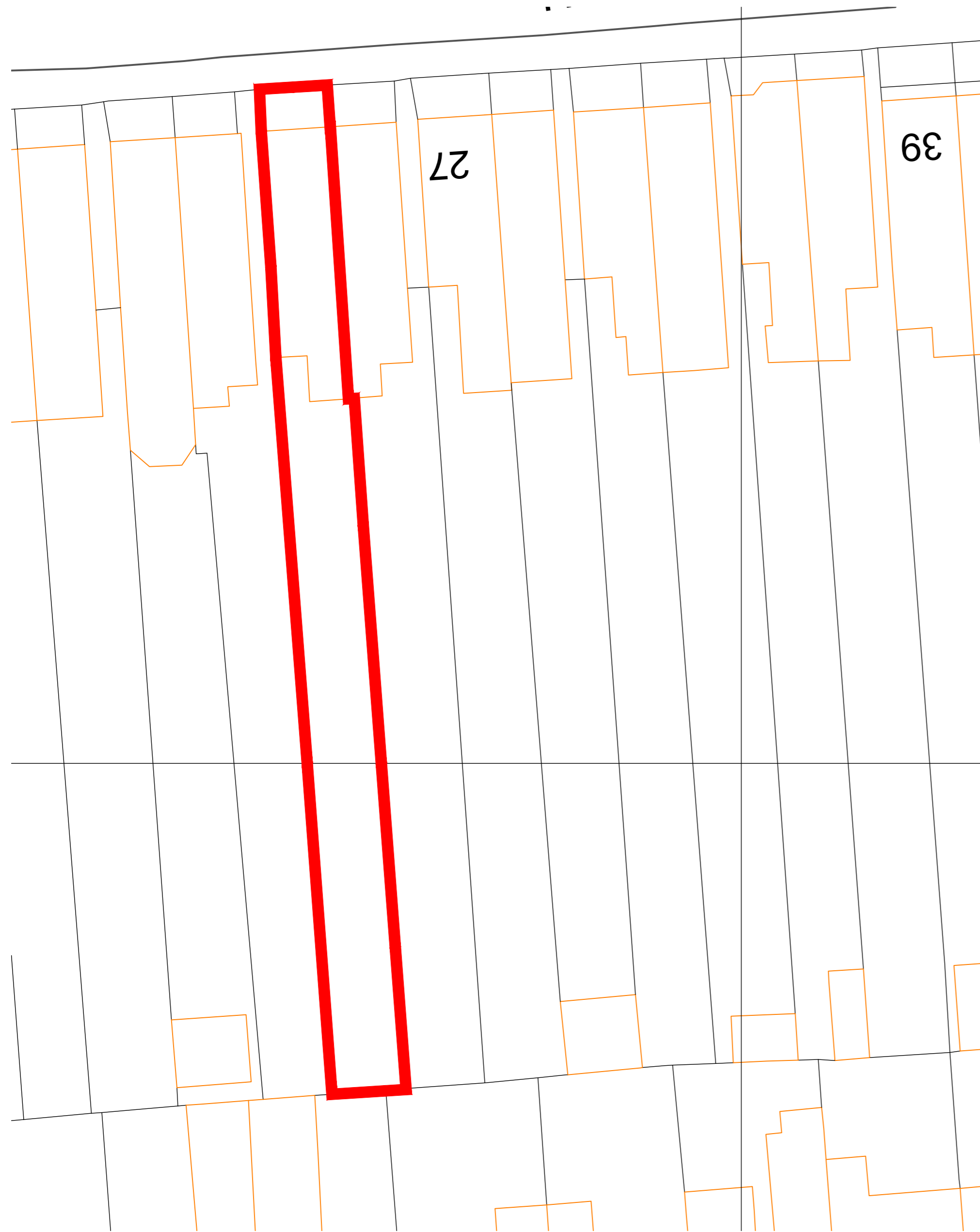




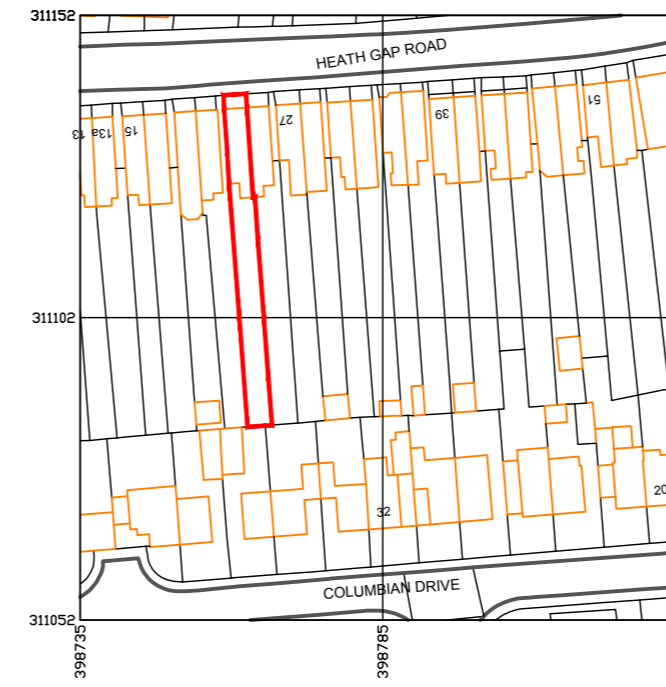
**Application No:** CH/24/175  
**Location:** 23, Heath Gap Road, Blackfords, Cannock, WS11 6DY  
**Proposal:** Conversion of single dwelling into two separate flats



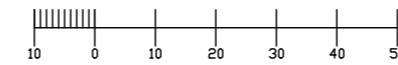
© Crown copyright and database rights (2022) Ordnance Survey 100019154  
You are not permitted to copy, sub-license, distribute or put any of the data to third parties in any form.



AS PROPOSED SITE PLAN 1:200@A2



Produced on 23 May 2024 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date.  
 This map shows the area bounded by 398735 311052,398835 311052,398835 311152,398735 311152,398735 311052  
 Crown copyright and database rights 2024 OS 100054135. Supplied by copla ltd trading as UKPlanningMaps.com a licensed Ordnance Survey partner (OS 100054135).  
 Data licence expires 23 May 2025. Unique plan reference: v1f/1103529/1485261



LOCATION PLAN 1:1250@A2

GENERAL NOTES

Item No.6.45

The copyright in all designs, drawings, schedules, specifications and any other documentation prepared by Ashley Thomas Architecture, in relation to this project shall remain the property of Ashley Thomas Architecture, and must not be reissued, loaned or copied without prior written consent.

Use figured dimensions for reference only.

Prefer larger scale drawings.

All dimensions are in millimeters (mm) unless otherwise noted.

Check all relevant dimensions, lines and levels on site before proceeding with the work.

This drawing is to be read in conjunction with all drawings, schedules and specifications, and all relevant consultants and/or specialists' information relating to the project. Refer all discrepancies to Ashley Thomas Architecture. This drawing is for building regulation purposes only and should not be used for construction.



PROJECT  
RESIDENTIAL DEVELOPMENT

DRAWING  
AS PROPOSED SITE AND LOCATION PLAN

CLIENT  
CHARLIE THOMPSON

ADDRESS  
Heath Gap Road,  
Hednesford  
Cannock

DATE SCALE DRAWN BY CHECKED BY  
23.05.24 As noted @A2 AT AT

PROJECT No. DWG No. REVISION  
C207.203.00

ISSUE STATUS  
BUILDING REGULATIONS/PLANNING

GENERAL NOTES

The copyright in all designs, drawings, schedules, specifications and any other documentation prepared by Ashley Thomas Architecture, in relation to this project shall remain the property of Ashley Thomas Architecture, and must not be reissued, loaned or copied without prior written consent.

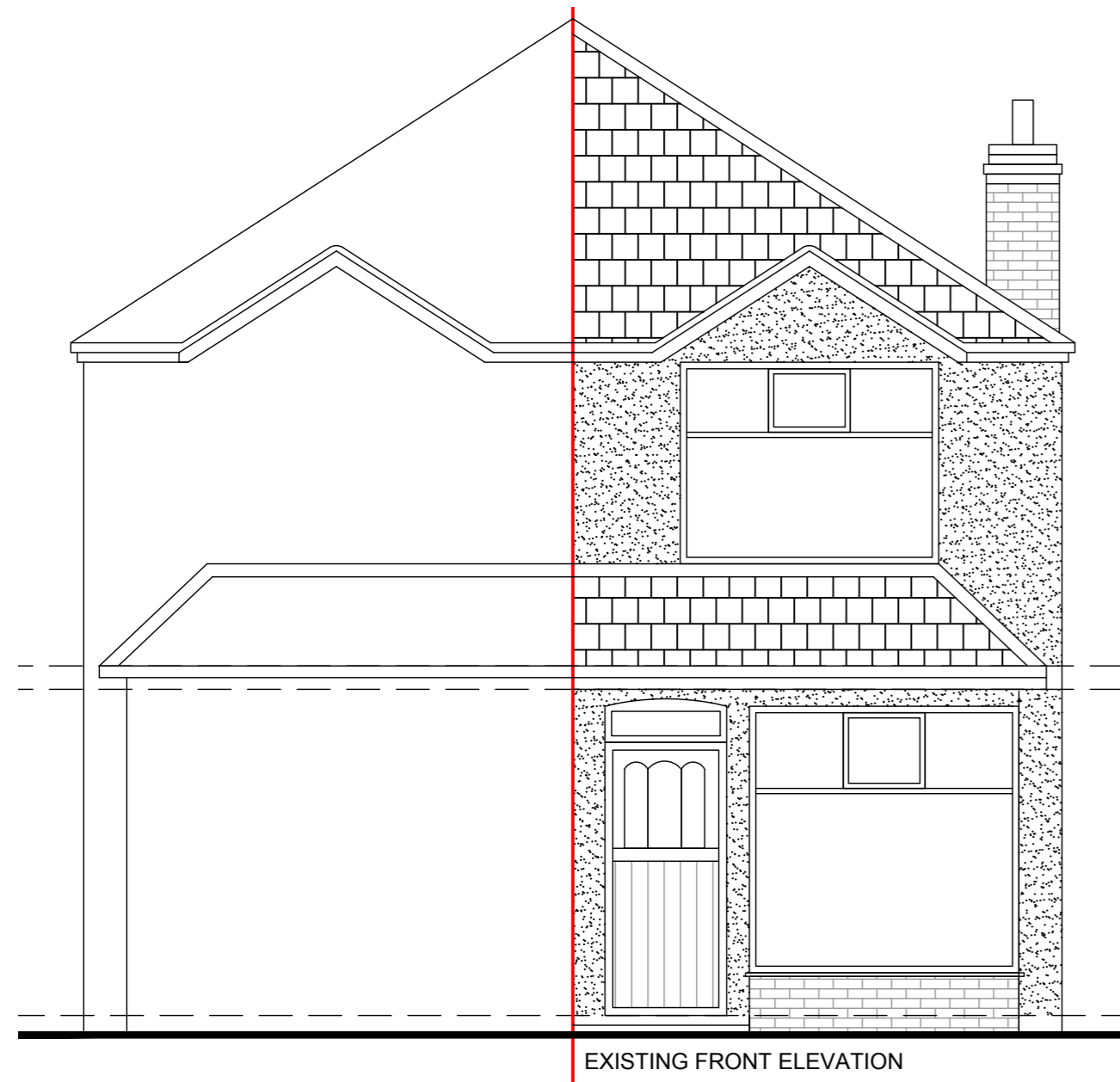
Use figured dimensions for reference only.

Prefer larger scale drawings.

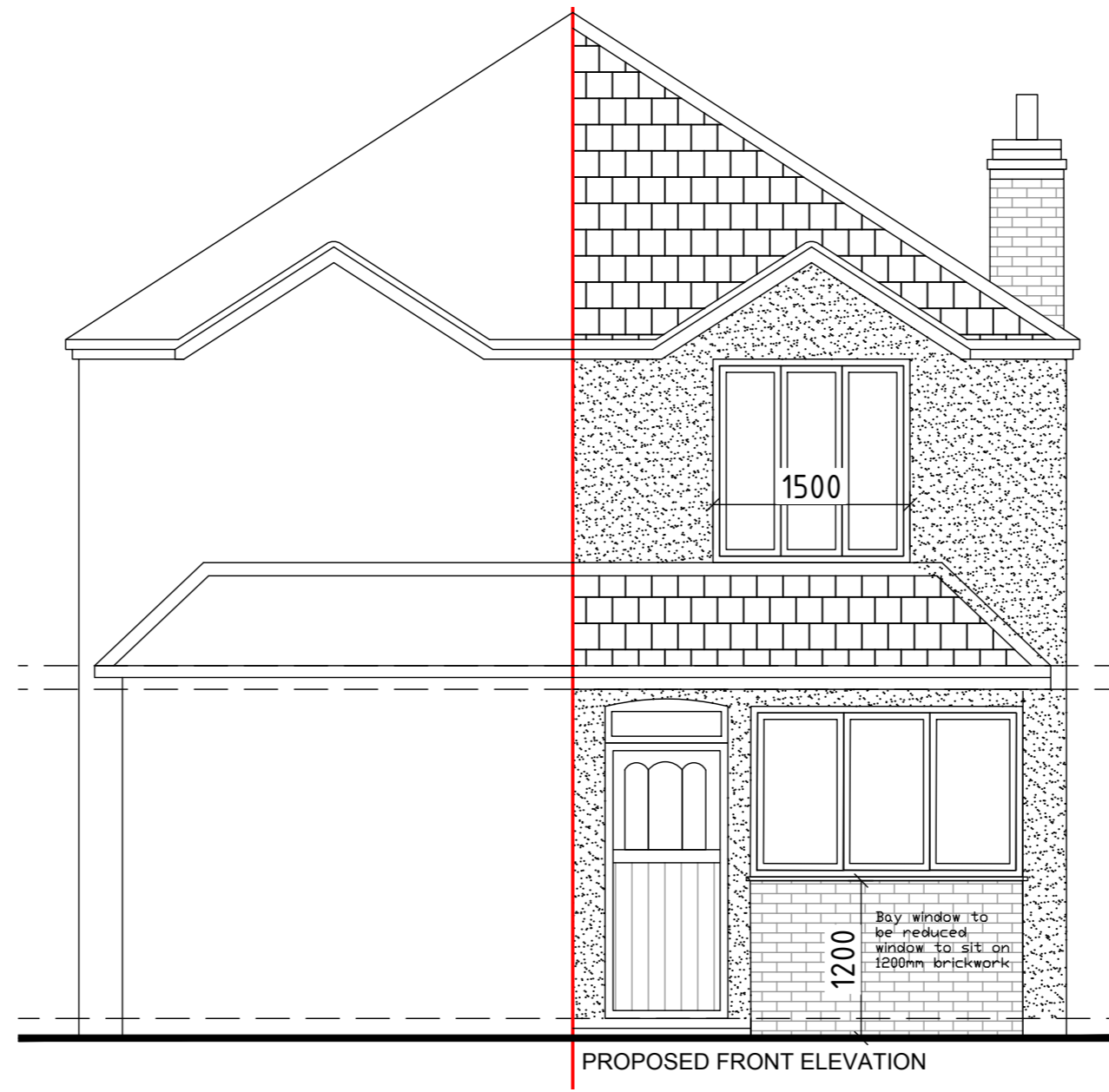
All dimensions are in millimeters (mm) unless otherwise noted.

Check all relevant dimensions, lines and levels on site before proceeding with the work.

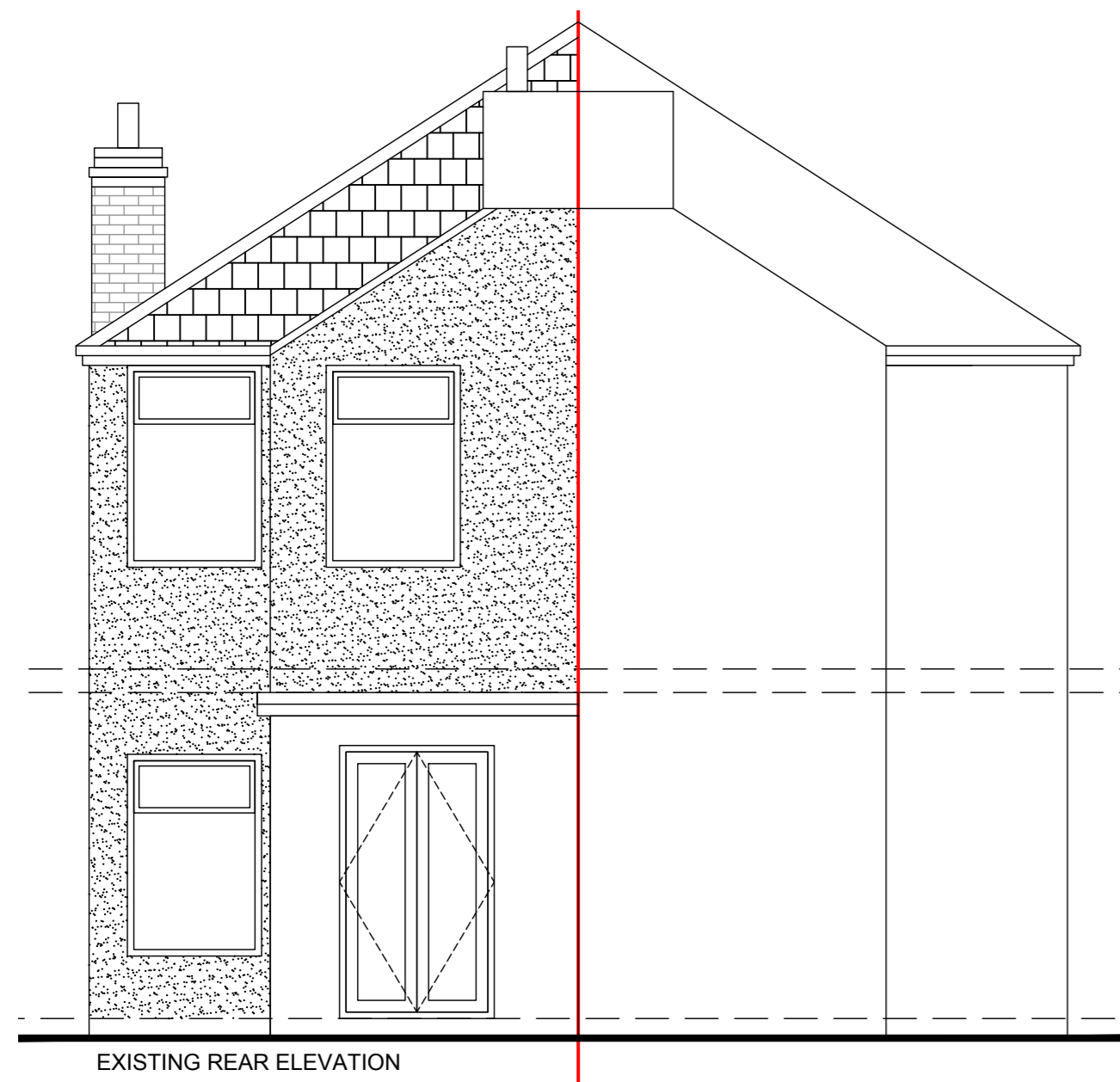
This drawing is to be read in conjunction with all drawings, schedules and specifications, and all relevant consultants and/or specialists' information relating to the project. Refer all discrepancies to Ashley Thomas Architecture. This drawing is for building regulation purposes only and should not be used for construction.



