

Please ask for: Mrs. W. Rowe

Extension No: 4584

E-Mail: wendyrowe@cannockchasedc.gov.uk

7 January 2025

Dear Councillor,

Planning Control Committee

3:00pm, Wednesday 15 January 2025

Council Chamber, Civic Centre, Cannock

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

Application Number	Application Location and Description	Start Time
CH/24/093	123 New Penkrige Road, Cannock, Staffs, WS11 1HN Erection of 2 no. dwelling, conversion of existing single principal dwelling to 2 no. dwellings, conversion of existing barns to 1 no. dwelling and extensions and alterations to existing amenity land.	2:20pm

Members wishing to attend the site visit are requested to meet at **123 New Penkrige Road, Cannock, WS11 1HN at 2:20pm** as indicated on the enclosed plan.

Please note that, following a risk assessment, Members undertaking site visits must wear full PPE or they will not be permitted on to the site. PPE in this case constitutes 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 13 November 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'.

Planning Applications

	Application Number	Application Location and Description	Item Number
1.	CH/24/249	Annex - Civic Centre, Beecroft Road, WS11 1BG: 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.	6.1 - 6.36
2.	CH/23/0401	26 Hardie Avenue, Rugeley, Staffordshire WS15 1NU: Erection of 8x 3-bed semi-detached houses and 1x 3-bed detached house on land between Ashleigh Road and Hardie Avenue Rugeley WS15 1NU	6.37 - 6.61
3.	CH/24/314	832 Pye Green Road, Cannock, Staffordshire WS12 4LW: Subdivision of bungalow into two dwellings	6.62 - 6.74

Site Visit Application

	Application Number	Application Location and Description	Item Number
4.	CH/24/093	123 New Penkridge Road, Cannock, Staffs, WS11 1HN: Erection of 2 no. dwelling, conversion of existing single principal dwelling to 2 no. dwellings, conversion of existing barns to 1 no. dwelling and extensions and alterations to existing amenity land.	6.75 - 6.95

7. Exclusion of the Public

The Chair to move:

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

Agenda

Part 2

8. Enforcement Case - ENF/24/164

Not for Publication Report of the Development & Policy Manager (Item 8.1 - 8.6).

The Report is confidential due to the inclusion of information:

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

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

Held on Wednesday 13 November 2024 at 3:00pm

In the Council Chamber, Civic Centre, Cannock

Part 1

Present:

Councillors

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

Aston, J.	Prestwood, F.
Haden, P. (Substitute)	Samuels, G.
Jones, V.	Sutherland, M.
Lyons, N.	Thornley, S.J.
Mawle, D.	Wilson, L.

62. Apologies

Apologies for absence were received from Councillors S. Thornley and A. Fitzgerald.

Notification had been received that Councillor P. Haden would be substituting for Councillor A. Fitzgerald.

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

Member	Interest	Type
V. Jones	CH/24/242 - 35 Rowan Road, Cannock, WS11 1JJ - Retrospective application for erection of a boundary fence and change of use of land to residential garden area to the side of 35 Rowan Road: <i>Member has objected and resides within the vicinity of the application.</i>	Personal and prejudicial
S.J. Thornley	Not for Publication Enforcement Case - ENF/24/090 <i>Member resides within the vicinity of the enforcement case.</i>	Personal and prejudicial

64. Disclosure of Details of Lobbying by Members

None.

65. Minutes

Resolved:

That the Minutes of the meeting held 16 October 2024 be approved as a correct record.

66. Members Requests for Site Visits

None.

67. Application CH/24/107, 1 Fairmount Drive, Cannock, WS11 0DZ - Erection of a detached 1 x 2 bed dwelling

Following a site visit, consideration was given to the report of the Development and Policy Manager (Item 6.1 - 6.22) *(presented by the Planning Officer)*.

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

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

Resolved:

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

68. Application CH/24/242, 35 Rowan Road, Cannock, WS11 1JJ - Retrospective application for erection of a boundary fence and change of use of land to residential to garden area to the side of 35 Rowan Road

Following a site visit, consideration was given to the report of the Development and Policy Manager (Item 6.23 - 6.31) *(presented by the Planning Officer)*.

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

Prior to consideration of the application representations were made by Councillor V. Jones, objector to the application. Having declared a personal and prejudicial interest, Councillor V. Jones then left the room during the determination of the application.

Members discussed the application. They considered whether consent could be given only to the erection of the boundary fence and refusal of the change of use of land to residential garden area to the side of 35 Rowan Road.

The Development Management Team Leader explained that the application could not be split and outlined the reasons.

The Principal Solicitor advised that should Members be minded to refuse the application with no valid planning reason(s), this could lead to an appeal and associated costs.

Members discussed in detail as part of the application, the change of use of land. They referred to the four trees with Tree Preservation Orders and considered whether any restrictions could be imposed to further protect the trees.

The Principal Solicitor advised that Tree Preservation Orders were already placed on the trees. Should the trees be removed, alternative legislation would govern any subsequent legal proceedings.

At this point Councillor D. Mawle moved that the application be deferred citing that Members would only approve the erection of the boundary fence. This was seconded by Councillor L. Wilson.

The Principal Solicitor advised Members and gave reasons as to why the elements of the application which are the retrospective planning permission for the erection of the boundary fence and change of use of the land to residential, could not be split. The application for retrospective planning permission for the erection of the boundary fence and change of use of the land to residential are part of the same application and Members have a duty to consider the application on that basis. The application could either be approved or refused, and such decision applied to both elements of the application.

(The meeting adjourned at this point to allow Officers to discuss the matters raised, and Members were asked to remain in the room).

The meeting resumed following the discussion.

The Development Management Team Leader advised that there were no valid lawful reasons for the application to be refused. She gave reasons and advised that the space was not defined as public open space and that the four trees were already protected with Tree Preservation Orders and a condition to remove permitted development rights recommended to prevent any further development on the land. The Principal Solicitor also referred to the enforcement processes.

The Development and Policy Manager then advised the Committee on the nature of the application and what was required to be determined by Members.

There was further discussion and Councillor D. Mawle withdrew the motion to defer. The seconder, Councillor L. Wilson gave her consent to the withdrawal of the motion.

At this point a motion to approve the application was moved by Councillor P. Fisher, however this was not seconded.

Following further discussion, Councillor P. Haden then moved that the application be refused due to insufficient information in the application to assess the area for ecological reasons. This was seconded by Councillor L. Wilson. Following a vote, the motion was carried.

Resolved:

That the application, which was recommended for approval, be refused due to insufficient information in the application to demonstrate that the development would not cause significant harm to biodiversity and habitats.

(Councillor V. Jones returned to the meeting at this point).

69. Exclusion of the 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 13 November 2024 at 3:00pm

In the Council Chamber, Civic Centre, Cannock

Part 2

70. Enforcement Case - ENF/24/164

Consideration was given to the Not for Publication report of the Development and Policy Manager (Item 8.1 - 8.5) *(presented by the Enforcement Officer)*.

Resolved:

That:

- (A) For the reasons and justification given in the report, authorisation be granted to serve an Enforcement Notice under s215 of the Town and Country Planning Act 1990.
- (B) Should the terms of the Notice not be complied with in full by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s216 of the Act.
- (C) That authorisation be given to enter the land to carry out works, if necessary, under s219 of the Act.

(Having declared a personal and prejudicial interest, Councillor S.J. Thornley left the room during consideration of the following Enforcement Case.)

71. Enforcement Case - ENF/24/090

Consideration was given to the Not for Publication report of the Development and Policy Manager (Item 9.1 - 9.6) *(presented by the Enforcement Officer)*.

Resolved:

That:

- (A) For the reasons and justification given in the report, authorisation be granted to serve an Enforcement Notice under s171A of the Town and Country Planning Act 1990 in respect of the unauthorised material change of use of the property detailed in the report from a dwellinghouse (C3) to a use solely for use as a residential care facility for children (C2 Use).
- (B) Should the terms of the Notice not be complied with in full by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s179 of the Act.

(Councillor S.J. Thornley returned to the meeting at this point.)

72. Enforcement Case - ENF/23/200

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

Resolved:

That:

- (A) For the reasons and justification given in the report, authorisation be granted to serve a Repairs Notice on all interested parties under s48 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (B) Should the terms of the Notice not be complied with after a period of not less than two months, authorisation be granted to commence Compulsory Purchase proceedings under S47 of the Act, should this be necessary to do so.

73. Enforcement Case - ENF/22/091

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

Resolved:

That:

- (A) For the reasons and justification given in the report, authorisation be granted to serve an Enforcement Notice under s215 of the Town and Country Planning Act 1990.
- (B) Should the terms of the Notice not be complied with in full by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s216 of the Act.
- (C) That authorisation be given to enter the land to carry out the requisite works under s291 of the Act, should this be considered necessary.

