

Please ask for: Mrs. W. Rowe

Extension No: 4584

E-Mail: wendyrowe@cannockchasedc.gov.uk

8 October 2024

Dear Councillor,

Planning Control Committee

3:00pm, Wednesday 16 October 2024

Council Chamber, Civic Centre, Cannock

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

Application Number	Application Location and Description	Start Time
CH/24/176	2 Chase Height, Hednesford, Cannock, WS12 4QX: Proposed Change of Use from Existing Dwelling into Serviced Accommodation/Holiday Let (C3 to Sui Generis)	2pm
CH/24/190	Multi Storey Car Park, 02 Site, Market Hall Street, Staffordshire, Cannock, WS11 1EB: Demolition of Units 1 and 2, and partial demolition of Unit 3, removal of glazed canopy to Market Hall Street. Demolition of Multi Storey Car Park and erection of temporary compound.	2.30pm

Members wishing to attend the site visits are requested to meet at 2 Chase Heights, Hednesford, Cannock, WS12 4QX at 2pm 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 18 September 2024 (enclosed).

5. Members' Requests for Site Visits

6. Report of the Development and 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 and Policy Manager.

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

Site Visit Application

Application Number	Application Location and Description	Item Number
1. CH/24/176	2 Chase Height, Hednesford, Cannock, WS12 4QX: Proposed Change of Use from Existing Dwelling into Serviced Accommodation/Holiday Let (C3 to Sui Generis)	6.1 - 6.16
2. CH/24/190	Multi Storey Car Park, 02 Site, Market Hall Street, Staffordshire, Cannock, WS11 1EB: Demolition of Units 1 and 2, and partial demolition of Unit 3, removal of glazed canopy to Market Hall Street. Demolition of Multi Storey Car Park and erection of temporary compound.	6.17 - 6.43

Planning Application

Application Number	Application Location and Description	Item Number
1. CH/23/0132	Formerly Talbot Inn, The Academy Early Years Childcare, Main Road, Brereton, Rugeley, WS15 1EE: New proposed residential and respite care home along with supported living unit for adults aged 18 to 65.	6.44 - 6.65

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

Held on Wednesday 18 September 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.
Fitzgerald, A.	Sutherland, M.
Jones, V.	Thornley, S.
Lyons, N.	Thornley, S.J.
Mawle, D.	Wilson, L.

43. Apologies

An apology for absence had been received from Councillor F. Prestwood.

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

None.

45. Disclosure of Details of Lobbying by Members

Councillor A. Fitzgerald declared that she had been lobbied in respect of Application CH/24/094, Land adjacent Newhall Inn Public House and adjoining car park, Cannock: 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.

Councillors D. Mawle and S. Thornley declared that they had been lobbied in respect of Application CH/24/175, 23 Heath Gap Road, Blackfords, Cannock, WS11 6DY: Conversion of single dwelling into two separate flats.

46. Minutes

Resolved:

That the Minutes of the meeting held 21 August 2024 be approved as a correct record.

47. Members Requests for Site Visits

Councillor S. Cartwright requested a site visit be undertaken in connection with Application CH/24/228, Thurlmere, 2 Stanley Road, Hednesford, Cannock, WS12 4AX: Lawful development for the proposed change of use from single family dwelling (C3) into 5 bed HMO (C4) including internal alterations. She explained that several neighbours

had raised concerns about the proposal and work had already commenced. The Development and Policy Manager confirmed that the application was for a Lawful Development Certificate, not a planning application, and therefore there was no requirement for consultation. The application would be determined based on whether the use at the property was lawful. However, he would check whether there had been any breach of activities and advise the Councillor accordingly.

48. Application CH/24/094, Land adjacent Newhall Inn Public House and adjacent car park, Cannock, WS11 8NL - erection of 1 no. drive-thru unit (use class E(b)/Suit Generis) together with provision of a drive-thru lane, reconfiguration of the parking arrangement and associated landscaping

Consideration was then given to the report of the Development and Policy Manager (Item 6.1 - 6.43).

The Development and Policy Manager provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Councillor J. Aston briefly left the meeting during the presentation and would therefore not be able to vote on the application. She returned to the meeting whilst the presentation was being given.

Prior to consideration of the application, representations were made by County Councillor Phil Hewitt, an objector, speaking against the application and James Hodgkins, the applicant's agent, speaking in support of the application.

Resolved:

That the application be refused for the reasons outlined in the report.

(Councillor J. Aston did not vote or take part in the determination of the application as she had not been present for the whole of the debate).

49. Application CH/24/175, 23 Heath Gap Road, Blackfords, Cannock, WS11 6DY - conversion of single dwelling into two separate flats

Consideration was given to the report of the Development and Policy Manager (Item 6.44 - 6.63).

The Development and Policy Manager 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 Joy Smith, objector, speaking against the application and Charlie Thompson, the applicant, speaking in support of the application.

Resolved:

That the application be approved subject to the conditions contained in the report for the reasons stated therein subject to delegated authority being granted to the Development and Policy Manager/Development Manager Team Leader to allow the provision of the financial contribution for the Cannock Chase Special Area of Conservation (SAC) mitigation.

50. Application CH/24/091, 243 Hill Street, Hednesford, Cannock, WS12 2DP - Erection of 9 dwellings

Consideration was given to the report of the Development and Policy Manager (Item 6.64 - 6.96) (*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. She also provided the following update, which had been circulated in advance of the meeting:-

“A minor error has been noted at condition 2 (approved plans) and a plan has been included in error (plan reference Proposed Street Elevation 2923-09 Rev D). This plan shall be removed accordingly from the condition.

Following compilation of the report for the Committee agenda, officers have received amended plans showing the removal of a single tree originally proposed in the rear garden of plot 5. The amended plans drawing references are as follows:

- 2923-03B Site Plan
- 2923-04B Landscape Plan
- 2923-02C Block Plan

In respect of the above, Condition 2 (approved plans) has been amended accordingly and is now as follows:

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

Location Plan 2923-01;

Block Plan 2923-02C;

Site Plan 2923-03B;

Landscaping Plan 2923-04B;

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;

Drainage Strategy 2923-08;

Construction Environmental Management Plan Dated 1st March 2024, produced by Hewitt and Carr Services;

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

Prior to consideration of the application, the Senior Planning Officer read out representations on behalf of Steven Iwasiuk (an objector) who had registered to speak but was unable to attend the meeting. Further representations were made by Martin Phillips who was also speaking against the application. The allocated 10 minutes was shared between the two objectors.

Councillor L. Wilson moved that a site visit be undertaken. The reasons put forward for the site visit included possible overdevelopment, flooding & drainage concerns, concern over the proposed tree planting, overlooking issues and the impact on neighbours. This was seconded by Councillor S. Thornley.

The Development and Policy Manager confirmed that the reasons put forward were not valid planning reasons. The issues identified had been covered within the officers report and the application complied with planning policy.

At this point Councillor J. Aston moved that the application be approved in line with the officers recommendation.

The Principal Solicitor advised that there was already a motion tabled to defer the application for a site visit, which had been seconded, and such motion needed to be put to the vote or withdrawn by the mover and seconder.

There was further discussion regarding the proposal for a site visit. However, given that no valid planning reasons could be identified, Councillor Wilson agreed to withdraw the motion for a site visit. Councillor S. Thornley gave his consent to the withdrawal of the motion but then moved that the application be refused. He outlined that the reasons for refusal was potential overdevelopment and that residents concerns had been overlooked. The Development and Policy Manager confirmed that these were not valid planning reasons. The motion to refuse was not seconded.

The motion to approve the application moved by Councillor J. Aston was then seconded by Councillor A. Fitzgerald. Following a vote, the motion was carried.

Resolved:

That the application be approved subject to the conditions contained in the report for the reasons stated therein and subject to the amended plans and the amendment of Condition 2, as outlined in the officer's update.

(The meeting adjourned at this point for a short comfort break).

51. 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 18 September 2024 at 3:00pm

In the Council Chamber, Civic Centre, Cannock

Part 2

52. Enforcement Case - ENF/24/080

Consideration was given to the Not for Publication report of the Development and Policy Manager (Item 8.1 - 8.8) *(presented by the Enforcement Officer)*.

Resolved:

That:

- (A) Authorisation be granted to serve a Breach of Condition Notice under s187a of the Town and Country Planning Act 1990 in respect of the breach of condition 1 of the planning permission detailed in the report.
- (B) Should the Notice referred to in decision (A) above not be complied with authorisation be granted to initiate prosecution proceedings under s179 of the Town and Country Planning Act 1990.

53. Enforcement Case - ENF/24/025

Consideration was given to Not for Publication report of the Development and Policy Manager (Item 9.1 -9.10) *(presented by the Enforcement Officer)*.

Resolved:

That:

- (A) Authorisation be granted to serve a Breach of Condition Notice under s187a of the Town and Country Planning Act 1990 in respect of the non-compliance in full with condition 3(ii) of the planning permission detailed in the report requiring the implementation of the planting of standard trees along the length of the new access road.
- (B) Should the Notice referred to in decision (A) above not be complied with then authorisation be granted to initiate prosecution proceedings under s179 of the Town and Country Planning Act 1990.

The meeting closed at 5:03pm.

Chair

Application No: CH/24/176

Location: 2, Chase Heights, Hednesford, Cannock, WS12 4QX

Proposal: Change of Use from Existing Dwelling into Serviced Accommodation / Holiday Let (C3 to Sui Generis)

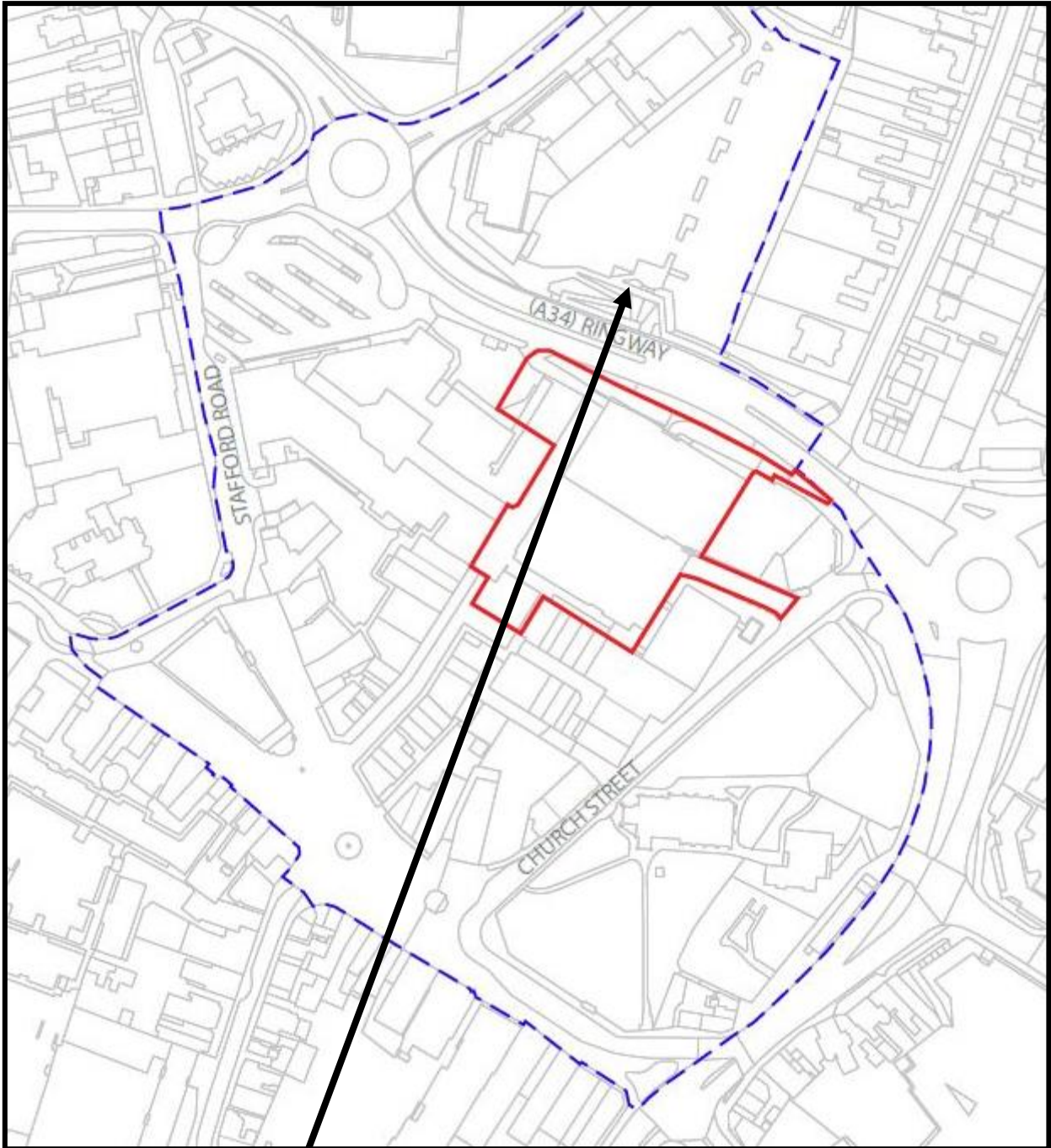


**SITE VISIT
MEETING POINT**

Application No: CH/24/190

Location: Multi Storey Car Park, 02 Site, Market Hall Street, Staffordshire, Cannock, WS11 1EB

Proposal: Demolition of Units 1 and 2, and partial demolition of Unit 3, removal of glazed canopy to Market Hall Street. Demolition of Multi Storey Car Park and erection of temporary compound



SITE VISIT MEETING POINT

Application No: CH/24/176

Location: 2, Chase Heights, Hednesford, Cannock, WS12 4QX

Proposal: Change of Use from Existing Dwelling into Serviced Accommodation / Holiday Let (C3 to Sui Generis)

Item No. 6.1

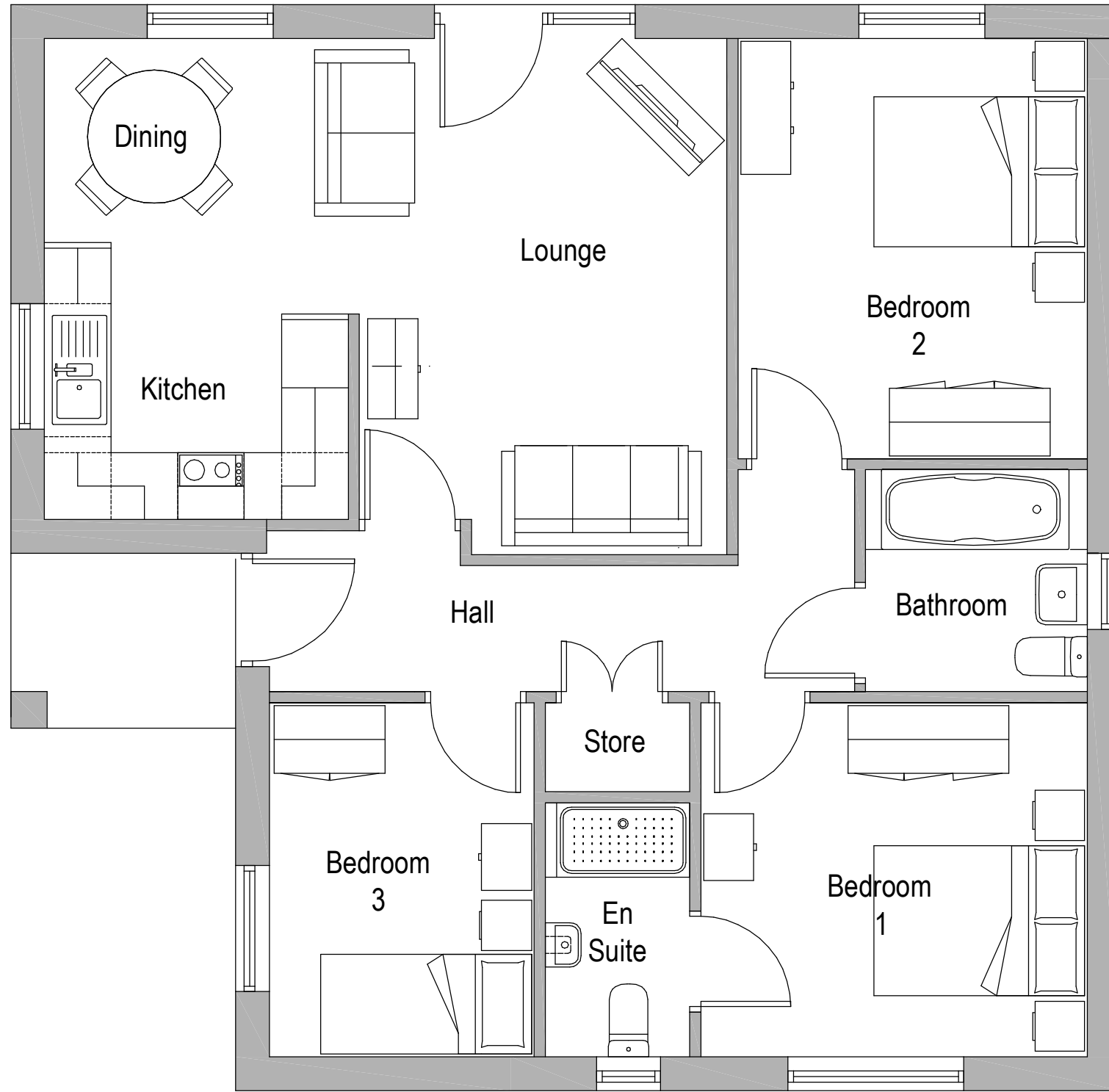


Location Plan

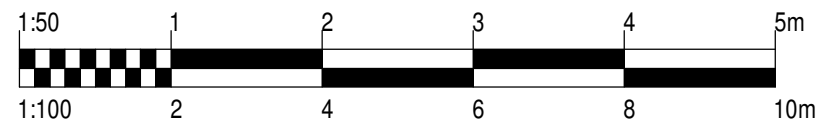
NOTE : - NO CHANGE TO FLOOR PLANS ARE PROPOSED