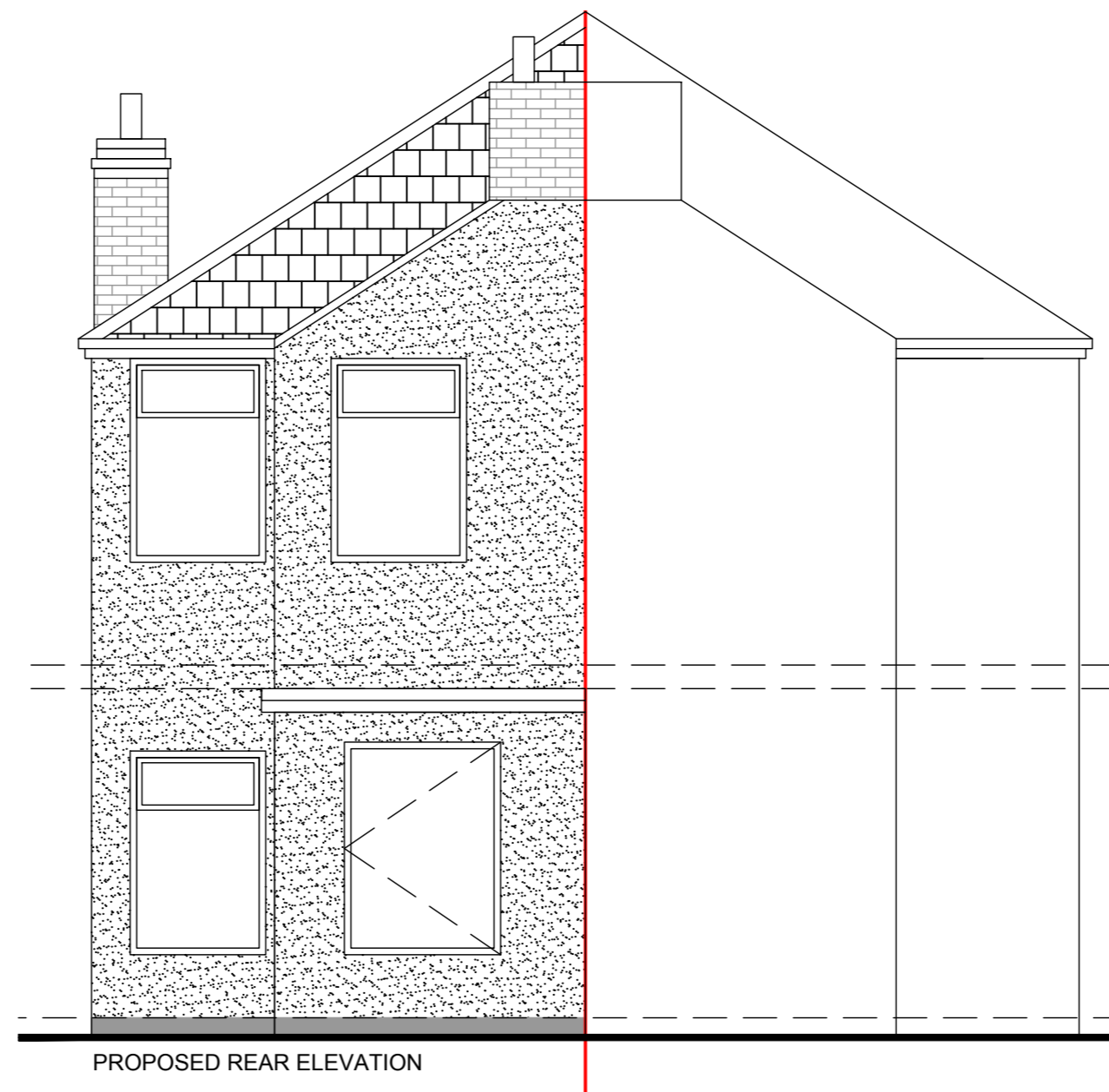
EXISTING FRONT ELEVATION



PROPOSED FRONT ELEVATION

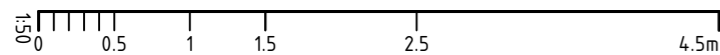


EXISTING REAR ELEVATION



PROPOSED REAR ELEVATION

AS PROPOSED & EXISTING ELEVATIONS 1:50@A2



PROJECT  
RESIDENTIAL DEVELOPMENT

DRAWING  
AS PROPOSED & EXISTING  
ELEVATIONS

CLIENT  
CHARLIE THOMPSON

ADDRESS  
Heath Gap Road,  
Hednesford  
Cannock

DATE SCALE DRAWN BY CHECKED BY  
07.04.24 1:50 @A2 AT AT

PROJECT No. DWG No. REVISION

C207.202.00

ISSUE STATUS  
BUILDING REGULATIONS/ PLANNING



GENERAL NOTES

The copyright in all designs, drawings, schedules, specifications and any other documentation prepared by Ashley Thomas Architecture, in relation to this project shall remain the property of Ashley Thomas Architecture, and must not be reissued, loaned or copied without prior written consent.

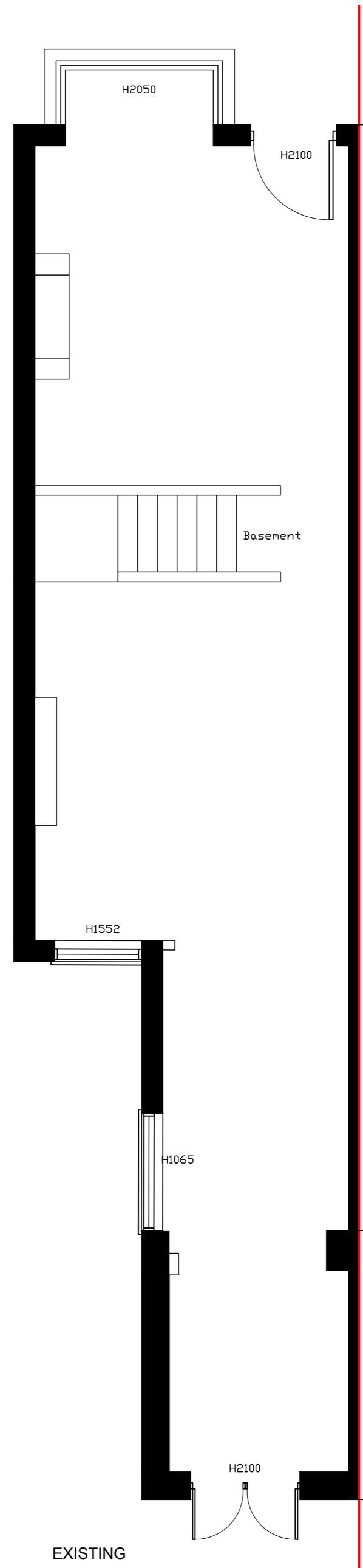
Use figured dimensions for reference only.

Prefer larger scale drawings.

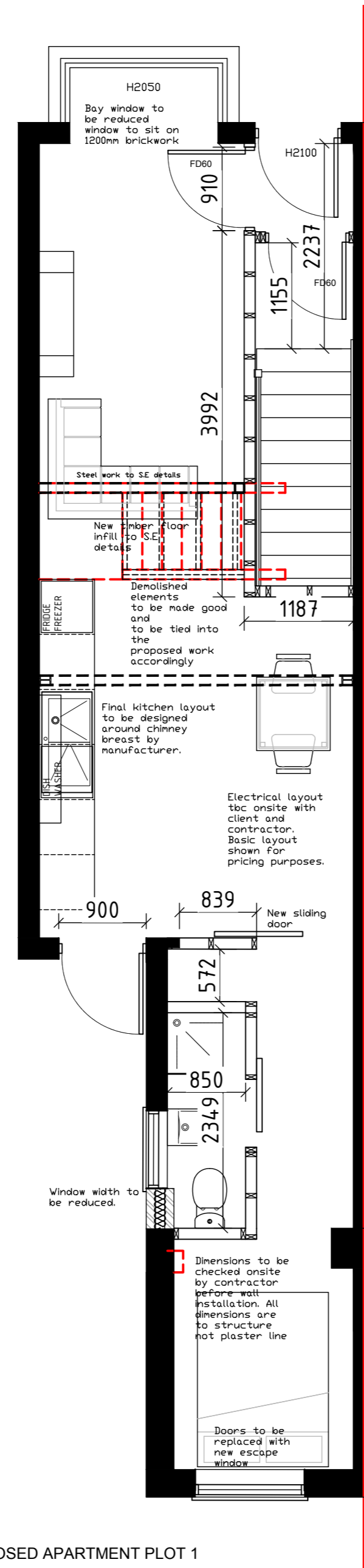
All dimensions are in millimeters (mm) unless otherwise noted.

Check all relevant dimensions, lines and levels on site before proceeding with the work.

This drawing is to be read in conjunction with all drawings, schedules and specifications, and all relevant consultants and/or specialists' information relating to the project. Refer all discrepancies to Ashley Thomas Architecture. This drawing is for building regulation purposes only and should not be used for construction.

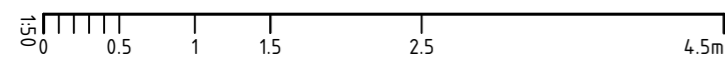


EXISTING



PROPOSED APARTMENT PLOT 1

AS PROPOSED & EXISTING GROUND FLOOR PLANS 1:50@A2



PROJECT  
RESIDENTIAL DEVELOPMENT

DRAWING  
AS PROPOSED & EXISTING GROUND FLOOR PLANS

CLIENT  
CHARLIE THOMPSON

ADDRESS  
Heath Gap Road,  
Hednesford  
Cannock

DATE 07.04.24 SCALE 1:50 @A2 DRAWN BY AT CHECKED BY AT

PROJECT No. DWG No. REVISION

C207.200.00

ISSUE STATUS  
BUILDING REGULATIONS/PLANNING

GENERAL NOTES

The copyright in all designs, drawings, schedules, specifications and any other documentation prepared by Ashley Thomas Architecture, in relation to this project shall remain the property of Ashley Thomas Architecture, and must not be reissued, loaned or copied without prior written consent.

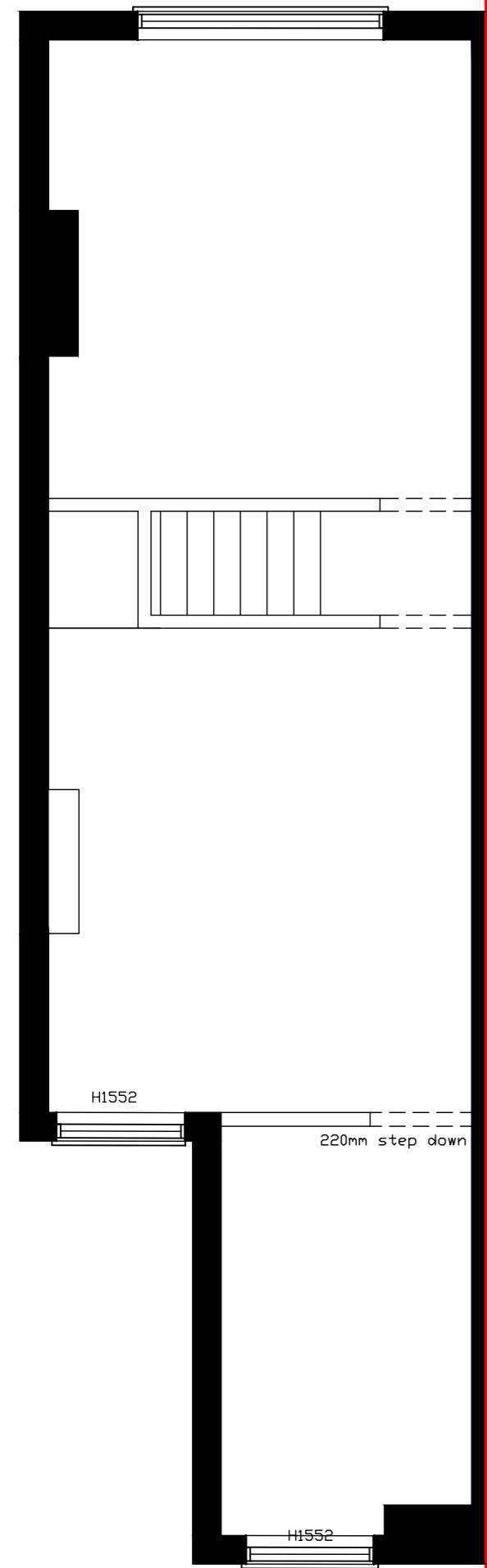
Use figured dimensions for reference only.

Prefer larger scale drawings.

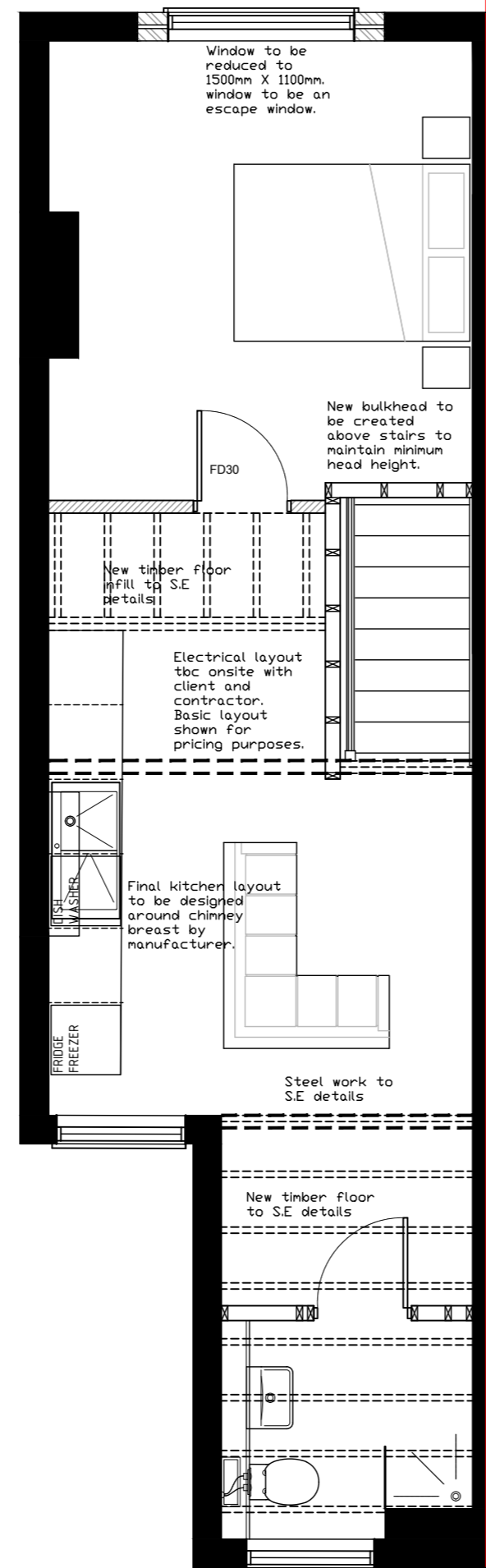
All dimensions are in millimeters (mm) unless otherwise noted.

Check all relevant dimensions, lines and levels on site before proceeding with the work.

This drawing is to be read in conjunction with all drawings, schedules and specifications, and all relevant consultants and/or specialists' information relating to the project. Refer all discrepancies to Ashley Thomas Architecture. This drawing is for building regulation purposes only and should not be used for construction.

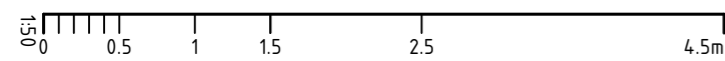


EXISTING



PROPOSED APARTMENT PLOT 2

AS PROPOSED & EXISTING FIRST FLOOR PLANS 1:50@A2



PROJECT  
RESIDENTIAL DEVELOPMENT

DRAWING  
AS PROPOSED & EXISTING FIRST FLOOR PLANS

CLIENT  
CHARLIE THOMPSON

ADDRESS  
Heath Gap Road,  
Hednesford  
Cannock

DATE SCALE DRAWN BY CHECKED BY  
07.04.24 1:50 @A2 AT AT

PROJECT No. DWG No. REVISION

C207.201.00

ISSUE STATUS  
BUILDING REGULATIONS/PLANNING

<b>Contact Officer:</b>	Amy Jackson
<b>Telephone No:</b>	4577

**Planning Control Committee**

**18<sup>th</sup> September 2024**

<b>Application No:</b>	CH/24/175
<b>Received:</b>	01-Jul-2024
<b>Location:</b>	23, Heath Gap Road, Blackfords, Cannock, WS11 6DY
<b>Parish:</b>	N/A
<b>Ward:</b>	Cannock Park & Old Fallow
<b>Description:</b>	Conversion of single dwelling into two separate flats
<b>Application Type:</b>	Full Planning Application

**Reason for committee determination:** The application has raised significant objection from neighbouring residents.

**Recommendation:** That Delegated Authority be granted to the Planning Manager/Development Manager Team Leader to allow the provision of the financial contribution for the Cannock Chase Special Area of Conservation (SAC) mitigation and that the application be approved 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 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason

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

- 2 No materials shall be used for the external surfaces of the development other than those specified on the application.

Reason

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

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:
  - As Proposed Site & Location Plan - C207.203.00
  - As Proposed and Existing Ground Floor Plans - C207.200.00
  - As Proposed and Existing First Floor Plans - C207.201.00
  - As Proposed and Elevation Plans - C207.202.00

Reason

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

**Consultations and Publicity**

**External Consultations****Highways Authority**

No objection.

**Internal Consultations**

None.

**Response to Publicity**

The application has been advertised by site notice and neighbour letter. 16 letters of representation have been received.

Parking and traffic concerns

- Concerns the proposed conversion would result in up to 4 additional vehicles parking on the road. There are existing parking and safety issues on Heath Gap

Road, with the road being full to its vehicular capacity. White and yellow line parking restrictions are continuously ignored by residents of the street and surrounding street. The road cannot cope with the proposed development.

- Road has become a one-way route due to on-road parking, with cars mounting pavements and no routes for cyclists. Dangerous for children, pushchairs, wheelchair users to cross the road due to little space between cars.
- The proposed flats would be at the narrowest part of the road, as such additional parking would be at the cost of health and safety.
- HMO on street has already caused parking issues. Development should cease until parking issue is resolved.
- Dwelling has remained empty for years, therefore additional parking will cause major issues.
- Road has previously been investigated by Staffordshire County Council, where there was a proposal for a one-way system, however this fell through due to funding.
- Neighbour disputes already frequent due to parking issues

#### Noise/disturbance

- Do not want additional noise caused by too many residents
- There would be a potential for increased noise from traffic disputes, increased coming and going of the tenants and potential disruption to a quiet family road.
- Could present antisocial behaviour
- Queries and concerns regarding the proposal using access at No. 21, which would be an invasion of privacy and cause noise and disturbance

#### Overlooking/loss of privacy

- With this development and the possibility to convert the loft space then this would make neighbouring properties overlooked.

#### Other

- Consultation for application should have included the whole street.



- Removing an affordable family home from a family area, decreasing appeal to families living nearby.
- Reduction in neighbouring properties housing value being located near/opposite flats/rented properties.
- Applicant owns other properties on the street that would be more suitable for this development, as they have off-road parking.
- Do not want to start a precedent for other homes on the street becoming converted to flats and the street is a family area.
- Perplexed that the scheme is even being considered.
- If a new access is to be constructed it will have to be at the rear of the property via the alley at the side of No 25. There is no access via 21 as this is private property.

### Relevant Planning History

None relevant.

### 1 Site and Surroundings

- 1.1 The application site comprises a two-storey semi-detached, two-bedroomed residential dwelling located within the urban area of Chadsmoor. There is a small frontage between the highway and front elevation of the property and a private garden to the rear.
- 1.2 The wider street scene comprises of dwellings of varying scales and design, addressing the highway in a linear fashion. Some dwellings benefit from on-road parking provision, however many do not which has resulted in numerous residents using on-road parking, with some traffic restriction in place via white and double-yellow lines.
- 1.3 The site is located within a Mineral Consultation Area and is considered low risk by Coal Authority.

## 2 Proposal

- 2.1. The applicant is seeking consent for the conversion of the dwelling into two one-bedroomed flats, one located on the ground floor and one on the first floor.
- 2.2. There would be one external access to both flats in the form of the existing front access. Other external alterations include the reduction of the size of the bay windows to the front, side window and replacement of ground floor rear doors to escape window.

## 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).
- 3.3 Cannock Chase Local Plan Part 1
  - CP1 - Strategy – the Strategic Approach
  - CP2 - Developer contributions for Infrastructure
  - CP3 - Chase Shaping – Design
  - CP6 - Housing Land
  - CP7 - Housing Choice
  - CP13 - Cannock Chase Special Area of Conservation (SAC)
- 3.4 Minerals Local Plan for Staffordshire
  - Policy 3: - Safeguarding Minerals of Local and National Importance and Important Infrastructure
- 3.5 Relevant paragraphs within the NPPF: -

11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
111:	Highway Safety and Capacity
126, 130, 132, 134:	Achieving Well-Designed Places
183, 184, 185, 191:	Ground conditions and pollution
218, 219	Implementation

### 3.9 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets

## 4 Determining Issues

- i. Principle of development
- ii. Design and the Impact on the Character and Form of the Area
- iii. Impact on Residential Amenity
- iv. Impact on Highway Safety
- v. Impact on Nature Conservation Interests
- vi. Drainage and Flood Risk
- vii. Mineral Safeguarding
- viii. Waste and Recycling Facilities
- ix. Ground Conditions and Contamination
- x. Affordable Housing

### 4.1 Principle of development

4.1.1. 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.

4.1.2. 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.'

4.1.3. 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."