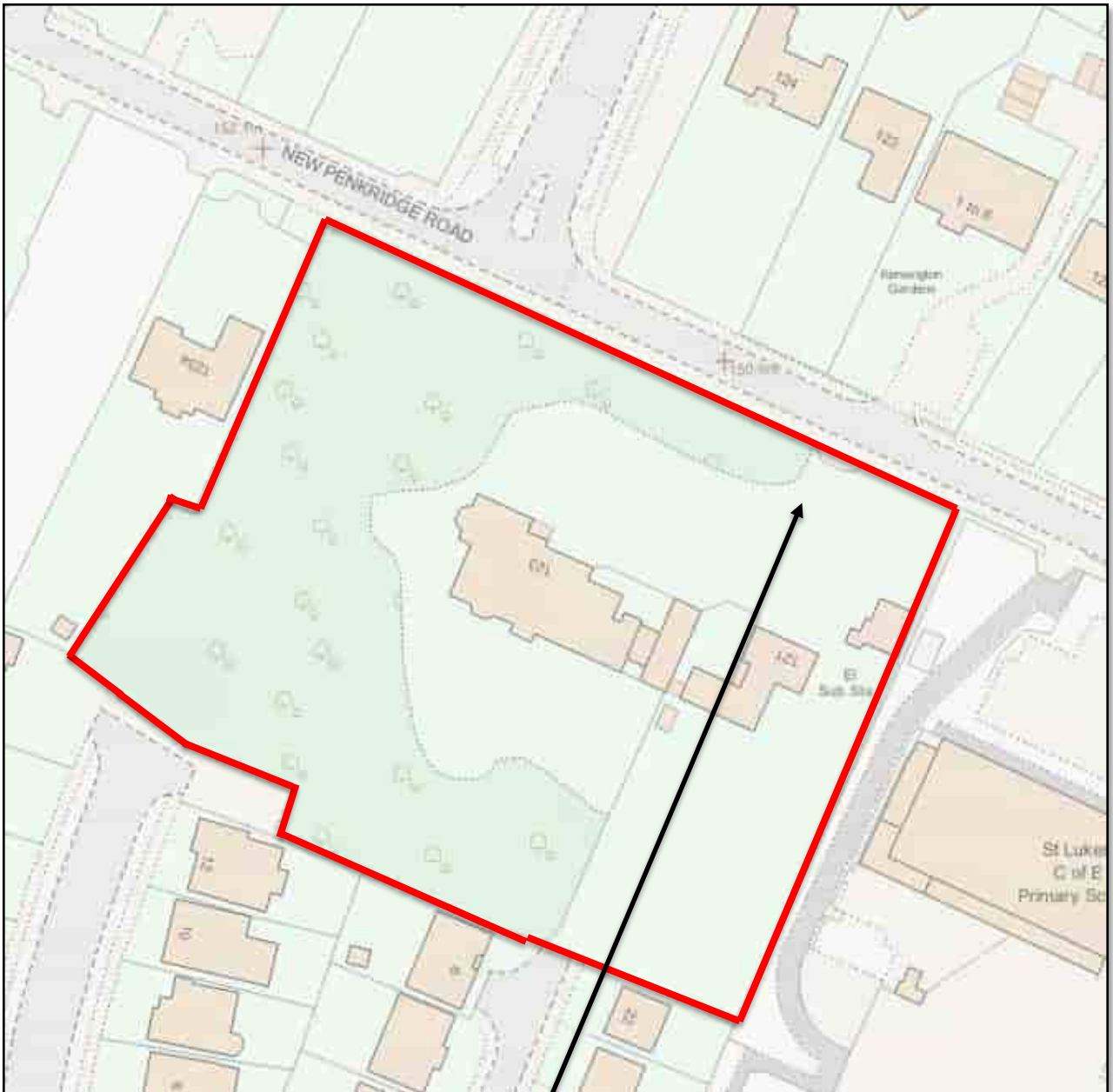
The meeting closed at 4:57pm

Chair

Application No: CH/24/093

Location: 123, New Penkridge Road, Staffordshire, Cannock, WS11 1HN

Proposal: Erection of 2 no. dwelling, conversion of existing single principal dwelling to 2 no. dwellings, conversion of existing barns to 1 no. dwelling and extensions and alterations to existing amenity land



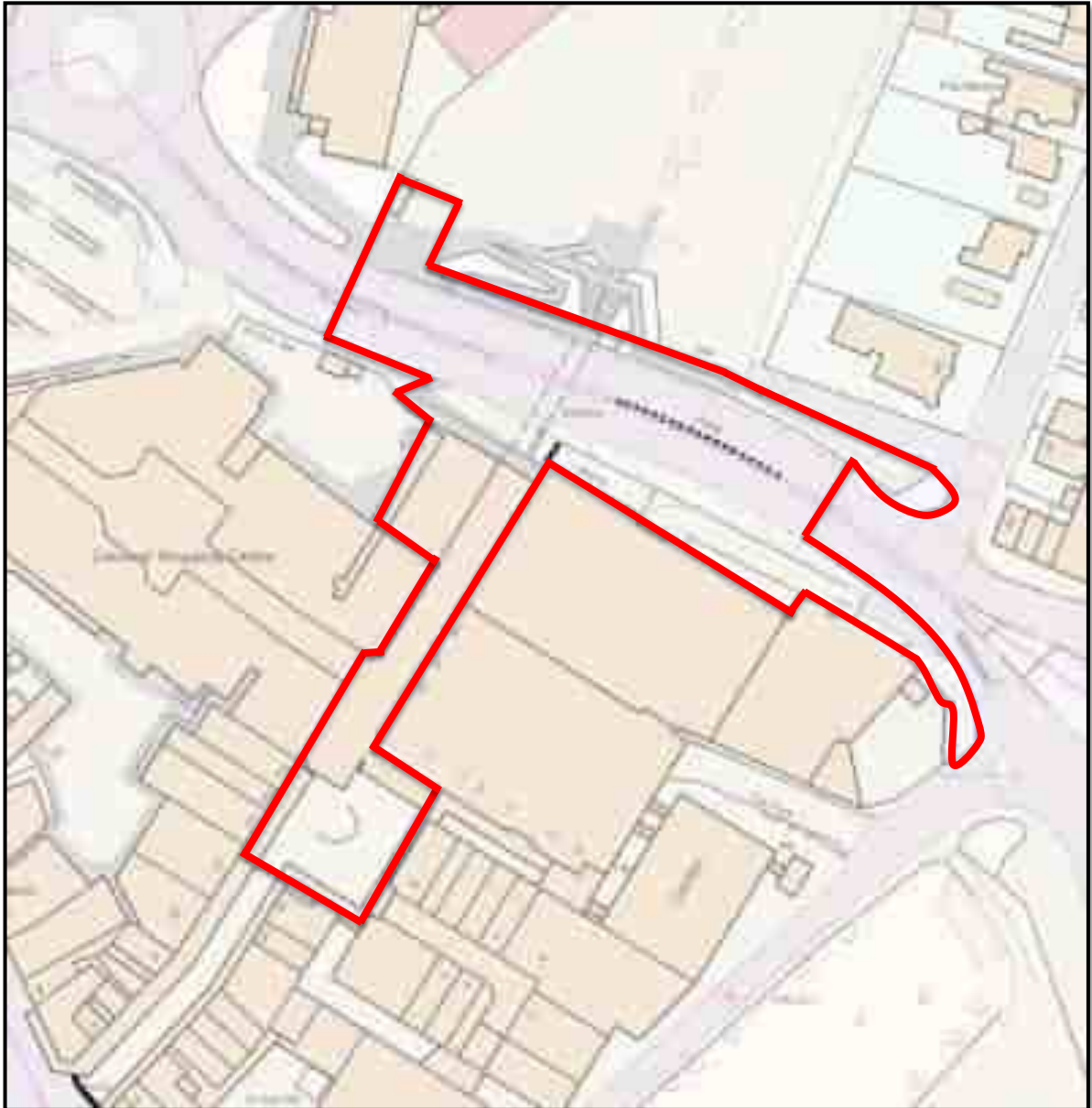
Site Visit Meeting Point

Application No: CH/24/249

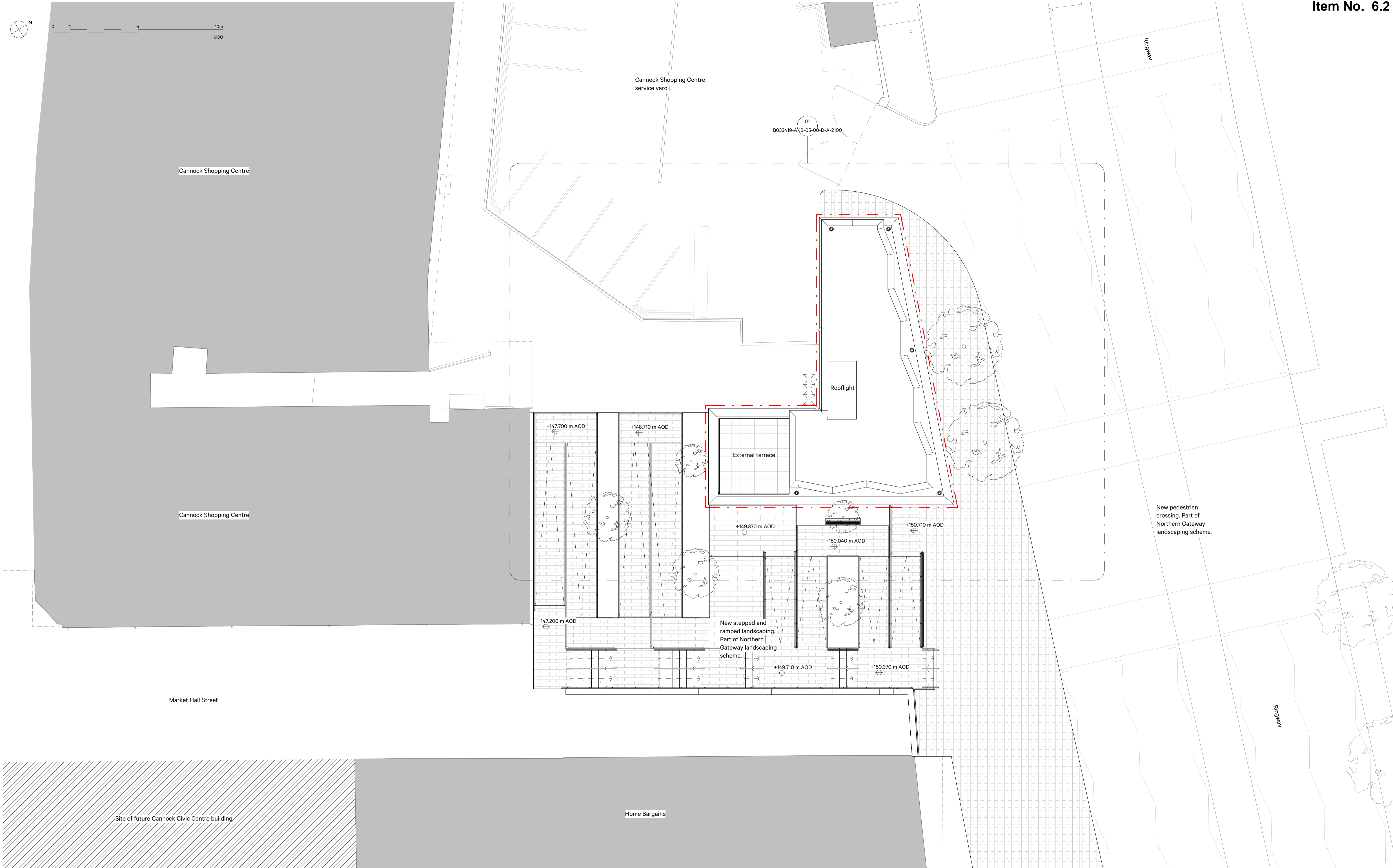
Item No. 6.1

Location: Annex - Civic Centre, Beecroft Road, WS11 1BG

Proposal: 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.



Site Location Plan



01 Proposed site plan
1:100

ArkleBoyce.