Item No. 6.2

date JULY 2024
 scale 1:50@A3
 drawing no GD2658/03A



Floor Plan



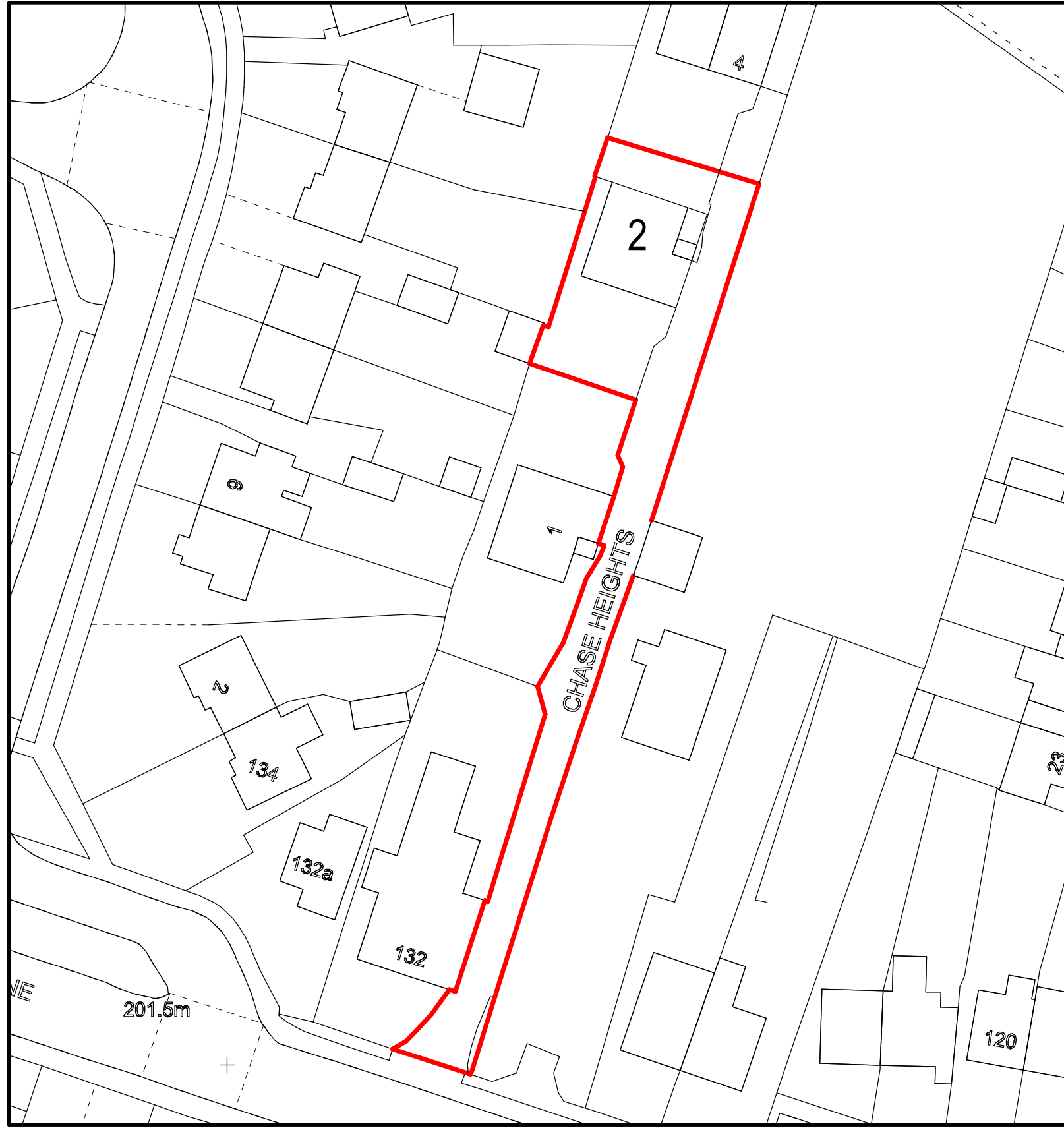
REV A 09.07.24 NOTE ADDED CONFIRMING NO CHANGES ARE PROPOSED GCD

client LINDOP DEVELOPMENTS LTD
 drawing FLOOR PLAN

contract 2 CHASE HEIGHTS, HEDNESFORD,
 CANNOCK, WS12 4GX

49, The Crescent,
 Cradley Heath,
 West Midlands,
 B64 7JS
 Tel 0121 602 6233
 Mob 07939 436557

G/D Designs
 Architectural Services



BLOCK PLAN Scale 1:500



REV A 05.08.24 RED LINE REVISED GCD

GD Designs
Architectural Services

49, The Crescent,
Cradley Heath,
West Midlands,
B64 7JS
Tel 0121 602 6233
Mob 07939 436557

client
LINDOP DEVELOPMENTS LTD

contract
**2 CHASE HEIGHTS, HEDNESFORD,
CANNOCK, WS12 4QX**

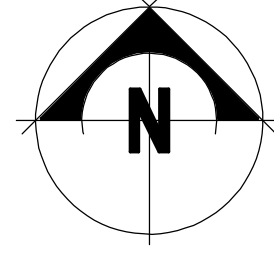
drawing
BLOCK PLAN

date

scale

drawing no

Item No. 6.3



JULY 2024

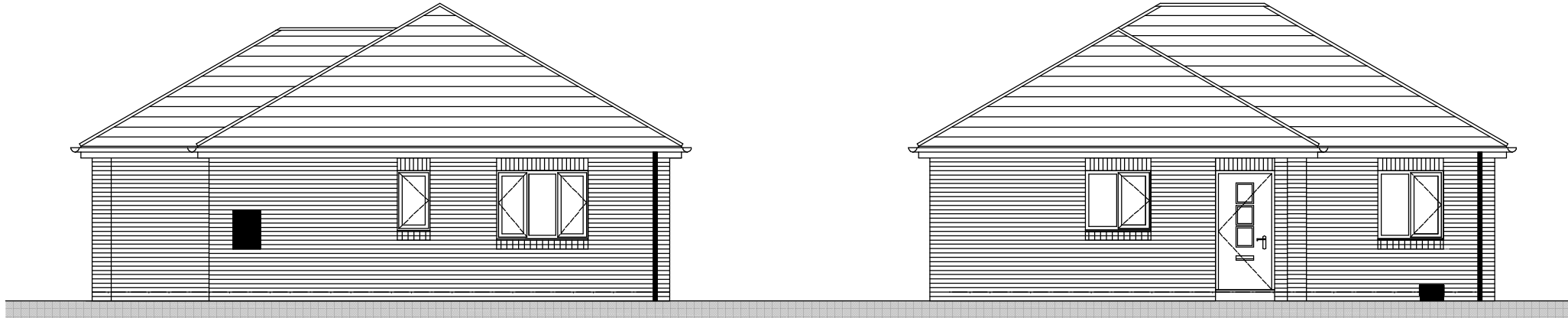
1:500

GD2658/02A

NOTE : - NO CHANGE TO ELEVATIONS ARE PROPOSED

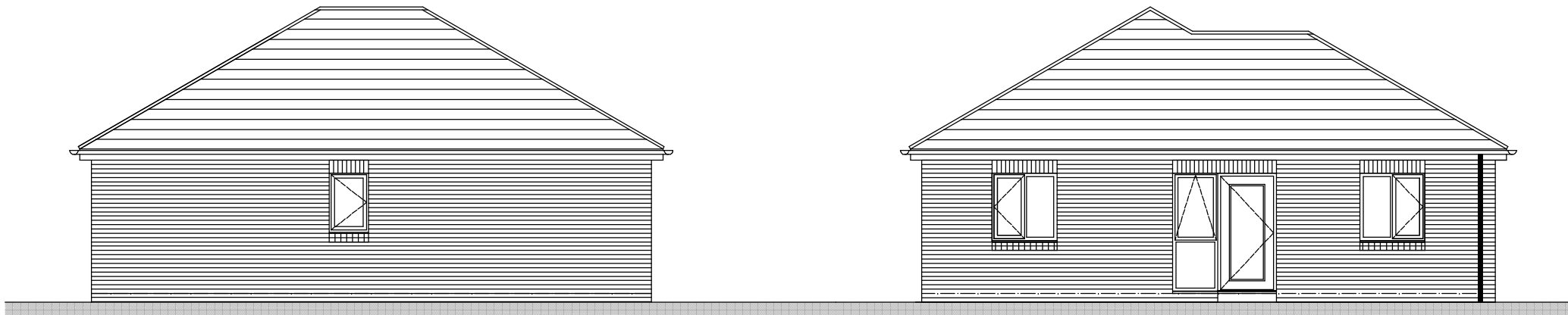
Item No. 6.4

date JULY 2024
scale 1:100@A3
drawing no GD2658/04



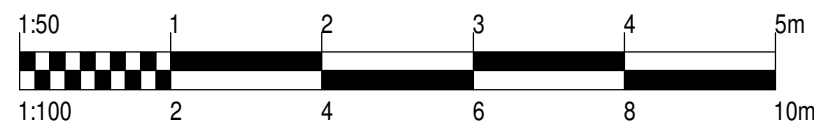
Side Elevation

Front Elevation



Rear Elevation

Side Elevation



client LINDOP DEVELOPMENTS LTD
drawing ELEVATIONS

contract 2 CHASE HEIGHTS, HEDNESFORD,
CANNOCK, WS12 4GX

49, The Crescent,
Cradley Heath,
West Midlands,
B64 7JS
Tel 0121 602 6233
Mob 07939 436557

GD Designs
Architectural Services

Contact Officer:	Amy Jackson
Telephone No:	(01543) 464 577

<p>Planning Control Committee 16 October 2024</p>

Application No:	CH/24/176
Received:	02-Jul-2024
Location:	2, Chase Heights, Hednesford, Cannock, WS12 4QX
Parish:	Hednesford CP
Ward:	Hednesford Pye Green
Description:	Proposed Change of Use from Existing Dwelling into Serviced Accommodation / Holiday Let (C3 to Sui Generis)
Application Type:	Full Planning Application

Reason for committee determination

This application is being presented to committee due to Councillor request for call in and objector request.

Recommendation: Full Refusal

Reason(s) for Recommendation:

- 1) The transient nature and location of the holiday let use, would result in a significant increase in activity over and above what would normally be associated with a single dwelling within a quiet, semi-rural location. Therefore, having had regard to Policies CP3 and CP14 of the Local Plan and the appropriate sections of the National Planning Policy Framework, it is considered that the proposal would result in a detrimental impact to the amenities of neighbouring occupiers.
- 2) The dwelling currently has two allocated parking spaces which meets the required parking standard for a C3 three-bedroomed dwelling. However, the proposed change of use means the property would no longer meet the required parking standards outlined in the Cannock Chase Local Development Framework: Parking Standards, Travel Plans & Developer Contributions for Sustainable Development SPD. The proposed development would result in an unacceptable impact on highway safety and as such would not accord with paragraph 115 of the NPPF.

Consultations and Publicity

External Consultations

Hednesford Town Council

To be called in to Planning Control Committee. Concerns about noise and disruption to neighbours and access issues.

Internal Consultations

Environmental Health

No objections.

Planning Policy

No response.

Staffordshire Police

If permission is granted conditions should be attached in regard to parking.

Response to Publicity

The application has been advertised by neighbour letter. 10 letters of representation have been received. Comments are summarised below:

- Continuous parking of multiple large commercial vehicles.
- Continuously blocking driveways of neighbouring residents. There are vehicles stopping in the road causing an obstruction as they are looking for the entry to the property.
- Threatening and aggressive behaviour from guests of accommodation when neighbours have requested vehicles to be moved.
- There are several restrictive covenants which the residents do abide by, no business can be run from the property, and due to the restrictive parking and turning area we are not allowed commercial vehicles.
- Our small area is being spoiled by guests who think its acceptable shout and scream at night while partying, to drive over plants and borders, reverse into our front garden and break the edging stones and to block the entrance to our driveway.
- This has devastated our lives and would welcome to opportunity to put our objections personally to the planning committee and invite the committee to visit.
- Concerned about the increased traffic using the private lane which we are all responsible for the maintenance of.
- AirB&B have recently started advertising on national TV and gives the impression of being a place to party. I think there should be more legislation to protect the residents and prevent this type of accommodation opening in such a small secluded and once private area.
- Would like to know why you have sent out this application when the dwelling is already being used as a holiday let and has been for a couple of months now... due to the fact that there is a hot tub outside there has been quite a substantial amount of noise going on with music been played quite loudly too

- Of late we have had food delivery vans and owners large truck type vehicles reversing into our parking spaces in order to exit the private driveway as this was not designed for this size or amount of vehicles and as stated private driveway this type of vehicle shouldn't even be entering the driveway, only in an emergency i.e. ambulance or fire engine.
- Elderly mom has been advised by her doctor to take gentle walks along the lane with her walking aid to help with her arthritis, which she had been doing, however she is terrified of the amount of strange vehicles especially the huge laundry van that reverses at speed the whole length of the driveway.
- If the premises is operating illegally as they have no planning permission, surely if anything were to happen to guests while at the property, they wouldn't be insured. Or the residents or their property for that matter.
- Urge Council to take an immediate court injunction to put a stop to the use.

Relevant Planning History

CH/17/047

Land rear of 132, Bradbury Lane, Hednesford, Cannock,

Residential Development:- Erection of 2No. detached bungalows and 2No. semi-detached houses.

1 Site and Surroundings

- 1.1. The application site comprises a three-bedroom detached bungalow located in the suburban area of Hednesford.
- 1.2. The dwelling includes two off-road parking spaces and a private garden. The site is located on a private single-lane road, which serves three detached bungalows and two semi-detached two-storey dwellings. The road is a no-through road, with turning space only possible by using driveways.
- 1.3. The wider street scene comprises of residential uses. The site is located within a Mineral Consultation Area and is considered low-risk by the Coal Authority.

2 Proposal

- 2.1. The applicant is seeking retrospective consent for proposed Change of Use from Existing Dwelling into Serviced Accommodation / Holiday Let (C3 to Sui Generis).
- 2.2. The dwelling has been operational as a holiday let since January 2024.
- 2.3. It is being advertised as 'The Cabin' as accommodation for up to 6 guests, (not including infants.) The modest accommodation, comprises of 3 bedrooms, providing 4 beds & 2 bathrooms. The property is also being advertised as pet friendly for up to two pets and being compliant with DDA requirements.
- 2.4. The property is booked 20 nights from now until the end of 2024.

- 2.5. The current occupancy, rate is mostly for extended weekend use only. However, should a booking be made for midweek, the property is still available for rent by persons meeting the booking restrictions and criteria.
- 2.6. The owner has stated that the occupancy rate is currently around 40%.
- 2.7. The owner and business partner, both reside locally. They have stated that should there be a problem at the property, they can attend site within 15 minutes.
- 2.8. The property can be monitored remotely, to include: -
 - Using remote technology to identify the number of mobile phones at the property, thus preventing large (party) gatherings,
 - the installation of CCTV and noise monitoring alarms which can also be viewed and monitored remotely.
 - The sound system on the hot tub has also been disconnected.
 - Only two vehicles are allowed to park 'on site' Any other vehicles must be parked on the Highway.
- 2.9. It is accepted that as the owner has implemented ways to overcome the concerns from the occupants of neighbouring properties.

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), Hednesford Town Neighbourhood Plan 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
 - CP9: - A Balanced Economy
- 3.4 ***Minerals Local Plan for Staffordshire***
 - Policy 3: Safeguarding Minerals of Local and National Importance and Important Infrastructure
- 3.5 ***Neighbourhood Plan***
 - There are no policies relevant to the proposal within the Neighbourhood Plan.
- 3.6 ***Relevant paragraphs within the NPPF:***
 - 8: Three dimensions of Sustainable Development
 - 11-14: The Presumption in favour of Sustainable Development
 - 47-50: Determining Applications

- 96: Promoting healthy and safe communities
- 115: Highway Safety and Capacity
- 131, 135, 136, 139: Achieving Well-Designed and Beautiful Places
- 186, 188: Biodiversity
- 183, 184, 185, 191: Ground conditions and pollution
- 200-208: Conserving and enhancing the historic environment
- 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. Background

- 4.1 The site has been acting as holiday accommodation since January 2024. The use of the site was brought to Planning Enforcement via complaints received by both Planning and Environmental Health.
- 4.2 It was concluded that a material change of use had occurred, as such the site was operating unlawfully and would require planning permission.

5 Determining Issues

5.1 Principle of Development

- 5.1.1 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.
- 5.1.2 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.’

5.1.3 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.”

5.1.4 There is no specific policy guidance with regards to the siting and location of a holiday let/serviced accommodation. However, Policy CP9 states:

‘Proposals which contribute positively to the visitor economy (including tourist accommodation, visitor and recreational facilities) and the long-term sustainability and vitality of the rural economy will be positively supported provided that they comply with national Green Belt policy and other Core Strategy Policies (particularly CP3, CP10, CP12, CP13, CP14 and CP15).’

5.1.5 The site is located within close proximity to Cannock Chase National Landscape, which is utilised for recreational purposes. As such, in principle the location of such use would be considered acceptable.

5.1.6 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 nor is it located within a Conservation Area or affect the setting of a designated or undesignated heritage asset. Given the above the proposal would be acceptable in principle.

5.1.7 However, proposals that are acceptable in principle are still subject to all other policy tests, which has been stipulated in Policy CP9. This report will now go on to consider the proposal in the light of these policy tests.

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

5.2.1. In this respect the proposal does not include any exterior alterations.

5.2.2. 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.

5.3 Impact on Residential Amenity

5.3.1. The nearest neighbours to the application site are No.’s 3 and 4 Chase heights which share the northern boundary and 1 Chase Heights which shares the southern boundary. No’s. 10-14 Woodland Close share the western boundary.

5.3.2. Paragraph 191 of the NPPF states that planning decisions:

‘...should 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:

mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'

- 5.3.3. Environmental Health Officers were consulted on the application and raised no objections.
- 5.3.4. Notwithstanding, the use of the site as a holiday let, regarding noise and disturbance, would differ greatly to that of a normal domestic premises. The nature of a holiday premises means guests of the proposed accommodation are less likely to have the same consideration for neighbouring properties when using the site. The transient nature and frequency of new occupiers would tend to mean that they have little connection to the local area and hence may be less inclined to respect the surrounding area and its existing residents, meaning they have fewer concerns or realisation of causing noise. In addition, the behaviours of tourists differ significantly to that of a residential dwelling, in its comings and goings, including increased late night/early morning movements.
- 5.3.5. The site is surrounded by neighbouring gardens. Guests of the holiday let visiting the site for leisure are likely to use the garden space more intensively than normal domestic garden, including late night use, potentially 7 days a week. Although there is some level of noise expected from residential properties facilitating garden space, this again differs significantly to the use of this garden being used by tourists.

Vehicular Movements

- 5.3.6. The application site is located at the end of a short, single-lane, no through road that provides vehicle access to 4 dwellings. The current access road is likely only to be used by residents, visitors and delivery drivers to the site and being a cul-de-sac there would be no passing traffic.
- 5.3.7. The proposal could accommodate up to six guests, seven days a week, all year round, however it is noted that the holiday let may not always be used to its full capacity. Whilst check in and check out times would be limited to certain hours and there is a minimum requirement of a two-day stay, there is no way in which guests can be controlled in terms of amount of vehicles being brought to the site and frequency of trips in and out of the street. As such there would be a largely transient pattern and frequency of occupancy, compared to the more consistent pattern of occupancy that would normally be associated with that of a dwellinghouse. This, coupled with the quiet nature of the cul-de-sac is likely that the proposal would result in significant vehicular disturbance over and above that expected in this residential location.
- 5.3.8. As such, the pattern and nature of the occupation, at such close proximity to neighbouring dwellings is, more than likely, to be materially harmful to the living conditions of neighbouring occupiers with regard to noise and disturbance. As such, it is deemed that the proposal would result in an unacceptable disturbance due to vehicle activity and noise, over and above what would be expected within this residential location. Given the above, the proposed would be considered to have an unacceptable impact on neighbouring occupier's amenity and therefore

be contrary to Policy CP3 of the Cannock Chase Local Plan and paragraph 135 of the NPPF.

5.4 Impact on Highway Safety

- 5.4.1. 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.
- 5.4.2. In this instance the proposed holiday let would include three bedrooms. The Cannock Chase Local Development Framework: Parking Standards, Travel Plans & Developer Contributions for Sustainable Development SPD require one off-road parking space per bedroom for C1 uses plus one per three residents at peak periods. There are only two off-road spaces available and no street parking available within Chase Heights, due to the single-lane nature of the street. As such, the proposal is likely to lead to additional on street parking on Bradbury Lane, which is a busy main road with several parking restrictions throughout.
- 5.4.3. Given the above, in this instance, the proposed development would result in an unacceptable impact on highway safety and as such would not accord with paragraph 115 of the NPPF.

5.5 Impact on Nature Conservation Interests

- 5.5.1. 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) developments which could lead to increased tourism or visitor use which are located within 15km of the Cannock Chase will be required to provide a mitigation fee. If officers were minded to approve this application this fee would be secured via a S111 or S106 agreement.
- 5.5.2. 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.

5.5.3. Biodiversity Net Gain

- 5.5.4. 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.
- 5.5.5. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

5.5.6. Based on the information available this permission is considered to be one which will NOT require the approval of a Biodiversity Gain Plan before development is begun because one of the statutory exemptions or transitional arrangements are considered to apply.

5.5.7. 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.

5.6 Waste and Recycling Facilities

5.6.1 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).

5.6.2 In this respect, it is noted that the proposed use would require separate arrangements for trade waste, resulting from the business. As such, if permission were granted, appropriate conditions would be attached to ensure waste is disposed of correctly.

5.7 Anti-social behaviour

5.7.1 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.

5.7.2 Objectors have raised concerns in regard to the proposal and anti-social behaviour. In this instance the Designing Out Crime Officer was consulted on the application and raised no objections, subject to proposed conditions relating to parking.