4.1.4. The application site is not designated as Green Belt, AONB or as a 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. Therefore the proposal does not engage any policies in the Framework that protect areas or assets of particular importance. As such the proposal should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.1.5. In respect to the location of the site, it is within a residential location within Cannock. The site currently occupies a 2 bedroom dwelling and the proposed development would replace this with 2 x 1 bedroom flats. The site is close to the local amenities such as schools, shops, public transport and public open space. 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.

4.1.6. It is therefore concluded that the proposal is acceptable in principle. However, proposals that are acceptable in principle are still subject to all other policy tests and materials considerations which are set out and addressed below.

## **4.2 Design and the Impact on the Character and Form of the Area**

4.2.1 In this respect the proposed alterations to the exterior of the dwelling would be minimal, with minor changes made to existing windows and doors. The proposed use of the site would remain as C3, in line with the uses of the wider street. As such it is not envisaged the proposal would have a significant impact on the character and form of the area.

4.2.2 Therefore, having had regard to Policies CP3 and CP14 of the Local Plan and the appropriate sections of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings and would successfully integrate with existing features of amenity value such that it would be acceptable in respect to its impact on the character and form of the area.

## **4.3 Impact on Residential Amenity**

4.3.1. The nearest neighbours to the application site are No. 25 which is attached and shares the eastern boundary and side access and No.21 which shares the western boundary. No's. 10-12 are located opposite the site.

4.3.2. In this instance the proposal would not result in loss of light or be deemed as overbearing as there are no enlargements proposed.

4.3.3. Concerns raised by objectors that the increase in dwellings could result in additional noise due to the potential increase in comings and goings are noted. The application site is a two-bedroomed dwelling which could currently facilitate up to four occupiers, the proposal for two one-bedroom flats could also facilitate up to 4 occupants. As such, the proposed conversion would not lead to

unacceptable levels of noise over and above that of the existing use. The proposal therefore remains compliant with paragraph 191 of the NPPF, in relation to noise.

- 4.3.4. Neighbours also raised concerns regarding access via the side path of the dwelling, however, there is no proposed access to the flats which would necessitate the side path to be used as the only door proposed is to the front elevation. Further, the red line boundary submitted to show the extent of the application site does not include the path at the side. Access to the communal garden would be through No.25, which the agent confirmed is the existing situation.
- 4.3.5. There would be no additional windows proposed as part of the application, with the same level of occupancy proposed as existing, therefore it is not envisaged the proposal would lead to loss of privacy.
- 4.3.6. Objectors raised concerns that there is the possibility to convert the loft space, therefore result in overlooking. The conversion of loft space is not included as part of this proposal and in any case, this could be carried out under Permitted Development for the dwellings existing capacity as a two-bedroomed house. The conversion of the dwelling to flats would however remove the Permitted Development rights for such extensions / alterations as flats do not benefit from permitted development rights.
- 4.3.7. The proposed communal garden space is to the rear of the property, which would comply with the garden sizes required for two one-bedroomed flats.
- 4.3.8. Given the above, the proposed is considered to accord with the requirements of Policy CP3 of the Cannock Chase Local Plan and they meet the requirements of the Council's Design SPD. It is considered that the proposal would provide a high quality of amenity for occupiers of existing dwellings as well as for the future occupiers of the proposed dwellings.

#### **4.4 Impact on Highway Safety**

- 4.4.1. 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.
- 4.4.2. Although it is noted that there is no off-road parking provision proposed as part of this application, this is an existing issue. The existing two-bedroomed property,

like many properties on this road, does not benefit from off-road parking. The character of the street does comprise of terrace houses utilising on-road parking.

- 4.4.3. The Highway Authority was consulted on this application, and they noted that the conversion of an existing 2-bedroom dwelling to a 2no. x 1 bedroom dwelling, would not change the overall number of bedrooms and as such would not result in an increased perceived parking requirement. The Highway Authority therefore concluded that there would not be any severe highway impact as a result of the proposal and raised no objection.
- 4.4.4. Given the above, in this instance, the proposed development would not result in an unacceptable impact on highway safety over and above the existing two-bedroomed dwelling and as such would accord with paragraph 115 of the NPPF.

#### **4.6 Impact on Nature Conservation Interests**

- 4.6.1 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. There is a net increase in dwellings of one, such that SAC mitigation contributions are required. Such contributions would be secured via a S111.
- 4.6.2 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection, or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.6.3 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. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

## **4.7 Drainage and Flood Risk**

4.7.1. The application site is located in a Flood Zone 1 which is at least threat from flooding. Although the applicant has not indicated the means of drainage it is noted that the site immediately abuts a main road and is on the edge of a predominantly built-up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area and is considered acceptable.

## **4.8 Mineral Safeguarding**

4.8.1. The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, 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.

4.8.2. The application site is located within a Mineral Safeguarding Area. Notwithstanding this, 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.

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

## **4.9 Waste and Recycling Facilities**

4.9.1 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).

4.9.1 In this respect, it is noted that the proposed dwellings would be sited within close proximity to the highway within a residential location where bins are already collected by the Local Authority. The bins would, in this instance, be collected from the pavement as per the existing situation.

## **4.10. Ground Conditions and Contamination**



- 4.10.1. The site is located in a general area in which 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.

#### **4.11 Affordable Housing**

- 4.11.1. Under Policy CP2 the proposal would be required to provide a contribution towards affordable housing. However, paragraph 65 of the NPPF states that the 'provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)'.
- 4.11.2. As such, it is considered on balance that the proposal is acceptable without a contribution towards affordable housing.

#### **4.12 Other Issues Raised by Objectors not covered above**

- 4.12.1. Objectors commented the consultation for application should have included the whole street.

Officers confirm the planning application would not fall within the definition of planning applications which require advertisement of a site notice. The planning application was advertised via letters posted to the adjoining owners/occupiers of the application site in accordance with Regulation 15(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 4.12.2. Objectors raised concerns regarding the removal an affordable family home from a family area, decreasing appeal to families living nearby.

Officers confirm this would not be a material planning consideration for the determination of this application.

- 4.12.3. Objectors are concerned the proposal would result in a reduction in neighbouring properties housing value being located near/opposite flats/rented properties.

Officers confirm this would not be a material planning consideration for the determination of this application.

- 4.12.4. Objectors have stated that the applicant owns other properties on the street that would be more suitable for this development, as they have off-road parking.

Officers confirm this would not be a material planning consideration for the determination of this application.

- 4.12.5. Objectors are concerned the proposal will start a precedent for other homes on the street becoming converted to flats and the street is a family area.

Officers confirm that each planning application would be determined on its own merits, if a planning application were to come forward.

- 4.12.6. Objectors expressed they are perplexed that the scheme is even being considered.

The Planning Authority has a duty to consider any valid planning applications received and cannot pre-determine proposals prior to receiving said application.

- 4.12.7. Objectors state if a new access is to be constructed it will have to be at the rear of the property via the alley at the side of No 25. There is no access via 21 as this is private property.

Officers confirm there is no proposed new access as part of this scheme, the only access being the existing door located to the front of the property.

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



**Application No:** CH/24/091

Item No.6.64

**Location:** 243 Hill Street, Hednesford, Cannock, WS12  
2DP

**Proposal:** Erection of a 9 dwellings



1

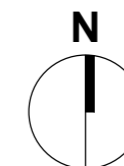
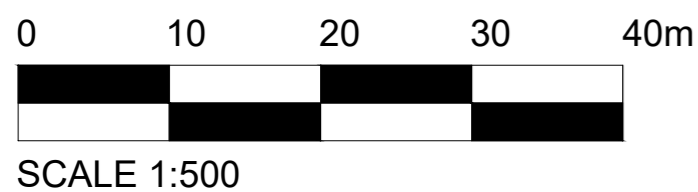
Location Plan

1:1250





1 Block Plan  
1:500



A	Dropped kerb shown for existing dwelling, 243 Hill Street	MB	09.05.24
X	FIRST ISSUE.	MB	26.03.24
Rev:	Details:	By / Chk:	Date:

Copyright of this drawing is vested in J Mason Associates and it must not be copied or reproduced without formal consent. Do not scale off this drawing for construction purposes. All contractors and sub-contractors are responsible for taking and checking all dimensions relative to their work.

Notify J Mason Associates immediately of any variation between drawings and site conditions.

**DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES - IF IN DOUBT ASK.**

Where drawings are based on survey information received, surveys are available on request.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications.

**H&S HAZARDS:**

Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&S plan.

It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Significant hazards are defined as: -

- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.

# J Mason Associates

www.jmasonassociates.co.uk  
Tel: 01543 467788  
J Mason Associates  
St. Thomas House, Wolverhampton Road,  
Cannock, WS11 1AR

J Mason Associates  
Registered in England & Wales  
5093992

Client:

**Ridgewood Homes Ltd**

Project:

**Hill Street Development  
Hednesford**

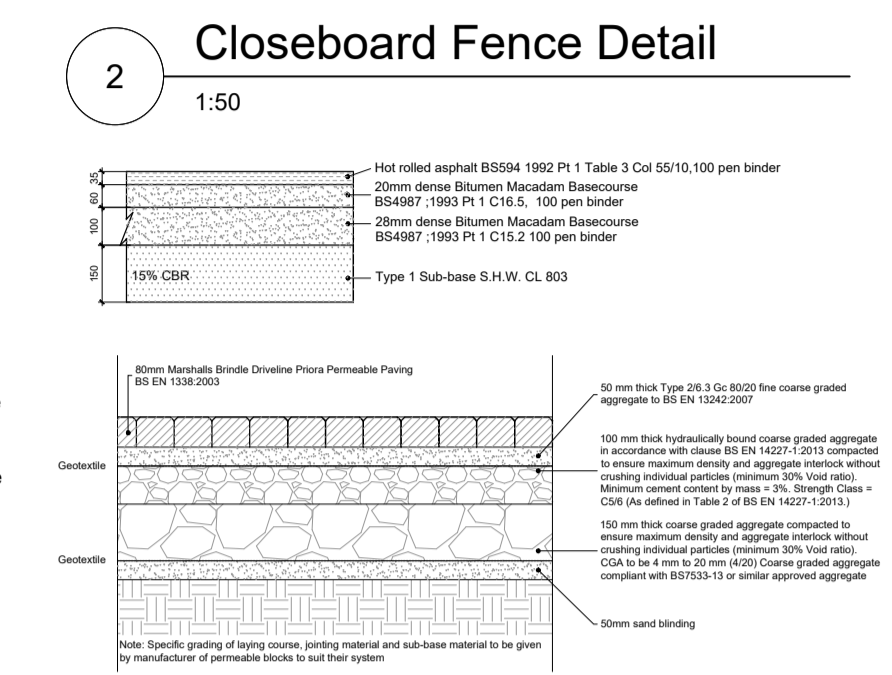
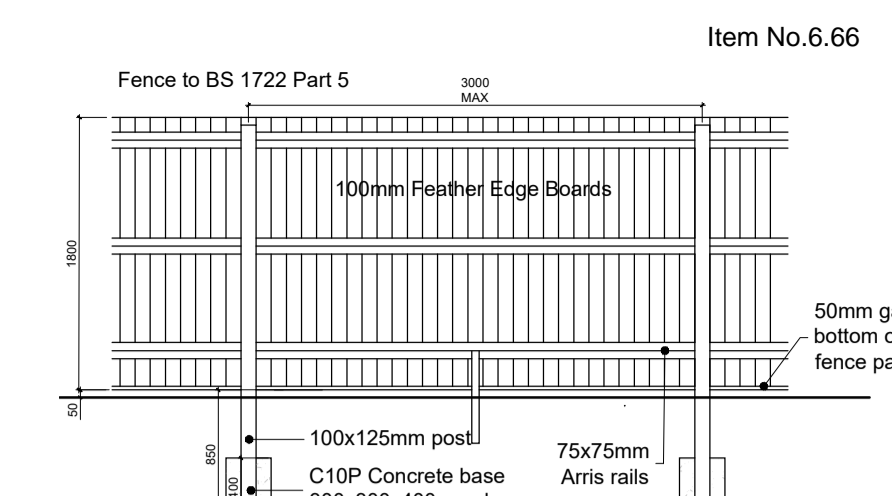
Drawing Title:

**Block Plan**

Stage:	Status:	Sheet Size:
<b>RIBA 3</b>	<b>Planning</b>	<b>A2</b>
Job Number:	Date:	Scale:
<b>2923</b>	<b>26.03.2024</b>	<b>1:500</b>

<b>2923-02</b>	Revision:
	<b>A</b>



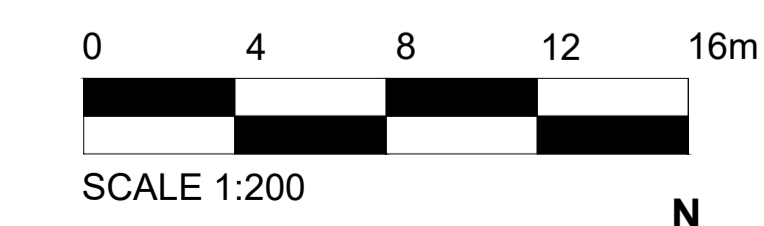
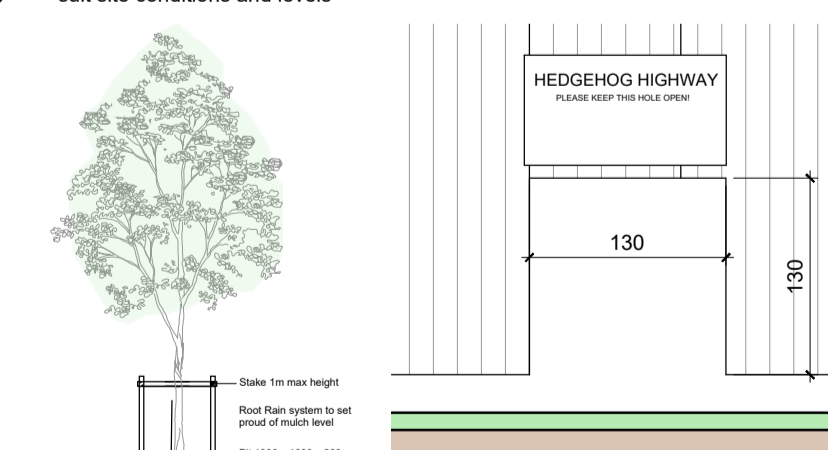
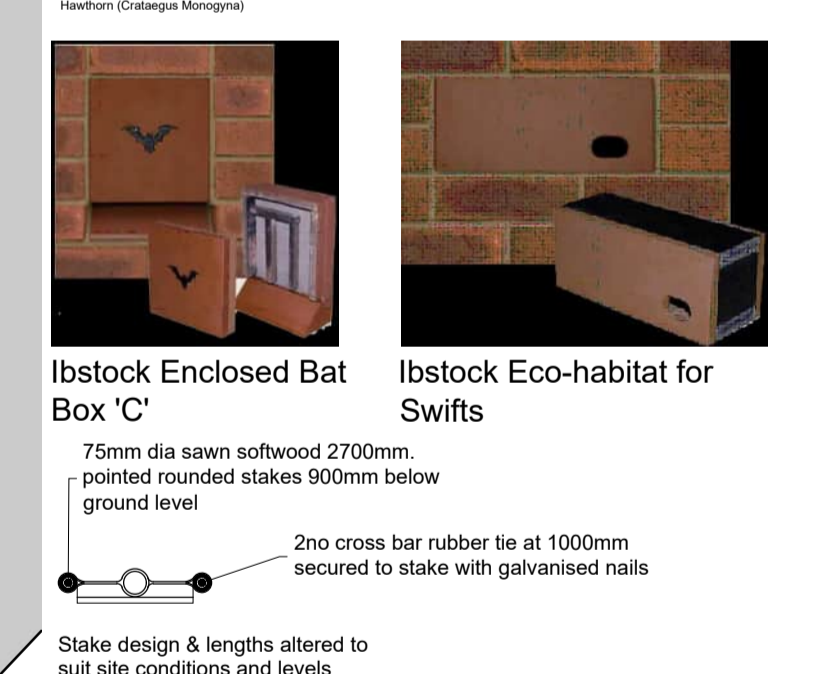
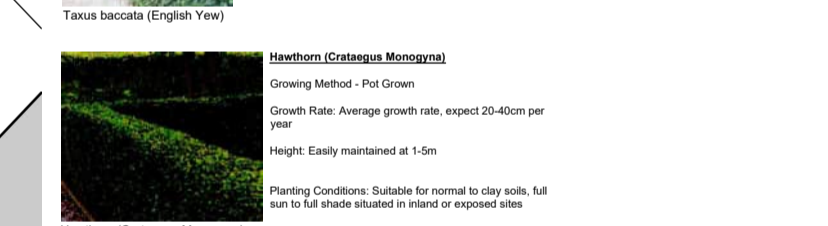


Amount	Species	Ultimate Height/No. per m <sup>2</sup>
8	Hebe Rakiensis (HR)	30-60cm 3/m <sup>2</sup>
6	Acer Campestre (Field Maple) - Container Grown	4-15m 1/m <sup>2</sup>
4	Sorbus aucuparia (Rowan) - Container Grown	4-15m 1/m <sup>2</sup>
3	Malus domestica Apple Tree	3-5 m 1/m <sup>2</sup>
2	Prunus Avium (Wild Cherry)	2-12 m 1/m <sup>2</sup>
1	Betula Pendula (Silver Birch)	3-20m 1/m <sup>2</sup>
150 ltr	Crataegus (Hawthorn)	4-6m 1/m <sup>2</sup>
86.2 ltr	Taxus baccata (English Yew)	4-6m 1/m <sup>2</sup>



**English Yew Specifications**  
Growing Method: Pin Green  
Growth Rate: Average growth rate, expect 20-40cm per year  
Height: Easily maintained at 1.5m  
Planting Conditions: Suitable for normal to clay soils, full sun to full shade situated in wind or exposed sites

**Hawthorn (Crataegus Monogyna)**  
Growing Method: Pin Green  
Growth Rate: Average growth rate, expect 20-40cm per year  
Height: Easily maintained at 1.5m  
Planting Conditions: Suitable for normal to clay soils, full sun to full shade situated in wind or exposed sites



X	FIRST ISSUE	MB	26.03.24
Rev:	Details	By / Ck:	Date:

Copyright of this drawing is vested in J Mason Associates and it must not be copied or reproduced without formal consent. Do not scale off this drawing for construction purposes. All contractors and sub-contractors are responsible for taking and checking all dimensions relative to their work.

Notify J Mason Associates immediately of any variation between drawings an site conditions.

**DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES - IF IN DOUBT ASK.**

Where drawings are based on survey information received, surveys are available on request.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications.

**H&S HAZARDS:**  
Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&S plan. It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Significant hazards are defined as:-  
Those not likely to be obvious to a competent contractor or other designers.  
Those of an unusual nature.  
Those likely to be difficult to manage effectively.