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Notes:
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Drawing original size: A1

Revisions:

Rev.	Date	Notes	Drawn	Checked

PDJ 05.04.2023 Stage 3 Issue TH JA

Revisions:

Rev.	Date	Notes	Drawn	Checked

Notes:

Project: CCDC LUF - Northern Gateway Cafe building Project No: **B033419**



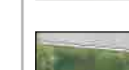













Client: Cannock Chase District Council

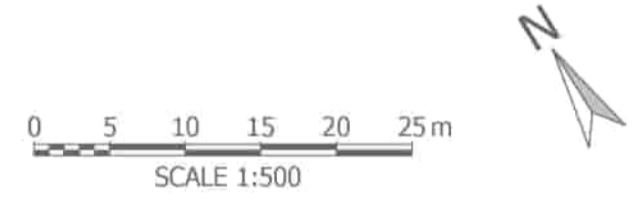
Drawing Title: Proposed site plan Scale: 1:100(A1)

Drawing No: B033419-AKB-05-XX-D-A-1000 Date: 05.04.2023

Revision: P01

LEGEND

-  Proposed trees
-  Proposed ground level planting
-  Proposed rain garden planting
-  Proposed planting in corten steel planters
-  P1- 80mm thick concrete block textured paving. 200x400mm, laid in half lap staggered pattern. Kellen CERO by Hardscape or similar & agreed
-  P2- Tarmac to match existing car park
-  P3- Proposed buff coloured tarmac
-  P4- 80mm thick granite setts. 100x100mm, laid in 3 rows. Granite Monforte Rosa by Hardscape or similar agreed.
-  P5- 80mm thick permeable concrete block paving. 75x300mm, laid in chevron herringbone pattern. Kellen CERO by Hardscape or similar agreed.
-  P8- Tactile paving
-  Paving by others
-  Granite paving to steps and retaining wall
-  Timber slats laid on top of 400mm high concrete base with architectural lettering, by Streetlife or similar agreed
-  Solid seat blocks, by Streetlife or similar agreed
-  Solid mobile green isles, by Streetlife or similar agreed
-  Two tier cycle bike storage for 32 cycle with green roof system. by Urbanspec or similar agreed



FOR PLANNING

Rev	Description	Date	Utd / Cdw / App
P02	REVISED FOLLOWING COMMENTS FROM CCDC	29.11.2024	VS SG PB
P01	PLANNING FIRST ISSUE	09.09.2024	VS SG PB

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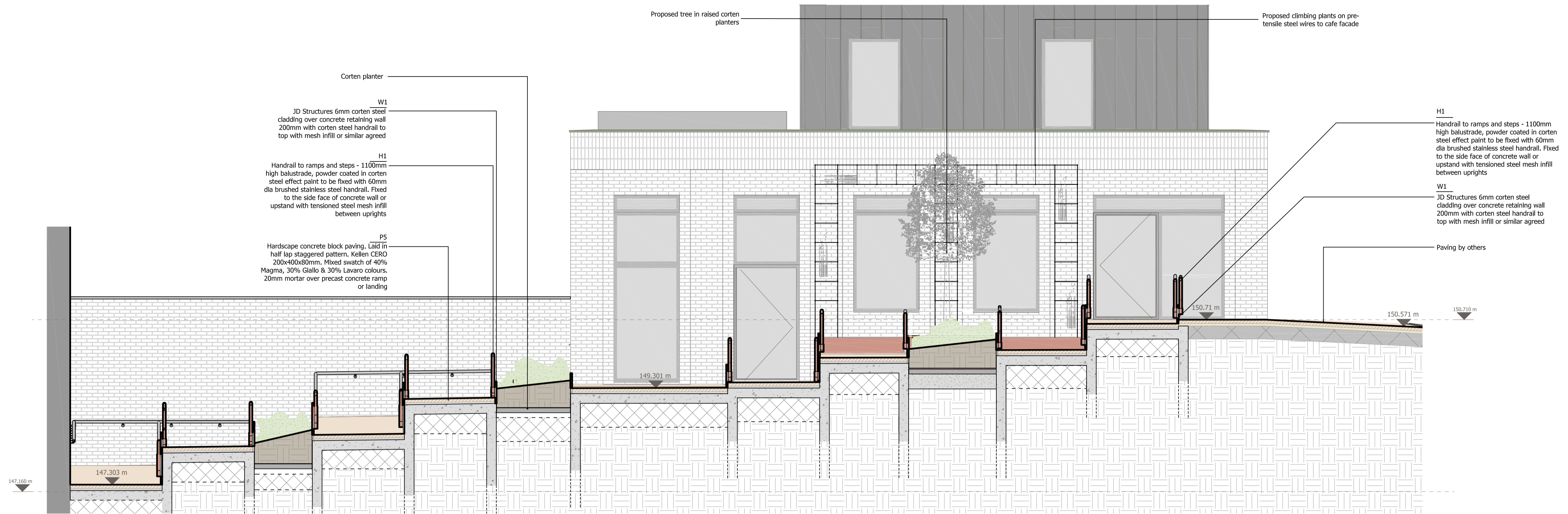


Client
CANNOCK CHASE DC

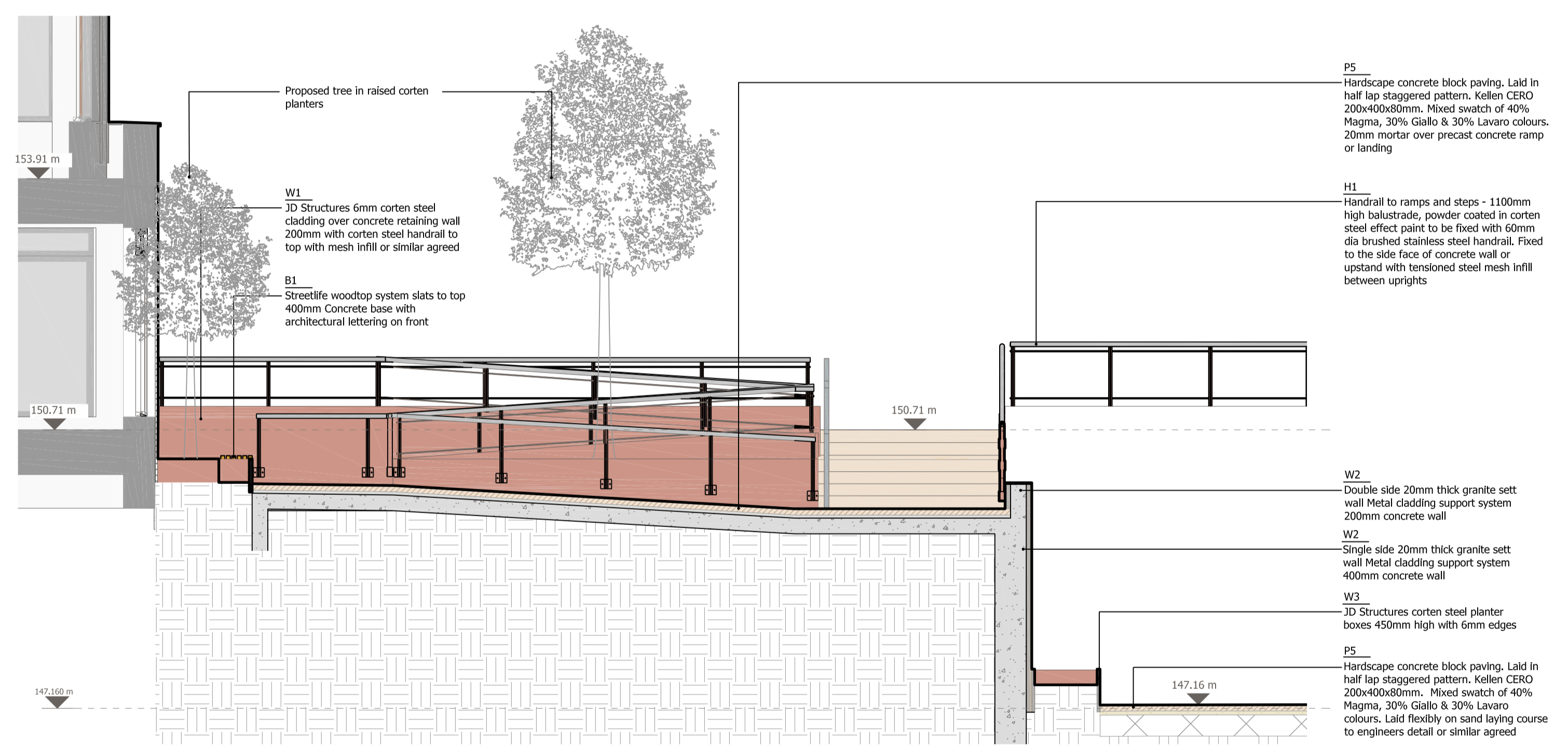
Project Name
CANNOCK LUF PUBLIC REALM

Sheet Title
LANDSCAPE MASTER PLAN - BEECROFT CAR PARK AND NORTHERN GATEWAY

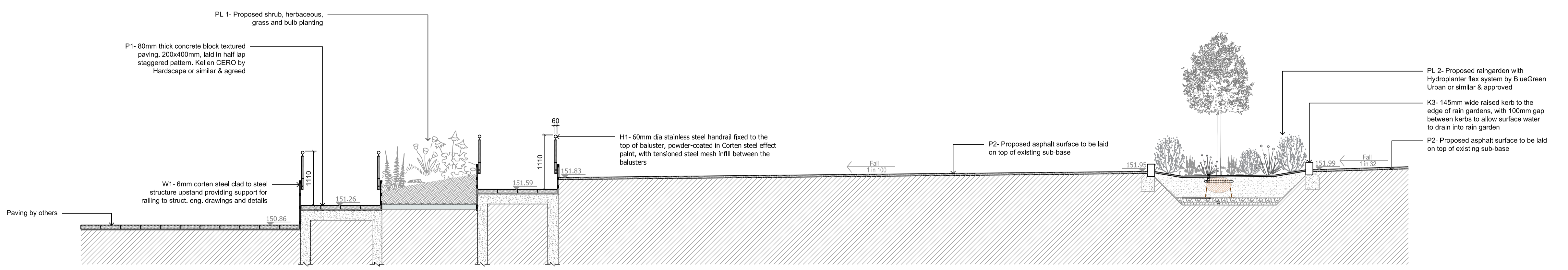
TTE Project Number	Drawn By	Date	Checked By	Date	Approved By	Date	Scale @ A1	Suitability
784-B033419	VS	Jun '24	SG	Jun '24	PB	Jun '24	1:500	S3
Client Project Number	Originator	Volume/System	Level/Location	Type/Code	Role	Number	Revision	
B033419	TTE	- 01	- 00	- D	- L	- 0121	P02	



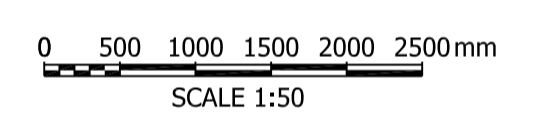
01 Northern Gateway Cross-Section
Scale: 1:50



02 Northern Gateway Cross-Section
Scale: 1:50



03 Car Park Cross-Section
Scale: 1:50



FOR PLANNING

P01	PLANNING FIRST ISSUE	30.08.2024	VS	SG	PB
Rev	Description	Date	Em	Chk	App
	Document Control				