5.7.3 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.

5.8 Drainage and Flood Risk

5.8.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps which is at least threat from flooding. In this instance, the proposed extension would be constructed within an existing residential curtilage and as such would have no further impact on flood risk in this location.

5.8.2 As such, the proposal subject to conditions, would accord with the requirements of paragraph 159 of the NPPF which seeks to steer new development away from areas of flooding.

5.9 Mineral Safeguarding

5.9.1 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.

- 5.9.2 The development would fall under Item 1 within the exemption list as an application for change of use and is therefore permitted. As such the proposal is compliant with Policy 3 of the Minerals Local Plan.

5.10 Other Issues Raised by Objectors not covered above

- 5.10.1. *Objectors explain there are several restrictive covenants which the residents do abide by, no business can be run from the property, and due to the restrictive parking and turning area we are not allowed commercial vehicles.*

Your Officers confirm covenants under title deeds are not material planning consideration and this would be a civil matter.

- 5.10.2. *Objectors explain this has devastated our lives and would welcome to opportunity to put our objections personally to the planning committee and invite the committee to visit.*

This application is to be determined by Planning Control Committee.

- 5.10.3. *Objectors are concerned about the increased traffic using the private lane which we are all responsible for the maintenance of.*

Your Officers confirm that concerns regarding damage to a private road would be a civil matter.

- 5.10.4. *Objectors explain AirB&B have recently started advertising on national TV and gives the impression of being a place to party.*

Officers confirm that how AirB&B advertise would online/on TV would be outside the remit of the Planning Authority.

- 5.10.5. *Objectors think there should be more legislation to protect the residents and prevent this type of accommodation opening in such a small secluded and once private area.*

Officers have assessed this application against existing policy and legislation. The introduction of national legislation would be outside the remit of the Local Planning Authority.

- 5.10.6. *Objectors would like to know why we have sent out this application when the dwelling is already being used as a holiday let and has been for a couple of months now... due to the fact that there is a hot tub outside there has been quite a substantial amount of noise going on with music been played quite loudly too.*

The Planning Authority investigated the alleged use once made aware and concluded that this was unlawful. The Planning Authority has a duty to determine any valid application submitted under The Town and Country Planning Act 1990, including retrospective applications.

- 5.10.7. *Objectors explain that of late there have been food delivery vans and owners large truck type vehicles reversing into their parking spaces in order to exit the private driveway as this was not designed for this size or amount of vehicles and as stated private driveway this type of vehicle shouldn't even be entering the driveway, only in an emergency i.e. ambulance or fire engine.*

Your Officers confirm there are no planning conditions which impose restrictions on the size of vehicles which enter this street. It is noted there are restrictive covenants in this regard, however these would be enforced under separate legislation and would be a civil matter.

5.10.8. *Objectors explain their elderly mother is terrified of the amount of strange vehicles especially the huge laundry van that reverses at speed the whole length of the driveway.*

Your Officers confirm there are no planning conditions which impose restrictions on the vehicles which enter this street. It is noted there are restrictive covenants in this regard, however these would be enforced under separate legislation and would be a civil matter.

5.10.9. *Objectors query if the premises is operating illegally as they have no planning permission, surely if anything were to happen to guests while at the property, they wouldn't be insured. Or the residents or their property for that matter.*

Insurance matters would be outside the remit of the Planning Authority.

5.10.10. *Objectors urge the Council to take an immediate court injunction to put a stop to the use.*

The Planning Authority investigated the alleged use once made aware and concluded that this was unlawful and subsequently issued an enforcement notice requiring the use to cease.

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

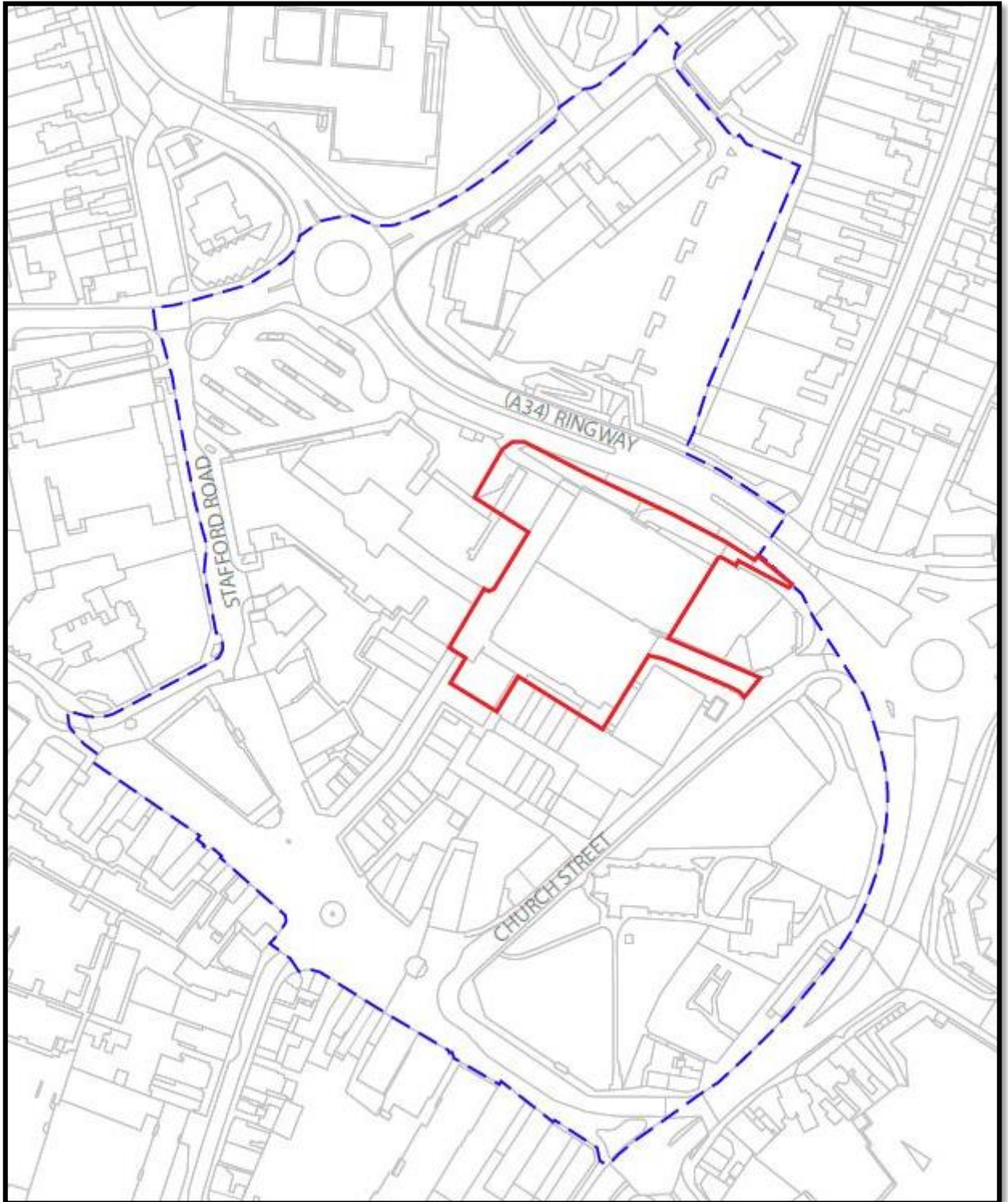
- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, would result in significant harm to acknowledged interests and is therefore not considered to be in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be refused for the reasons outlined at the beginning of this report.

Application No: CH/24/190

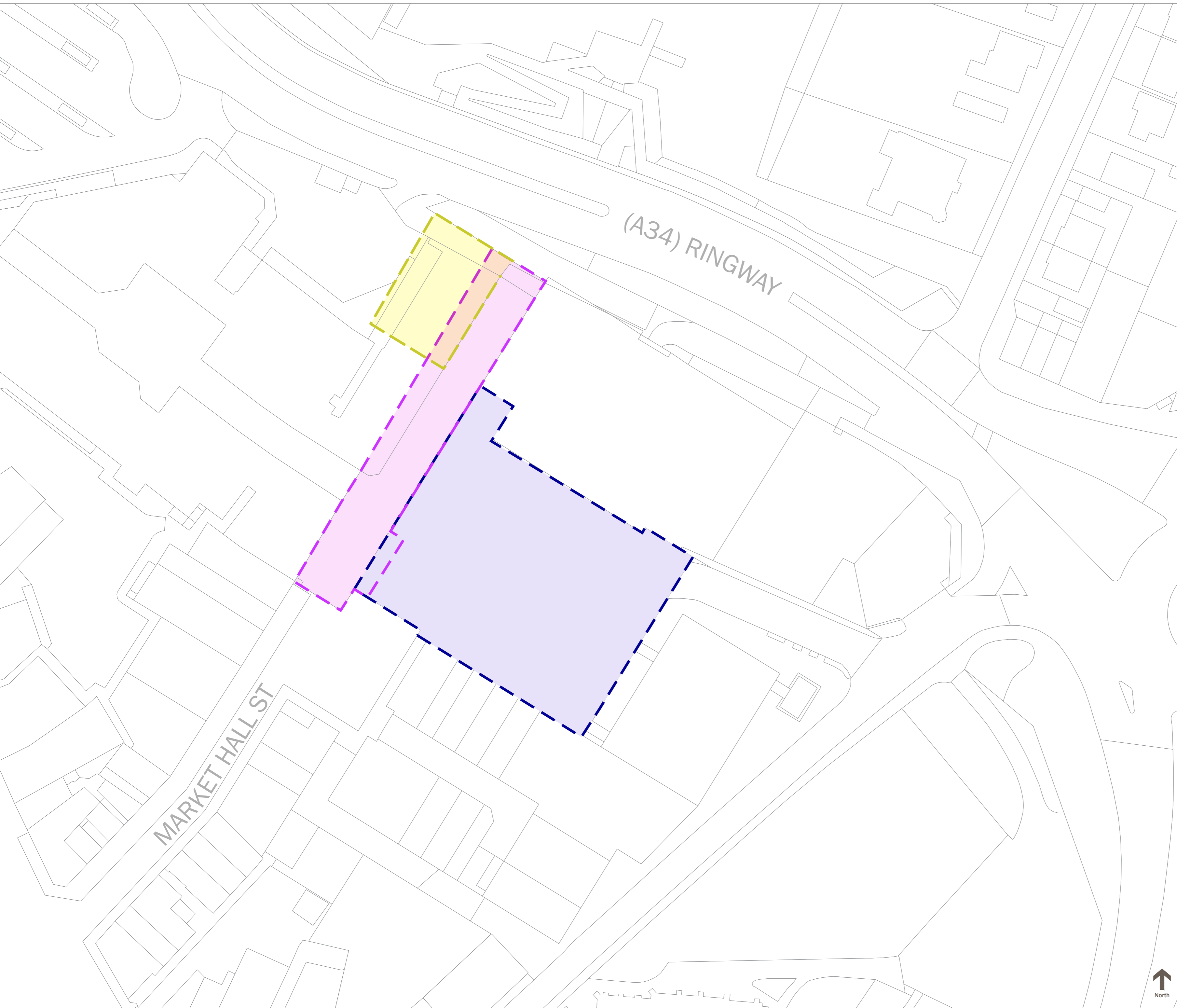
Item No. 6.17

Location: Multi Storey Car Park, 02 Site, Market Hall Street, Staffordshire, Cannock, WS11 1EB

Proposal: Demolition of Units 1 and 2, and partial demolition of Unit 3, removal of glazed canopy to Market Hall Street. Demolition of Multi Storey Car Park and erection of temporary compound



- Key
- Cannock Shopping Centre Canopy
 - Cannock Shopping Centre Units 1-3
 - Multi-Storey Car Park



Planning Issue

Document control					
-	-	-	-	-	-
-	-	-	-	-	-
A	Updated to reflect amended demo application	29.05.24	EI	NE	AC
Rev	Description	Date	Dwn	Chk	App

**Cannock Town Centre LUF Cannock
Cannock Chase District Council**

Demolition Plan

TTE Project No	Drwn by	Date	Ch'ked by	Date	App'd by	Date	Scale @ A2	Suitability
B033419	EI	JUNE 24	NE	JUNE 24	AC	JUNE 24	1:500	-
Client Proj No	Originator	Vol/System	Level/Location	Type/Code	Role	Number	Revision	
-	TTE	00	XX	DR	UD	-	A	

Issuing office
Tetra Tech Edinburgh
 The Cube, 45 Leigh Street
 Edinburgh EH1 3AT
 Tel: +44 131 247 5700



Key

- Gantry Chute Loading System (Hoarding & Gates) Jan 25 to Oct 25
- Hoarding Line Oct 24 to Dec 24
Hoarding to Market Hall St to be left in position until Northern Gateway works commence
- Hoarding Line Jan 25 to Oct 25
- ★ Site Compound / Plant Storage



PLANNING ISSUE

Document control

-	-	-	-	-	
-	-	-	-	-	
-	-	-	-	-	
Rev	Description	Date	Dwn	Chk	App

Cannock Town Centre Levelling Up Fund
Cannock Chase District Council

Hoarding Plan

TTE Proj No	Drwn	Date	Ch'ked	Date	Appr'd	Date	Scale @ A3	Suitability
B033419	EI	Jul 24	NE	Jul 24	AC	Jul 24	1:2000	S0
Client Proj No	Origin	Vol/System	Level/Location	Type/Code	Role	Drawing No	Revision	
	TTE	00	ZZ	DR	UD	003	-	

Issuing office

Tetra Tech Manchester
Quay West at MediaCityUK
Manchester M17 1HH
Tel: 0161 872 3223

Contact Officer	David O'Connor
Telephone No:	(01543) 464 515

<p>Planning Control Committee 16 October 2024</p>

Application No:	CH/24/190
Received:	22 July 2024
Location:	Multi Storey Car Park, 02 Site, Market Hall Street, Staffordshire, Cannock, WS11 1EB
Ward:	Cannock Longford & Bridgtown
Description:	Demolition of Units 1 and 2, and partial demolition of Unit 3, removal of glazed canopy to Market Hall Street. Demolition of Multi Storey Car Park and erection of temporary compound.
Application Type:	Full Planning Application Major

The Application is being presented to Committee due to the application being proposed by Cannock Chase Council – Economic Development Department. Therefore, for probity and transparency the decision is put before the Council's Planning Committee.

Recommendation: Approve subject to Conditions

It is recommended that delegated authority be given to the Head of Economic Development & Planning to grant planning permission, subject to the conditions outlined within the report.

1. EXECUTIVE SUMMARY

- 1.1 In October 2021 Cannock Chase District Council (CCDC) was successful in securing a Grant funding award under round one of the UK Governments Levelling-up Fund of £20M to lead the regeneration of the north-eastern part of the town centre. The current application follows a previous permission as part of the wider Levelling Up Fund project that will repurpose c. 1.70ha, including vacant retail floorspace, and proposes various redevelopment elements all within Cannock Town Centre. The key aim of the wider project is to enhance accessibility, traffic movement, parking and servicing and the public realm.
- 1.2 Demolition was specifically excluded as a main matter within the original outline planning permission partly owing to complexity around how the works would be carried out. Following approval of the main outline application, a Demolition Contractor has now been appointed and relevant project work provided as part of this full planning application. The application proposes the demolition of the following structures:

- (i) Multi-Storey Car Park (MSCP) and Old Indoor Market Hall: The vacant car park structure, considered an "eyesore" by many, will be demolished using a sectional top-down methodology.
 - (ii) Glazed Canopy: The glazed canopy over the walkway in front of the shopping units will be removed, primarily through nighttime work over a short period to minimize disruption to trade and ensure public safety.
 - (iii) Shop Units (Units 1, 2, and part of Unit 3): These vacant units will be demolished, while nearby units (Peacocks, Costa Coffee, Home Bargains) will be retained, with full public access throughout the works.
- 1.3 Given the large and complex nature of a Town Centre Redevelopment it is ultimately the logistics of how the identified site area will be cleared that the Council as Planning Authority is being asked to consider.
- (i) Noise and Vibration Control: Measures include using modern, silenced equipment, employing demolition techniques like pulverizing instead of hammering, implementing noise barriers, and conducting continuous monitoring.
 - (ii) Dust Suppression: Methods include using water dampening to tools, dust suppression units, and covering stockpiles.
 - (iii) Traffic Management: A detailed Traffic Management Plan will be implemented to manage construction traffic, minimize disruption to surrounding roads, and ensure pedestrian safety. Measures include designated routes for demolition vehicles, restricted delivery times, and banksmen to control vehicle movements. Vehicle routings will utilise the yard adjacent the bus station for the shop and canopy phases and the existing ramp to the MSCP off Church Street.
 - (iv) Asbestos Removal: Identified asbestos-containing materials will be removed by licensed contractors following all safety regulations.
- 1.4 Key public concerns around assuring access to the local church and nearby businesses are understandable. It should be noted that during the day full access throughout the project to nearby businesses and the underpass will be retained. Night closures to the underpass route will be apparent during the removal of the glazed canopy structure. There will be no impact on the market stall capacity within the town market with additional space existing in Market Place.
- 1.5 Overall, the application is assessed as broadly complying with the requirements of Local Plan Policy CP11 which seeks to build upon Cannock Town Centre's role as a subregional strategic centre. Key issues around safety, access, minimising disruption and disturbance to others and adequate recycling of materials as possible, are considered within the submissions. Subject to compliance with the conditions set out, most notably dealing with traffic routings and further submissions in relation to noise matters, the logistics of the demolition of the site are considered reasonable and will assist in promoting longer term economic growth through the regeneration of the sustainably located town centre site.

2. RECOMMENDED 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. Before the development hereby approved is commenced, written confirmation from the Local Highway Authority shall be provided to the Local Planning Authority that a dilapidation survey has been provided detailing that an inspection of the local road network as detailed within the Traffic Management Plan being used by HGV's, including pedestrianised areas, has been provided to and approved by the County Highway Authority. The extent of the road network to be inspected to be first agreed by the applicant with the Local Highway Authority.

Reason:

In the interests of assessing and remedying damage to highway maintainable at the public expense in accordance with Local Plan Policy CP10.

3. Any scaffolding used in connection with demolition of the multi-storey car park shall be delivered to and removed from the site either via the Cannock Shopping Centre service yard, adjacent to the bus station or via the access ramp adjacent to the Prince of Wales theatre.

Reason:

In the interests of Highway Safety in accordance with Local Plan Policy CP10.

4. Demolition activities including deliveries and ground works shall be restricted to the following times unless as part of the approved Night Time works associated with the Town Centre Glass Canopy removal:

- 08:00 – 18:00 Monday to Friday.
- 08:00 – 13:00 Saturday.

Construction shall not be undertaken on a Sunday or a public holiday.

The agreed Night Time Working outside of the above hours shall be carried out in accordance with the submitted CEMP (Page 13). No further demolition works shall be executed outside of the approved hours.

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.

5. Prior to the commencement of the demolition of the multistorey carpark (MSCP), a noise impact assessment shall be submitted to the local planning authority for approval. The noise impact assessment shall:

1. Characterise the pre-development acoustic environment.

2. Quantify noise levels which are likely to result from the proposed demolition works.
3. Set appropriate noise limits.
4. Develop an appropriate monitoring scheme to ensure compliance with the noise limits.
5. Detail measures to be taken where noise limits are breached.

Reason:

To mitigate potential adverse impacts from noise on residential amenity in line with paragraphs 183-188 of the National Planning Policy Framework.

6. Prior to the commencement of the demolition of the multistorey carpark (MSCP) a detailed point loading assessment prepared by a suitably qualified structural engineer (a Competent Person within the NPPF definition) alongside details of relevant insurance coverage proportionate to the scale of the development in this case, shall be submitted to the Local Planning Authority for approval. The report shall reflect upon the methodology proposed within the Demolition Management Plan and discuss structural implications for affected buildings associated with the proposed approach. No development shall commence until the recommendations within the assessment have been agreed by the Local Planning Authority.

Reason:

In order to protect the health and safety of occupants within the buildings and the safety of the general public to ensure compliance with Local Plan Policy CP3 and the NPPF 189 and 190.