**J Mason Associates**

www.jmasonassociates.co.uk  
Tel: 01543 487798  
J Mason Associates  
St. Thomas House, Wolverhampton Road,  
Cannock,  
WS11 1AR

Registered in England & Wales  
5033992

Client:  
**Ridgewood Homes Ltd**

Project:  
**Hill Street Development**

Drawing Title:  
**Landscape Plan**

Stage: <b>RIBA 3</b>	Status: <b>Planning</b>	Sheet Size: <b>A1</b>
Job Number: <b>2740-04</b>	Date: <b>26.03.2024</b>	Scale: <b>As Noted</b>
<b>2923-04</b>		Revision: <b>-</b>

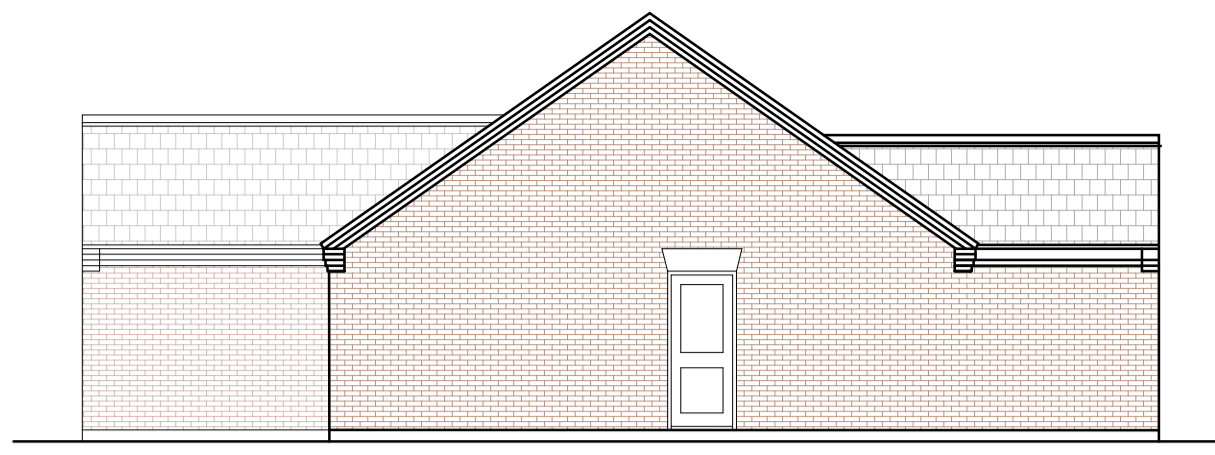




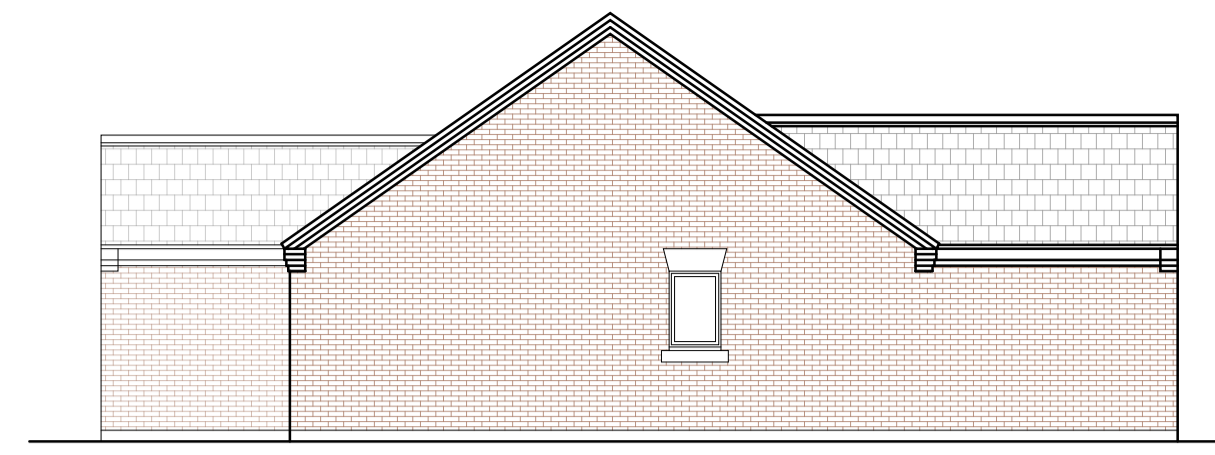
1 Plot 1 & 4 Principal Elevation  
1:100



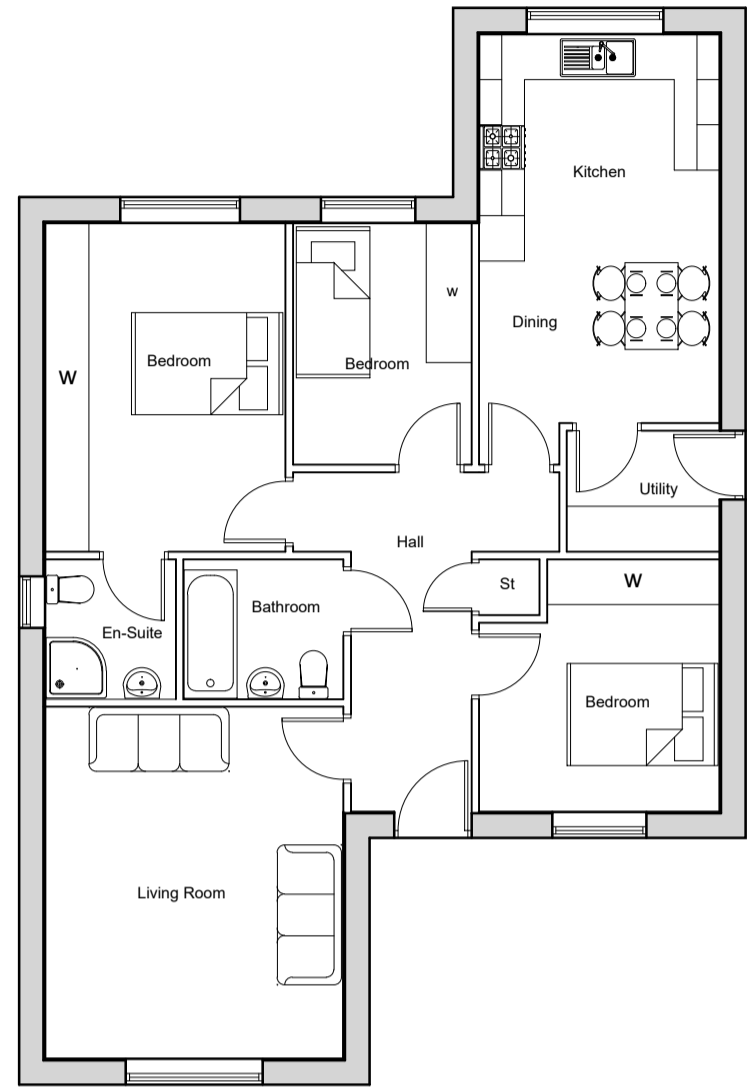
2 Plot 1 & 4 Rear Elevation  
1:100



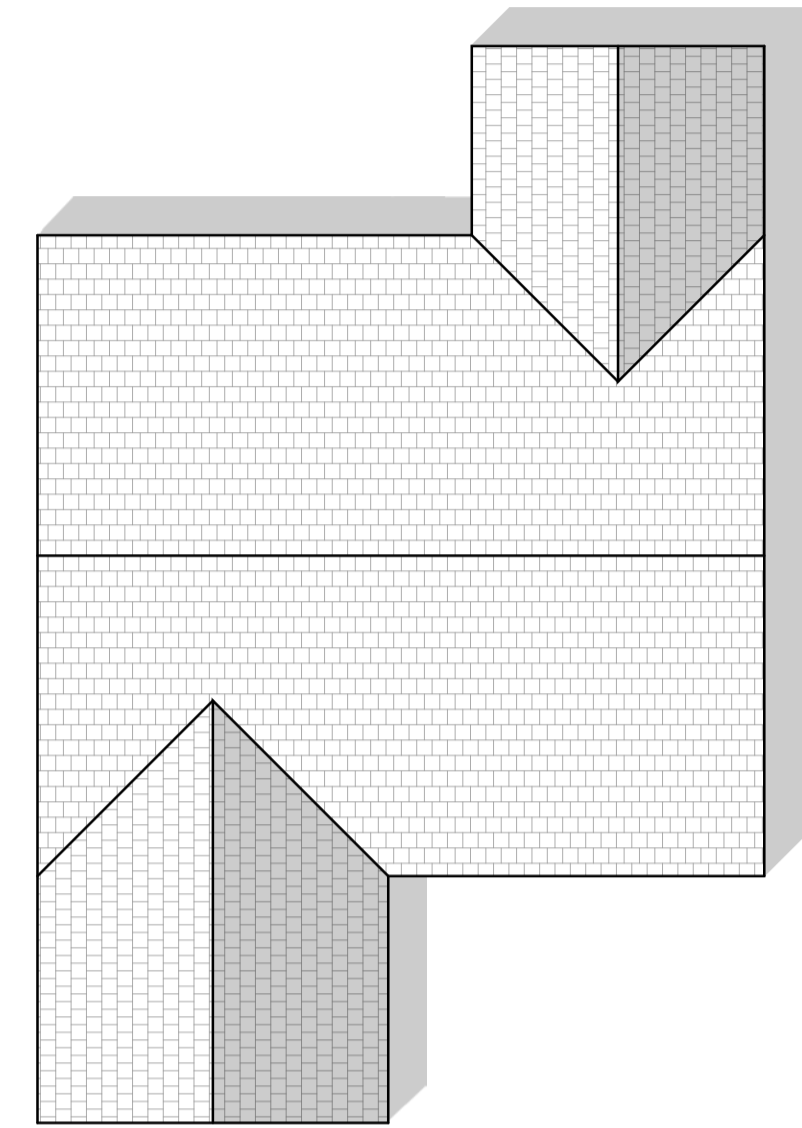
3 Plot 1 & 4 Side Elevation  
1:100



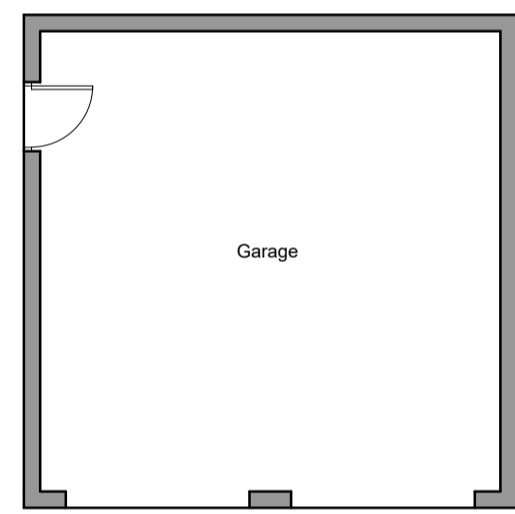
4 Plot 1 & 4 Side Elevation 02  
1:100



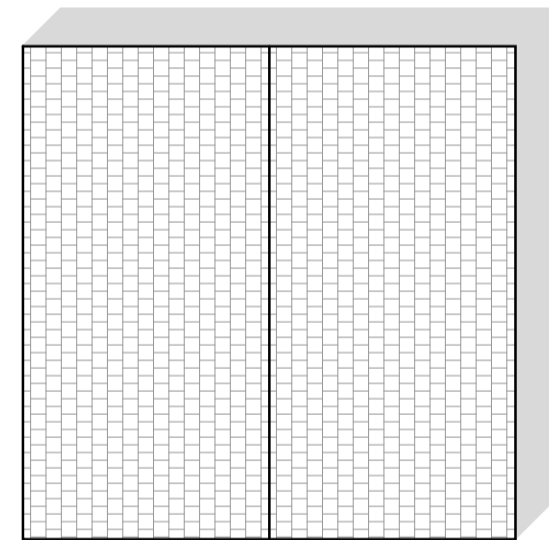
4 Plot 1 & 4 Ground Floor Plan  
1:100



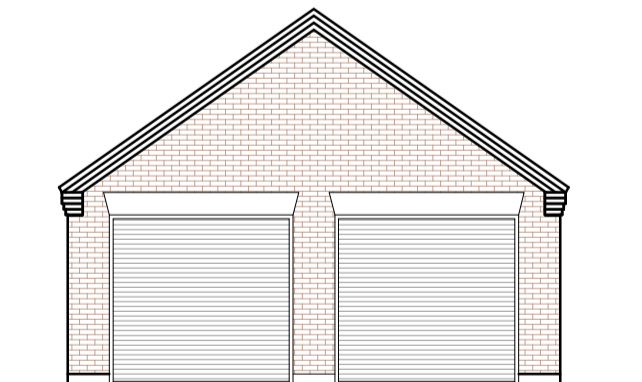
5 Plot 1 & 4 Roof Plan  
1:100



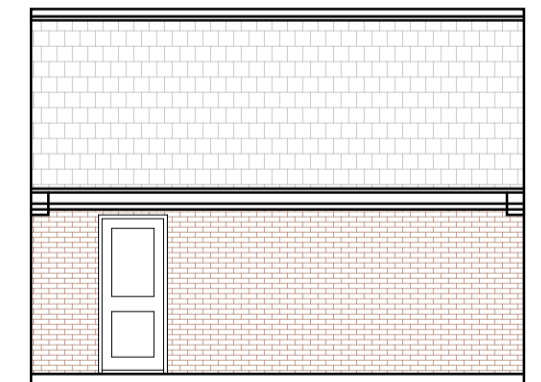
Double Garage Floor Plan



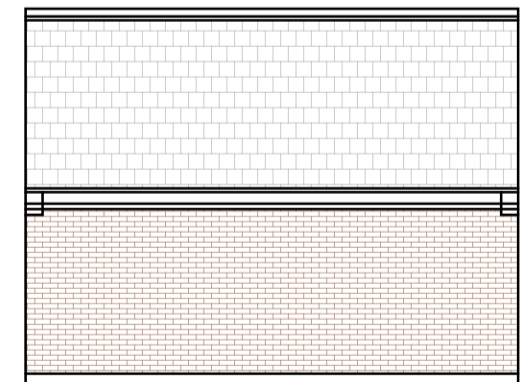
Double Garage Roof Plan



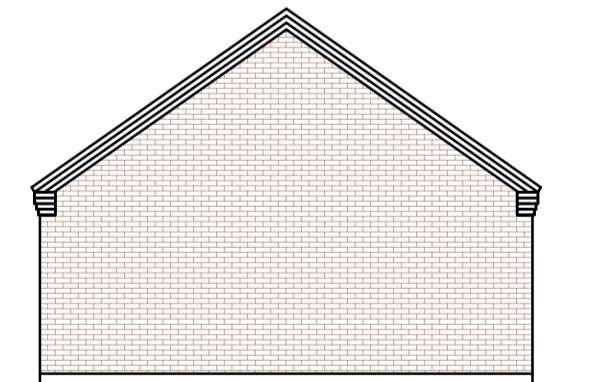
Principal Elevation



Side Elevation



Side Elevation 02



Rear Elevation

6 Double Garage Plans & Elevations Plot 1  
1:100



7 Plot Location Plan  
1:500



X	FIRST ISSUE.	MB	26.03.24
Rev:	Details:	By / Chk:	Date:

Copyright of this drawing is vested in J Mason Associates and it must not be copied or reproduced without formal consent. Do not scale off this drawing for construction purposes. All contractors and sub-contractors are responsible for taking and checking all dimensions relative to their work.

Notify J Mason Associates immediately of any variation between drawings and site conditions.

**DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES - IF IN DOUBT ASK.**

Where drawings are based on survey information received, surveys are available on request.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications.

**H&S HAZARDS:**

Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&S plan.

It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Significant hazards are defined as:-

- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.

## J Mason Associates

www.jmasonassociates.co.uk  
Tel: 01543 487798  
J Mason Associates  
St. Thomas House, Wolverhampton Road,  
Cannock,  
WS11 1AR

J Mason Associates  
Registered in England & Wales  
5053992

Client:  
**Ridgewood Homes**

Project:  
**Hill Street Development**

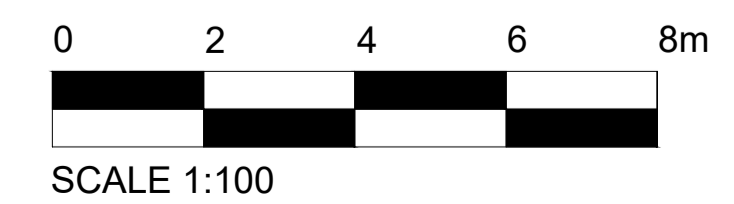
Drawing Title:  
**Plots 1 & 4  
Plans & Elevations**

Stage: <b>RIBA 3</b>	Status: <b>Planning</b>	Sheet Size: <b>A1</b>
-------------------------	----------------------------	--------------------------

Job Number: <b>2923</b>	Date: <b>26.03.2024</b>	Scale: <b>As Noted</b>
----------------------------	----------------------------	---------------------------

Revision:  
**-**

**2923-05**

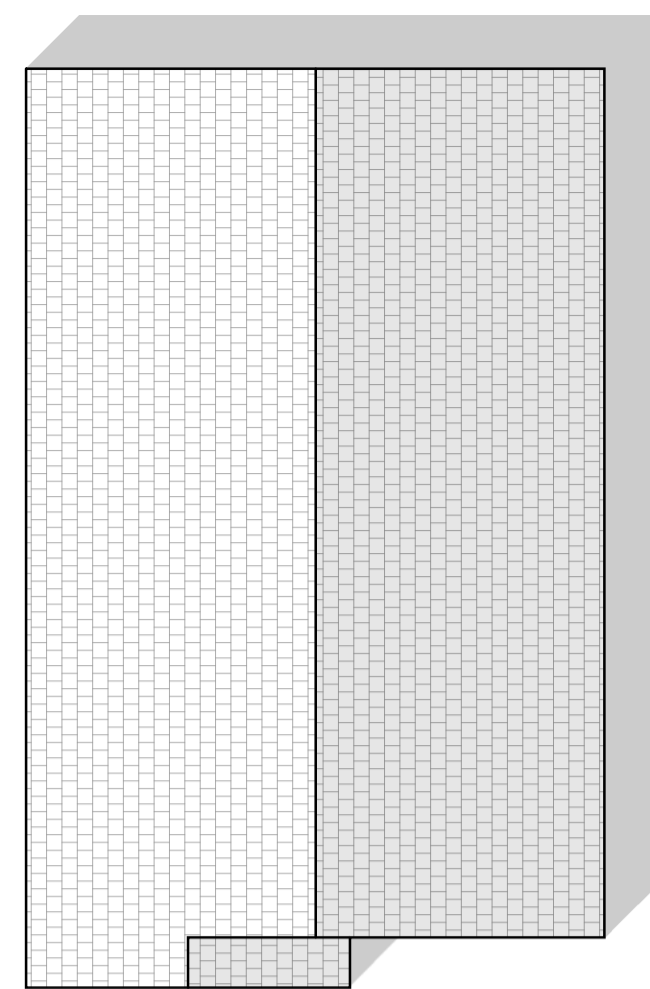
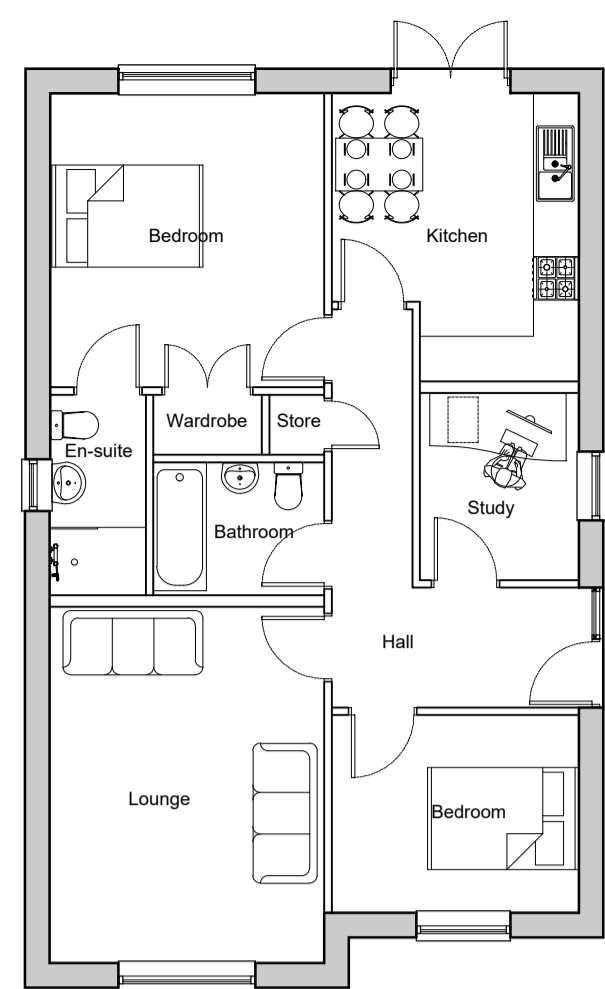


SCALE 1:100



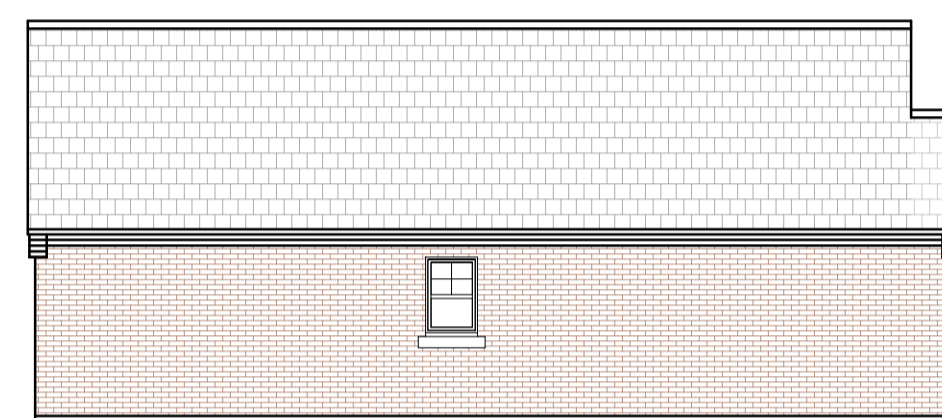
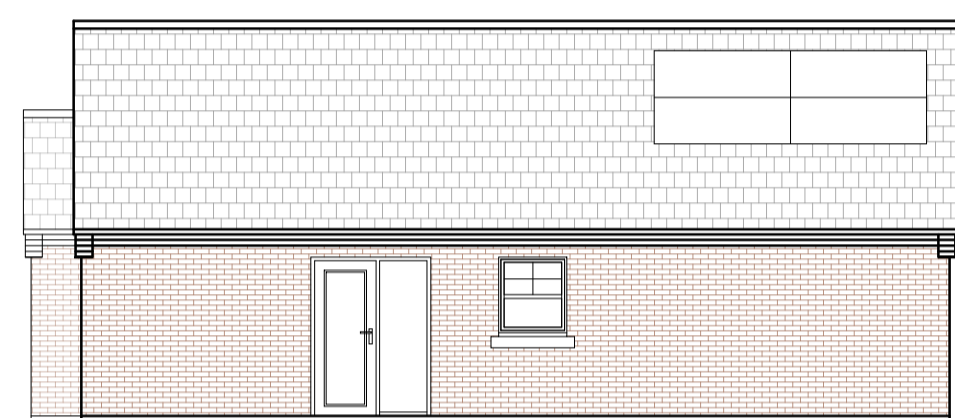
SCALE 1:500