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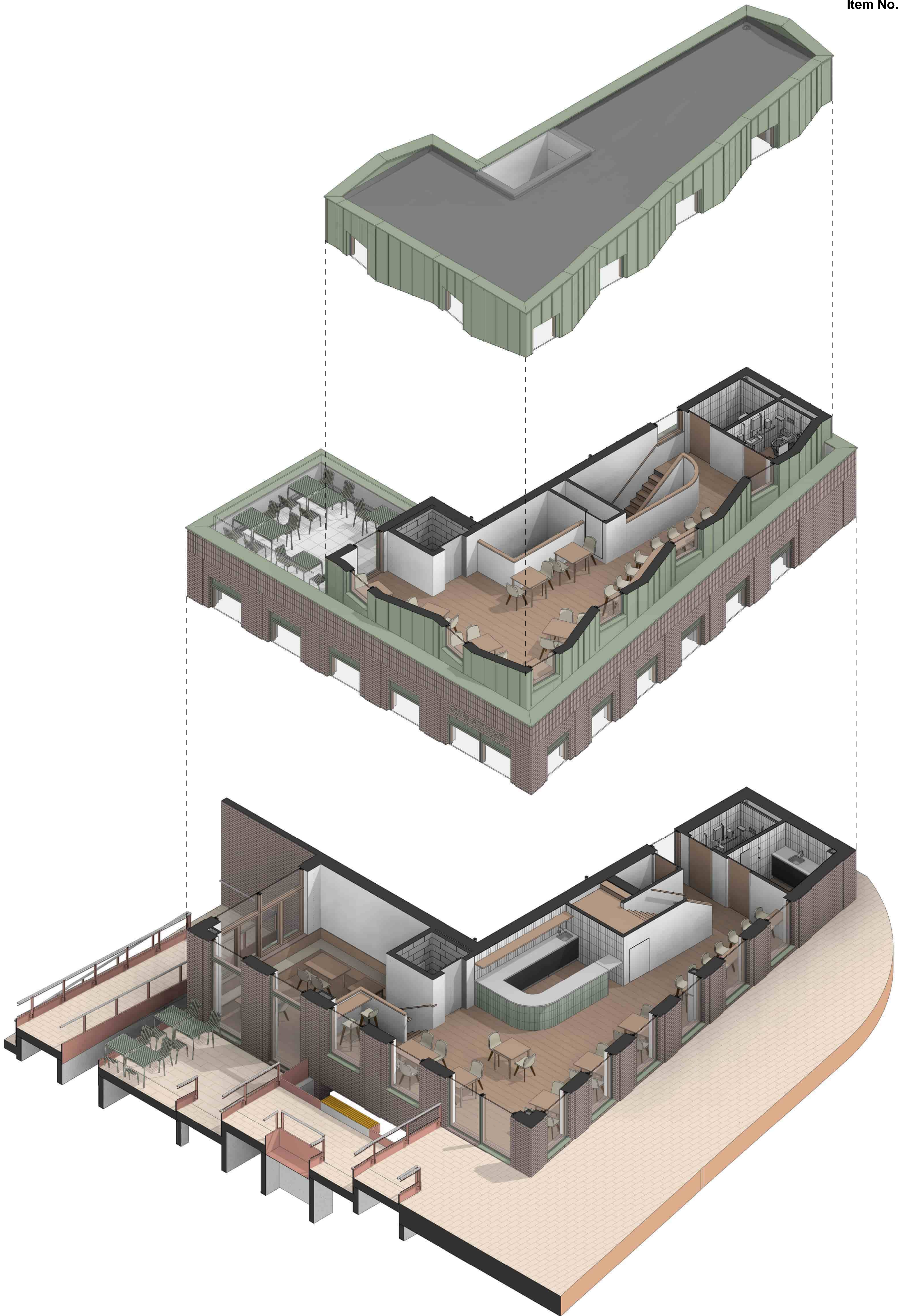


Client
CANNOCK CHASE DC

Project Name
CANNOCK LUF PUBLIC REALM

Sheet Title
**LANDSCAPE- TYPICAL SECTION
NORTHERN GATEWAY & CAR PARK**

TTE Project Number	Drawn By	Date	Checked By	Date	Approved By	Date	Scale	@ At	Subsidiary
784-B033419	VS	Jun '24	SG	Jun '24	PB	Jun '24	1:50		S3
Client Project Number	Originator	Volume/System Level/Location	Type/Code	Rule	Number	Revision			
B033419	- TTE	- 01	- 00	- D	- L	- 0221			P01



Contact Officer:	David O'Connor
Telephone No:	4515

Planning Control Committee
15 January 2025

Application No:	CH/24/249
Received:	13 September 2024
Location:	Annex - Civic Centre, Beecroft Road, WS11 1BG
Ward:	Cannock Longford & Bridgtown, Cannock Park & Old Fallow
Description:	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 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

1. EXECUTIVE SUMMARY

- 1.1 In October 2021 Cannock Chase District Council (CCDC) were 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 is part of a 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.

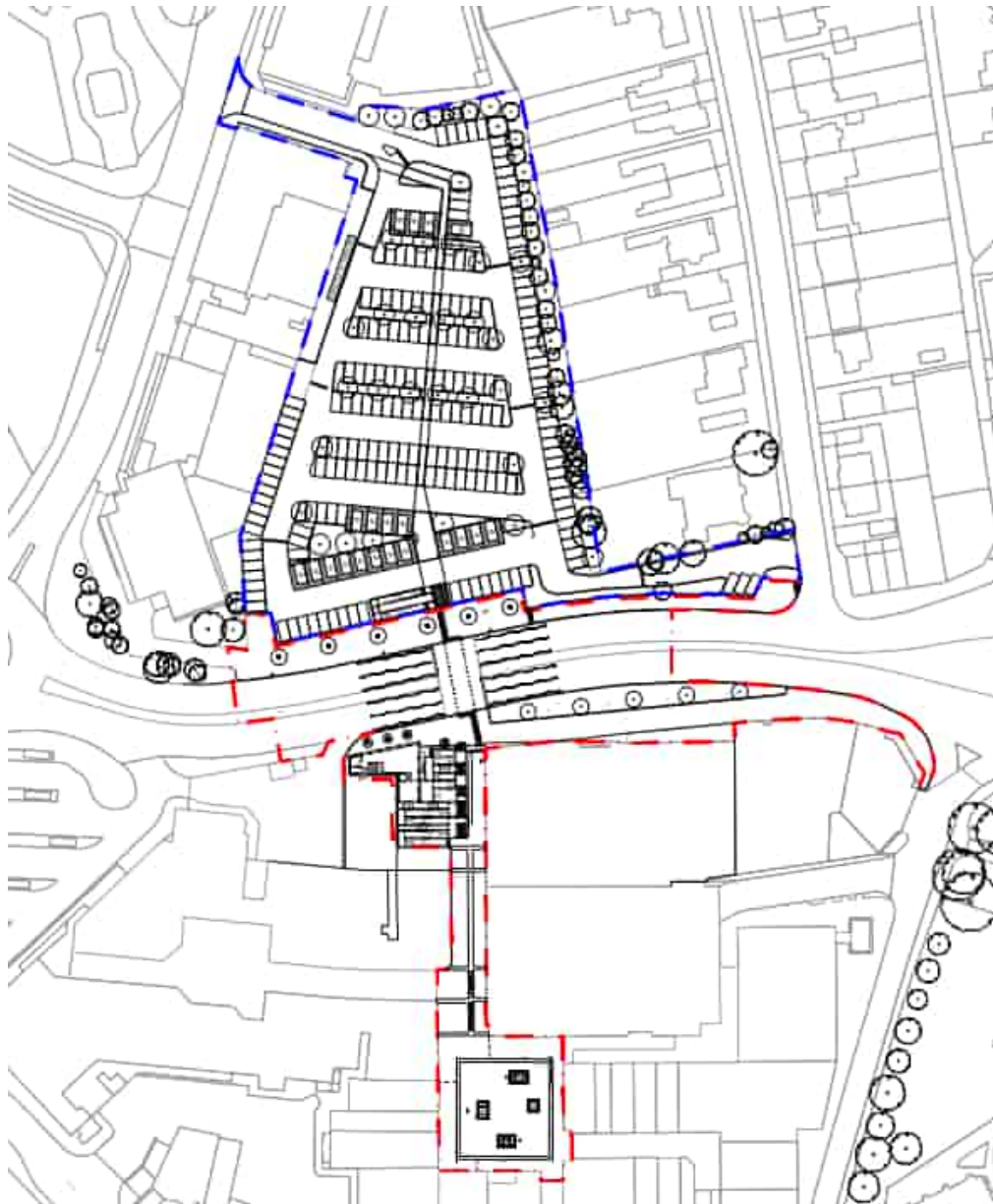


Figure 1: Extract from submitted Location Plan showing the extent of the site area in red, and in blue the extent of the adjacent car park proposed to be upgraded under permitted development (the blue edging does not form part of the current application).

- 1.2 The application follows the approval of the wider outline application CH/23/0131 granted in July 2024 following completion of the S106 for the regeneration of the Town Centre. Additionally the demolition of the Units 1 and 2, and partial demolition of Unit 3 within Cannock Shopping Centre alongside the removal of the glazed canopy Market Hall Street and demolition of the Multi Storey Car Park above the Old Indoor Market Hall were approved under application CH/24/190 on 17 October 2024.
- 1.3 The current application is the first detailed Reserved Matters application for the construction of new development within the Town Centre. This application CH/24/249 relates to details of the Reserved Matters in the Northern Gateway comprising the construction of the proposed café building, access ramps and steps and associated landscaping within the site area alongside the intended

closure of the pedestrian subway and its replacement with an above ground Toucan Crossing which will enable the public to cross Ringway in a safe manner.

- 1.4 One of the key issues within the application includes the effect of greater use of the new pedestrian crossing upon traffic flows along Ringway. This was the subject of detailed traffic modelling (Lin Sig) used to assess whether significant impacts upon traffic movements would result from the proposed removal of the underpass. The Highway Authority are legitimately placed to comment on the validity of the modelling submitted. It is demonstrated to the satisfaction of the Highway Authority that the effect of the crossing on queuing would not be significant or exceed the threshold within NPPF Para 116 of causing severe road network impacts.
- 1.5 Other matters such as the integration of the proposed development with the historic character of the town centre and assuring disabled friendly access along the main pedestrian route proposed are also key matters. It is judged the development site within these submissions is sufficiently separate, with intervening built form, such that the nearby Grade II* listed church is not subject to any major changes in character or context that would affect the perception of the heritage asset. In the case of disabled access, whilst the ramped solution proposed does have an engineered appearance, it is difficult for the designer to utilise anything other than a ramped access as shown to achieve the appropriate gradient/slope for wheelchair use when connecting the current street level within Cannock Shopping Centre to the level of the Ringway. The access is illustrated in the section drawings provided and are shown to be suitable for disabled use.
- 1.6 Overall, the development is assessed as complying with the requirements of Local Plan Policy CP11 which seeks to building upon Cannock Town Centre's role as a subregional strategic centre. The site is a sustainable location which is Previously Developed Land, the re-use of which should be afforded substantial weight, as per NPPF paragraph 118(c). Overall the redevelopment of this town centre site aligns with the NPPF ambition to promote economic growth through the regeneration of sustainably located town centre sites.