7. Prior to the commencement of the demolition of the multi storey car park, details of the proposed water proofing and timber cladding to be installed to the newly exposed flank elevation shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall carry out the cladding works in accordance with the approved details.

Reason:

In the interests of assuring an appropriate character and appearance to the exposed flank elevation in accordance with Local Plan Policy CP3.

8. The development hereby permitted shall be carried out in strict accordance with the following approved documents and shall be adhered to throughout the demolition process:

Traffic Management Plan - Report Number: Cannock/240520/TMP

Demolition Method Survey - Report Number: 290603/METHODOLOGY

Contractor Environmental Management Plan - Report Number: Cannock/240603/CEMP

Health & Safety Report - Report Number: Cannock/240603/H&S Report, and Sequencing Plans, Demolition & Dismantling Activities - Document Reference: DEMOPLAN-TTCAN-REV1, dated 23.09.2024.

Reason:

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

3. INFORMATIVE NOTES TO THE APPLICANT

- 3.1 Details of acoustic consultancies able to assist with this condition can be obtained from: • Institute of Acoustics www.ioa.org.uk / 01727 848195 • Association of Noise Consultants www.association-of-noise-consultants.co.uk / 020 8253 4518. It is recommended that your acoustic consultant agrees their methodology with the Environmental Protection Team: (environmentalhealth@cannockchasedc.gov.uk / 01543 462 621).
- 3.2 All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring requirements are adhered to. Email: plantprotection@cadentgas.com Tel: 0800 688 588
- 3.3 Please note that there is no guarantee that the applicant will be able to build over or close to any Severn Trent sewers, and where diversion is required, there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that the applicant contact Severn Trent Water us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.
- 100mm to 299mm diameter – 3m either side of the pipe, measured from the centreline of the sewer.
 - 300mm to 999mm diameter – 5m either side of the pipe, measured from the centreline of the sewer.
 - 1m diameter or greater – depends on numerous factors. However, if you apply 7.5m either side of the pipe, again, from the centreline of the sewer as rule of thumb.

4. CONSULTEE RESPONSES

EXTERNAL CONSULTEES

- **Staffordshire County Council Highways Authority – No objection subject to conditions**

Key matters in the assessment of the demolition application include minimising disruption to traffic flows within the town centre and assuring appropriate access to the site. The rear service yard adjacent to Cannock Shopping Centre will be the primary access point for the demolition of the shops and the canopy. The consultants envisage that the demolition of the shop units could be predominantly carried out during normal working hours, with public access retained to the subway, but there would need to be some out of hours working (6pm to 6am) when the shops were closed to enable to isolate the area from the public for the removal of the canopy. The use of protection scaffolding under the canopy whilst the demolition of the units is being carried out is to prevent any materials exiting the site towards the footfall on the walkway or towards Home Bargains and Peacocks. They also anticipate a limited number of vehicle movements throughout the day with a maximum of four vehicle movements in the rear service yard per day during the shop demolition phase. Jet wash and road sweeper as needed would be utilised to assure no debris is transferred to the public highway. A HGV would

then remove the material from the service yard using the existing bus station exit route.

The existing ramp off Church Street, leading to the top level of the MSCP, will be the primary access point for the car park's demolition in later phases. A permanent 2.4m high timber hoarding would be erected in the walkway area from the Peacocks store all the way round to the front of the Forum shopping centre building. With regards to routing for HGVs for the MSCP demolition, illustrations on page 17 (Figure 6) within the CEMP show that vehicles will exit the A34 at Queens Island by turning left onto Church Street and turning right and driving up the existing ramp adjacent to the Prince of Wales Theatre into the multi-storey car park under banksman supervision. The contractor anticipates that up to 8 HGV's a day will be accessing the demolition site using this area. On busier days, this could increase to 10 HGV's. Vehicle movements will be between 8am and 4pm, with the final vehicle being allowed onto site for loading at 3.30pm. The type of HGV's to be used are likely to be 8-wheel wagons or hook up skip trucks. There is sufficient room for HGV's to be held on the roof space should the need arise and therefore would not have an impact on the public highway.

The Demolition Method Statement CEMP seek to prohibit demolition traffic from using B roads or residential routes to access or exit the demolition sites. No objections are raised by the Highway Authority and the overall approach to traffic and access management is reasonable in the context of the proposals. Conditions are requested in relation to the following:

- (i) Provision of dilapidation survey to examine current condition of areas maintainable at the public expense and assure areas are not left damaged post demolition
- (ii) Scaffolding delivered and removed via service yard access or ramp adjacent Prince of Wales Theatre
- (iii) Development carried out in accordance with submitted details including the CEMP, Traffic Management Plan ...

- **Cadent Gas - No objection, informative needed**

- **Historic England – Concerns around heritage impacts of future development**

Historic England has concerns regarding the application on heritage grounds, where further information should be provided as to the proposed detail and design of the replacement buildings on the site in order to preserve the character and appearance of the adjacent conservation area and listed buildings. It is acknowledged that such detail should be formally considered at Reserved Matters stage, where Historic England would be happy to engage in further pre-application discussion with the Council, and its advising agent prior to formal submission.

INTERNAL CONSULTATIONS

- **Economic Development – No objections**

Economic Development have no objections to this application. From this perspective the proposals will create employment opportunities within the district.

Previous Comments: The scheme is a key regeneration project for the Council and the Corporate Plan Priority 1 has an aim to rejuvenate our town centres and states that over the next 4 years the Council will deliver the Levelling Up Fund regeneration scheme for Cannock Town Centre creating a new cultural hub and high-quality public realm.

The site is also identified in the Cannock Culture and Leisure Hub Development Prospectus as a site for potential leisure and cultural development including cinema, food & beverage and complimentary retail with possible integration of residential apartments, hotel or office space.

- **Environmental Health – No objection subject to conditions**

The project schedule, from start to finish, is 14 October 2024 - 3 October 2025, with heavy demolition (likely the most significant noise generating activity) between 21 April 2025 - 3 October 2025. Proposed working hours are: 08:00 - 18:00 Monday to Friday. 08:00 - 13:00 on Saturday. Some operations may need to be undertaken outside of these times for the canopy element which is a short-lived process over approximately 2 weeks.

The applicant proposes to implement mitigation against the impacts from noise, vibration and dust, which are broadly in accordance with BS 6187 (which refers to BS 5228). Proposed measures include (this list is not exhaustive):

- Noise and vibration - Quiet working methods, the installation of acoustic barriers on building scaffolds. As yet unspecified noise assessments/surveys to ensure sufficient control measures are employed.
- Dust - Dust suppression techniques to be applied to tools and equipment. Stockpiles to be covered, with secondary (unspecified) dust control measures applied where necessary. Roads to be damped down during dry weather.
- General - Contractor contact details are to be advertised at the site entrance and on hoarding.

Proposed mitigation measures appear to be appropriate in principle; but an appropriate noise assessment should be completed, before consideration can be given to the establishment of appropriate noise trigger levels – particularly for the most significant multi storey car park works.

Our main concerns relate to noise generation from the demolition of the multistorey car park. That is, whilst noise is anticipated from the demolition of retail units 1-5, this phase of works is projected to persist for 31 days and is less likely to generate unacceptable levels of noise (in contrast to the demolition of the multistorey car park). The removal of the canopy is not likely to give rise to significant noise, as the structure will largely be dismantled, rather than demolished (albeit during unsociable hours). Nevertheless, we expect the demolition contractor to employ good practice during these works to minimise the impact of noise on the local community.

Conditions are recommended in terms of controlling construction hours, carry out works in accordance submitted CEMP, before work starts on the multi storey car park a revised noise report and mitigation strategy shall be submitted.

- **Parks and Open Spaces – No objection**

The proposal does not include any existing trees and shrubs of note within the red line boundary, therefore there are no objections to the proposal from a landscape perspective. No objections to the demolition works.

- **Waste and Commercial Services Manager – No objection**

The proposed demolition processes associated with the Multi Storey and Market Hall require a compound that partially covers the area utilised by the town market outside Forum Shopping Centre. We have no objections to this compound or the works overall. We do not consider the hoardings would impact the scale of the market stalls provided because they can be moved down Market Hall Street (south) and potentially into the Market Place if required close to the bandstand and monument. Through past experience there is capacity for additional stalls in the Market Place so that no loss of market stall provision should occur in practice during the period the temporary hoardings are in place.

5. PUBLICITY

- 5.1 The application has been advertised by site notices in the vicinity of the site and letters to nearby occupiers. No representations in relation to the demolition application have been received albeit Officers have discussed the scheme informally with nearby businesses.
- 5.2 The main item raised by nearby businesses was assuring access to their customers during the demolition period.

6. RELEVANT PLANNING HISTORY

CH/23/0131 - Outline planning permission with all matters reserved for regeneration of town centre including mixed use leisure and cultural hub, refurbishment of Prince of Wales Theatre, upto 750sqm of new cafe/bar/restaurant premises within the theatre, new cafe building (upto 325sqm), managed workspace (upto 1300sqm), replacement retail unit (upto 1858sqm), new office accommodation (upto 3170sqm), extra care / retirement accommodation (upto 70 dwellings), bicycle hub and associated public realm improvements. Approved September 2023

CH/24/249 - Approval of reserved matters for the access, layout, landscaping, external appearance and scale of the northern gateway comprising cafe, ramps and steps, new toucan crossing to ringway and landscaping to public realm including infill of the subway. Application recently received (not yet determined).

7. SITE AND SURROUNDINGS

- 7.1 Cannock town centre houses a mixture of independent retailers, chain shops and retail provision and also hosts a local market and includes the Prince of Wales Theatre. The Town Centre offers a mix of community services, retail provision, social and leisure activities for the residents of the town. The demolition site is located within the defined town centre of Cannock, bounded by the Ringway to the north, Market Place to the south and Church Street to the east.

- 7.2 The immediate surrounding area comprises retail/commercial uses, restaurants, Public Houses and Cannock Bus Station, located within Cannock Shopping Centre, High Green Court and along Market Place and Church Street. To the north beyond the Ringway lies a large surface level car park with vehicle access/egress off Beecroft Road/Allport Road and pedestrian link to the site via a subway which passes under the Ringway. To south-east lies a large-scale Morrisons supermarket and further commercial uses. To the north/north-east lies Cannock Chase Hospital and the CCDC Civic building on Brunswick Road/Beecroft Road. To the north-west lies the Chase Leisure Centre on Stafford Road.
- 7.3 Directly to the east of the site lies the Parish of St Luke and St Thomas Church and grounds, beyond which lies the Walsall College Cannock Campus, restaurants and a large-scale commercial building occupied by B&M Home Store. To the south lies Backcrofts Park and the large-scale Asda Super Market.
- 7.4 The Cannock Town Centre Conservation Area is located to the south of the site. Although the defined application site is not within the Conservation Area, the wider development proposed would be seen in close association with the Conservation Area and Grade II* listed Parish Church of St Luke (List UID: 1295000), albeit the demolished buildings in this application less so.

8. PROPOSAL



Figure 1: Extract from submitted Demolition Method Statement depicting the extent of the zone of demolition proposed. Members attention is drawn to the excluded area above Home Bargains and Peacocks which other than removal of the lift shaft element, will remain.

- 8.1 The application follows outline approval of works as part of a wider Levelling Up Fund project that will repurpose c. 1.70ha, including vacant retail floorspace, and proposes new café, office, public realm improvements, retirement accommodation and refurbishment of the Prince of Wales Theatre. The key aim of the wider project is to enhance accessibility, traffic movement, parking and servicing within the centre as well as improving the public realm.

- 8.2 The current application seeks planning permission for the demolition of the multi storey car park and indoor market hall, shop units adjacent the loading area near to the bus station, removal of the glazed canopy over Market Hall Street and the provision of a temporary compound to facilitate the works. Demolition was specifically excluded as a main matter within the original outline planning permission partly owing to complexity around how the works would be carried out. Following approval of the main outline application, a Demolition Contractor has now been appointed and relevant project work provided as part of this full planning application.
- 8.3 It is anticipated within the submitted Program Sequence of Works that the demolition project would start at the end of October 2024 and continue to September 2025. This includes demolition of the shop units (October/November 2024), and glass canopy removal (November 2024 to Jan 2025) followed by more significant demolition work relating to the multi storey car park (Blue Outline - January 2025 to September 2025).

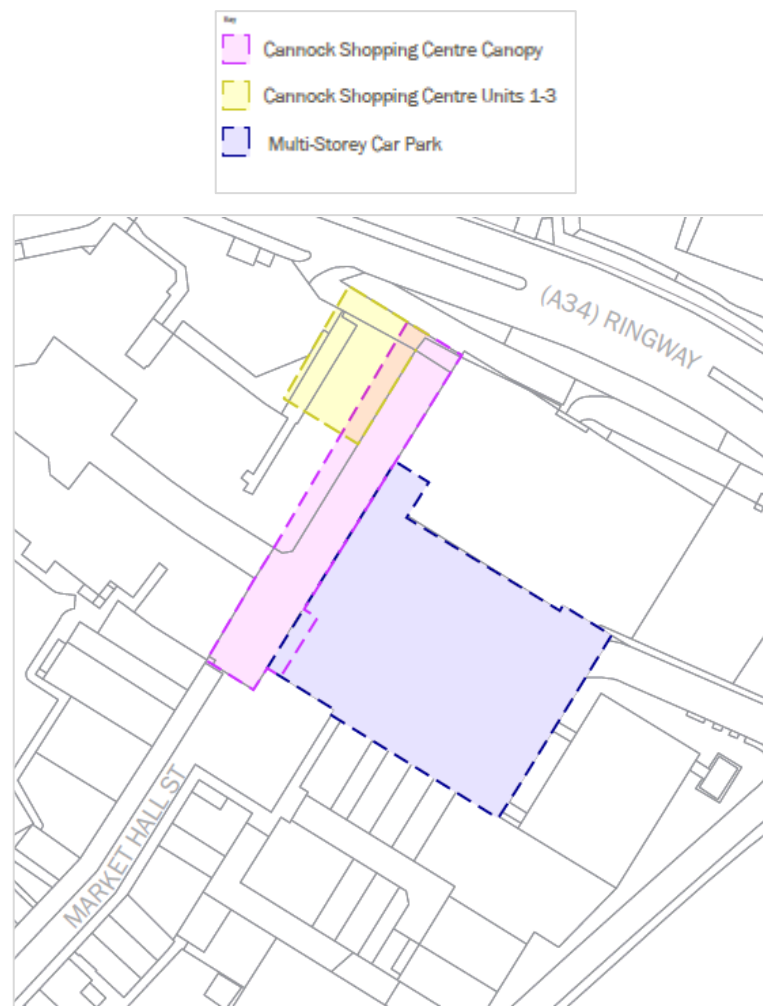


Figure 2: Extract from submitted Demolition Plan showing the demolition zones intended in accordance with the above Key extract

- 8.4 Phase 1 (Yellow) relates to the demolition of units 1-3. Units 1 and 2 will be fully demolished and unit 3 partially demolished. The demolition will be carried out mechanically, using machines like excavators but the specific equipment will depend on the location and type of work. The units will be soft-stripped before demolition to maximize the recovery and recycling of materials and a demolition

exclusion zone will be set up, and safety measures like dust suppression, noise control, and vibration control will be implemented. For this phase and for the removal of the canopy, materials will be exported from the yard via waste collection wagons and large-scale roll on roll off skips positioned/collected from the existing yard shown at figure 2.



Figure 3: Extract from Demolition Method Statement. Demolition of Units 1-3 will progress from the rear service yard following soft strip of materials

- 8.5 Removal of Shopping Centre Canopy (Purple Area within Fig 1) is proposed to occur from the southern most point (shown in Fig 3) back towards the subway. It is intended to carry out this work at night (6am to 6pm) in order to avoid impacting users of Cannock Shopping Centre. This will require the underpass to be closed nightly at the red line indicated during this process. Work is intended to proceed 1 bay at a time with a total of 9 bays in the run.

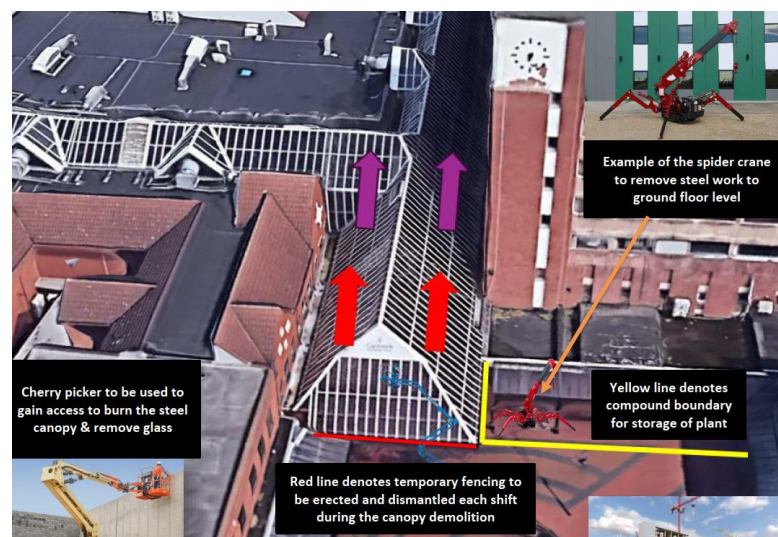


Figure 4: Extract from Demolition Method Statement showing progression of canopy removal from its southern extent towards the subway.

- 8.6 The demolition of the Multi Storey Car Park (MSCP) and Old Market Hall will follow the removal of the canopy in approximately January 2025. The works associated will begin with the erection of scaffolding along the full face of multi storey (east facing the shopping centre pedestrianised area). This will be essential for both worker safety during the top-down demolition and for controlling the spread of dust and debris (with the use of Monarflex sheeting which is also fire retardant). Top-down demolition of the MSCP will progress floor by floor with the use of Brokk Machines with a range of hydraulic attachments. Removed materials will be taken from the MSCP structure and stockpiled in skips for removal by wagon down the MSCP ramp on Church Street and back onto The Ringway A64.

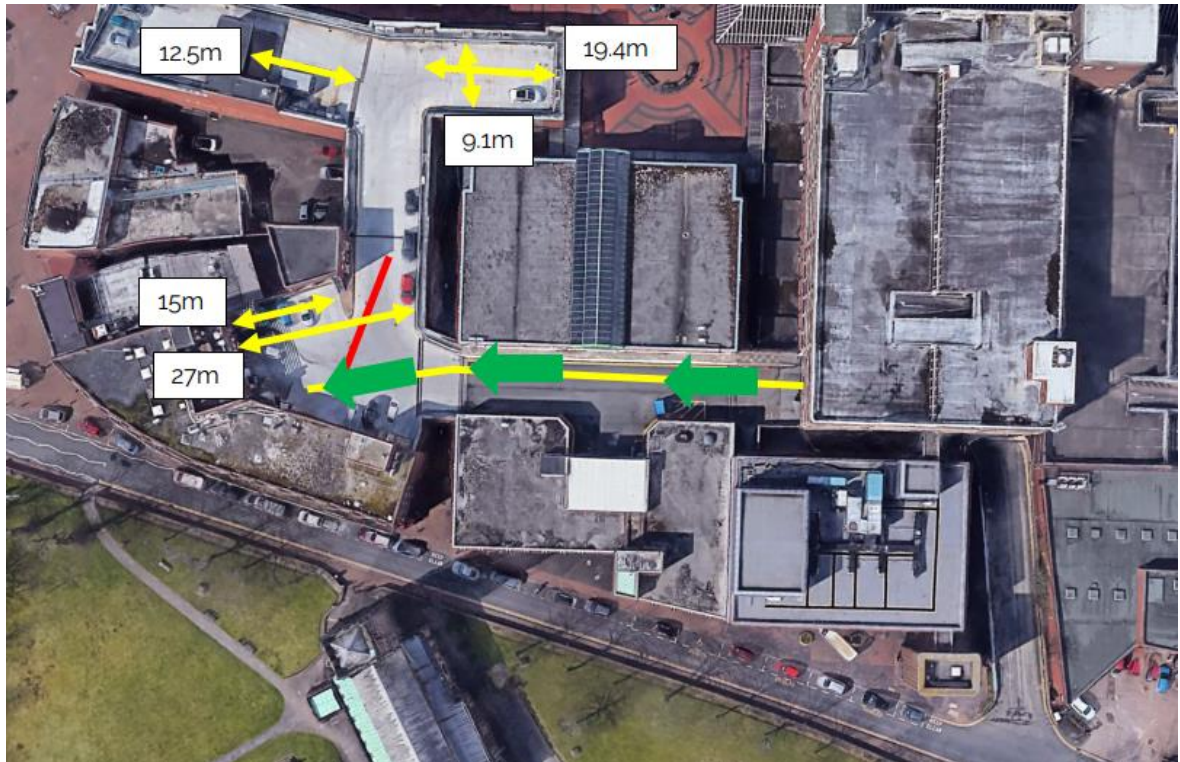


Figure 5: Extract from Traffic Management Plan showing Proposed route of exported materials to skip locations in close proximity to vehicle holding areas shown yellow.