1 Plot 2, 3, & 5 Ground Floor Plan  
1:100

2 Plot 2, 3, & 5 First Floor Plan  
1:100

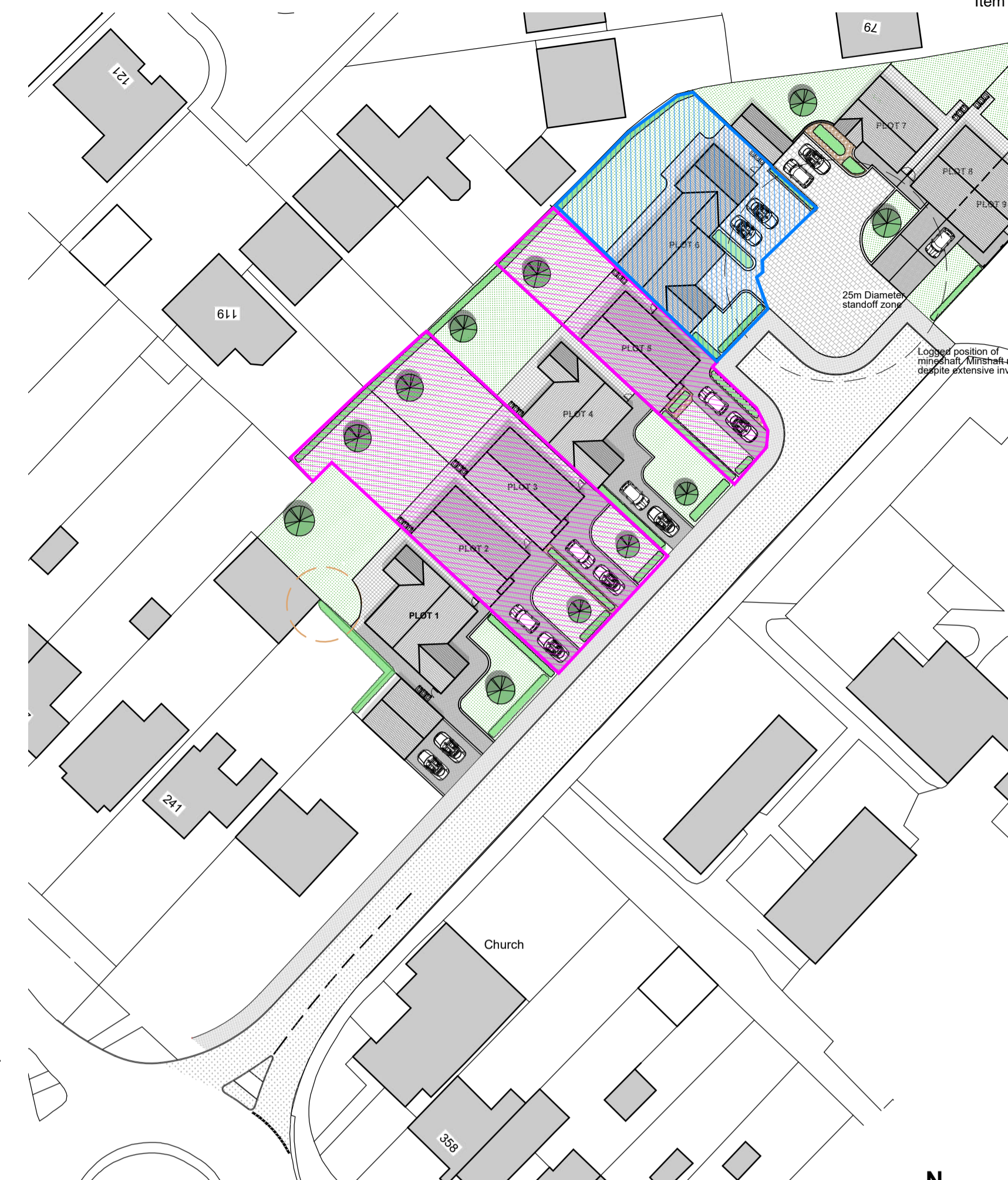


3 Plot 2, 3, & 5 Principal Elevation  
1:100

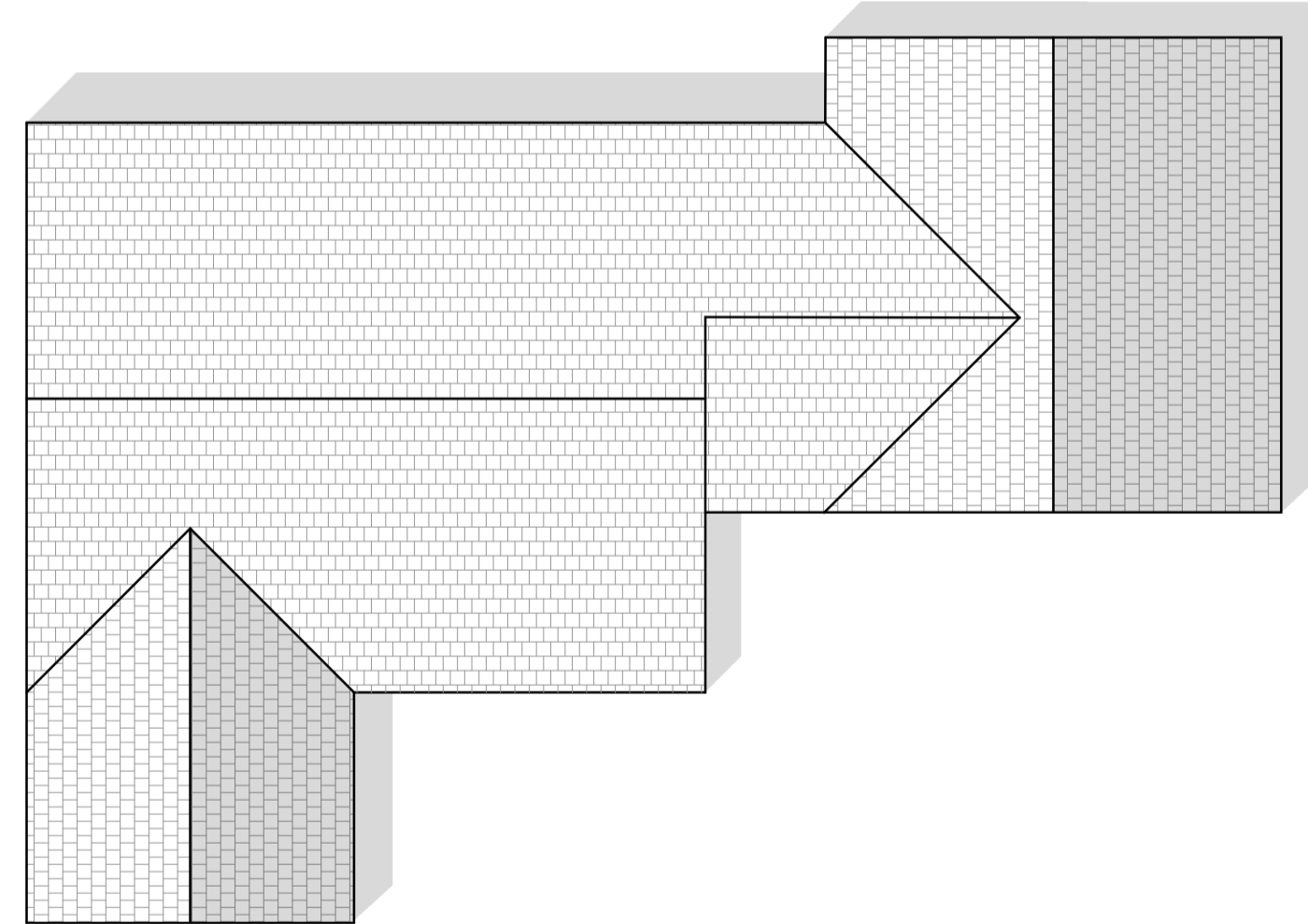
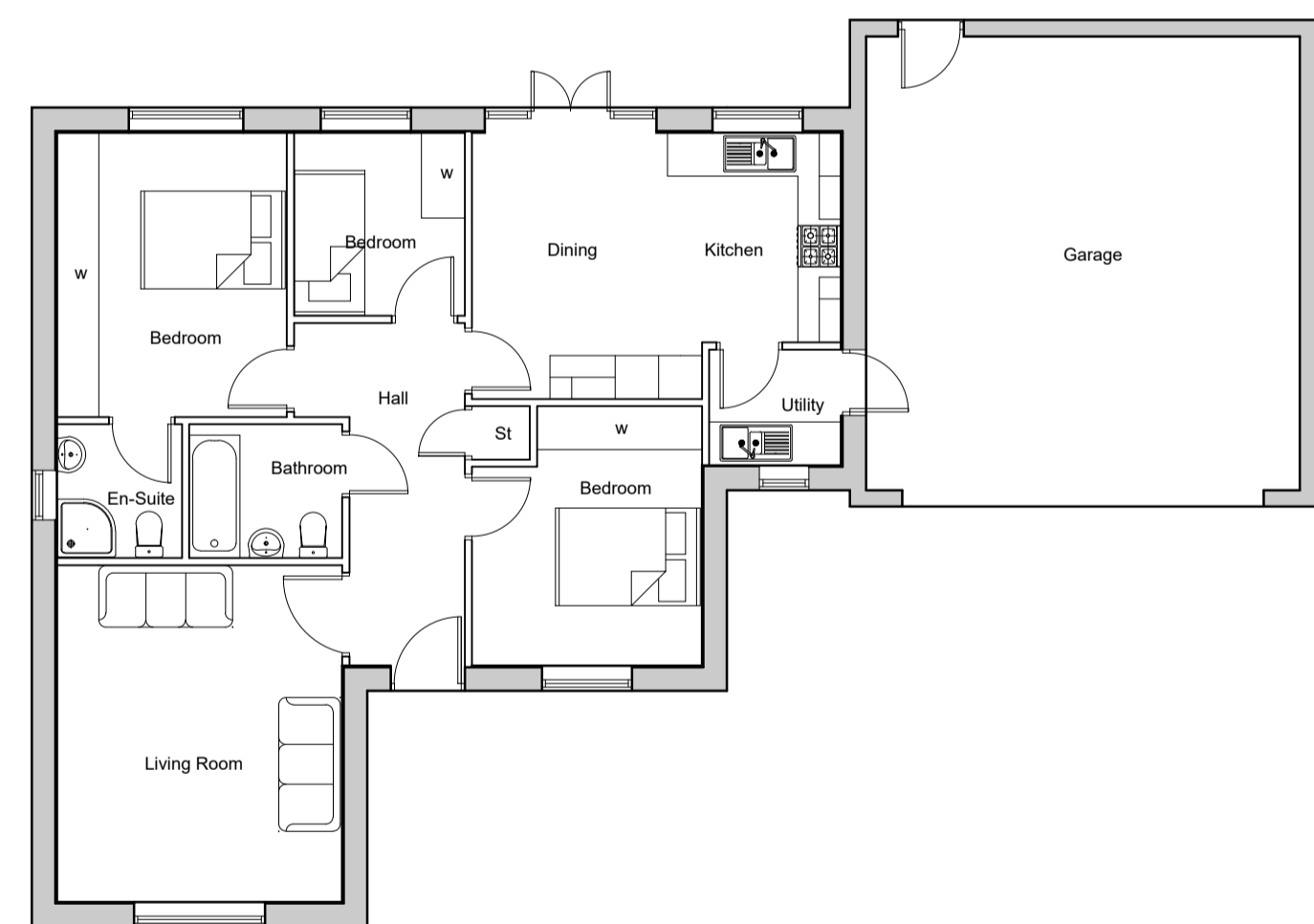
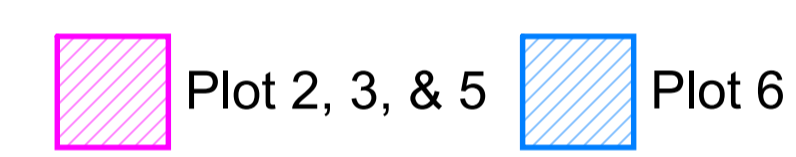
4 Plot 2, 3, & 5 Side Elevation  
1:100

5 Plot 2, 3, & 5 Rear Elevation  
1:100

6 Plot 2, 3, & 5 Side Elevation 02  
1:100

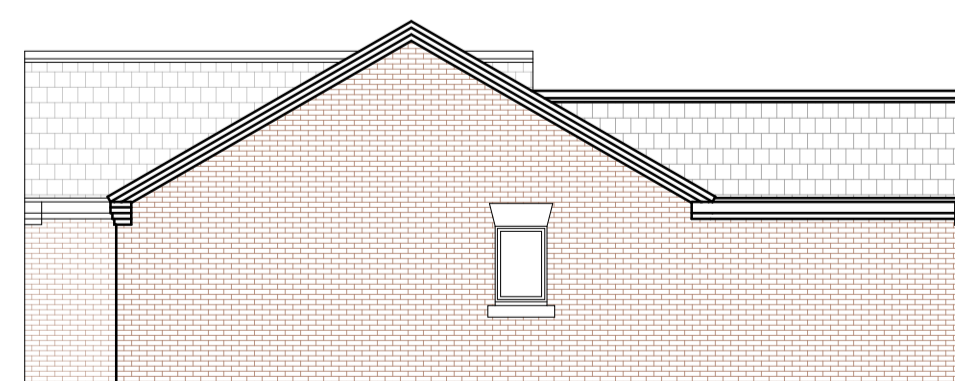
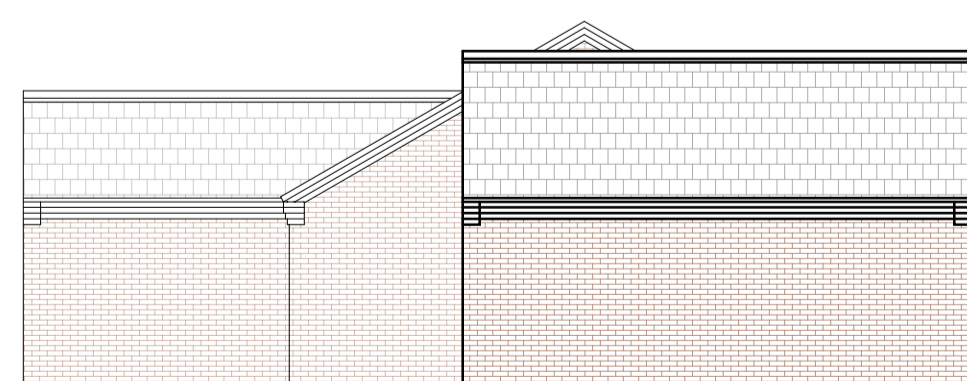


15 Plot Location Plan  
1:500



7 Plot 6 Ground Floor Plan  
1:100

8 Plot 6 First Floor Plan  
1:100

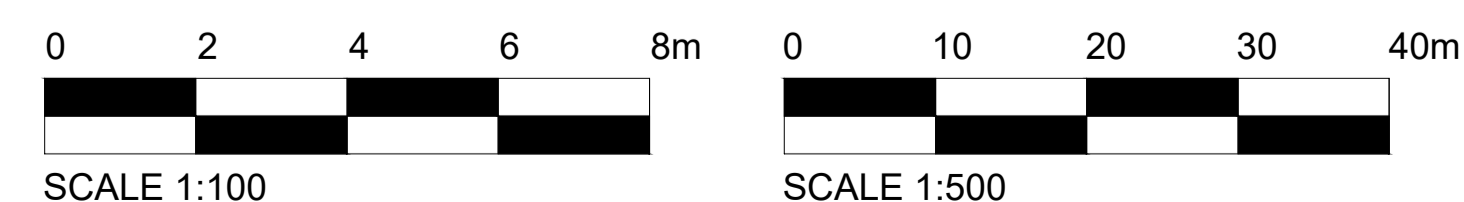


9 Plot 6 Principal Elevation  
1:100

10 Plot 6 Side Elevation  
1:100

11 Plot 6 Side Elevation 02  
1:100

12 Plot 6 Rear Elevation  
1:100

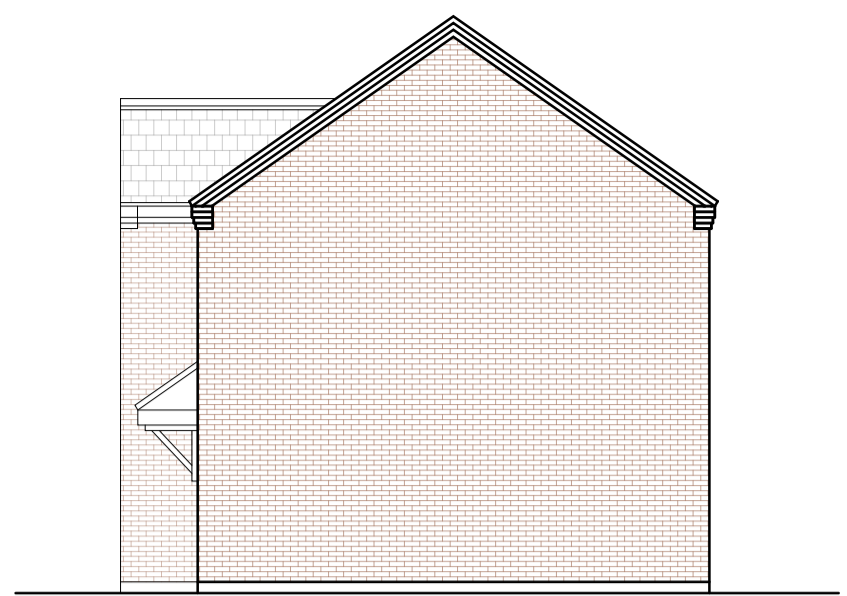


X	FIRST ISSUE	26.03.24	-
Rev:	Details	By / Chk:	Date:
<p>Copyright of this drawing is vested in J Mason Associates and it must not be copied or reproduced without formal consent. Do not scale off this drawing for construction purposes. All contractors and sub-contractors are responsible for taking and checking all dimensions relative to their work.</p> <p>Notify J Mason Associates immediately of any variation between drawings and site conditions.</p> <p><b>DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES - IF IN DOUBT ASK.</b></p> <p>Where drawings are based on survey information received, surveys are available on request.</p> <p>All drawings to be read in conjunction with all relevant Structural and M&amp;E Engineers drawings and specifications.</p> <p><b>H&amp;S HAZARDS:</b></p> <p>Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.</p> <p>This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&amp;S plan.</p> <p>It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.</p> <p>Significant hazards are defined as:-</p> <ul style="list-style-type: none"> <li>Those not likely to be obvious to a competent contractor or other designers.</li> <li>Those of an unusual nature.</li> <li>Those likely to be difficult to manage effectively.</li> </ul>			
<h2>J Mason Associates</h2>			
www.jmasonassociates.co.uk Tel: 01543 487798 J Mason Associates St. Thomas House, Wolverhampton Road, Cannock, WS11 1AR		J Mason Associates Registered in England & Wales 5033992	
Client: <b>Ridgewood Homes</b>			
Project: <b>Hill Street Development</b>			
Drawing Title: <b>Plots 2, 3, 5 &amp; 6 Plans &amp; Elevations</b>			
Stage: <b>RIBA 3</b>	Status: <b>Planning</b>	Sheet Size: <b>A1</b>	
Job Number: <b>2923</b>	Date: <b>26.03.2024</b>	Scale: <b>As Noted</b>	
Revision:			-
<b>2923-06</b>			