2. RECOMMENDED CONDITIONS:

1. This approval of Reserved Matters is granted in respect of Outline permission CH/23/0131 and the development hereby approved shall comply in all respects with the terms of that permission and the conditions imposed on it.

Reason:

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

2. Before the proposed development commences, details of the timescale for the infilling of the existing pedestrian subway underneath the A34 Ringway, including engineering details as to how this will be achieved along with details of pedestrian and cyclist diversion routes shall be submitted to and approved in writing by the Local Planning Authority. This shall include details such as type, size, and number of vehicles for delivery of material, times of deliveries, duration of works, size, and type of plant to be used to place and compact the material and an appropriate routing agreement using the most appropriate access routes. The works shall thereafter be carried out in accordance with the approved plan.

Reason:

In the interests of highway safety in accordance with Local Plan policy CP16.

3. The development hereby permitted shall be built broadly in accordance with Drawing No. D0255G-R01-002, Revision: R2 as illustrated within the Transport Technical Note and Landscape Master Plan – Beecroft Car Park and Northern Gateway Rev P02 and shall thereafter be retained as such for the lifetime of the development.

Reason:

In the interests of highway safety in accordance with Local Plan policy CP16.

4. Prior to the commencement of any actions likely to interfere with the biological function of the retained trees and hedges, an Arboricultural Impact Assessment and details of tree and hedge protection in accordance with BS5837:2012 shall be submitted to and approved by the Local Planning Authority.

Reason:

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

5. Prior to the commencement of any actions likely to interfere with the biological function of the retained trees and hedges, approved protective measures shall be erected in the positions shown on the approved Tree Protection Plan pursuant to the above condition.

Within the enclosed area known as the Tree Protection Zone, no work will be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written consent of the Local Planning Authority is obtained. The Tree Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

Reason:

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

6. Prior to development in any phase, a fully detailed surface water drainage scheme for the site shall be submitted to, and approved in writing by, the Local Planning Authority.

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

- Surface water drainage system(s) design in full accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS), (DEFRA, March 2015), and;

- Surface water drainage system(s) designed in full accordance with all standards and other criteria within the Staffordshire County Council Flood Risk Management Team (LLFA), SuDS Handbook.
- Limiting any surface water discharge from the site generated by all equivalent return period critical duration storms events, up to and including the 1 in 100 plus 40% (for climate change), return period, so that this does not exceed 4.6 l/s.
- Provision of adequate surface water attenuation storage in accordance with the requirements of 'Science Report SC030219 Rainfall Runoff Management for Developments'
- The incorporation of adequate surface water treatment in accordance with CIRIA C753 – particularly, the Simple Index Approach, to mitigate surface water quality pollution and maintain water quality.
- Detailed design (plans, network details and calculations), in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations, inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30, 1 in 100 year, and 1 in 100 year plus 40% (a climate change allowance), return periods, critical duration storms only.
- Formal (Section 106), agreement with Severn Trent Water (Plc), that confirms surface water discharge is to be accepted into the proposed downstream network that falls under Severn Trent Water (STW), ownership.
- Plans illustrating flooded areas and flow paths in the event of any exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained and managed for the lifetime of the development.
- Provision of an adequate and satisfactory Construction Environment Management Plan or Construction Surface Water Management Plan.

Reason:

To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site and to ensure lifetime maintenance of the system to prevent flooding issues.

7. The public spaces hereby permitted shall be maintained in accordance with the submitted Landscape Management Plan unless otherwise agreed in writing.

Reason:

In the interests of maintaining good quality landscaping in accordance with Local Plan Policy CP3.

8. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.

B033419-TTE-01-00-D-L-0220 – Location Plan
B033419-TTE-01-00-D-L-0121 - Landscape masterplan
B033419-TTE-01-00-D-L-0122 - Landscape general arrangement
B033419-TTE-01-00-D-L-0123 - Landscape general arrangement sheet 1 of 9
B033419-TTE-01-00-D-L-0124 - Landscape general arrangement sheet 2 of 9
B033419-TTE-01-00-D-L-0125 - Landscape general arrangement sheet 3 of 9
B033419-TTE-01-00-D-L-0126 - Landscape general arrangement sheet 4 of 9
B033419-TTE-01-00-D-L-0127 - Landscape general arrangement sheet 5 of 9
B033419-TTE-01-00-D-L-0128 - Landscape general arrangement sheet 6 of 9
B033419-TTE-01-00-D-L-0129 - Landscape general arrangement sheet 7 of 9
B033419-TTE-01-00-D-L-0130 - Landscape general arrangement sheet 8 of 9
B033419-TTE-01-00-D-L-0131 Landscape general arrangement sheet 9 of 9
B033419-TTE-01-00-D-L-0221 – Landscape typical section
B033419-TTE-01-00-D-L-0321 – Landscaping Plan (overall)
B033419-TTE-01-00-D-L-0322 – Landscaping Plan (sheet 01 of 09)
B033419-TTE-01-00-D-L-0323 – Landscaping Plan (sheet 02 of 09)
B033419-TTE-01-00-D-L-0324 – Landscaping Plan (sheet 03 of 09)
B033419-TTE-01-00-D-L-0325 – Landscaping Plan (sheet 04 of 09)
B033419-TTE-01-00-D-L-0326 – Landscaping Plan (sheet 05 of 09)
B033419-TTE-01-00-D-L-0327 – Landscaping Plan (sheet 06 of 09)
B033419-TTE-01-00-D-L-0328 – Landscaping Plan (sheet 07 of 09)
B033419-TTE-01-00-D-L-0329 – Landscaping Plan (sheet 08 of 09)
B033419-TTE-01-00-D-L-0330 – Landscaping Plan (sheet 09 of 09)
B033419-TTE-01-00-D-L-0424 – Landscape Tree Pit Detail
Materials as stated within the submitted Design and Access Statement (Page 79 onwards)
B033419-TTE-XX-XX-T-C-0506P02(DS) – RMA Drainage Report
B033419-AKB-05-ZZ-D-A-2200_Proposed_elevations_-_Sheet_1_of_2_S4_P03
B033419-AKB-05-ZZ-D-A-2201_Proposed_elevations_-_Sheet_2_of_2_S4_P03
B033419-AKB-05-00-D-A-0003_Existing_lower_ground_floor_level_plan_S4_P01
B033419-AKB-05-00-D-A-0004_Existing_upper_ground_floor_level_plan_S4_P01
B033419-AKB-05-00-D-A-2100_Proposed_ground_floor_plan_S4_P03
B033419-AKB-05-01-D-A-2101_Proposed_first_floor_plan_S4_P03
B033419-AKB-05-R1-D-A-2102_Proposed_roof_plan_S4_P03

Reason:

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

3. INFORMATIVE NOTES TO THE APPLICANT

3.1 National Grid Informative

National Grid Electricity Distribution (NGED) has High Voltage and Low Voltage underground cables in close proximity to this site. NGED welcomes contact with the developer. NGED can provide safety guidance, review proximity clearances, and discuss working methodologies related to locating equipment. Safe working practices can be discussed prior to any physical (or survey) works at this site. For more information, please contact:- www.nationalgrid.co.uk/our-network/check-before-you-dig-location-of-our-cables-and-equipment.

3.2 Severn Trent Water

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. CONSULTATIONS AND PUBLICITY

EXTERNAL CONSULTEES

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

The application also includes a small element of Market Hall Street outside the Forum Shopping Centre which is an unclassified road (Road No. ZU5058). Market Hall Street is accessed off Market Place (Road No. ZU5058) which is adopted highway surfaced fully in block paving. This area forms part of the town centre pedestrianised zone. Vehicular access off Market Place is only allowed for permit holders and for HGV deliveries between designated hours. Cyclists must dismount.

The proposals seek to provide a new access route into the town from the north via Beecroft Car Park, with pedestrian access via a new toucan crossing across the Ringway alongside new landscaping, ramps, stairs, and planters. Also included as part of the proposals is the removal of the existing Toucan Crossing to the west

closer to the bus station is removed. Outline planning permission was granted (CH/23/0131) for the redevelopment of the town centre and included a series of planning conditions which required additional information to be provided when subsequent planning applications came forward. In particular information like the timescales to implement the infill of the pedestrian subway, details of construction and diversions needed, provision of a Road Safety Audit, LinSig modelling examining the impact of the pedestrian crossing on traffic flows, timescale for the removal of the existing pedestrian crossing, detailed engineering drawings.

Some of the details are available and are presented within this application (such as the LinSig and Road Safety Audit) whereas other details such as timescales for implementing the proposals, detailed construction management and diversion of traffic flows are not presented in the submissions. The applicant cites that appointment of a contractor will be needed to provide these - which will not occur until the consent is able to be progressed further. Initial indication within the submissions suggests that during the infill of the subway and Toucan crossing implementation, a series of temporary closures and diversions will need to be established to ensure pedestrian and cyclist movement is minimally impacted. I request a planning condition is the best way to capture this information.

In relation to LinSig and queuing, this was a key matter required to be considered as part of further application beyond the outline. Staffordshire County Council's traffic signal team have reviewed the submitted LinSig modelling and have concluded that the proposal would not result in roundabout exit blocking when the signals are called and therefore, would not cause a highway safety risk when compared with the existing staggered crossing which is much closer to the Beecroft Road Island.

The Toucan crossing has been reviewed via a Road Safety Audit and it concludes that the design is safe and fit for purpose.

- **Staffordshire Fire and Rescue – No objections**

Comments received highlighting the need for fire hydrants in key locations and encouraging the use of sprinkler systems within habitable buildings.

- **Natural England – No comments**

Natural England has no comments to make on this reserved matters application.

- **National Grid – No objections**

National Grid Electricity Distribution (NGED) has High Voltage and Low Voltage underground cables in close proximity to this site. NGED welcomes contact with the developer.

- **Cadent – No Comments Received**

- **Severn Trent Water – No Comments Received**

- **Environment Agency – No comments Received**

- **Staffordshire Police – No objections, comments**

It is recommended that the development should be built to Secured By Design Standards (SBD), which considers security within the design of any development. Guidance can be found in the Secured By Design Homes 2023 or Commercial 2015 V2 guide SBD Design Guides (securedbydesign.com). Recommendations have been passed to the architects concerned.

- **Theatres Trust – No comments on this phase**

Having reviewed the site plans and other documents it appears that this particular proposal does not directly impact on the theatre. We therefore make no comment but remain supportive of the principle of the wider scheme.

- **Staffordshire Lead Local Flood Authority – No objection subject to conditions**

The applicant has acknowledged that further work is required for detailed design. Therefore, the LLFA would like to emphasise that the designs as currently submitted are indicative and preliminary only and have not been approved as a detailed design. Therefore, to reiterate, further detailed design work is required. We therefore ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations. Please also consult us again on any future major change to the proposed development or drainage scheme. Conditions are recommended.