9. PLANNING POLICY

- 9.1 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.
- 9.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).
- 9.3 Relevant Policies within the Local Plan Include: -
- CP1: - Strategy
 - CP3: - Chase Shaping-Design
 - CP9:- A Balanced Economy
 - CP10: - Sustainable Transport
 - CP11: Centres Hierarchy

- CP12: - Biodiversity and Geodiversity
- CP15:- Historic Environment
- CP16: - Sustainable Resource Use

- 9.4 The relevant policies within the Minerals Plan are: -
(i) *Mineral Safeguarding*

National Planning Policy Framework

- 9.5 The NPPF (2023) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be 'presumption in favour of sustainable development' and sets out what this means for decision taking.
- 9.6 The NPPF (2023) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.7 Relevant paragraphs within the NPPF include paragraphs: -

- 8: Three dimensions of Sustainable Development
- 11-14: The Presumption in favour of Sustainable Development
- 38: Decision-making
- 47-50: Determining Applications
- 90: Ensuring the vitality of town centres
- 114, 115: Promoting Sustainable Transport
- 131, 135, 139: Achieving Well-Designed Places
- 200, 203, 207, 208 Conserving and Enhancing the Historic Environment
- 189, 191: Ground Conditions and Pollution

Other relevant documents include: -

Cannock Chase District Council (April 2016) Design Supplementary Planning Document.

Cannock Chase District Council (July 2005), Cannock Chase Local Development Framework; Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.

Cannock Chase District Local Plan Preferred Options 9 February 2021).

- 9.8 Emerging Policies
- SO6.5 Cannock Town Centre Redevelopment Areas
 - SO6.2 Provision of Main Town Centre Uses and Town Centre Services.

10. DETERMINING ISSUES

- 10.1 The determining issues for the proposed development include: -
- a) Principle of development
 - b) Character, appearance and heritage
 - c) Residential amenity
 - d) Highways Considerations
 - e) Ecological Considerations
 - f) Other Issues

11. PRINCIPLE OF THE DEVELOPMENT

- 11.1 The site is located within the Town Centre boundary. Part of the site falls within an allocated Primary Retail Area, which seeks to retain existing Class A1 retail uses and to which new retail development will be directed. Policies CP3, CP15 and CP16 would therefore be relevant to the consideration of this proposal.
- 11.2 National planning policy in the NPPF and PPG supports the role that town centres play at the heart of local communities and advises that a positive approach to their growth, management and adaptation should be taken. Whilst ensuring the vitality and viability of centres remains paramount the range of uses now included as 'main town centre uses' has expanded. In addition, Para 86 (f) of the NPPF states that 'residential development often plays an important role in ensuring the vitality of centres and encourage development on appropriate sites.' These demolition proposals are fundamentally linked to the wider delivery of the approved Outline development under application CH/23/0131.

Continuation of Town Centre Trade and the Market

- 11.3 Local Plan Policy CP11 - Centres hierarchy is a key consideration as part of the current proposals. Policy CP11 identifies Cannock as a strategic sub-regional centre and the aims of the policy seek to retain and strengthen this role. The policy identifies main town centre uses which should be given priority in the locality and protecting these uses as far as possible during the demolition process is a key consideration.
- 11.4 Policy CP11 encourages the delivery of more attractive public spaces and streetscapes in Cannock town centre linked in part to the '*importance of retaining and enhancing town centre markets*', providing for a management plan for the town centre conservation area, encouraging developments that create safe and attractive public spaces and a more balanced nighttime economy – which the long-term proposals would ultimately underpin.
- 11.5 In relation to trade and public access during the works, the application proposes hoardings are erected to screen off working areas. The Hoarding Plan shown at Figure 5 denotes hoardings along the face of Buildings 1-3 (yellow line) during Oct 24 to Dec 24 with the front part left in situ until further on site work is carried out. The hoarding to the front of the Market Hall and MSCP are shown in purple and will be in position from Jan 25 to Oct 25. Neither hoarding obstructs access to functional businesses or the underpass.

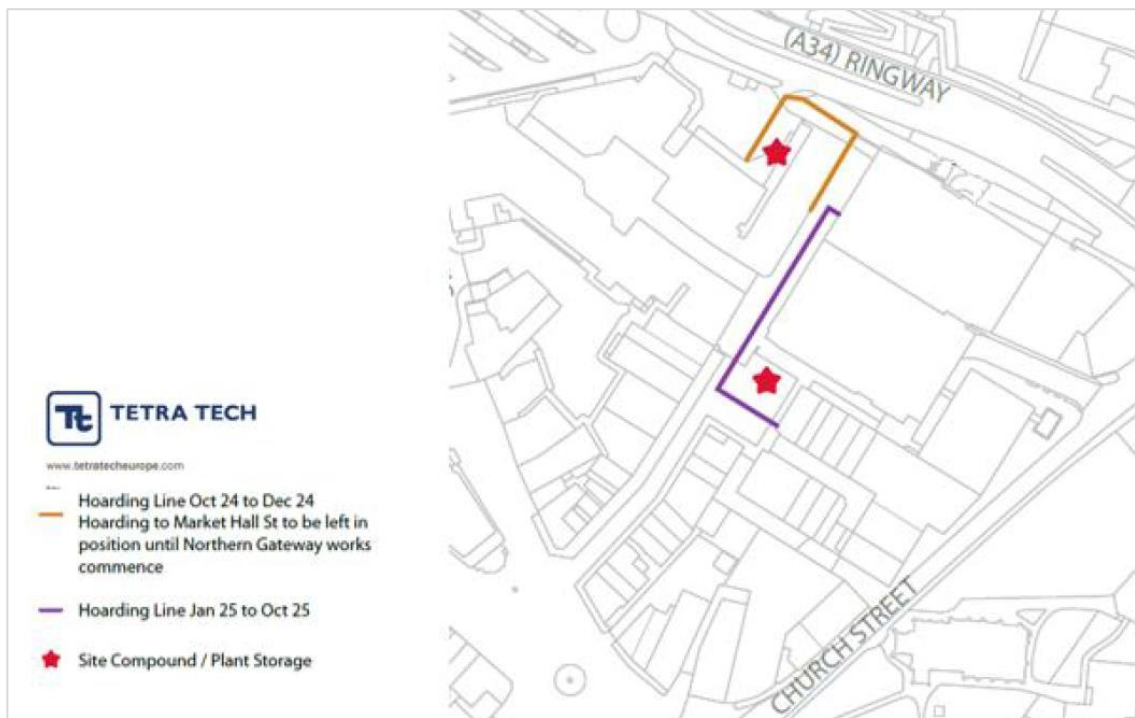


Figure 6: Extract from Demolition Method Statement REV 6 showing proposed hoarding lines whilst works are carried out

- 11.6 Policy CP11 also notes the importance of retaining and enhancing town centre markets. The site of the former indoor market is to be demolished. This has been closed for several years and redevelopment has already been approved under the Outline application CH/230131. Since its closure a street market within the pedestrianised area of the town centre now operates and is proving popular. A small area currently utilised by the market is to be used as a site compound during the MSCP demolition. Officers have undertaken discussions with the Council's Waste and Commercial Services Manager who coordinates the setup of the market stalls. There are no objections to the hoarding line proposed partially on the basis that stalls can be moved down Market Hall Street (south) and potentially into the Market Place if required. It is suggested there is capacity for additional stalls in the Market Place so that no loss of market stall provision should occur through the provision of the hoarding line shown above. This would be in position from the end of Jan 2025 to October 2025.
- 11.7 In relation to the glazed canopy removal, it is proposed to carry out this work once the shop units are removed to provide better access and provide space for a temporary holding/sorting area that is clear of the public realm. Due to high pedestrian traffic during the day, the demolition of the canopy would be carried out at night (6pm to 6am) to minimise disruption and assure public safety. This will require closure of the subway, the shutter to the shopping centre (west of image) and heras fencing the entry up from Market Hall Street – creating a cordoned off zone under the canopy. It is understood no units presently trade beyond 6pm within the cordon.
- 11.8 Systematic dismantling of the canopy bay by bay will occur within the 12 hour shift. An estimate of 1 bay per shift is suggested but some may take longer than others such as the junction bay with the shopping centre glazed roof. An approximation of 2 weeks in the context of the information presented is reasonable in terms of timescales. To enable demolition A scaffold will be erected either side of the bay

and with use of a cherry picker, the glass removed in manageable sections. It is suggested the integrity of the structure will be preserved until it is that sections time for removal. Then the steel work would be dismantled using a spider crane and oxypropane cutting tools to assure manageable pieces. Materials will be exported via the demolished shop units and deposited in skips adjacent the loading yard by the bus station.

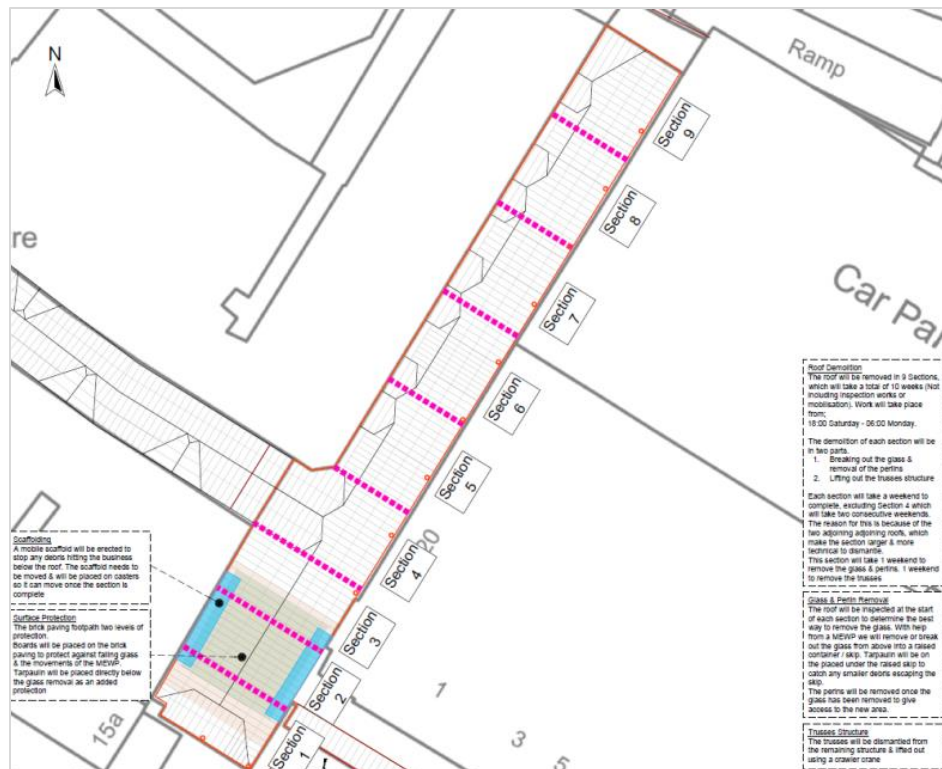


Figure 7: Sectional Drawing showing the 9 canopy bays that exist within the glazed roof structure

Overall 'In Principle' Conclusions

- 11.9 The site currently contains a mix of retail uses (alongside the disused Market Hall and MSCP) and in part includes areas to host the town market. The principle of redeveloping the site has been agreed albeit the logistics and related implications are important to the consideration of this demolition application.
- 11.10 A key consideration is whether demolition works or cordons could impact trade / public access through the town. No obstruction to trading businesses is shown to be apparent within the submissions. Hoardings erected allow access during normal trading hours and the most significant restriction is that associated with nighttime removal of the glazed canopy. This will start from 6pm to 6am avoiding current trading hours and will be relatively short-lived period of time to allow removal (e.g. approximately 2 weeks).
- 11.11 Another main consideration is potential impact upon the town centre market. The area affected would be outside the Forum shopping centre where a site compound is proposed. Having consulted with the Council's Waste and Commercial Services Manager who is in part responsible for market setup, there are no concerns that market stalls will be reduced as a consequence of the cordoned off area. Adequate space within Market Place is available to pick up any displaced stalls.

11.12 Taking these matters into account, there would seem no overriding conflict with Policy CP11 in principle, and the wider scheme is geared to promote the vitality and viability of the main town centre in accordance with the policy.

12. CHARACTER, APPEARANCE AND HERITAGE

12.1 Policy CP3 of the Local Plan supports high-standards of design, and for development to be well-related to existing buildings and their surroundings, including measures to design out crime and anti-social behaviour, and to promote ease of access and mobility within development and from its surroundings.

12.2 In this respect, it is noted that Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the local planning authority's duties: -

In considering whether to grant planning permission for development which affects a Listed Building or its setting the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

12.3 In this regard Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act is relevant and states that with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

12.4 To this effect the Local Plan contains Policy CP15 which does not preclude development in conservation areas. However, it does seek development proposals to be sensitive to and inspired by their context and add value to the existing historic environment, landscape and townscape character by virtue of their use, layout, scale, appearance and landscaping and materials to ensure that the historic environment acts as a stimulus to high quality design based upon guidance set out within the Design SPD. Adding that opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance will be considered.

12.5 Further Policy CP16, the Design SPD and the Town Centre Conservation Area Appraisal and Management Plan are also relevant to the consideration of the application, especially given the close visual association of the proposals in the context of the Grade II* listed Parish Church of St Luke.

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

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

12.7 As the proposals are geared towards demolition of structures within the centre, the main consideration is around what public realm will be impacted through new walls being exposed or gaps in built form creating impacts upon character. Inevitably demolition is not an aesthetically pleasing process, such that most

demolition utilises hoardings to screen the working area – both for visual and site security/safety purposes.



Figure 8: Extract from Demolition Method Statement showing the type of hoardings to be erected around the site

- 12.8 The hoarding along the frontage of Units 1-3 will be in situ for a considerable time period post demolition whilst redevelopment in that area is progressed. This is an unknown timescale to Officers, but it is positive the Reserved Matters application for this next phase has been received. Moreover, the sensitivity of the setting at Units 1-3 is less substantial than elsewhere in the town centre, being non-heritage properties of negligible architectural merit. Therefore, whilst some negative impact to views over the area and the continuity of building runs along Market Hall Street will occur in the short term, the impact is assessed as low.
- 12.9 The removal of the glass canopy will open up the area and it is proposed to utilise bricks recovered from the shop demolition to remedy any gaps in the façade resulting from the removed canopy. The canopy removal overall is assessed as having a neutral effect upon the visual experience of users of the public realm.

In relation to the demolition works to the Market Hall and Multi Storey, the multi storey itself is a particularly unattractive structure with substantial visibility from within the public square close to the Forum Shopping Centre. Reducing the scale of that structure and its visibility from the public realm will be an inherent benefit to the town centre's character. Nevertheless, the exposed façade to the side of Peacocks will be visible. This is intended to be screened with timber panelling over a waterproof membrane, but little detail accompanies the application in this regard. A condition is required to provide greater clarity as to the finished appearance. Once the ground floor slab to the market hall is removed, a compacted 6F2 crushed concrete surface is proposed to be left in situ. The area previously covered by the Market Hall and MSCP will be hoarded to provide site security and screening from public view. Whilst there is change to the public realm, the main visibility is from within the public square and by virtue of surrounding development is fairly contained in its longer distance views. Officers assess the impact overall is low and unavoidable in the context of the redevelopment ambitions.

12.10 Historic England were consulted on the application and point to their previous comments about making sure future development as part of the Reserved Matters would need to consider

- (i) *the potential harmful impact of the proposed new buildings on the significance of St Luke's church and its setting and the adjacent conservation area. An insufficient level of information has been submitted to enable a proper assessment of the degree of harm.*

12.11 This is not disputed and is acknowledged in previous Committee Reports reference the Town Centre's Redevelopment. Indeed, Historic England acknowledge in their comments this is more a matter for the future Reserved Matters applications yet to be received. Accordingly, Officers do not take the comments as an objection to the current application, more that further exploration of design matters is needed when detailed designs are nearer to being ready.

12.12 Accordingly, Officers assess overall the demolition application represents the first phase of realising the development opportunity to enhance the town centre. Short term the appearance will be screened by hoardings and this, along with exposed side elevations to buildings will have a minor negative effect on the character of the centre prior to being redeveloped – but this is an inevitability of redevelopment. How the development would present itself outwardly and how it relates to nearby Heritage Assets, is a matter that is beyond the scope of the current application. Nevertheless, subject to conditions requiring maintenance of hoardings in line with the submitted documentation and provision of more information relating to timber cladding, Officers can seek to minimise exposure of the public to part demolished zones. Such is in the spirit of assuring high quality development in line with Local Plan Policy CP3.

13. RESIDENTIAL AMENITY

13.1 Paragraph 135(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

13.2 In liason with the Council's Environmental Health team, officers assess that potential noise and disturbance, dust and vibration considerations are key matters for the consideration of the application.

13.3 In the case of noise, the project schedule from start to finish, is October to September 2025, with heavy demolition (likely the most significant noise generating activity) between 21 April 2025 - 3 October 2025 in relation to the MSCP demolition. Proposed working hours are: 08:00 - 18:00 Monday to Friday. 08:00 - 13:00 on Saturday with the canopy removal taking place outside of these times. Overall Environmental Health are comfortable that with best practice approaches to minimising noise employed – both the canopy removal and demolition of shop units would not require further details to be submitted.

13.4 However, in the case of the Multi Storey, the potential severe and prolonged nature of the works means thorough monitoring processes and noise monitoring methodology need to be agreed before these works commence. Environmental Health are not satisfied with the Noise Impact Assessment work provided in this regard to date. Therefore, conditions are recommended to address this prior to commencement of the Multi Storey demolition (MSCP).

- 13.5 In relation to dust, standard dust suppression techniques to be applied to tools and equipment – e.g. use of water damping to cutting equipment. Stockpiles to be covered, with secondary dust control measures applied where necessary. Roads to be damped down during dry weather.
- 13.6 In terms of vibration, the main impacts are likely to be associated with the MSCP demolition and could impact adjoining occupiers. The submissions suggest the following steps to minimise vibration impacts:
- (i) **Top-Down Demolition with Brokk Machines:** The submissions emphasise using a top-down demolition approach for the Multi-Storey Car Park (MSCP). This method, employing specialized Brokk demolition machines, is proposed to minimize vibration transfer to adjacent structures namely Home Bargains and Peacocks.
 - (ii) **Pulverisation over Percussion:** Instead of using traditional percussion hammers, which generate higher vibration levels, the plans recommend using pulverisers on the Brokk machines. These attachments crush the concrete in a more controlled manner, reducing vibration and noise.
 - (iii) **Separation Cuts and Vibration Gaps:** To further isolate the MSCP from surrounding buildings during demolition, the plans propose creating "separation cuts" or "vibration trenches." These gaps are essentially trenches cut into the structure, creating a physical break to prevent vibration transfer. The submissions specifically mention implementing this measure at the ground and first-floor levels, where the car park is closest to other structures.
 - (iv) **Structural Independence Assessment:** The submissions indicate that structural engineers have assessed the MSCP and determined it to be structurally independent of the adjacent buildings. This assessment is important because it confirms that the car park's demolition should not directly impact the stability of neighbouring structures, even with vibration generated during the demolition process.
- 13.7 Subject to conditions both Officer's and the Council's Environmental Health department are satisfied that adequate controls would be in place to avoid significant impacts from noise, vibration or dust. As such compliance with NPPF 139(f) and Local Plan Policy CP3 is assured.