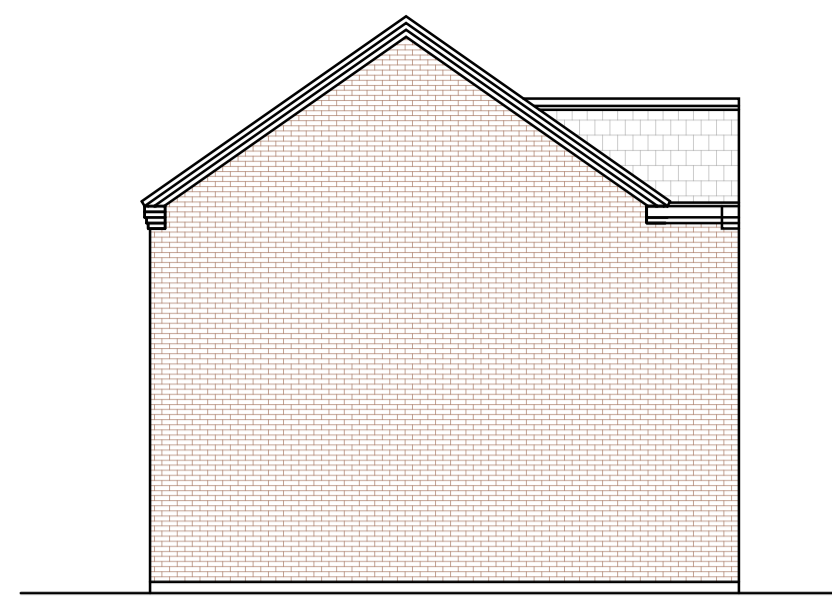




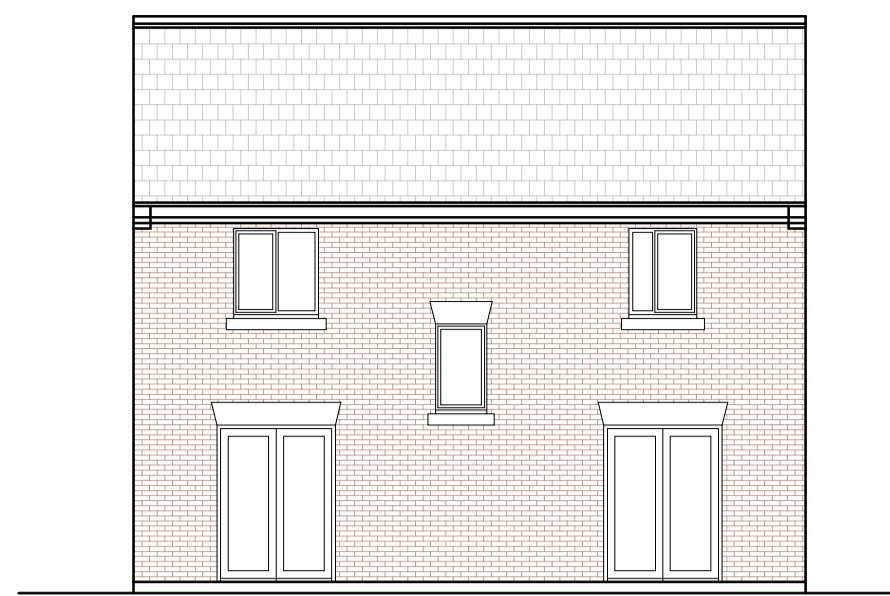
1 Plot 7 Principal Elevation  
1:100



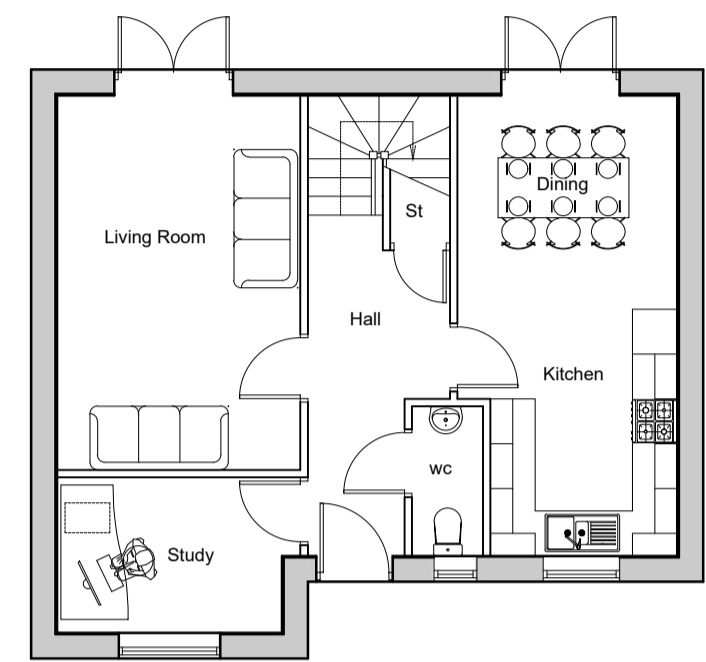
2 Plot 7 Side Elevation  
1:100



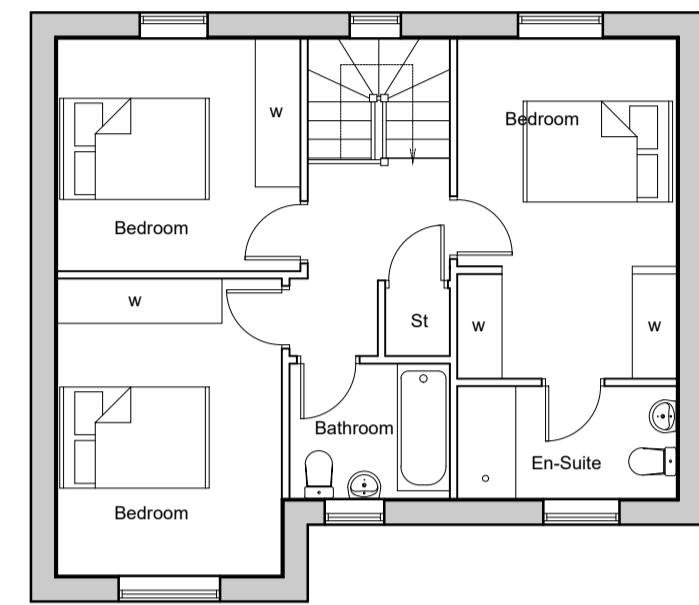
3 Plot 7 Side Elevation 02  
1:100



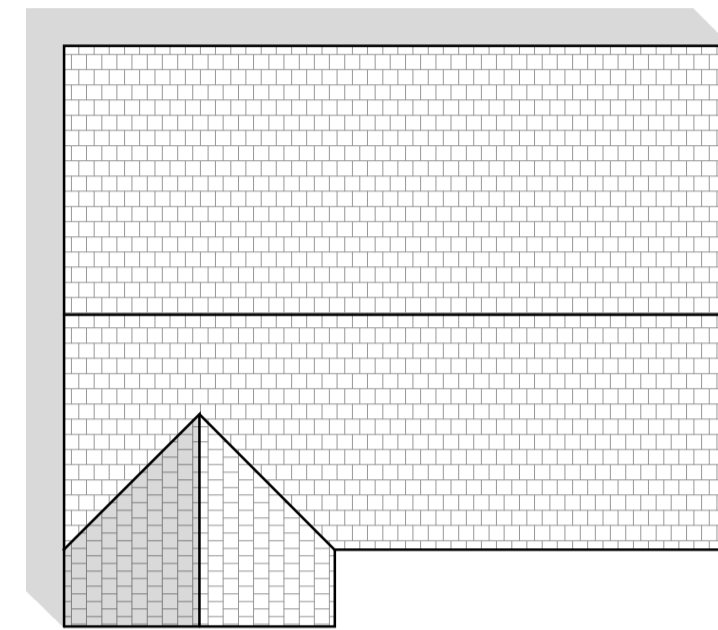
4 Plot 7 Rear Elevation  
1:100



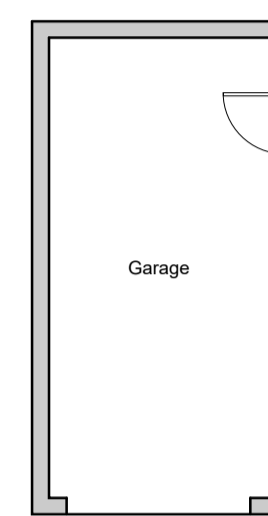
5 Plot 7 Ground Floor Plan  
1:100



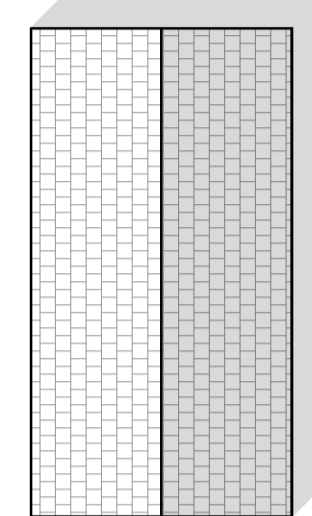
6 Plot 7 First Floor Plan  
1:100



7 Plot 7 Roof Plan  
1:100

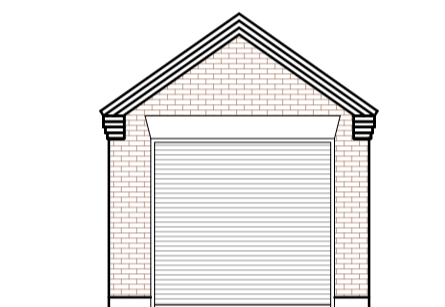


Single Garage Floor Plan

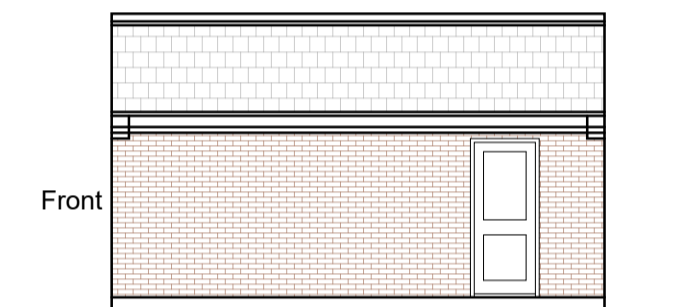


Single Garage Roof Plan

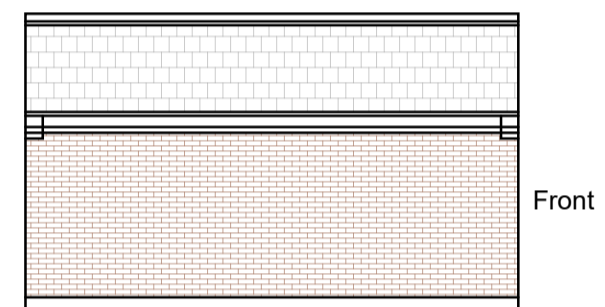
7 Plot 7 Detached Garage Plans  
1:100



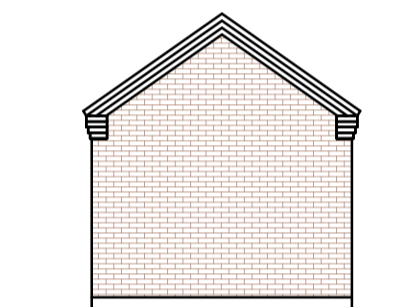
Principal Elevation



Side Elevation

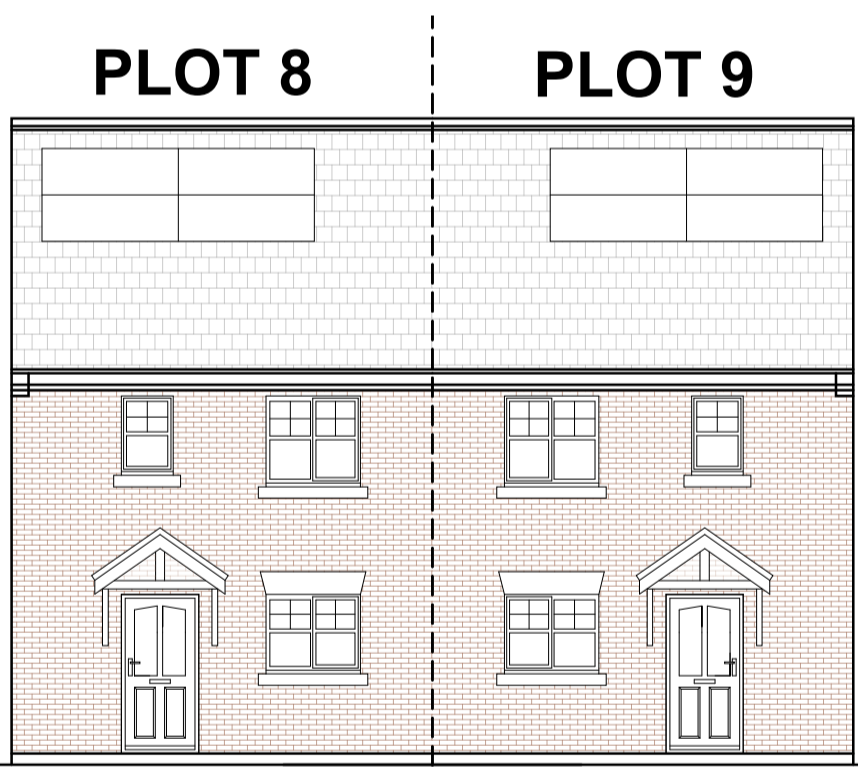


Side Elevation 02

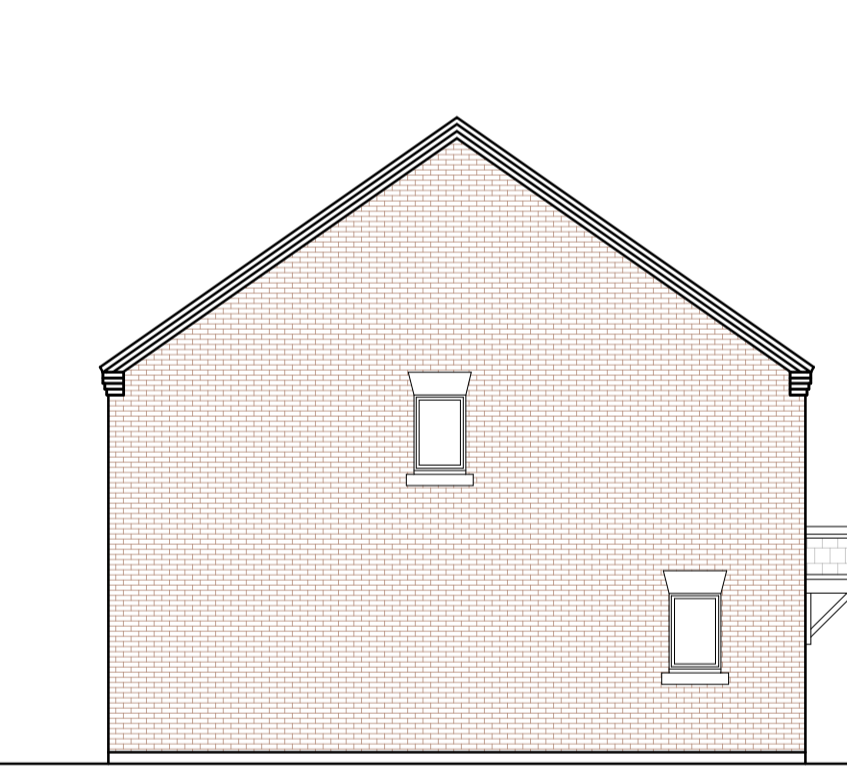


Rear Elevation

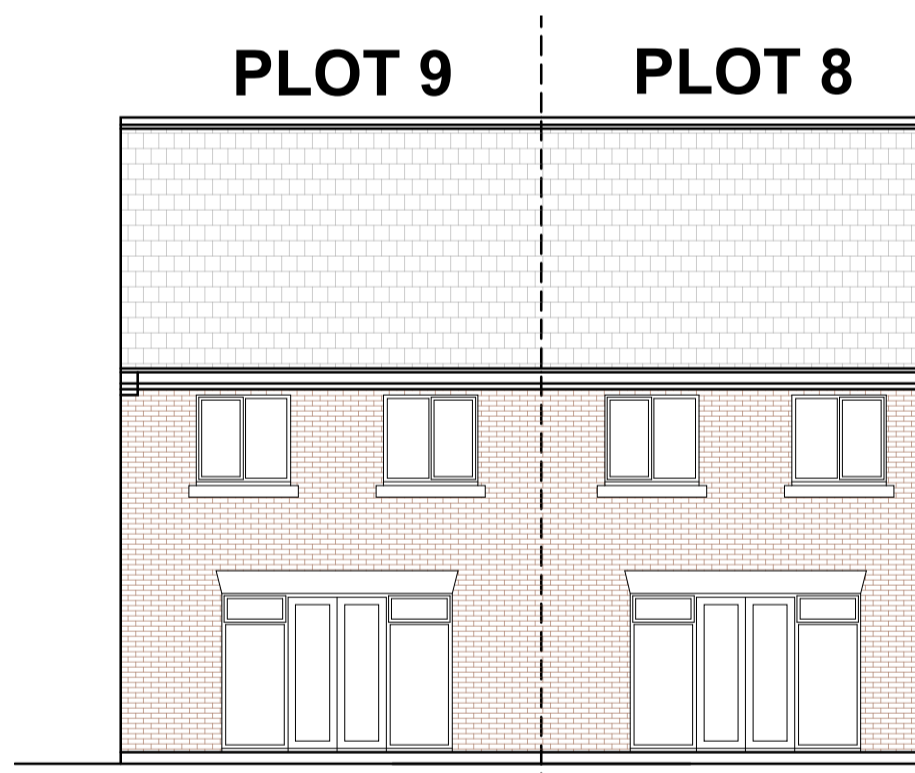
8 Plot 7 Garage Elevations  
1:100



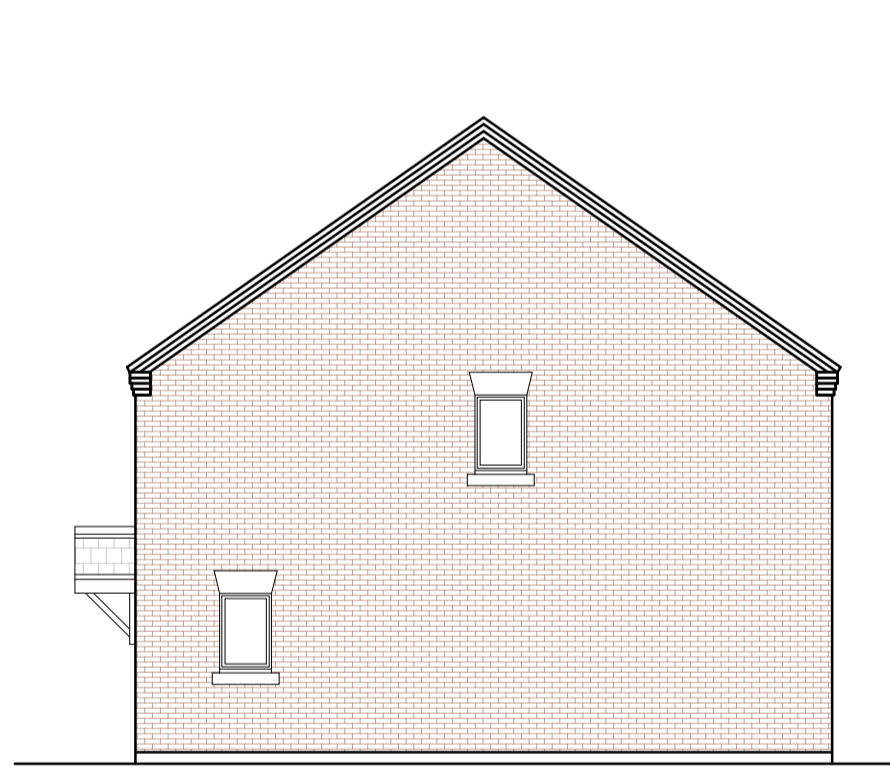
9 Plot 8 & 9 Principal Elevation  
1:100