- **Historic England – No comments following amendments (19 December 2024)**

We were concerned that not enough detailed information had been provided to enable a proper assessment of the degree of harm to surrounding heritage assets, and therefore the provision of a Heritage Impact Assessment should be undertaken in order to provide greater clarity, especially in terms of assessing the character and appearance of Cannock Town Centre Conservation Area, along with the setting of St Luke's Church (grade II* listed) and the church cross (Scheduled Monument) that lies within its churchyard.

INTERNAL CONSULTATIONS

- **Environmental Health – No comments**

- **Parks and Open Spaces – No objection, further comments**

No objection in principle to the development, Landscape Management Plan found to be generally acceptable pending resolution of the following;

- i) Arboricultural Impact Assessment and Tree Protection Strategy Conditions required.

- **Planning Policy – No comments received**

5. PUBLICITY

- 5.1 The application has been advertised by site notices in the vicinity of the site, letters to nearby occupiers and by newspaper advert. 1 No. public comment has

been received in relation to the proposals. In summary this raises the following matters:

- This section of road and adjoining roads are congested and gridlocked on a daily basis.
- Highlights observations from the Road Safety Audit documents which point to potential problems with the width of the crossing not accommodating pedestrians, cyclists, and pushchairs at busy times.
- The data used in the Highways modelling exercise does not account for increased numbers of people using the crossing. Uplifting pedestrian numbers is a reason underpinning why the whole development proposal is being put forward, and points to the assessment process being out of step with the wider context of the site proposals. Ultimately the assessment of impacts is flawed.
- A quote in the Stage 1 Road Safety Audit (dated September 2024) states *'Although the details of the traffic timings are not known, the length of the crossing is likely to result in a long 'red' period for drivers. The anticipated use of the crossing, particularly during peak periods, could result in exit blocking onto the adjacent roundabouts i.e. Beecroft and Queen's Square roundabout. Consequently, congestion may lead to drivers weaving around queuing vehicles on the circulatory at the adjacent roundabouts resulting in rear end shunts or side swipes. The problem is exacerbated without any detailed traffic modelling that considers the interaction of the new crossing with the adjacent roundabouts'* Whilst the modelling has now been carried out, this does not account for footfall uplift and as such does not present a realistic picture of true traffic movements.
- The Road Safety Audit was conducted during school holidays and does not consider weekday 'normal' use.
- Reservations about the practicalities of the incongruous ramp with its nine different segments for people to walk along. Because of the whole premiss of closing the underpass, the knock-on effect results in an over-complicated design in order 'to make it fit.' The ramps design is contrived and impractical.

6. RELEVANT PLANNING HISTORY

- 6.1 CH/23/0131 - Outline planning permission with All Matters Reserved was granted by Cannock Chase District Council (CCDC) on July 4, 2024, for the regeneration of the town centre. This included a mixed-use leisure and cultural hub, refurbishment of the Prince of Wales Theatre, new cafe/bar/restaurant premises, a new cafe building, managed workspace, replacement retail unit, new office accommodation, extra care/retirement accommodation, a bicycle hub and associated public realm improvements.
- 6.2 CH/24/190 - Demolition of Units 1 and 2, and partial demolition of Unit 3, as well as the removal of a glazed canopy on Market Hall Street and the demolition of a multi-story car park with the erection of a temporary compound was granted planning permission on 17 October 2024.

- 6.3 CH/23/0131/A – Application to discharge conditions 5, 6, 7, 8, 12, 14, 16, 17, 18 and 19 pursuant to application CH/23/0131. Application not yet determined.

7. SITE AND SURROUNDINGS

- 7.1 Cannock town centre houses a mixture of independent retailers, chain shops and retail provision, 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 development 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, providing a connection between the main town centre and Cannock Chase Hospital and the CCDC Civic building on Brunswick Road/Beecroft Road.

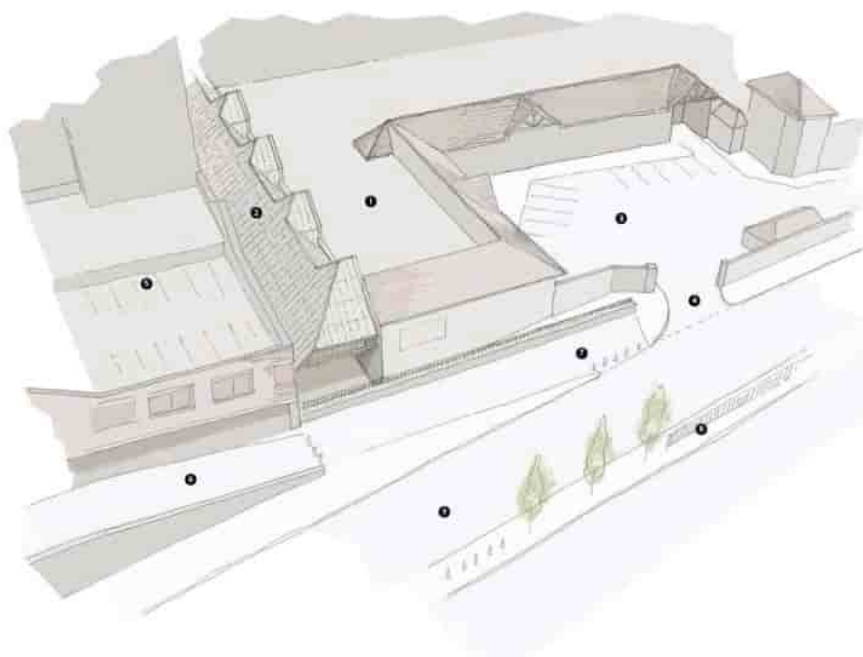


Figure 2: Extract from DAS part 1 showing sketch image of existing Northern Gateway area

- 7.3 Directly to the east of the site is a large-scale multistorey car park scheduled for demolition in part. Beyond this lies the Parish of St Luke and St Thomas Church and grounds. 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.

8. PROPOSAL

- 8.1 The Cannock Town Centre Levelling Up Fund (LUF) project as a whole proposes a multi-phased redevelopment of approximately 1.36 hectares of land,

including vacant retail floorspace within the centre of Cannock Town Centre. The overarching goal is to enhance accessibility, traffic flow, parking, servicing, and the public realm within the area.

- 8.2 The current application (Phase 1) seeks Reserved Matters approval of the access, layout, landscaping, external appearance, and scale of the Northern Gateway phase comprising a new café building, ramps and steps, new toucan crossing to Ringway and landscaping to public realm as well as infill of the subway underpass adjacent to Home Bargains.

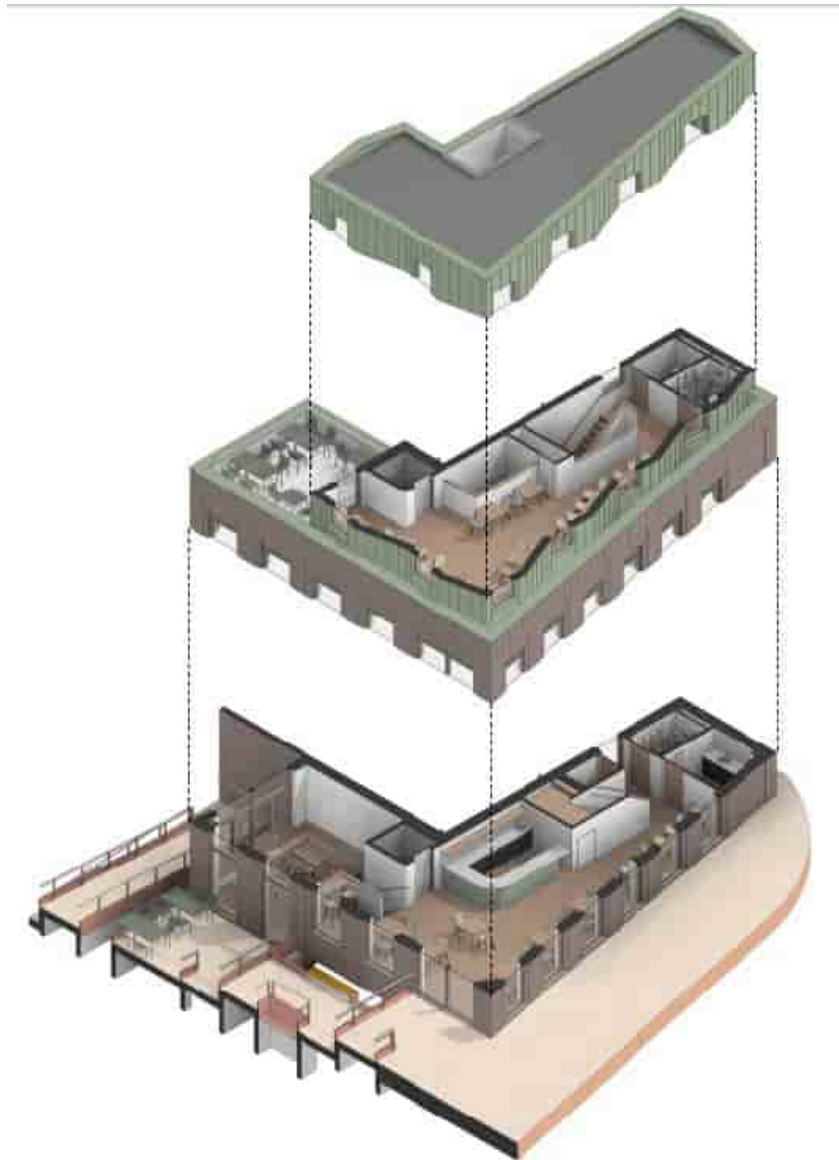


Figure 3: Axonometric Projection showing the proposed café building and ramped access stepping down to Market Hall Street adjacent

- 8.3 The proposed café building will be two storeys and is intended to be sited on the northern corner of the new access ramp/steps leading up to Ringway from Market Hall Street. The building will be 192sqm with café seating, kitchen and prep areas, storage, and toilet facilities. The design seeks to incorporate a stepped ground floor to integrate with the varied levels of the surrounding landscaping which will provide various access points into the café. Accessibility in line with Part M Building Regulations requirements will be incorporated into

the building with level access thresholds and wheelchair appropriate door widths, an internal platform lift and accessible WCs. At first floor a stepped back building structure would provide external seating and allow views over the surrounding area. The intended materials include a brick ground floor 'plinth' intended to contrast with a lighter and more free form zinc clad first floor. The chosen materials are: Ibstock 'Olde English Grey' Waterstruck brick; VMZinc Pigmento Green zinc; and RAL7033 polyester powder coating (pale grey/green).