14. HIGHWAYS CONSIDERATIONS

- 14.1 A Construction Environmental Management Plan (CEMP) accompanies the application. This considers a range of matters associated with the demolition including traffic routings, loading and unloading, construction worker parking and similar. These are explored in the phases that the demolition will be delivered. I.e.
- 14.2 Traffic Routings for Demolition of Shop Units and Canopy:
- a) **Primary Access:** The rear service yard, accessed from the A34 Ringway, will be the main entry and exit point for vehicles involved in the demolition of the three shop units and the glazed canopy.

- b) **Waste Removal:** Waste materials from both the shop units and the canopy will be collected in the service yard and removed using roll-on/roll-off (ro-ro) skips. These skips will exit via the service yard, merging with the bus station exit to rejoin the A34 Ringway.
- c) **Small Plant Delivery (Canopy Only):** The cherry picker and spider crane needed for the canopy removal will be delivered to a holding area behind the Royal Oak pub, accessed from Stafford Road. They will then travel under their own power to the Market Square compound via Stafford Road, Market Place, and Market Hall Street, accompanied by banksmen for safety.

14.3 Traffic Routing for Demolition of the Multi-Storey Car Park (MSCP):

- a) **Primary Access:** The primary access point for vehicles involved in the MSCP demolition will be the existing ramp located off Church Street. This ramp leads to the top level of the car park where a holding area and space for skip changeover exists.
- b) **HGV Movements:** The plan anticipates up to 8 HGVs per day using this access point, potentially increasing to 10 on busier days.
- c) **HGV Entry Route:** HGVs will exit the A34 at Queen's Island, turn left onto Church Street, turn right and then drive up the ramp under the supervision of a banksman.
- d) **HGV Exit Route:** HGVs will exit the site by turning left at the bottom of the ramp, as this section of Church Street allows two-way traffic, enabling direct access back to the A34 Ringway.
- e) **24-Hour Ramp Access:** The ramp off Church Street will remain open 24 hours a day to ensure continuous access for users of the Prince of Wales Theatre and the Cabot building.
- f) **Scaffolding Delivery:** While the exact route is not specified, the Highway Authority recommends delivering and removing any scaffolding needed for the MSCP demolition via either the service yard adjacent to the bus station or the access ramp adjacent to the Prince of Wales Theatre. This is to avoid traffic disruptions on Market Hall Street.

14.4 The demolition plan explicitly prohibits the use of B roads or residential routes for any demolition traffic. All vehicle movements related to the project must utilize the designated A roads surrounding the town centre. Furthermore, a dilapidation survey of the roads and pedestrian areas used by HGVs will be conducted before and after the demolition to ensure accountability for any potential damage.

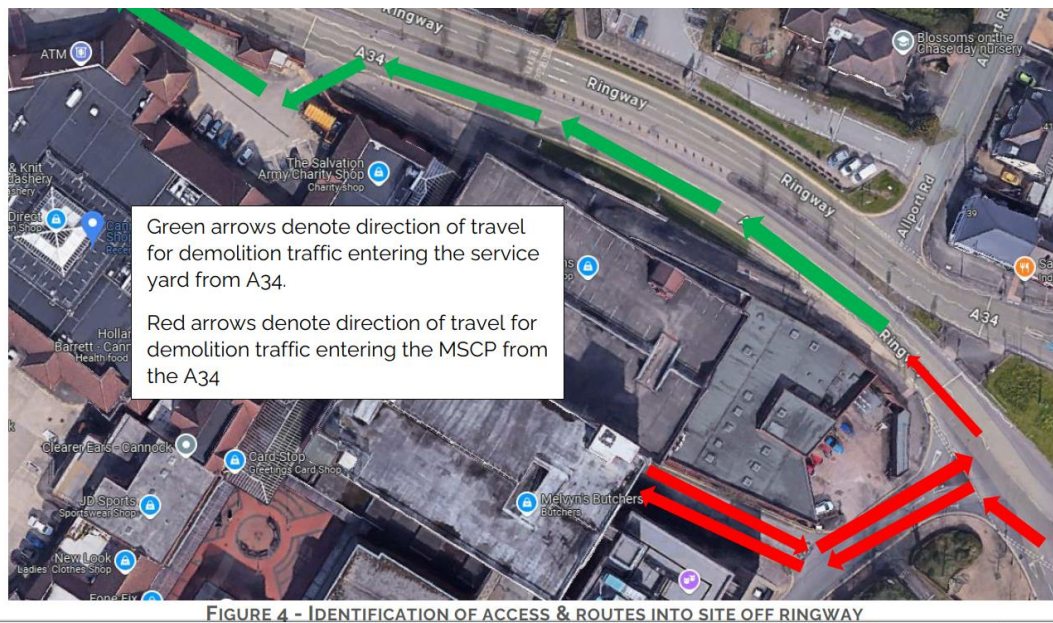


Figure 9: Extract from submitted Construction Environmental Management Plan showing proposed vehicle access routes from Ringway

14.5 Staffordshire County Council Highways Authority have provided comments in relation to the proposals. Specifically, the consultee raises no objections to the demolition application subject to conditions. Of key issues raised in their response traffic management, public safety and wider disruption were the main issues. The County Council finds the proposed traffic routings for all phases of the demolition acceptable, as long as the contractor adheres to the submitted plans as secured by conditions. The emphasis on utilizing existing access points, designating specific routes for different demolition phases, and strictly using A roads for all demolition traffic is viewed positively. A dilapidation survey is requested by the County Council prior to commencement of the of any work to assure no damage to public assets / the pavement or highway. Permits for hoardings will also be required on public highway land. Coordination of demolition operative parking is also strongly encouraged, but ultimately enforceable conditions are unlikely to be able to secure this.

14.6 Officers see no reason to disagree with the conclusions of the Highway Authority regarding the proposed vehicle routings and related observations. The conditions requested are reasonable in the context of the proposals and can be included as drafted by the Highway Authority subject to the following. One minor matter is the potential disruption to the envisaged start on site because of delays in discharging condition requirements reference the condition which requests details of a Dilapidation Survey. This has since been provided and is awaiting agreement from the Highway Authority. Officers will seek to provide an update to Members should there no longer be a need for the Dilapidation Survey condition. Otherwise, Officers assess the approach to demolition in highways and access terms is reasonable and in accordance with Local Plan Policy CP10.

15. ECOLOGICAL CONSIDERATIONS

15.1 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 174 and 180 of the NPPF.

- 15.2 The site does not benefit from any formal or informal designation for nature conservation purposes, is not located immediately adjacent to sites of significance and does not contain any habitats, trees or similar of note. The main risk to ecological assets as part of the development is likely to be the removal of potential bat roosting opportunities as part of any demolition. Such was considered at the outline stage but is equally relevant to this Demolition Application.
- 15.3 The applicants have provided a Preliminary Roost Assessment which concluded that not all of the buildings were able to be examined, and that further survey work was required. A subsequent Bat Emergence Survey dated June 2023 was provided.

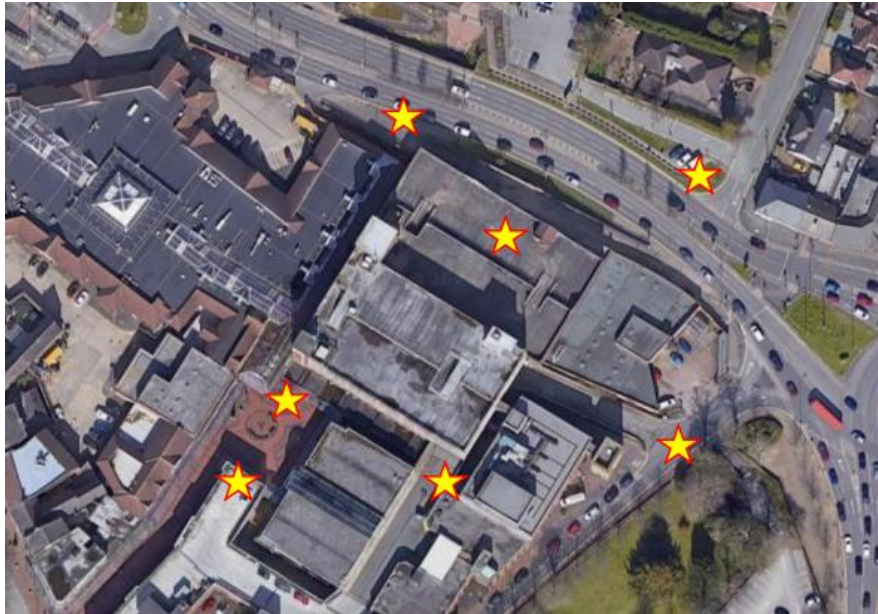


Figure 10: Surveyor Locations during bat survey of the site taken from the submitted report

- 15.4 This confirmed that having carried out on site emergence work on the 4th May and 7th June 2023 respectively, no bats were seen to emerge from buildings in the centre of the town. As such the conclusions within the report state there are no further survey requirements identified during the emergence surveys conducted to date. However, populations of bats were observed to be using both the site and surrounding habitats for commuting or feeding so a level of protection must be implemented during development to prevent disturbance. This should include general site protocols to avoid entrapping animals and control over lighting in particular. Control over lighting is a suggested condition within this report. In light of this condition, the application is considered to be in accordance with Policy CP12.

16. OTHER ISSUES

- 16.1 A key component of the demolition of the MSCP is the use of areas above existing buildings and shops (as shown at Fig 5 of this report) as holding areas for HGVs and Roll on Roll Off skips. There would be considerable weight in a laden wagon, skip and potentially with other vehicles positioned in the holding area, this loading would be significant. Officers requested detail as to any consideration of Weight Tolerances that has been undertaken. It was suggested a Point Loading Assessment had been produced but that this was not presently available. In light

of this, Officers consider that conditions to assure appropriate assessment of structural loadings should be included with the decision on the basis of assuring public safety.

17. HUMAN RIGHTS ACT 1998 AND EQUALITY ACT 2010

Human Rights Act 1998

- 17.1 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

- 17.2 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.

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

- (i) *Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited.*
- (ii) *Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.*
- (iii) *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.

18. CONCLUSION

- 18.1 The demolition application is assessed as broadly complying with the requirements of Local Plan Policy CP11 which seeks to building upon Cannock Town Centre's role as a subregional strategic centre. Key issues around safety, access, minimising disruption and disturbance to others and adequate recycling of materials as possible, are considered within the submissions. Subject to compliance with the conditions set out, most notably dealing with traffic routings and noise matters, the logistics of the demolition of the site are considered reasonable and will assist in promoting longer term economic growth through the regeneration of the sustainably located town centre site.

Application No: CH/23/0132

Item No. 6.44

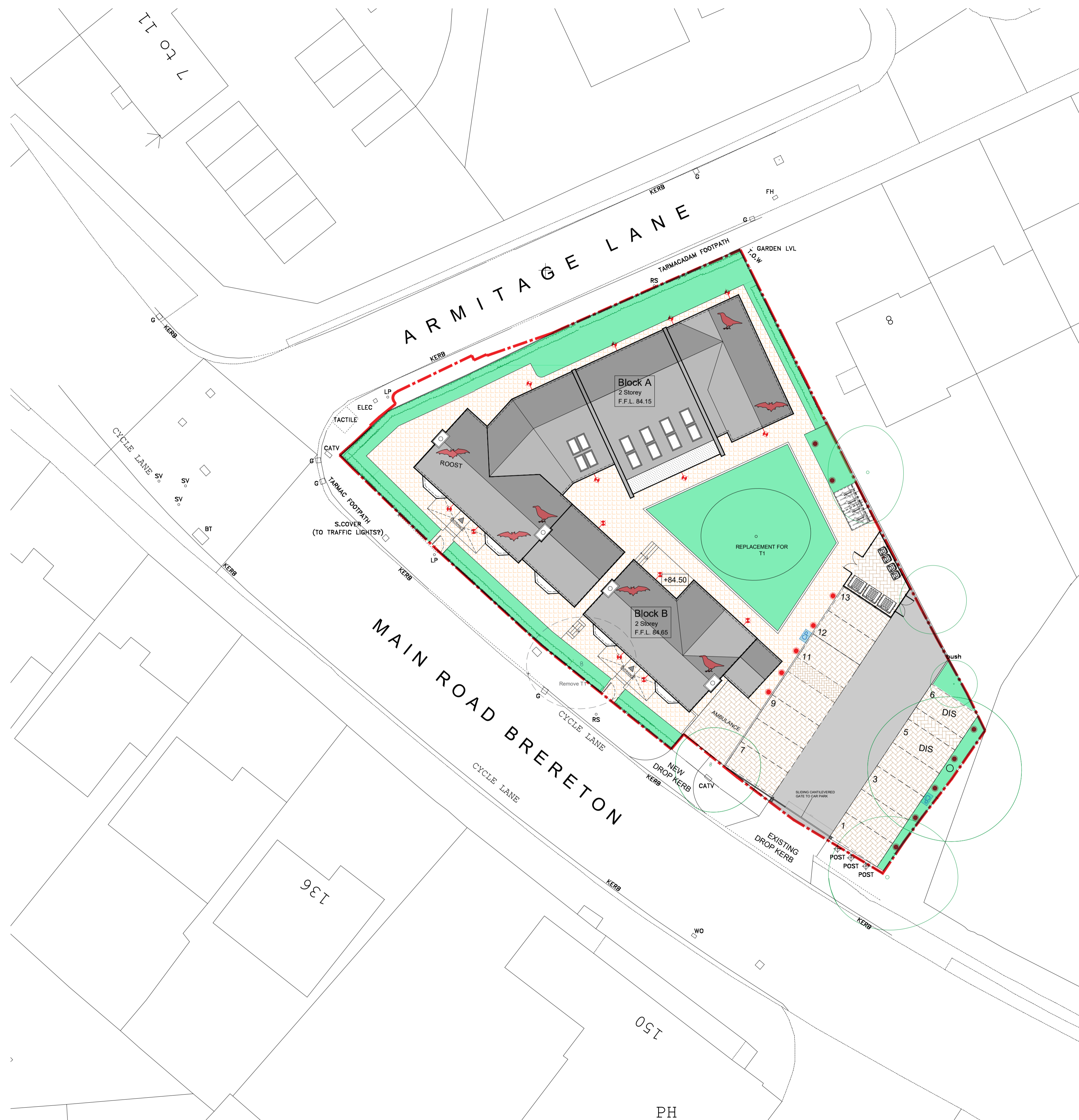
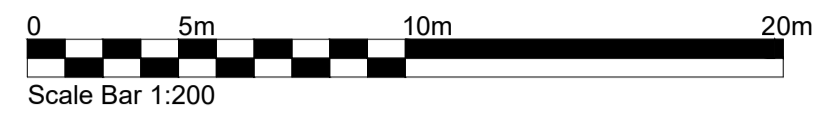
Location: Formerly Talbot Inn, The Academy Early Years Childcare, Main Road, Brereton, Rugeley, WS15 1EE

Proposal: New proposed residential and respite care home along with supported living unit for adults aged 18 to 65.



Location Plan

PROPOSED SITE PLAN



LEGEND

- SITE BOUNDARY
- ACCESS DRIVE: TARMAc
- BLOCK PAVING
- PAVING
- SOFT LANDSCAPE
- CHARGE POINT
- PROPOSED INDICATIVE SHRUBS
- INDICATES EXISTING TREES TO BE RETAINED
- INDICATES EXISTING TREES TO BE REMOVED
- INDICATES POSITION OF BIRD BOXES
- INDICATES POSITION OF BAT ROOST TO ROOF AND BAT BRICK SLOTS AND BOX TO TREE.

SUBJECT TO DETAILED LANDSCAPING DESIGN

ELECTRICAL LEGEND

- 4 NUMBERS - 40W DIE-CAST ALUMINIUM BODY WITH 5MM GLASS (TYPE THE LED STORE LSTWP-40 LED WALLPACK)
- 8 NUMBERS - 10W ILLUMINATED BOLLARDS (TYPE THE LED STORE LSTBLD-955-010 LED)

Item No. 6.46

This drawing is the property of C14. Copyright and design right are reserved by them and the drawing is issued on the condition that it is not copied either wholly or in part without the written consent of C14.
Figured dimensions to take preference over those scaled. All dimensions to be checked on site before commencement of any work or shop drawings. This drawing is to be read with the specification when existing. Any discrepancies should be brought to the attention of the architect / designer.