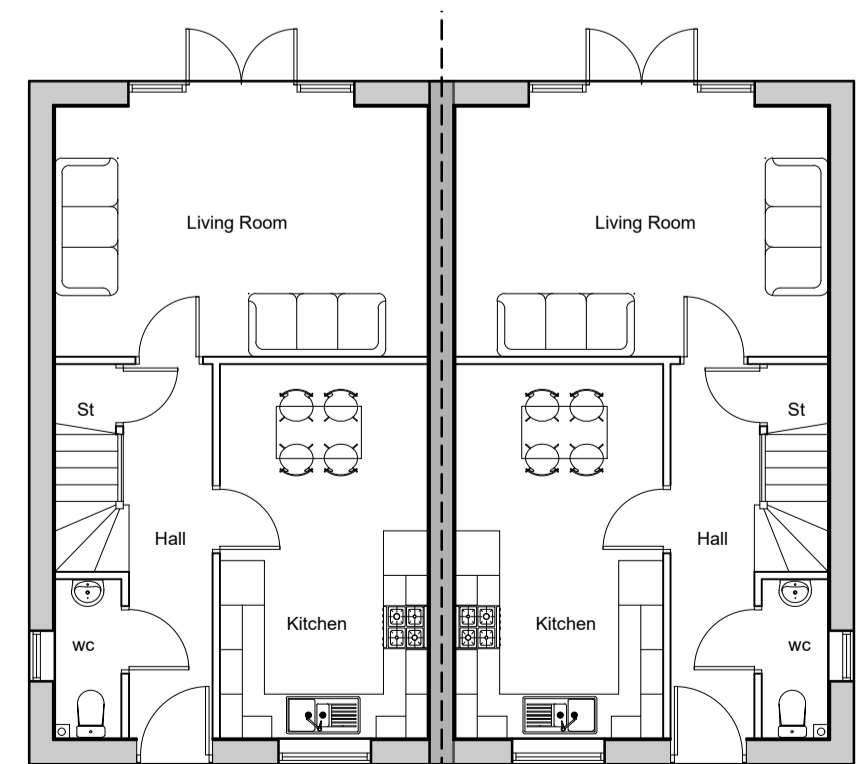
10 Plot 8 Side Elevation  
1:100



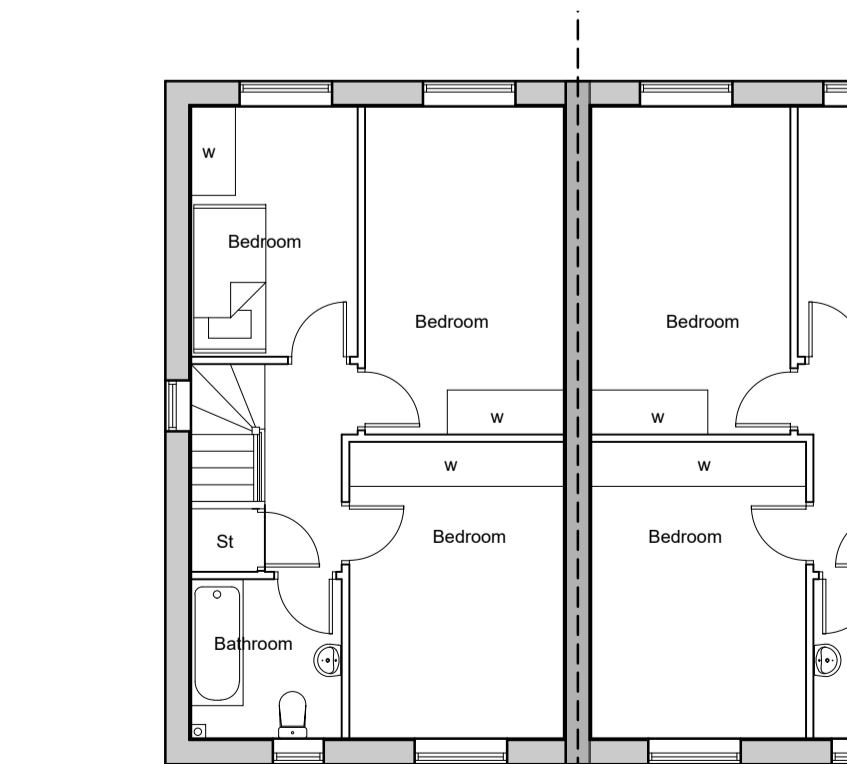
11 Plot 8 & 9 Rear Elevation  
1:100



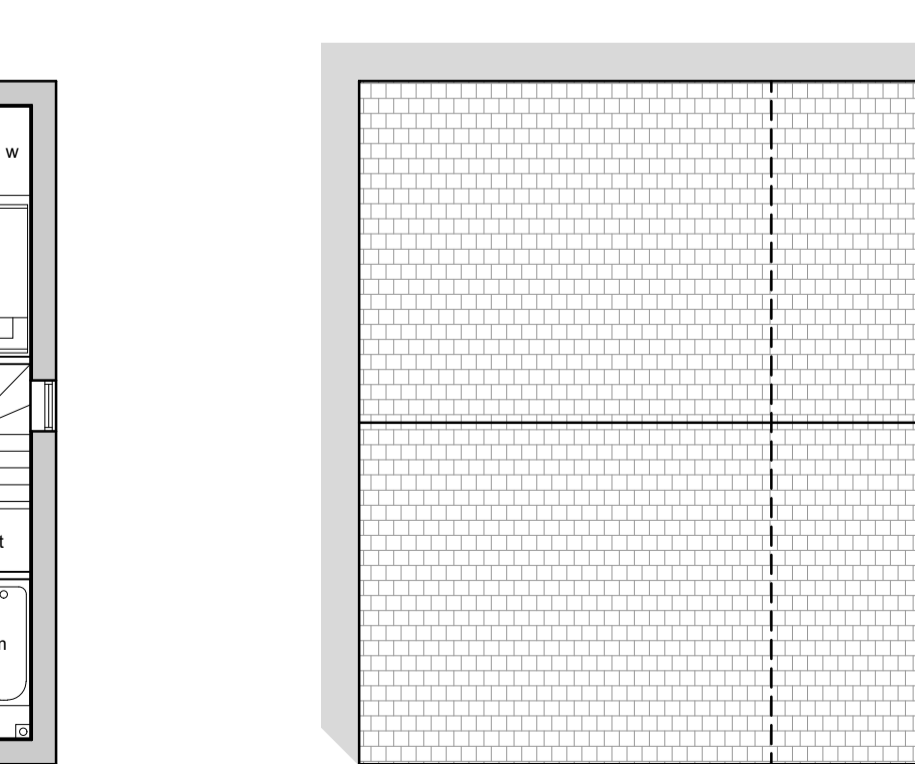
12 Plot 9 Side Elevation  
1:100



13 Plot 8 & 9 Ground Floor Plan  
1:100



14 Plot 8 & 9 First Floor Plan  
1:100

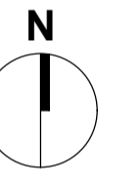


15 Plot 8 & 9 Roof Plan  
1:100



16 Plot Location Plan  
1:500

Plot 7 Plot 8 & 9



SCALE 1:100



SCALE 1:500

X	FIRST ISSUE:	MB	26.03.24
Rev:	Details:	By / Chk:	Date:

Copyright of this drawing is vested in J Mason Associates and it must not be copied or reproduced without formal consent. Do not scale off this drawing for construction purposes. All contractors and sub-contractors are responsible for taking and checking all dimensions relative to their work.

Notify J Mason Associates immediately of any variation between drawings and site conditions.  
**DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES - IF IN DOUBT ASK.**

Where drawings are based on survey information received, surveys are available on request.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications.

**H&S HAZARDS:**  
Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&S plan.

It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Significant hazards are defined as:-  
\* Those not likely to be obvious to a competent contractor or other designers.  
\* Those of an unusual nature.  
\* Those likely to be difficult to manage effectively.

**J Mason Associates**

www.jmasonassociates.co.uk  
Tel: 01543 487798  
J Mason Associates  
St. Thomas House, Wolverhampton Road,  
Cannock,  
WS11 1AR

J Mason Associates  
Registered in England & Wales  
5003992

Client:  
**Ridgewood Developments Ltd**

Project:  
**Hill Street Development**

Drawing Title:  
**Plots 7, 8, & 9  
Plans & Elevations**

Stage: <b>RIBA 3</b>	Status: <b>Planning</b>	Sheet Size: <b>A1</b>
-------------------------	----------------------------	--------------------------

Job Number: <b>2923</b>	Date: <b>26.03.2024</b>	Scale: <b>As Noted</b>
----------------------------	----------------------------	---------------------------

Revision: <b>2923-07</b>	
-----------------------------	--





1 Street Elevation

1:200



2 Key Plan

1:500



X	FIRST ISSUE.	MB	27.03.24
---	--------------	----	----------

Rev:	Details:	By / Chk:	Date:
------	----------	-----------	-------

Copyright of this drawing is vested in J Mason Associates and it must not be copied or reproduced without formal consent. Do not scale off this drawing for construction purposes. All contractors and sub-contractors are responsible for taking and checking all dimensions relative to their work.

Notify J Mason Associates immediately of any variation between drawings and site conditions.

**DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES - IF IN DOUBT ASK.**

Where drawings are based on survey information received, surveys are available on request.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications.

**H&S HAZARDS:**

Significant hazards relative to the architectural design shown on this drawing have been assessed and highlighted with reasonable skill and care using a warning triangle system.

This drawing is to be read in conjunction with all other hazards/risks which have been identified and recorded within the construction phase H&S plan.

It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

Significant hazards are defined as:-

- Those not likely to be obvious to a competent contractor or other designers.
- Those of an unusual nature.
- Those likely to be difficult to manage effectively.

## J Mason Associates

www.jmasonassociates.com  
Tel: 01543 487798  
J Mason Associates  
St. Thomas House, Wolverhampton Road,  
Cannock,  
WS11 1AR

J Mason Associates  
Registered in England & Wales  
5003992

Client:  
**Ridgewood Developments Ltd**

Project:  
**Hill Street Development**

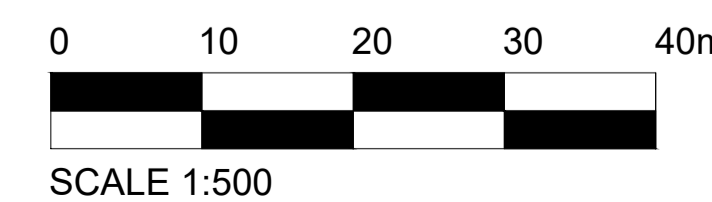
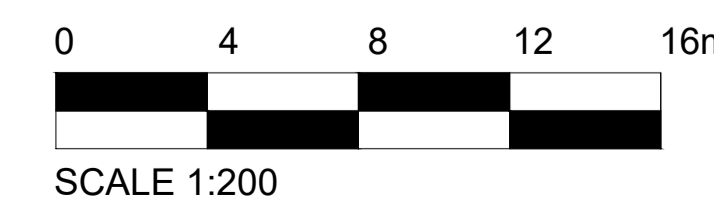
Drawing Title:  
**Proposed Street Elevation**

Stage: <b>RIBA 3</b>	Status: <b>Planning</b>	Sheet Size: <b>A1</b>
-------------------------	----------------------------	--------------------------

Job Number: <b>2923</b>	Date: <b>27.03.2024</b>	Scale: <b>As Noted</b>
----------------------------	----------------------------	---------------------------

Revision: <b>-</b>
-----------------------

**2923-08**





**Planning Control Committee**

**18<sup>th</sup> September 2024**

<b>Application No:</b>	CH/24/091
<b>Received:</b>	28 <sup>th</sup> March 2024
<b>Location:</b>	243 Hill Street, Hednesford, Cannock, WS12 2DP
<b>Parish:</b>	Hednesford CP and Heath Hayes and Wimblebury CP
<b>Ward:</b>	Hednesford South
<b>Description:</b>	Erection of 9 dwellings
<b>Application Type:</b>	Full Planning Application

**The application is being presented to Members due to an objection being received from the Heath Hayes and Wimblebury Parish Council, on the grounds of overdevelopment of the site and highway safety concerns.**

**Recommendation:** Approved, subject to conditions.

**Reason 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.

**Conditions (and Reasons for Conditions):**

**Time Limits and General Implementation Conditions**

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

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

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

Location Plan 2923-01;

Block Plan 2923-02 Rev A;

Site Plan 2923-03;

Landscaping Plan 2923-04;

Plots 1 -4 Plans and Elevations 2923-05;

Plots 2-6 Plans and Elevations 2923-06;

Plots 7-9 Plans and Elevations 2923-07;

Street Elevation Plans 2923-08;

Proposed street elevation 2923-09 Rev D;

Drainage Strategy 16651-ABA-23-00-C-500 P04

Construction Environment Management Plan Dated 1<sup>st</sup> March 2024, produced by Hewitt and Carr Services.

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

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

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

4. The development hereby approved shall not commence until revised details for the Entry Path radius value have been submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the agreed details.

Reason: In the interests of highway safety.

5. The development hereby approved shall not commence until revised details for the proposed footpath as shown on drawings reference 2923-02 Revision A (Block Plan) have been submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter be implemented in accordance with the agreed details.

Reason: In the interests of highway safety.

6. Prior to the commencement of the development hereby approved, protective fencing shall be erected at the site in accordance with the details shown on drawing 2923-04. The protective fencing shall remain in place for the duration of the construction works.

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

7. Prior to the commencement of the development hereby approved, a Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures to restrict on-street parking, loading and waiting on cycleway road no. Z5084. The approved scheme shall be fully implemented prior to the commencement of the development hereby approved.

Reason: In the interests of highway safety and to ensure the cycleway will remain clear and unobstructed and to accord with the NPPF.

8. Prior to the construction of the development above ground level, further details of the locations of the bat and bird boxes and hedgehog corridors shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of enhancing bird/bat breeding habitat and hedgehog habitat in accordance with Policy CP12 of the Local Plan and paragraph 180 of the NPPF.

9. No part of the development hereby approved shall be undertaken above ground level until details of the materials to be used for the external walls and roofs of the proposed dwellings and all external surfacing have been submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

10. Prior to the commencement of the development above ground level, any scheme required for street lighting shall be submitted to and approved in writing by the

Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure a good standard of development is provided in the interests of residential amenity and crime prevent and in the interests of ecology to accord with policies CP3 and CP12 of the Local Plan and the NPPF.

11. The development hereby approved shall not be occupied until a scheme for the secure and covered cycle storage for the dwellings without garages has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to first occupation of the dwellings. Thereafter the secure cycle storage shall be retained and maintained for the lifetime of the development unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the air environment in accordance with the NPPF.

12. Prior to the first occupation of the development hereby approved, all vehicular accesses to the proposed dwellings onto Z5084 (the cycleway), shall have been fully constructed in accordance with Site Plan Drawing No. 2923-03.

Reason: In the interests of highway safety and to ensure the cycleway will remain clear and unobstructed and to accord with the NPPF.

13. Prior to the first occupation of the development hereby approved, the scheme shall be fully implemented in accordance with the surface and foul drainage strategy as shown on plan reference 16651-ABA-23-00-C-500 P04 (Drainage Strategy).

Reason: To avoid surface water flooding in accordance with the NPPF.

14. Prior to the first occupation of the development hereby approved, the bat, bird and hedgehog specification details shown on the approved landscaping plan ref: 2923-04 shall be installed in accordance with that approved plan and the location details agreed in condition 8.

Reason: In the interests of enhancing bird/bat breeding habitat and hedgehog habitat in accordance with Policy CP12 of the Local Plan and paragraph 180 of the NPPF.

15. The garages shall not be used for any purpose other than the accommodation of private motor vehicles belonging to the occupiers of the dwelling or any other use which is incidental to the enjoyment of the dwelling, but at no time shall be converted to additional living accommodation.

Reason: To safeguard the amenities of the area, to ensure sufficient car parking is available and to reduce the potential for on-street car parking in the vicinity of the site and to ensure compliance with the Local Plan Policy CP3 - Chase Shaping Design and the NPPF.

16. 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.

17. Any works to be undertaken between the beginning of March and the end of August in any year, there must first be a check undertaken of the building for nesting birds and if birds are nesting then no work can be undertaken until the young have fledged.

Reason: In the interests of conserving habitats and biodiversity accordance with Policy CP12 of the Local Plan and the NPPF.

18. Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

19. 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 or Bank Holidays. In addition, there shall be no deliveries to the site between the hours of 08:30 to 09:15 and 15:15 to 16:00 hours on Mondays to Fridays.

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.

20. The development hereby approved shall be carried out in accordance with the Construction Environment Management Plan (Hewitt & Carr, 1<sup>st</sup> March 2024) unless otherwise approved in writing by the Local Planning Authority.

Reason: To mitigate potential adverse impacts from construction activities on residential amenity.

21. The development shall be carried out in accordance with the Preliminary Ecological Appraisal by UES (ref: UES04210/01) dated 14<sup>th</sup> November 2023 and

the Bat Survey by Absolute Ecology dated September 2023 unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of ecology and biodiversity and to accord with Policy CP12 of the Local Plan and paragraph 180 of the NPPF.

22. Prior to the first occupation of the development hereby approved, the pedestrian island crossing shall be provided in accordance with drawing no. 2923-02 A (Block Plan).

Reason: In the interests of highway safety and to comply with the NPPF.

**Notes to the Developer:**

1. 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](http://www.gov.uk/government/organisations/the-coal-authority)

2. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions) Prior to carrying out works, including the construction of access points, please register on [www.linesearchbeforeudig.co.uk](http://www.linesearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.
3. Condition 22 requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to ([trafficandnetwork@staffordshire.gov.uk](mailto:trafficandnetwork@staffordshire.gov.uk)). The applicant is advised to

begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

## Consultations and Publicity

### Internal Consultations

**Environmental Health** - No objection, land contamination does not appear to present a significant risk to the proposed development. Conditions restricting the construction hours and the implementation of a construction management plan have been suggested.

**Planning Policy** - General comments provided in respect of relevant national and local planning policy, with no objection overall.

**Parks and Open Spaces** - No objection, subject to additional information in respect of protective fencing, boundary fencing, controlled waste, additional tree planting and amendment to the location of bat and bird boxes.

**Waste and Engineering Services** - No comments received.

### External Consultations

**Hednesford Town Council** - No comments received.

**Heath Hayes and Wimblebury Parish Council** - Object due to overdevelopment of the site and traffic safety concerns. Hedgerows are to remain in place to help conserve hedgehogs.

**Cadent Gas** - No objection, subject to an informative note relating to gas infrastructure.

**Coal Authority** - No objections. The investigations undertaken appear to be appropriate having regard to the evidential source of the mine entries positioning and we note the commentary within the letter, which confirms that those areas of the site where built development is proposed are not considered to be at risk. Consequently, the Coal Authority is satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated.

**Environment Agency** - No comments received.



**Local Highway Authority** - Amey Engineers confirmed on 6<sup>th</sup> September that the outstanding highway concerns relating to pedestrian footpath safety and the Entry Path radius value can be dealt with via planning condition.

### **Response to Publicity**

The application has been advertised by neighbour letter and 5no letters of representation have been received (4no objections and 1no letter of support). The comments are summarised as follows:

#### Objections:

- The plans are not up to date, and do not show alterations to nearby properties.
- The condition of boundary fencing is deteriorating.
- Trees are not necessary in rear gardens, especially given the existing hedgerow.
- If planning is granted, we request the site to be levelled in keeping with the reflective floor height of the opposing houses, due to storm water run off and privacy concerns.
- The road safety audit took place at 2:30pm, and is therefore an inaccurate representation of school time traffic.
- If planning is granted, we would wish to know if piling will take place and that no music will be played on site due to disturbance concerns.
- We request that working hours are revised to 9am to 4pm Monday to Friday and no weekends and concerns are raised in respect of dust and debris.
- The site will be overdeveloped.
- Concerns raised in respect of privacy and flooding due to land level changes.
- Concerns raised in respect of a bramble bush and its encroachment onto neighbouring properties.
- Concerns raised in respect of building on or near a mine shaft entrance.
- Concerns raised in respect of the dwelling mix and the overdevelopment within a cul-de-sac.

#### Supporter:

- We have been waiting so long for the land to be regenerated, we have no issue with any of the plans and [they] can only enhance a better outlook for ourselves. We will also get our security back, we have been left quite vulnerable and the boundary fencing is rotten and breaking up. It can only be a bonus to have the land built on, it has become an eyesore for all.

### Relevant Planning History

CH/20/241 Residential Development - Outline application with some matters reserved for 8 x 3 bed semi-detached dwellings, 4 x 4 bed detached dwellings with garage and 1 x 3 bed detached dwelling - Withdrawn on 12<sup>th</sup> March 2021

CH/23/0231 Residential Development - Demolition of existing dwelling No. 243 Hill Street and the construction of 10 dwellings with associated access, parking and amenity. Withdrawn 26<sup>th</sup> March 2024.

### 1 Site and Surroundings

1.1 The application site comprises No. 243 Hednesford Road and its extended garden which is located to the south of Hednesford.

1.2 No. 243 sits on a corner plot at the roundabout junction with Hayes Way and adjacent to a single width access road leading from the roundabout which provides access to Hednesford Pentecostal Church car park and rear access to Five Ways Primary School.

1.3 The application site runs adjacent to the north side of the access road and extends the full length of it as well as behind No's 239 and 241 Hill Street and to the rear of properties in Sweetbriar Way.