Figure 4: Extract from DAS Part 1 showing proposed imagery of cafe building fronting onto Ringway

- 8.4 The Northern Gateway public realm improvements represent a significant part of the Cannock Town Centre Levelling Up Fund (LUF) project, aiming to transform pedestrian access and the overall aesthetic appeal of the town centre's northern entrance. The improvements include:
- (i) **Improved pedestrian access:** The improvements would replace the existing underpass route with a new ground-level Toucan crossing, providing direct and continuous connectivity north to south. The scheme creates a ground-floor access route for pedestrians and cyclists between Beecroft Road car park and Market Hall Street, intended to improve accessibility for all users.
 - (ii) **Improvements to Beecroft Car Park:** Although not strictly part of the application red edge, the wider project will look to improve Beecroft Car Park with better surfacing, drainage, and landscaping along with a more defined pedestrian route through the car park.
 - (iii) **Enhanced landscaping to the Town Centre:** The project involves extensive landscaping to enhance the visual appeal of the town centre and create a more welcoming atmosphere. This includes planting trees and shrubs, establishing wildflower areas, and creating a series of stepped and ramped public spaces. The landscaping would also play a role in the implementation of Sustainable Drainage Systems (SuDS).

- (iv) **Public Realm Improvements to Market Hall Sq** – including the provision of new surfacing in the square and along Market Hall St, new street furniture, raised planters and street trees.



Figure 5: Extract from DAS Part 1 showing the proposed ramp and steps adjacent to the new cafe building in the background. Home bargains would be to the right of the image

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
 - CP8: - Employment Land
 - CP10: - Sustainable Transport
 - CP11: - Centres Hierarchy
 - CP12: - Biodiversity and Geodiversity
 - CP13: - Cannock Chase SAC
 - CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
 - 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 (2024) 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 (2024) 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
39:	Decision-making
48-51:	Determining Applications
90:	Ensuring the vitality of town centres
109, 115, 116, 117:	Promoting Sustainable Transport
131, 135, 136, 137, 139:	Achieving Well-Designed Places
166, 167, 169, 181:	Meeting the Challenge of Climate Change, Flooding and Coastal Change
196, 197, 200:	Ground Conditions and Pollution
231-232	Implementation

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).

Emerging Policies

9.8 The Local Plan report seeking permission for the Council to recommend the submission of the Cannock District Local Plan Regulation 19 document to the Secretary of State for examination was approved at the 9th October Council meeting, following consideration of the report and updated Local Development Scheme (LDS) at the 26th September Cabinet meeting.

9.9 The Local Plan was submitted to the Planning Inspectorate (PINS) for Examination in Autumn 2024 (29th November) in line with the LDS (Local Development Scheme) schedule. The LDS sets the target date for the Examination by a Planning Inspector as Spring 2025, subject to confirmation of Inspector availability by PINS.

- 9.10 Amongst other points the emphasis within the Emerging Local Plan Policy SO6.5 Cannock Town Centre Redevelopment Areas is:
- (i) *Development proposals should promote the function of Cannock Town Centre as the main retail, leisure, and cultural hub of the District. A wide mix of town centre uses will be considered on regeneration sites to promote higher footfall and reduce vacancy rates.*
 - (ii) *Opportunities for residential above shops, where this does not detract from the operation of town centre uses on ground floor will be encouraged. Redevelopment Proposals involving the redevelopment of existing buildings and other land uses in the town centre will be supported where they improve the appeal and attractiveness of units to modern occupiers, are of high quality design and materials and improve the quality and accessibility of the public realm.*
 - (iii) *Proposals which respond positively to historic assets in the town centre, including the Cannock Town Conservation Area, St. Lukes Church, Cannock War Memorial, Conduit Building and Water Pump and other Listed buildings promoting distinctive architectural design and character features will be supported.*
 - (iv) *The central Market Place remains an important defining centre of the public realm in Cannock Town Centre. Proposals should encourage activity and footfall in the Market Place and support open air markets and events in this location.*
- 9.11 Town Centre Design Policy SO6.4 states that amongst other points developments should:
- (i) *'Create attractive gateways between centres and public transport interchanges to encourage use of sustainable transport.'*
 - (ii) Provide *'Navigable features for those with visual, mobility and other needs.'*
 - (iii) Differentiate street typologies and spaces to help people find their way around.
 - (iv) *'Promote well-lit streets and areas to ensure a feeling of safety for both day and night-time users'*
 - (v) *'Conserve Local Heritage whilst enabling new, vibrant, and attractive uses.'*
 - (vi) Provide active frontages with good opportunities for natural surveillance.

10. DETERMINING ISSUES

10.1 The determining issues for the proposed development include: -

- a) Principle of development
- b) Character and appearance
- c) Residential amenity
- d) Heritage Considerations
- e) Transport Considerations
- f) Ecological Considerations
- g) Air Quality
- h) Other Issues

11. PRINCIPLE OF THE DEVELOPMENT

- 11.1 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. The NPPF and PPG are suggested within Planning Policy comments as superseding the approach in the adopted Local Plan and that national guidance since production of the Local Plan in relation to town centres has changed. 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 90(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.'
- 11.2 The principle of the mixed-use proposals and wider regeneration of the Town Centre is already accepted by the Council under application CH/23/0131. But given the All Matters Reserved nature of the outline consent, it is the detail within the respective Reserved Matters phases that the Council as Planning Authority is asked to consider as these come forward.
- 11.3 In this case the principle of new landscaping, paving and redevelopment of the area around Ringway with the provision of the café building (an approved use) in place of the demolished shops is already accepted. Therefore subject to detailed considerations associated with these changes, Officers see no overriding in principle conflict with the outline consent.

12. CHARACTER, APPEARANCE

- 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. Policy CP15, CP16, the Design SPD and the Town Centre Conservation Area Appraisal and Management Plan are relevant to the consideration of the application, especially given the potentially close visual association of the proposals in the context of the Grade II* listed Parish Church of St Luke.

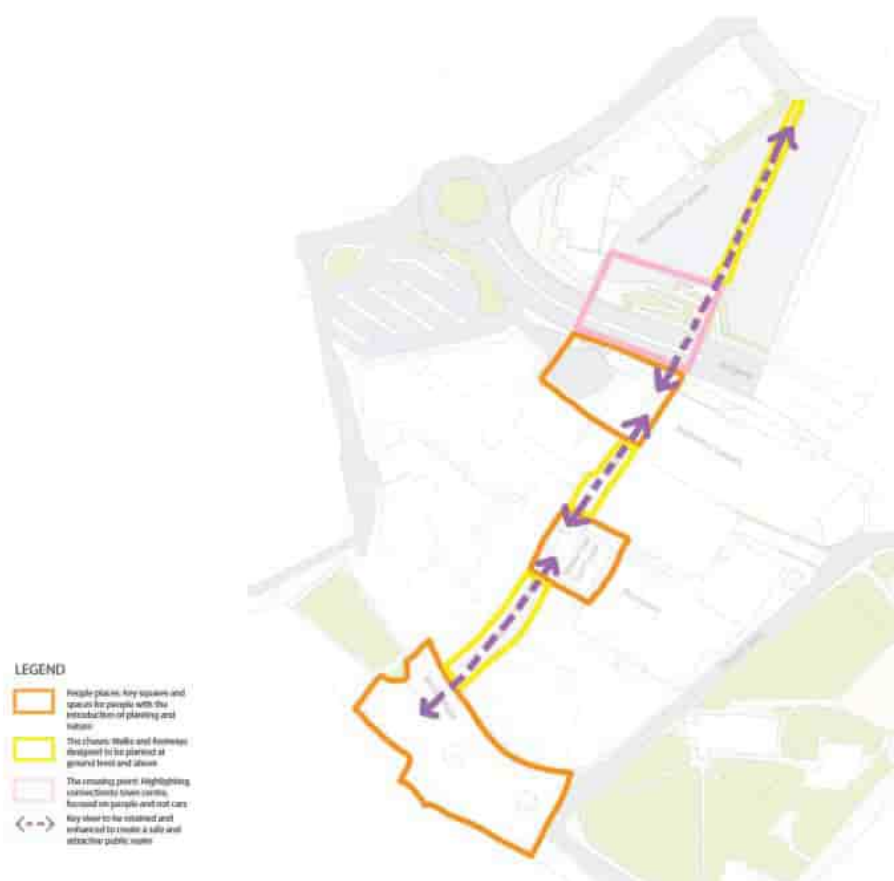


Figure 6: Extract from DAS Part 1 showing wider context of the application site zones, with the orange areas showing 'People Place: Key squares and spaces for people with the introduction of planting and nature'

- 12.2 The proposals as submitted put forward works in 3 key areas; Beecroft Car Park, works to replace the underpass which include the café proposals and works in Market Hall Square. Taking these in turn, the works to Beecroft Car Park are not strictly part of the application proposals as these works would be executed under Permitted Development Rights for Local Authorities (Part 12 of the GPDO 2015). The works will involve resurfacing of the car park, provision of landscaping and new more characterful paved areas to complement and link in with the wider works to the south such as the Toucan Crossing. An area is shown to the bottom left of Fig 6 as a Cycle Hub. The aim of the cycle hub is to provide secure and sheltered cycle parking, hire, and a repair service. The Cycle Hub is a secure cycle storage structure. Within the specification provided (Urbanspec H-Series) this is a dark coloured meshed enclosure with a living roof.



Figure 7: Extract showing proposed layout of works within Beecroft Car Park

- 12.3 Moving south, the closure of the existing underpass is proposed, and this will be replaced with a new pedestrian crossing. Officers are aware of the considerations around use of the crossing and congestion, this is discussed further under the Highways section of this report. Focusing on design considerations, the wider linkage north south would promote connectivity between the town centre, hospital, and Civic Centre building as well as to residential areas beyond. The emphasis on improving connectivity, attractiveness, safety and addressing accessibility concerns with routes into the Town Centre is a key emphasis within Emerging Local Plan Policies SO6.4 and SO6.5. It is the Officers view the proposals strongly accord with these emerging policies. Furthermore, these points would similarly accord with extant Local Plan Policy CP3 which otherwise *'Promote[s] ease of access and mobility within the development and from its surroundings, contributing to a network of attractive, well-connected spaces in sustainable locations with the safety of pedestrians, cyclists and other road users in mind.'*



Figure 8: Extract from DAS Part 1 showing café building and proposed Northern Gateway Landscaping

- 12.4 More specifically imagery showing the transition from the pedestrian crossing to the proposed stepped frontage along the side of the café building is shown. The design of the café building is contemporary in appearance. The design seeks to incorporate a stepped ground floor to integrate with the varied levels of the surrounding landscaping which will provide various access points into the café. At first floor a stepped back building structure would provide external seating and allow views over the surrounding area. The intended materials include a brick ground floor 'plinth' intended to contrast with a lighter and more free form zinc clad first floor.