REV.	Date	Name
A	10.08.23	XX
B	15.01.24	HM
C	18.01.24	HM
D	24.01.24	HM

95 Spencer Street, Birmingham, B18 6DA.
Tel: 0121 523 1164
Email: cs@c14designs.com



PROPOSED DEVELOPMENT AT
TALBOT PUBLIC HOUSE, MAIN
ROAD, BRERETON, WS15 1ED

PROPOSED
SITE LAYOUT

1:200 @ A1 11/11/2022 XK

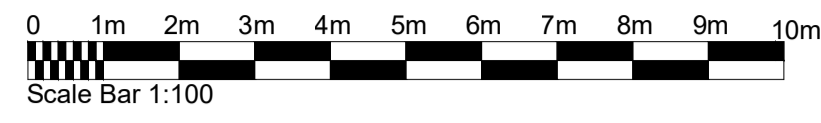
PLANNING

469 3100 D

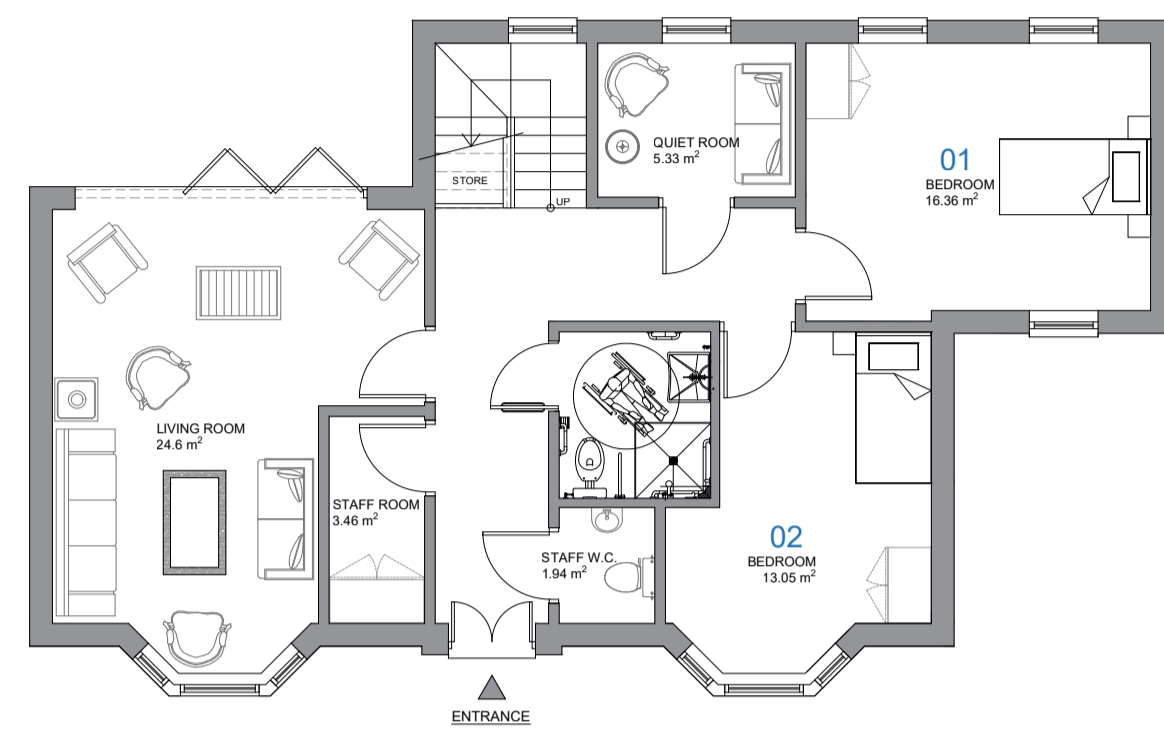
PROPOSED FLOOR PLANS & ELEVATIONS

B L O C K B

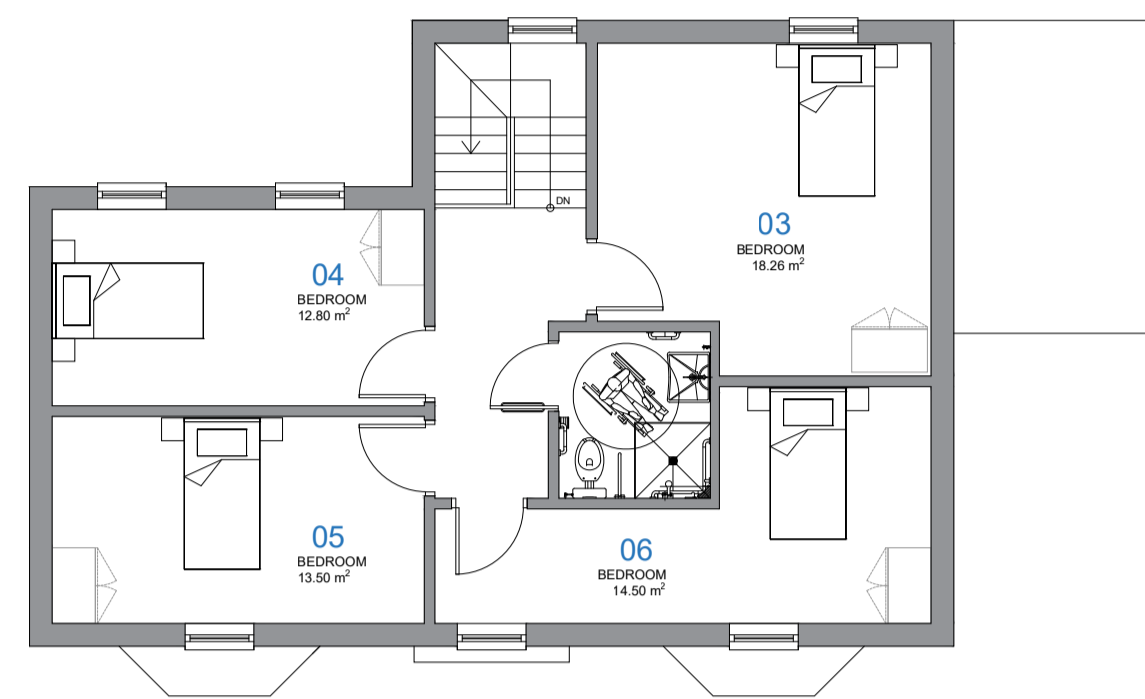
Item No. 6.47



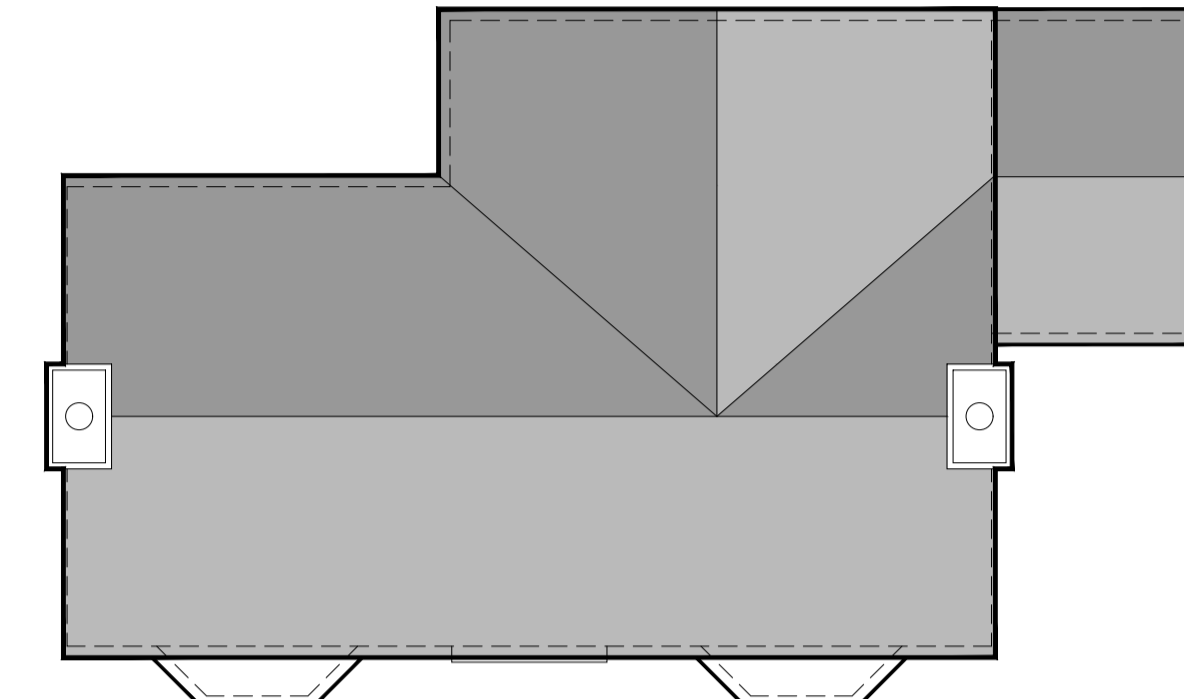
This drawing is the property of C14. Copyright and design right are reserved by them and the drawing is issued on the condition that it is not copied either wholly or in part without the written consent of C14.
 Figured dimensions to take preference over those scaled. All dimensions to be checked on site before commencement of any work or shop drawings. This drawing is to be read with the specification when existing. Any discrepancies should be brought to the attention of the architect / designer.



PROPOSED GROUND FLOOR PLAN



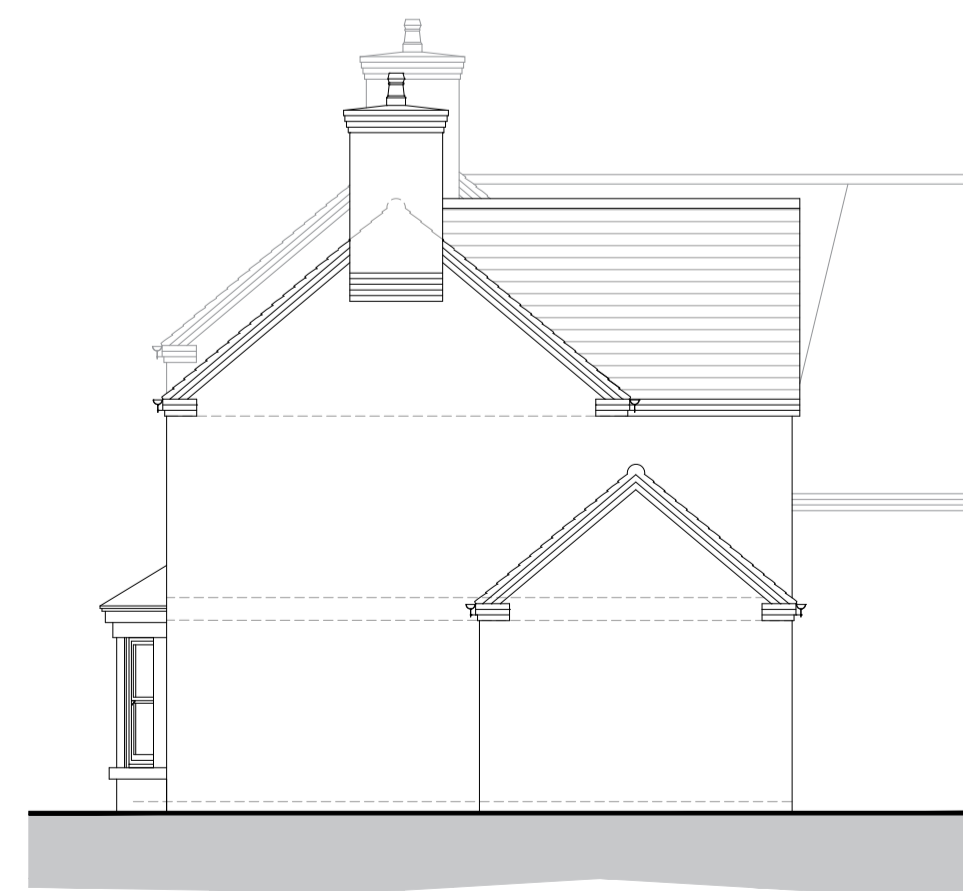
PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN



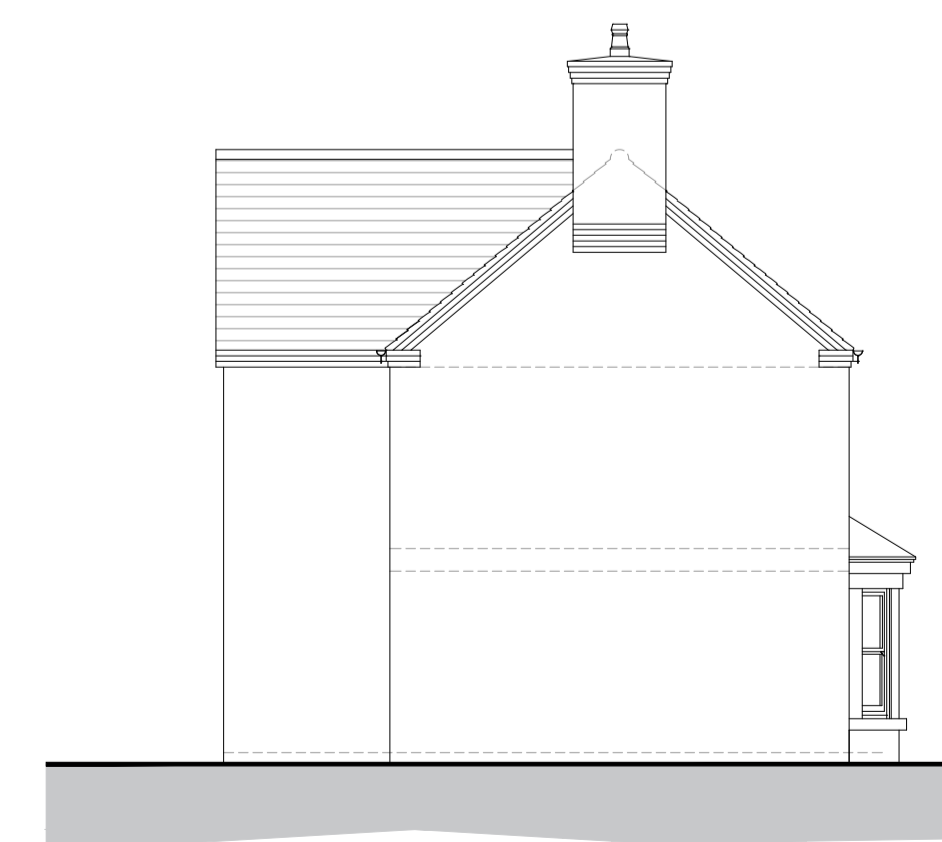
PROPOSED ELEVATION A



PROPOSED ELEVATION B



PROPOSED ELEVATION C



PROPOSED ELEVATION D

REV.	Date	Name
A	10.08.23	XX
B	24.01.24	HM

95 Spencer Street, Birmingham, B18 6DA.
 Tel: 0121 523 1164
 Email: cs@c14designs.com



PROPOSED DEVELOPMENT AT
 TALBOT PUBLIC HOUSE, MAIN
 ROAD, BRERETON, WS15 1ED

PROPOSED
 FLOOR PLANS &
 ELEVATIONS, **BLOCK - B**

1:100 @ A1 11/11/2022 XK

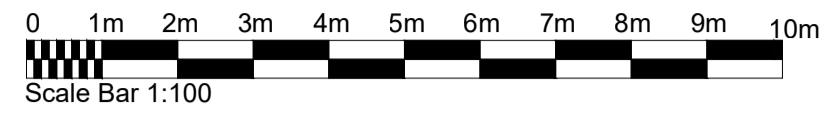
PLANNING

469 3500 B

PROPOSED ELEVATIONS

BLOCK A

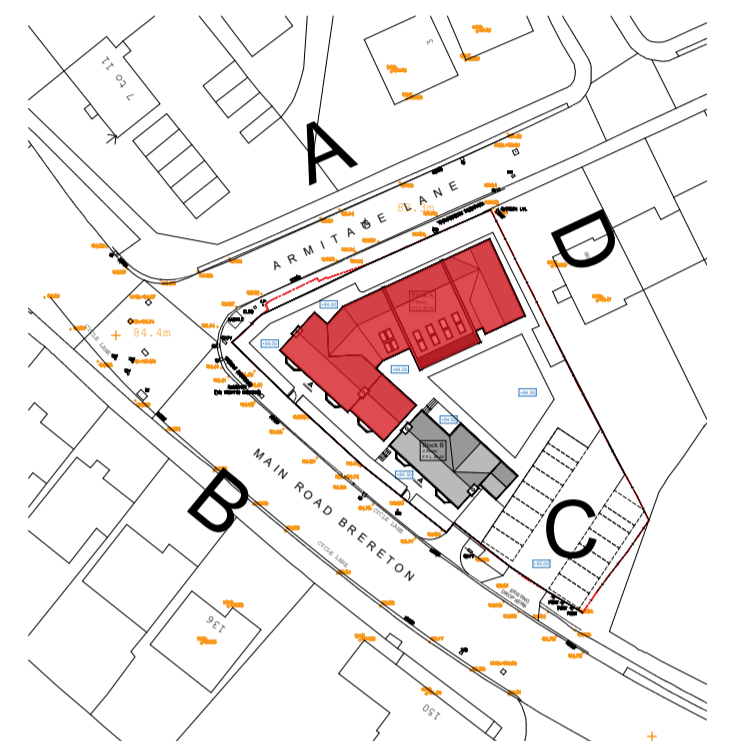
Item No. 6.48



This drawing is the property of C14. Copyright and design right are reserved by them and the drawing is issued on the condition that it is not copied either wholly or in part without the written consent of C14.
 Figured dimensions to take preference over those scaled. All dimensions to be checked on site before commencement of any work or shop drawings. This drawing is to be read with the specification when existing. Any discrepancies should be brought to the attention of the architect / designer.



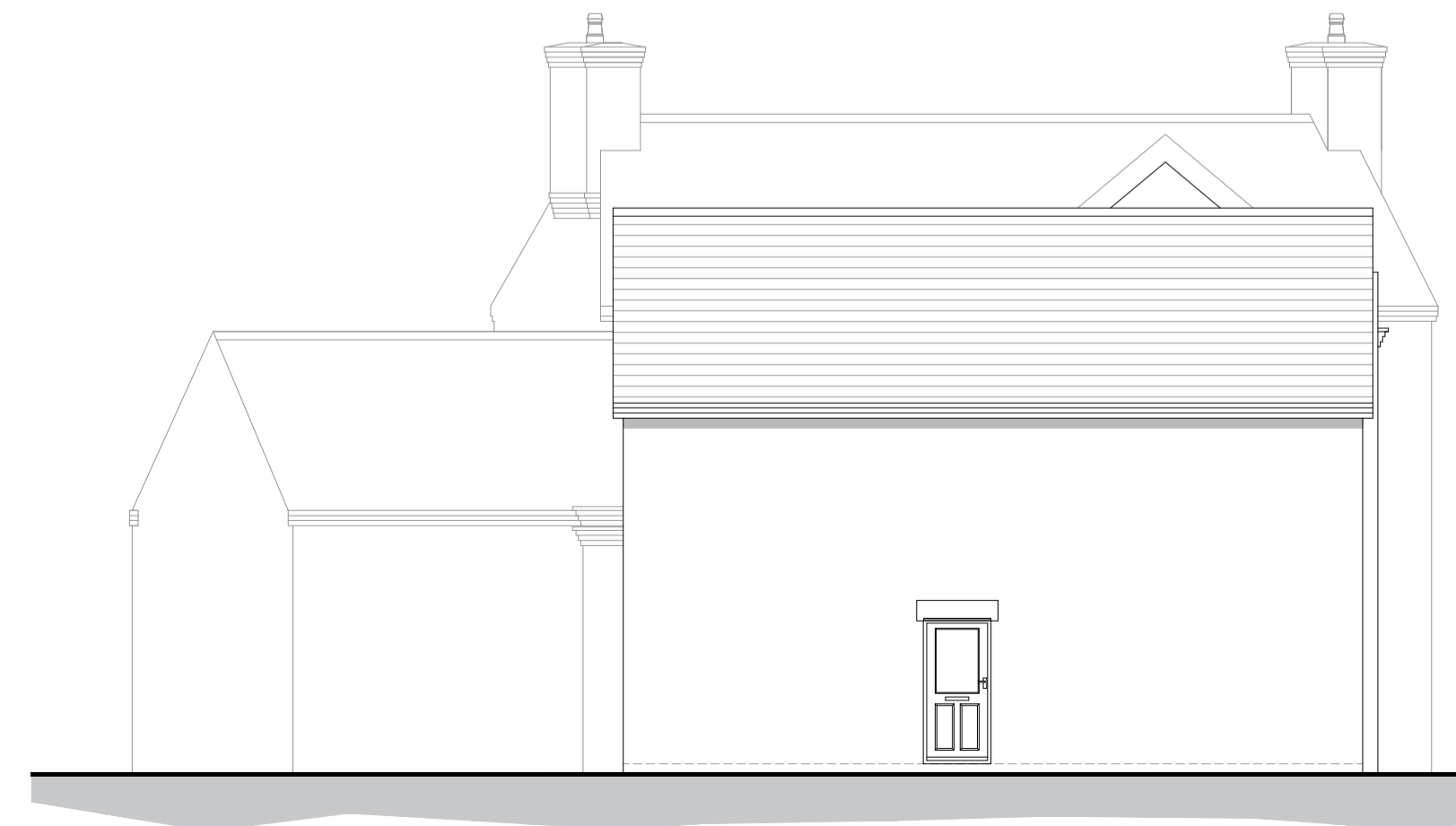
PROPOSED ELEVATION A



PROPOSED ELEVATION B



PROPOSED ELEVATION C



PROPOSED ELEVATION D

REV.	Date	Name
A	10.08.23	XX

95 Spencer Street, Birmingham, B18 6DA.
 Tel: 0121 523 1164
 Email: cs@c14designs.com



PROPOSED DEVELOPMENT AT
 TALBOT PUBLIC HOUSE, MAIN
 ROAD, BRERETON, WS15 1ED

PROPOSED
 ELEVATIONS,
 BLOCK - A

1:100 @ A1 11/11/2022 XK

PLANNING

469 3400 A

Contact Officer:	Helen Sherratt
Telephone No:	(01543) 462 621

<p>Planning Control Committee 16 October 2024</p>

Application No:	CH/23/0132
Received:	13 th March 2023
Location:	Formerly Talbot Inn, The Academy Early Years Childcare, Main Road, Brereton, Rugeley, WS15 1EE
Parish:	Brereton and Ravenhill
Ward:	Brereton and Ravenhill
Description:	New proposed residential and respite care home along with supported living unit for adults aged 18 to 65.
Application Type:	Full Planning Application

The application is being presented to Members due to an objection being received from the Brereton and Ravenhill Parish Council, on the grounds of overdevelopment of the site, potential harm to the Brereton Main Road Conservation Area and drainage, design, and highway safety concerns.

Recommendation: Approve, subject to conditions.