1.4 On the opposite corner of the access road is Hednesford Pentecostal Church. Some of the primary school buildings are located to the south of the single width access road, opposite the application site. The site is otherwise in a residential area of the town and surrounded by other residential properties on all other sides. At the end of the access road there is a footpath connection into Sweetbriar Way, this footpath is also part of a network of cycleways around Cannock (see **Figure 1**).

**Figure 1:** Cycleway - Extract taken from Cycling in Cannock Chase leaflet by Staffordshire County Council



1.5 The existing dwelling, No. 243 is a chalet bungalow positioned at the front of the site facing Hill Street. The extended garden is largely undeveloped land with a substantial hedge to the southern side adjacent to the access road. The site lies in the Heath Hayes and Wimblebury Character Area which is dominated by a variety of post-war architectural styles.

1.6 The site is affected by the following constraints:

- Mineral Consultation area - Coal Fireclay;
- Coal Authority Development High Risk Area;
- Coal Authority Development Low Risk Area;
- Within 15km of the Special Area of Conservation;
- Adjacent to Site Investigation History;
- With Hednesford Neighbourhood Plan;
- Adjacent to an area of Green Open Space Network (north/eastern end) which is also a Woodland TPO;
- Various TPO trees in adjacent neighbouring gardens;



## 2 Proposal

- 2.1 The application seeks consent for the erection of 9no dwellings, retaining the existing chalet bungalow (no. 243 Hill Street, of which lies outside of the red line boundary) resulting in a net increase in nine dwellings at the site. Six of the dwellings will be detached bungalows and the remaining three will be houses comprising one detached and a pair of semi-detached. The houses comprise 3-bedrooms and the bungalows are a mix of 2 and 3-bedrooms.
- 2.2 The dwellings will be arranged in a roughly linear layout fronting the access road. The bungalows are located in the middle of the site with the three remaining houses positioned at the eastern end facing across the site.
- 2.3 The existing access road will be made wider as part of the proposals, to enable two cars to pass. Off-road car parking is provided for all dwellings with Plots 1, 2, 7 and 8 also provided with garages.
- 2.4 New landscaping is proposed with each dwelling have a front and rear garden as well as trees throughout the development with hedging to the frontages and rear boundaries as well as brick walls in the public realm areas.
- 2.5 The dwellings will be simply designed and constructed from brick with tiled roofs and brick detailing to the windows and eaves.

## 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), the Hednesford Neighbourhood Plan 2017-2028 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 Cannock Chase Local Plan Review Pre-Submission (Regulation 19)

Policy H43 Site Specific Policy 243 Hill Street, Hednesford

### 3.3 Hednesford Neighbourhood Plan 2017-2028

ROW1: Public Rights of Way  
 OS1: Open Spaces  
 H1: Housing Development

### 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

## **4 Determining Issues**

4.1 The determining issues relating to the proposed development are as follows:

- i) Principle of the Development
- ii) Housing Mix and Choice
- iii) Design and Impact on the Character and Form of the Area
- iv) Impact on Residential Amenity and Future Occupancy
- v) Impact on Highway Safety
- vi) Impact on Trees
- vii) Impact on Nature Conservation and the Cannock Chase Special Areas of Conservation (SAC)
- viii) Waste and Recycling Facilities
- ix) Flood Risk and Drainage
- x) Contamination
- xi) Mineral Safeguarding

#### 4.1 PRINCIPLE OF THE DEVELOPMENT

4.2 Both paragraph 11 of the NPPF (2023) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

4.3 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.'

4.4 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."

4.5 In this instance, the proposal relates to a 'windfall' greenfield site within the residential curtilage of an existing dwelling. Although the Local Plan has housing policies (CP6 and CP7), it is silent in respect of its approach to windfall



sites on both greenfield and previously developed land. As such, in accordance with Policy CP1 of the Local Plan, the proposal falls to be considered within the presumption in favour of sustainable development, outlined in paragraph 11 of the NPPF. The proposal is however in accordance with the thrust of Policy CP1 insofar as it would provide new housing within an existing settlement.

- 4.6 Furthermore, the application site is allocated in the Local Plan Review which has now reached Pre-Submission Stage. Within the Local Plan Review Policy H43 is a site-specific policy relating to the application site which allocates the site for housing. Whilst the new Local Plan is not yet adopted, it cannot hold full weight, however now that it has reached pre-submission stage it is considered some weight can be given to the aspiration for this site to be developed for housing.
- 4.7 With regard to Habitat Sites, such as the Cannock Chase SAC and SSSI, the presumption does not apply where the project is likely to have a significant effect either alone or in combination with other plans or projects, unless an appropriate assessment has concluded that the proposal will not adversely affect the integrity of the habitats site.
- 4.8 In this case it is confirmed that an appropriate assessment has been undertaken and it has concluded that subject to mitigation in the form of a payment towards SAMMS, either through CIL or a section 106 agreement the proposal will not adversely affect the integrity of Cannock Chase SAC. As such it is concluded that the 'presumption in favour of sustainable development' applies to this proposal.
- 4.9 The proposal does not engage any of the policies in the NPPF that protect areas or assets of particular importance (e.g., Green Belt, AONB, habitats sites). This being the case the application should be determined on the basis as to whether any adverse impacts of granting approval would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 4.10 The site is within a residential location in the urban area of Hednesford. The site is 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 provide access to a range of goods and services to serve the day to day needs of the occupiers of the proposed development. The site is not located within either Flood Zone 2 or 3 and it is not designated as a statutory or non-

statutory site for nature conservation. The site is therefore considered to be a suitable location for housing development in principle planning policy terms.

- 4.11 However, proposals that are acceptable in principle are still subject to all other policy tests. This report will now go on to consider the proposal in relation to these policy tests.

### **HOUSING MIX AND CHOICE**

- 4.12 The development will provide a mix of housing types and sizes in accordance with Policy CP7 of the Local Plan. This policy seeks to provide smaller dwellings more suited to younger people, housing for people with specific needs and larger 3- and 4-bedroom houses. The provision of a mix of 3 and 4 bedroom across detached and semi-detached will provide options for both smaller families and those wishing to meet aspirational needs for the future as set out in Policy CP7.
- 4.13 The remaining dwellings are all proposed to be 2 or 3-bedroom bungalows which will provide further options for the aging population as set out in Policy CP7. The Hednesford Local Plan Policy H1 also seeks to support bungalows where it is viable and especially 2-bedroom bungalows. This proposal will provide 4 No. 2-bedroom bungalows and 2 No. 3-bedroom bungalows demonstrating compliance with the Hednesford Neighbourhood Plan as well as the Local Plan. The range of dwellings from bungalows and two-storey properties, detached and semi-detached and offering 2, 3 and 4-bedrooms gives a range of housing choice and mix in the development to cater for a wider range of prospective occupants.

### **DESIGN AND IMPACT ON THE CHARACTER AND FORM OF THE AREA**

- 4.14 The application site lies in the Heath Hayes and Wimblebury Character Area which is considered to be a predominately residential suburban area dominated by post-war housing. The architectural style is varied with a mix of terraced, semi-detached and detached dwellings. Most properties are set back from the road along Hill Street with front gardens and off-road parking and good-sized rear gardens. Houses on Hill Street and Sweetbriar Way are generally positioned close together with the houses in Sweetbriar Way generally having smaller rear gardens than those properties on Hill Street.

- 4.15 The neighbouring Church is a single storey building with a pitched roof and some flat roof additions. The school buildings are typical utilitarian style and primarily single storey constructed in brick and metal cladding.
- 4.16 The proposed dwellings are considered to fit comfortably within the existing context. Off road parking will be located to the rear, accessed via the new widened access road. The middle of the site will comprise bungalows which will be set back from the widened road and be provided with front gardens and off-road parking. This will enable these properties to sit comfortably within the site which, coupled with their low scale will ensure they do not appear overbearing. Each of the bungalows will have good sized rear gardens in proportion to the dwelling. At the end of the site, Plots 7-9 will be two-storey dwellings which will look into the site across a shared driveway and along the access road. These will blend well with existing properties on Sweetbriar Way and each will have a front garden and rear garden in proportion to the house.
- 4.17 It is therefore considered that the site can comfortably accommodate the 9 additional dwellings at this site and that they are in keeping with the pattern of adjoining development and character of the area, allowing for reasonable separation distances, garden areas, car parking, garaging and landscaping.
- 4.18 The dwellings will be constructed in brick and tiles with brick detailing to the windows and eaves and verges. The windows will comprise typical casement windows. Plot 1 will have a projecting front gable and porch as a feature to the front elevation as well as a chimney to fit in with other properties in Hill Street. The bungalows and other two-storey dwellings will be similarly designed. The external appearance of all the dwellings is considered to be in keeping with the character of the area. Residents' concerns in respect of the proposed plans not accurately showing extensions to nearby properties are noted. However, the proposed layout is considered to afford sufficient distance from neighbouring dwellings to avoid issues in respect of overlooking and overshadowing and so this is not considered to be a relevant consideration.
- 4.19 Therefore, having had regard to Policies CP3 and CP14 of the Local Plan and the appropriate sections of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings and would successfully integrate with existing features of amenity value such that it would be acceptable in respect to its impact on the character and form of the area.

**IMPACT ON RESIDENTIAL AMENITY AND FUTURE OCCUPANCY**

- 4.20 The nearest neighbours likely to be affected by the proposed development are those on Hill Street that back onto the site (No.'s 237, 239 and 241) and properties in Sweetbriar Way, namely No's 111, 113, 115, 117 and 199 which back onto the site as well as No. 79 Sweetbriar Way which is adjacent to the site at the far end. All of these properties share a common boundary with the site and are therefore likely to be most affected.
- 4.21 Nevertheless the scheme has been carefully designed to ensure that neighbouring properties are not adversely affected by the proposals. The bungalows in the middle of the site will not cause any impacts in terms of overlooking, overshadowing or overbearing due to their low scale and the separation distances between the dwellings. Whilst the land level may be slightly higher on site, this is not significant and coupled with the distances between the existing and proposed dwellings, will not cause any harm to amenities.
- 4.22 Plot 1 will not cause any significant overlooking or overshadowing as it is largely sited to the side of No. 241. There will be some mutual overlooking as to be expected in residential areas, but not to an adverse level and there will be no habitable windows on the side elevations. There is space all around the dwelling to allow the property to fit comfortably within the plot
- 4.23 Plots 7-9 will be sited adjacent to each other and roughly adjacent to No. 79 Sweetbriar Way. Overlooking at the rear of these properties will only overlook the front driveway area of No. 79 which is considered to be part of the public realm in any case. There are adequate separation distances between these dwellings to ensure that existing occupiers will not be significantly affected by loss of daylight and sunlight.
- 4.24 The proposed dwellings offer accommodation of either 2, 3 or 4-bedrooms and every dwelling will have good sized rear garden as well as front gardens and landscaped areas to soften the development. Each dwelling will provide a high standard of residential amenity for future occupiers.
- 4.25 Resident's concerns have been noted and in respect to residential amenity, have been addressed above. One concern that was raised by a few residents was in relation to proposed trees in the rear gardens. Residents were concerned that the trees, being sited along the northern boundaries would cause overshadowing to gardens as they mature. The trees proposed are only fruit trees and unlikely to



grow too tall, and the trees have been pulled a little further from the rear boundaries so as to reduce any overshadowing. Resident's concerns in respect of construction hours are noted, however the Environmental Protection Officer has been consulted and has set out appropriate construction hours of which are to be secured via planning condition. Officers appreciate that nearby occupiers would prefer shorter construction hours and no work to take place at weekends, however this would not be reasonable and the construction period is for a temporary period of time. In terms of requiring no music to be played on site, it would be unreasonable and unenforceable to impose a planning condition to this effect.

- 4.26 The proposals are therefore considered to be in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF and will ensure that there is no adverse impact to the amenities of existing occupiers and that the standard of accommodation for future occupiers will be to a good standard.

#### **IMPACT ON HIGHWAY SAFETY**

- 4.27 Paragraph 115 of the 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.
- 4.28 In this instance, the proposal seeks to increase the width of the existing access to the side of the site to allow for two-way vehicle traffic. It has been demonstrated via swept path plans that the proposal will be able to adequately accommodate refuse vehicles. Additional information and clarification has been requested from Amey Highway Engineers (via the SCC Highways Officer) in respect of the Entry Path radius value and the proposed pedestrian footpath within the site. Amey Engineers have confirmed that this information can be submitted as part of a pre-commencement condition and so two separate conditions have been imposed requesting this information prior to the commencement of any works on site.
- 4.29 The Highway Authority was consulted on the application and other than the issues raised by Amey Engineers, no objections have been received. A new pedestrian crossing is proposed at the roundabout of Hill Street and Hayes Way, as shown on plan reference 2923-02A Block Plan. Car parking is sufficient and complies with the SPD on Parking Standards. Cycle parking will be required for those dwellings which do not have garages.
- 4.30 Draft Policy H43 in the Local Plan Review sought to achieve a new access from Hill Street and new or enhanced cycle and footpath linkages which this proposal

will provide. The access road is also a cycleway and shown on the network of cycling routes around Cannock (**Figure 1** above). The widened access will allow for a full width footpath along the northern side which will connect with the existing footpath to the east of the site and a new crossing island will allow for safe crossing points at the roundabout. Full details of this have been request via pre commencement planning condition.

- 4.31 The proposals are therefore considered to be in accordance with Policy CP3 of the Local Plan, the Parking Standards SPD and the NPPF.

### **IMPACT ON TREES**

- 4.32 The application has been submitted with a Tree Survey and an Arboricultural Impact Assessment. There are no individual trees or groups of trees within the application site. There are four hedges that border the site and are within the application site boundary and three trees off-site that has been assessed, one of which is protected by a Tree Preservation Order. The site is also adjacent to an area included as part of the Green Space Network which is located to the east of the site and comprises an area of woodland which is also protected as a Woodland TPO.
- 4.33 Of the three trees off-site, T1 is a Birch and Rowan (the Rowan is very close to the Birch and so considered as one tree with the Birch being the majority) which is positioned on the boundary between No. 239 and 241 Hill Street and Plot 2. It is considered to be a category C tree and will overhang the site by 2m. Tree T2 is a category A oak tree which is protected by a TPO and located on the boundary between No. 235 and 237 Hill street and 119 Sweetbriar Way. It does not overhang the site and will not be affected by the development proposals. Tree T3 is a category B Birch tree and is located in the rear garden of No. 111 Sweetbriar Way. It will overhang the site by 2m. Tree protection measures will therefore be required to trees T1 and T3 during construction. There will be no impact to the woodland TPO as part of the proposals as they will be located a sufficient distance from them.
- 4.34 Regarding the existing hedgerows, all will be retained with the exception of H2 which is the hedgerow that runs adjacent to the access road which needs to be removed to facilitate the widening of the road. To compensate for the loss of this hedgerow, a new hedgerow will be planted along the full length of the rear of the plots. Additional hedgerows are also to be planted along the frontage of the new

dwellings and in-between properties at the front. New trees will be planted in the front and rear gardens of the dwellings.

- 4.35 Overall, it is considered that the compensation and enhancement measures proposed will mitigate the loss of the hedgerow and the development of the site. New trees and hedgerows will be provided across the front of the development in the public realm that will allow the development to integrate well with its surroundings and provide connections with the existing Green Space Network. Some information about hard landscaping has been shown on the proposals but it is considered that further material details will be required by condition.
- 4.36 Policy H43 in the Local Plan Review sought to ensure this site was provided with suitable landscaping to benefit biodiversity and the street scene and connect with the Green Space Network at the east of the site. The proposal should also incorporate existing hedgerows and trees where possible. It is considered that the proposed plans achieve these aspirations and is in full compliance with Policy CP3 and CP14 of the Cannock Chase Local Plan and the NPPF.

#### **IMPACT ON NATURE CONSERVATION AND THE CANNOCK CHASE SPECIAL AREA OF CONSERVATION (SAC)**

- 4.37 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.
- 4.38 In this instance there will be a net increase in nine dwellings on this site and as such, a Habitat Regulation Assessment has been carried out and SAC mitigation contributions are required. If the application were to be approved, the proposal will become CIL liable and the SAC mitigation will be top sliced from the CIL payment.
- 4.39 The application site is not subject to any formal or informal nature conservation designation. The application has however been submitted with an amended Preliminary Ecological Appraisal and a Bat Survey in order to assess the impact on protected species at the site.

- 4.40 The PEA has concluded that the existing building might have been suitable for use by roosting bats, but the bat survey confirms that dawn and dusk emergence and re-entry surveys have been carried out and have confirmed the absence of bats within the building. The retention of hedgerows and provision of bat boxes within the development proposals are recommended mitigation measures as well as suitable lighting. These details will be conditioned. The site has some limited foraging potential for reptiles and they are unlikely to be present at the site, but mitigation measures prior to construction are set out in the PEA. The site also has the potential to support breeding birds therefore it is recommended that demolition and site clearance takes place outside bird nesting season. Replacement landscaping is proposed as set out above and therefore there will be suitable compensation and enhancement measures in place. Bird boxes will also be in place throughout the development. Landscaping and ecology measures will be imposed by conditions. No evidence of hedgehogs was found at the site, but there are numerous records in the local area and the site is suitable foraging and commuting habitat. Reasonable avoidance measures will be in place for other species at the site and these will also protect hedgehogs. Hedgehog highways will also be provided within the development.
- 4.41 The Landscape Officer has reviewed the proposals and advised that the specification details for the bat and bird boxes are acceptable but that their locations need to be reviewed and this will be imposed by condition. It will also be conditioned that the development will be carried out in accordance with the Preliminary Ecology Appraisal and the mitigation measures therein.
- 4.42 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. Policy H43 of the Local Plan Review sought to ensure that any redevelopment of this site would provide suitable ecological measures and/or compensatory and enhancement measures and connections to green infrastructure. With the mitigation and enhancement measures set out in the reports and in the conditions to be attached if planning permission is granted, it is considered that the proposal will meet the redevelopment aspirations and accord with Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

## **WASTE AND RECYCLING FACILITIES**



- 4.43 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).
- 4.44 In this instance, bin storage can be provided on site and bin collection will already be in place in this existing and established urban area. Any occupier of the new dwelling will be able to bring the bins to the back of the existing highway for collection and refuse vehicles will be able to access the whole road as it will be to adopted standards.

### **FLOODRISK AND DRAINAGE**

- 4.45 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps and so is at low risk of flooding and surface water flooding.
- 4.46 The application site is located within a suburban area with established links to existing drainage infrastructure. Notwithstanding this, foul and surface water drainage details have been provided as part of this application, of which connect to the existing drainage system. The Environment Agency has been consulted, of whom provided no comments.
- 4.47 Policy H43 of the Local Plan Review sought to ensure the site was provided with suitable drainage systems to limit water run-off from the site which will be achieved via a pre-commencement condition requiring full details of surface and foul water drainage, as requested by Severn Trent Water. In respect of this, the proposal will also be in accordance with Policy CP16 of the Local Plan and the NPPF.

### **CONTAMINATION**

- 4.48 The application site lies in a historic landfill and site investigation history area and is also in a Coal Authority High and Low Risk Area. The application is supported by a Mining Risk Assessment, Site Investigation and Ground Gas Risk Assessment. These have been reviewed by the Coal Authority and the Council's Environmental Health team, both of whom are content with the proposals and the reports submitted, subject to conditions relating to

construction hours and that development is carried out in accordance with the Construction Management Plan.

- 4.49 The development will ensure appropriate mitigation measures are in place given the site's location in a Coal Authority High Risk Development Area as set out in Policy H43 of the Local Plan Review. The proposal will also be in accordance with Policy CP16 of the Local Plan and the NPPF.

### **MINERAL SAFEGUARDING**

- 4.50 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 219, 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.
- 4.51 In this instance, the site lies within a mineral safeguarding area for coal fireclay. However its location in the middle of an urban area and adjacent to a school means that it would not be a suitable site for mineral workings as it would not be practical or environmentally viable as set out in Policy 3. The planning benefits of making efficient use of this site for new housing development also outweighs the loss of the site for mineral workings.

## **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 proposal is in a sustainable location for new residential development and will make efficient use of a vacant and under-utilised garden land within an existing residential area. The design and scale of the development will fit in comfortably with the surroundings and provide sufficient garden land and access, parking and turning arrangements with no adverse impact to residential amenities. Landscaping and biodiversity enhancement measures will be provided and the proposal is acceptable in terms of drainage, flood risk and contamination. The proposals will provide a high standard of development for future occupiers and will ensure that the suitable infrastructure is in place to support the development.
- 6.3 It is therefore recommended that the application be approved subject to the attached conditions for the above reasons.