Reason(s) for Recommendation:

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

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. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
 - Location Plan 469-3000
 - Proposed Site Layout Rev D 469-3100D

- Proposed Floor Plans 1 of 2 Block A Rev A 469-3200A
- Proposed Floor Plans 2 of 2 Block A 469-3300A
- Proposed Elevations Block A Rev A 469-3400A
- Proposed Floor Plans and Elevations Block B Rev B 469-3500B
- Proposed Materials Rev A 469-3600A
- Proposed Bin Store and Cycle Shelter Rev B 469-3700B
- Proposed Boundary Treatment Plan Rev B 469-3800B
- Proposed Levels Rev C 469-3900C

Reason:

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

3. Prior to the commencement of the development hereby approved, details of protective fencing shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for protective fencing shall thereafter be erected prior to commencement (including demolition) and shall remain in place for the duration of the construction works on site.

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.

4. 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. The boxes shall thereafter be provided in accordance with the approved details retained and maintained for the lifetime of the development.

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.

5. The external walls and roof of the development hereby approved shall be carried out in full accordance with Proposed Materials Plan revision A (469-3600A).

Reason:

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

6. Prior to the commencement of the development above ground level, a scheme for all external lighting at the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

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.

7. The development hereby approved shall not be occupied until the secure and covered cycle storage has been provided in full accordance with plan reference Proposed Bin Store and Cycle Shelter Rev B 469-3700B. 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.

8. 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.

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

10. Notwithstanding the submitted plans, the development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason:

To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution in accordance with paragraphs 165 to 175 of the NPPF.

11. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including planting, surface treatment & construction details for the site has been submitted to and approved by the Local Planning Authority. The details shall be in the form as specified in Annex C of the Supplementary Planning Guidance 'Trees, Landscape and Development'. Thereafter, the approved scheme shall be implemented in accordance with the approved details before the development is first brought into use or in the first planting season following completion of the development whichever is sooner.

Reason:

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

12. The development hereby approved shall take place in full accordance with the details provided on Proposed Boundary Treatment Plan reference 469/3800/B, prior to first occupation.

Reason:

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

13. Prior to the commencement of the development a Construction and Environmental Management Plan and details of an intended Programme of Works shall be submitted to an agreed in writing by the Local Planning Authority. The Construction and Environmental Management Plan shall include details of site compounds, demolition of existing onsite structures, site hours, types of vehicles, proposed delivery hours, provision for parking of vehicles for site operatives and visitors, loading and unloading of plant and materials and storage of plant and materials used in constructing the development and the method of piling should piling be used. The approved scheme shall thereafter be implemented prior to and throughout the duration of any works on site.

Reason:

To comply with the objectives and policies contained within the NPPF. In the interests of site sustainability and highway safety.

14. Prior to the commencement of development, a noise assessment shall be submitted to the Local Planning Authority for approval. The noise assessment shall assess the acoustic environment and specify mitigation to achieve the following:

Development Area	Acceptable Noise Level	
Internal habitable spaces (attributable to external sources of noise).	35 dB _L Aeq	07:00 - 23:00
	30 dB _L Aeq	23:00 - 07:00
	45 dB _L Amax	23:00 - 07:00
External spaces (garden areas, balconies, terraces).	50 dB _L Aeq	07:00 - 23:00

Prior to the development becoming occupied, the approved details shall be implemented in full and maintained in perpetuity.

Reason:

To mitigate potential adverse impacts from noise on residential amenity in line with Policy CP3 of the Cannock Chase Local Plan and the National Planning Policy Framework.

15. The designated parking areas shall be surfaced in a porous material and thereafter retained for the purpose of parking only, for the life of the development.

Reason:

To comply with Local Plan Policy CP3 (Design) and the NPPF.

16. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided in a bound and porous material in accordance with Proposed Site Layout Revision D Ref 469-3100D and shall thereafter be retained for the allocated purposes for the lifetime of the development.

Reason:

In the interests of highway safety and the safe and convenient flow of traffic

17. Prior to first use, a written scheme setting out the day-to-day operation of the premises shall be submitted to the Local Planning Authority for approval. The plan shall include details of bin collection arrangements and staff shift changeover arrangements. The approved details shall be implemented prior to the first use of the scheme.

Reason:

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

18. 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 be implemented in accordance with the agreed details.

Reason:

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

Notes to the Developer:

Coal Authority

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

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

Highway Authority

Please note that prior to the access being widened you require a Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing.

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

Consultations and Publicity

External Consultations

Brereton and Ravenhill Parish Council

Objection on the grounds of overdevelopment of the site, drainage and highway safety concerns and the potential harm to the significance of the Main Road Brereton Conservation Area.

Staffordshire Police

No objection, design amendments suggested.

Staffordshire County Council Highways

No objection, following amendments to parking layout plan.

Landor Local History Society

No objection.

Internal Consultations

Environmental Health

Objection, due to potential impact upon the amenity of future occupiers due to road disturbance from nearby highway.

Landscape Officer

(original comments received 16th April 2023. No comments received from most recent re-consultation) - Objection due to discrepancies within tree report and landscape plans and under provision of outdoor amenity space. Full landscaping details are requested, and service and drainage details are required for review.

Response to Publicity

The application has been advertised by site notice and neighbour letter. 41 no letters of representation have been received and are summarised as follows:

- The scheme does not provide sufficient information on who will be living at the site.
- Block B will sit much higher than the houses down Armitage Lane.
- Parking provision is inadequate.
- The scheme is inappropriate for a Conservation Area.
- Ecological concerns are raised in respect of roosting bats.
- The site appears overdeveloped and cramped.
- The scheme will exacerbate existing parking issues.
- The building is too large.
- The scheme will create light pollution.
- Appropriate safeguarding measures for residents have not been set out.
- The scheme will exacerbate existing issues in respect of foul and surface water drainage.

Relevant Planning History

CH/18/261: Demolition of existing public house and associated buildings and the erection of a replacement office building with mixed D1/B1 use (re-submission of planning application: CH/17/237). Approved 14th November 2018.

CH/I 7/237: Demolition of existing public house and associated buildings and the erection of a replacement office building with mixed D 1/B I use refused on 14 February 2018.

CH/16/413: Demolition of existing public house and associated buildings and the erection of a replacement building for mixed D 1/B I use - withdrawn.

CH/12/0391: Change of use from public house (A4) to day-care nursery (DI) with landscaping alterations. Approved 03/01 /13.

CH/11/0030: Retrospective change of use of the ground floor from BI and 88 to a training facility (DI). Approved 30/03/11.

CH/09/0070: Single storey extensions to side and rear to extend dining area and food preparation area including single storey entrance lobby - approved 05/05/2009.

CH/93/0517: Proposed entrance porch -approved on 17/11/93.

1 Site and Surroundings

1.1 The application relates to a currently vacant plot of land, the former public house being demolished under lapsed planning consent CH/18/261, which proposed the demolition of existing public house and associated buildings and the erection of a replacement office building with mixed D1/B1 use.

1.2 The property from 2013 was previously a former Children's Nursery which moved due to its requirement for larger premises. Previous to 2013, the property was a public house known as the 'Talbot Inn'.

1.3 The site is located at the junction of Main Road and Armitage Lane. The application site stands within the Main Road, Brereton Conservation Area and its main vehicular access is off Main Road.

1.4 The site is located in Brereton and is positioned at the southern tip of the built-up area of Rugeley in a predominantly residential area adjacent to a sports field and open countryside on its south side. On the opposite side of Main Road there are residential bungalows and the Red Lion Public House, it is bordered by a sports field to the right and No 8 Armitage Lane to the rear/ side.

2 Proposal

2.1 The applicant seeks planning consent for residential and respite care home along with supported living unit for adults aged 18 to 65 (Use Class C2).

The proposals include the following:

- a) Provision of 13no defined off street car parking spaces,
- b) Provision for secure cycle storage spaces
- c) Provision for on site for bin/ recycling storage including border fencing.
- d) Provision of black cast iron railings.
- e) Provision of 7no staff.

2.2 The application proposes two care facilities separated into Block A and B. Both blocks will be C2 care homes offering different services. Both blocks will offer

care to young adults, with an age range of 18-65. Block A is the larger facility, providing 12 bedrooms.

- 2.3 Block B will provide 6 bedrooms is designed to accommodate assisted living to young adults. These are going to be permanent residents who require assistance for certain scenarios or tasks, but not in need of full-time care. The minimum staff expected on site at any time would be 7, with 3 to manage Block B and 4 to manage Block A.
- 2.4 The scheme incorporates a number of design elements sympathetic to the context and previous Talbot House, such as timber windows and doors, stone cills, cast iron rainwater pipes, chimney stacks, red clay tiles and brick finishing on the walls.

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
 - CP3: - Chase Shaping – Design
 - CP5: - Social Inclusion and Healthy Living
 - CP9: - A Balanced Economy
 - CP11: - Centres Hierarchy
 - CP12: - Biodiversity and Geodiversity
 - CP13: - Cannock Chase Special Area of Conservation (SAC)
 - CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
 - CP15: - Historic Environment
 - CP16: - Climate Change and Sustainable Resource Use
- 3.4 **Minerals Local Plan for Staffordshire**
- Policy 3: - Safeguarding Minerals of Local and National Importance and Important Infrastructure
 - There are no policies relevant to the proposal within the Minerals Plan.
- 3.5 Relevant paragraphs within the NPPF: -
- 8: Three dimensions of Sustainable Development
 - 11-14: The Presumption in favour of Sustainable Development
 - 47-50: Determining Applications
 - 111-117: Considering Development Proposals

- 131-141: Achieving Well-Designed Places
- 195-214: Conserving and Enhancing the Historic Environment
- 224-226: Implementation

3.6 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 Heritage Assets
- iv) Impact on Residential Amenity
- v) Impact on Highway Safety
- vi) Impact on Nature Conservation Interests
- vii) Drainage and Flood Risk
- viii) Mineral Safeguarding
- ix) Waste and Recycling Facilities
- 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.

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

‘For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay.
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless
 - (i) policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.’

4.2.3 The starting point of the assessment is therefore whether the proposal is in accordance with the development Plan and whether that plan is up to date. In that respect it is noted that Policy CP1 of the Local Plan states: -

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

4.2.4 In this respect the location of the site is within a sustainable location, close to local / district centres close to schools and served by bus routes giving access to public transport, walking, and cycling to a range of goods and services to serve day to day needs.

4.2.5 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. It is noted that the application site is within the Main Road Conservation Area. However, Policy CP15 of the Local Plan does not preclude development in such areas, where considered appropriate. In respect of the above, it is considered that the principle of development is acceptable in this instance. Given the above the proposal would be acceptable in principle.

4.2.6 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 the light of these policy tests.

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

4.3.1 The application site lies in the semi-rural area of Brereton which is considered to be a predominantly residential area dominated by post-war housing with a number of buildings of architectural merit. The architectural style is varied with a mixture of terraced, semi-detached, and detached housing. Most properties are set back from the road along Main Road, with front gardens and off-road parking and good-sized rear gardens.

4.3.2 The development proposal is considered to fit comfortably within the existing context. The traditional appearance of the scheme will relate well to adjoining properties and the wider area and it will be set back from the road to continue the same building line as neighbouring properties.

4.3.3 The site can comfortably accommodate the application proposal, and it is in keeping with the pattern of adjoining development and character of the area, allowing for reasonable separation distances, car parking and landscaping. The dwellings will be constructed in brick and tiles and the external appearance of the building is considered to be in keeping with the character of the area. A planning condition has been imposed to secure full details of the building prior to commencement above slab level.

4.3.4 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.

4.4 Impact on Heritage Assets

4.4.1 The site lies within the Brereton Conservation Area and within the setting of Brereton Hall, a Grade II* Listed Building and the setting of Brereton House, a Grade II Listed Building. In this respect, it is noted that The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the local planning authority's duties:

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

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

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

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

4.4.4 In this regard the applicant has provided a short Heritage Impact Assessment that concludes that The former Talbot Inn was noted as performing a boundary role, along with the Red Lion which helped to transition road users from urban to rural environments. With the juxtaposition of village and countryside positively contributing to the character of the area.

4.4.5 It continued that the Talbot Inn was also assessed as part of its character contribution, where it was described as subject to 20th century alterations albeit retaining a sturdy and traditional symmetrical frontage. This facade though not original, has been retained as part of the proposal to positively impact the area by reinstating a structurally sound, and more visually cohesive building to occupy the site of the previous Talbot Inn. This will have a benefit of complementing the Grade II* listed Brereton Hall across the road, which is the only listed building that may be affected by the proposal, with the Barn at the rear of 179 and 181 simply too covered to carry on.

4.4.6 This proposal follows the principle of a fallback position, where the previous proposal was considered to not have a negative heritage impact. So too must this application as it contains the same exterior treatment. However, this application does differ with the addition of Block B, which follows the same design principles of the restored public house, and as such is not considered to significantly alter the impact of the overall proposal.

- 4.4.7 Officers concurred with the findings of the heritage Impact Assessment and found that less than substantial harm would occur from the proposed development.
- 4.4.8 In line with para 208 of the NPPF it is necessary to weigh this against any public benefit, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset. In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset. In this instance the public benefit has been identified and does outweigh the harm to the heritage asset and therefore having regard to the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 4.4.9 On balance, Officers considered the development proposal does not have an overarching detrimental impact upon the surrounding conservation area and will provide residential care within a highly sustainable location. The removal of the existing dilapidated building within the unkempt site would be a betterment to the surrounding conservation area. The redevelopment of the site would also bring economic benefits, in the short term in construction jobs and in the longer term by the jobs that the applicant would bring. However, as a whole the job creation would be limited, and likewise only limited weight should be afforded to this matter. The new building has been designed to ensure that it takes its inspiration from the architectural features of the existing building and the surrounding conservation area such that it would, in the medium to long term at least preserve the character and appearance of the conservation area.
- 4.4.10 In this instance, the harm to the significance of the designated heritage asset would be outweighed by the public benefit identified and therefore, having regard to the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Paragraph 208 of the NPPF Policies CP3 and CP14 of the Local Plan, it is considered that the proposal would be acceptable in respect to its impact on the character and form of the area.

4.5 **Impact on Residential Amenity**

- 4.5.1 Policy CP3 of the Local Plan states that the following key requirements of high-quality design will need to be addressed in development proposals and goes onto include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.5.2 The application site is surrounded by residential uses to the north, east and west. A public house is sited to the south. The public house to the south and the residential dwellings to the north and west are all separated from the application site by highways. As such, it is considered that the proposed development would have no material adverse impact on the amenity of the local area.
- 4.5.3 The proposed building would be located over 27 metres away from the bungalows that are located on the opposite side of Main Road. This would exceed the normal minimum distance of 21 m for a front-to-front relationship for two storey properties and hence is considered acceptable.

- 4.5.4 The nearest adjacent property to the proposed development is the residential property of No. 8 Armitage Lane which fronts onto Armitage Lane, and which presents a side elevation towards the application site. Furthermore, although this would project in front of the building line of No 8 it would not intercept a line drawn at 45 degrees from the windows in the front elevation of No 8. As such it is concluded that the proposal would not result in any significant amount of overlooking or overshadowing to No8. It is noted that the north facing elevation of Block B contains windows at first floor level that will face towards the rear garden of no. 8. However, given the separation distance of approximately 8 metres as well as the intervening boundary treatment this relationship is considered to be acceptable and will not give rise to any undue overlooking.
- 4.5.5 Neighbour concerns in respect of levels and light pollution are noted and planning conditions have been imposed to control these elements. It is appreciated that the applicant has provided an indicative levels drawing, however the condition imposed has requested section drawings of which will be more technical. Subject to this, the scheme is considered to be acceptable in this regard.
- 4.5.6 The Landscape Officer's comments in relation to the lack of private amenity space for occupiers is noted. Respectfully, the Case Officer maintains that the assessment of this does not fall within the remit of the Landscaping Team and shall be assessed by the Case Officer. Whilst it is appreciated that there is only a small level of private amenity space provided on site, the property lies in a highly sustainable location within walking distance of shops and a public park on Main Road. Furthermore, the site is in close proximity to a number of bus stops as well as within walking distance of Rugeley Town train station. It should also be noted that the amenity space is to be used by people requiring care and so would not require the same degree of amenity space as a standard dwelling. As such, on this basis the lack of amenity space is negated by the site's highly sustainable location, and on this basis is acceptable.
- 4.5.7 The Council's Environmental Protection Team have been consulted on the proposals and have objected to the scheme on the basis of the scheme's potential detrimental impact upon the amenity of future occupiers due to road/vehicle noise from Main Road. Whilst noted, Officers consider that the location is already residential and that other residential properties are sited along Main Road. As such, Officers are of the view that this can be addressed by a suitable worded condition, ensuring that noise mitigation measures are in place prior to first use to ensure that the amenity of future occupiers is secured.
- 4.5.8 Having had regard to the above it is considered that, subject to the above condition, a good standard of residential amenity would be maintained for both future occupiers and existing residents of the surrounding dwellings in accordance with Policy CP3 of the Cannock Chase Local Plan and the NPPF.
- 4.6 **Impact on Highway Safety**
- 4.6.1 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.

4.6.2 In this instance, the proposal seeks to largely retain the existing access arrangement from Main Road. 13no car parking spaces are to be provided, with the provision of covered cycle parking spaces being provided adjacent to the bin storage area.

4.6.3 The Local Highway Authority have assessed the proposals and considered the proposals acceptable and complies with their standards. Car parking is sufficient and complies with the SPD on Parking Standards. Conditions will be imposed in relation to the construction works. The proposals are therefore considered to be in accordance with Policy CP3 of the Local Plan, the Parking Standards SPD and the NPPF.

4.7 **Impact on Nature Conservation Interests**

4.7.1 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 8 No. such that SAC mitigation contributions are required. Such contributions will be secured by CIL.

4.7.2 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.

4.7.3 In order to enhance the nature conservation opportunities for the site, a planning condition requiring the installation of bat and/or bird boxes on at least one of the new building's elevations prior to its first use. Such enhancements would provide a net gain to this location.

4.7.4 Neighbour comments in respect of the scheme's impact upon the ecology of the site, including roosting bats, is noted. However, the site is vacant with the former Talbot Inn building being demolished. Whilst it is possible that protected species such as bats utilise the site for foraging and migration routes, in the absence of a building on site it is highly unlikely that the site contains bat roosts.

4.7.5 Comments raised by the Council's Landscape Officer in respect of the absence of landscaping details are noted. Whilst the majority of on-site trees are to be retained, a planning condition requiring the submission of hard and soft landscaping details has been imposed.

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

4.8 **Drainage and Flood Risk**

4.8.1 The concerns of the Parish Council and neighbours in respect of additional pressure placed on the existing drainage infrastructure is noted. However, 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.

- 4.8.2 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. In respect of this, the proposal will also be in accordance with Policy CP16 of the Local Plan and the NPPF.

4.9 **Mineral Safeguarding**

- 4.9.1 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.

- 4.9.2 In this instance, the site lies within a mineral safeguarding area. 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.

4.10 **Waste and Recycling Facilities**

- 4.10.1 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).

- 4.10.2 In this instance, bin storage locations have been provided on site in a dedicated fenced off area within the car park. This is acceptable and allows suitable access for collection. Notwithstanding this, a planning condition has been imposed requiring additional information in respect of the waste management strategy, such as waste collection arrangements. Subject to this, the scheme is compliant with the provisions of Policy CP16.

4.11 **Ground Conditions and Contamination**

- 4.11.1 The site is 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.

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

- 4.12.1 A neighbour comment has been received of which raises concerns as to the precedent set by the development scheme, in the instance it is granted planning consent. Each planning application is determined against local and national planning policy and guidance and is weighed upon its own individual merit. As such, the notion of precedent for residential care facilities being set for the local area, if this scheme were to be granted planning consent, is incorrect.

4.12.2 Several neighbour comments raise concerns in respect of an increase in anti-social behaviour brought about by the development proposal. Whilst note, it would be inappropriate and presumptuous to expect a residential care home to increase instances of anti-social behaviour and crime within the wider area in which it is located. To do so would conflict with the provisions of para 96a) of the NPPF which states that:

planning policies and decisions should aim to achieve healthy, inclusive, and safe places and beautiful buildings which:

(a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages.

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.