Figure 9: Extract from DAS Part 2 showing computer imagery of the ramped access proposed

- 12.5 The landscaped area adjacent to the new café becomes a strong focal point of pedestrian movement as pedestrians cross Ringway to progress down the steps or ramps to the existing much lower street level outside Home Bargains. This new hard landscaping does risk appearing overengineered in terms of disabled access given the land coverage needed to make the ramp function at an appropriate gradient for disabled users. However aside from installing a lift, which in itself could not be achieved on its own (given this would bring difficulties if the lift was ever out of order or subject to vandalism), a route capable of accommodating wheelchairs at an appropriate gradient is essential to achieving the wider accessibility criteria cited. The levels difference between Ringway and Market Hall Street is significant. This presents an issue that is resolved in the design of the submissions and constraints that exist in the context of the site area (land ownership, maximum access gradient versus land take), but perhaps not ideally if circumstances were different.



Figure 10: Extract from DAS Part 1 showing Site Section along Market Hall Street transitioning up to Ringway as proposed

12.6 Moving south, paving improvements and additional landscaping are intended along Market Hall Street and improvements to Market Hall Square with new paving and street furniture are proposed. These include contemporary planters, benches and corten steel bins:

Figure 11: Examples of Street Furniture taken from DAS Part 2



12.7 Officers have no concerns with the rationale of improving accessibility and connectivity within the centre. As stated, this fully accords with current (CP3) and emerging policies. Similarly the intended enhancement of the centre, new modern design to the café building, paving and street furniture is also seen as a substantial positive in design terms. The scale of the access ramps needed to assure the levels function in line with wheelchair gradients is not ideal but seems unavoidable in the context of the site constraints apparent. Officers assess overall the application would have a positive effect on the character of the area and represents an opportunity to enhance the town centre’s design in compliance with Local Plan Policy CP3 and Emerging Policies SO6.4 and SO6.5.

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, no comments are offered on the proposals as tabled. A range of conditions were attached to the outline approval to deal with respective potential impacts such as the provision of lighting details once the designs are further progressed, details of any mechanical ventilation to assure controls over the noise and odours emitted, control over operating hours and construction hours, and agreement of a Construction Management Plan for each phase of the development.
- 13.3 With these past conditions in place, both Officer's and the Council's Environmental Health department are satisfied that adequate controls on the installation of relevant equipment and noise would be assured. As such compliance with NPPF 135(f) and Local Plan Policy CP3 is assured.

14. HERITAGE CONSIDERATIONS

- 14.1 Policy CP15, CP16, the Design SPD and the Town Centre Conservation Area Appraisal and Management Plan are relevant to the consideration of the application, especially given the potential close visual association of the proposals in the context of the Grade II* listed Parish Church of St Luke. In this respect, it is noted that The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the local planning authority's duties: - 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."
- 14.2 Further, Section 72 of the 1990 Planning (Listed Buildings and Conservation Areas) Act then 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."
- 14.3 In this regard, initial observations from Historic England were that insufficient information was presented to examine the heritage implications of the proposed works. Since this time, an Archaeological and Heritage Technical Note has been supplied and this objection has been removed. The note has a primarily archaeological focus and examines designated heritage assets in the context of the site study area, relevant heritage related site history, historic mapping analysis, review of legislation and consideration of Archaeological Potential within the site. The submissions do not particularly provide consideration of Heritage Impact or examination of viewpoints as would usually be expected. However in examining the site and considering the intervening modern built form that exists between this phase of the development and the nearest designated

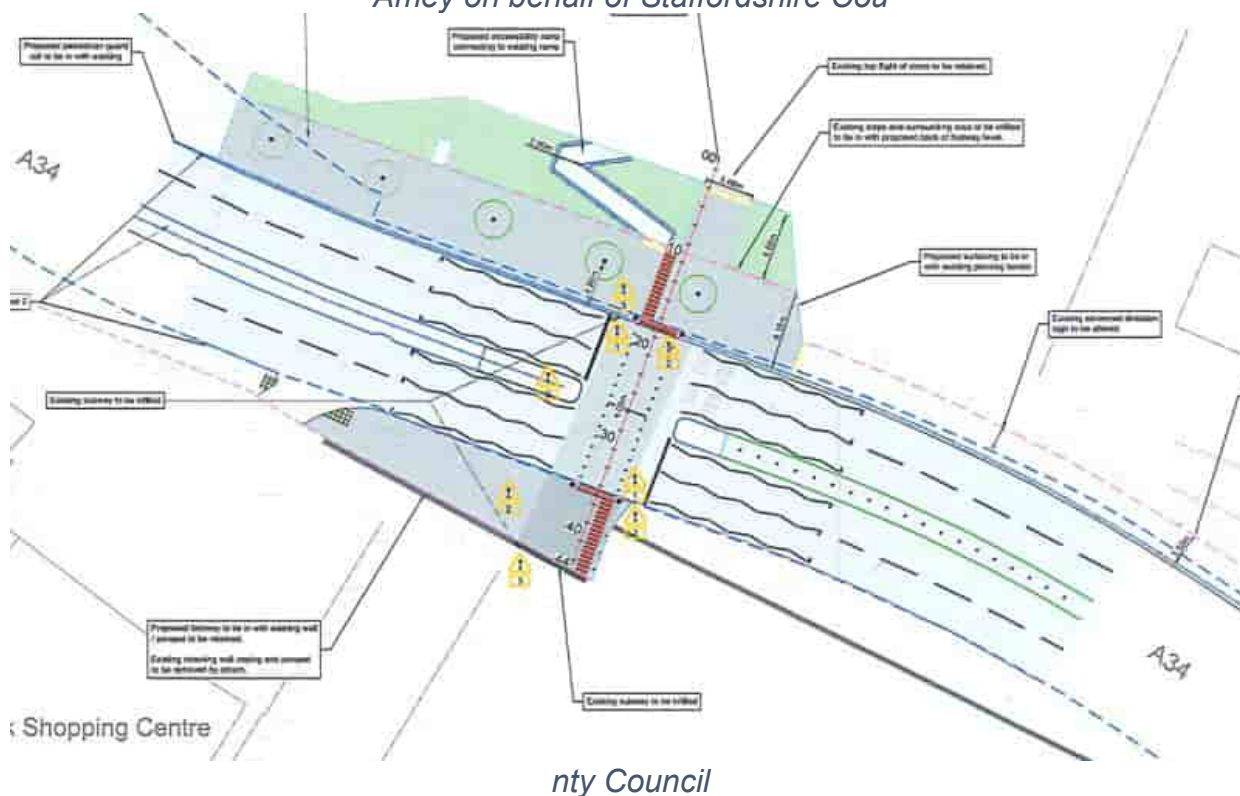
heritage assets (the Conservation Area to the south and the Grade II* Church to the east), Officers consider the detail provided is proportionate.

- 14.4 Para 210 of the NPPF requires that In determining applications, local planning authorities should take account of:
- a) *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.*
 - b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) *the desirability of new development making a positive contribution to local character and distinctiveness.*
- 14.5 In examining these considerations local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. In this case Officers are satisfied this requirement is met by the report supplied.
- 14.6 At Para 215 it is required that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 14.7 In this case having examined the retained shops around the location of this phase of works, works within and beneath the existing highway and the redevelopment of the corner onto Ringway to provide the café, it is assessed views of the site from nearby heritage assets will be minimal. The works to facilitate the stepped/ramped access and café are contained by existing development. With regard to the public square, views towards the Grade II* church are not possible given the existence of the Forum shopping centre and its replacement is not part of this phase of works. Arguably the new paving to the square could be visible from some point along Market Hall Street as it transitions into the Conservation Area, but this in itself is modern block paving of no significance, and upgrades are proposed to feature in later phases of the LUF wider scheme. As such no 'harm' to designated heritage assets is considered to occur from this phase of works, and thus no balancing of public benefits is required to be undertaken in line with Para 215.
- 14.8 Accordingly, Officers assess overall the application represents an opportunity to enhance the town centre, and in how this phase presents itself outwardly ultimately is assessed as having no effect on nearby Heritage Assets. The development is therefore in compliance with Local Plan Policy CP3, CP15 and CP16.

15. TRANSPORT CONSIDERATIONS

- 15.1 Phase 1 of the wider town centre redevelopment proposals seeks to infill the existing subway pedestrian link from the Beecroft Road car park and to replace that connection with a new surface level pedestrian crossing on the A34 which will provide a safer connection to Market Hall Square. The existing subway lacks natural lighting, is enclosed, with containment imposed by the entrances at either end being the only ways out. It is suggested this can lead to people feeling unsafe with a similar matter being mentioned by the Police ALO – who suggests the Proposed surface crossing is welcomed as this was one of the findings as part of the Home Office funded Safer Women at Night scheme. It was also suggested that for those with varying physical or mobility issues, the current arrangements on the northern side of the subway (i.e., the number of steps and the length of the ramp (approximately 65m to street level and 87m to Beecroft Road car park) can be difficult to navigate.

Figure 12: Extract from Proposed Crossing General Arrangement Plan prepared by Amey on behalf of Staffordshire Cou



- 15.2 The proposals entail remodelling of the main access route into the town centre from the North via Beecroft Car Park, with pedestrian access via a new toucan crossing across the Ringway (at road level) and new landscaping, ramps, steps and planters making the transition from the A34 road level to the lower retail street level. As part of these works the existing crossing closer to the bus station to the west will be removed. The scheme includes improvements that will improve the infrastructure for cycling by installing a Toucan crossing on Ringway, and a new shared footway / cycleway between the toucan crossing

and the Allport Road that connects to the existing network and a bicycle hub that will provide secure and sheltered cycle parking, hire and a repair service.

- 15.3 The Highway Authority confirm the Toucan crossing has been reviewed via a Road Safety Audit and it is concluded that the design is safe and fit for purpose, with intended integration with the top of the ramped access to the centre.

Traffic Queuing Resulting from Crossing

- 15.4 A key matter considered at the outline stage initially was ensuring that in making changes to highway crossings, this would not result in severe delays to traffic using nearby roads. In order to assess this a LinSig assessment was undertaken as part of the 2023 outline application to examine the design of the signal timings and to quantify the impact of the scheme on traffic queues and delays.
- 15.5 LinSig is a software tool that models traffic signal junctions and networks to assess their capacity and optimize signal timings. LinSig models traffic signals and their effect on traffic capacity and queuing. It can model networks of up to 25 junctions, including roundabouts, priority-controlled junctions, and give-way junctions. LinSig has been the UK industry standard since its original release in 1985.
- 15.6 The applicant's Transport Technical Note confirms '*As part of the assessment, a cycle time of 60 seconds was used, and pedestrian movements have been accounted for every cycle with a green man time running for 9-seconds. The arrangement allows for pedestrians to complete the crossing of both carriageways in one movement. Additionally, the retained crossing at the Queen's Square roundabout has also been included in the LinSig to demonstrate any potential interactions [albeit this will ultimately be removed].*'
- 15.7 For signal-controlled junctions, a Degree of Saturation (DoS) of less than 90% indicates that the junction is operating within its theoretical capacity; a DoS of equal to or greater than 90% but less than 100% indicates that the junction is approaching its capacity (but remains within capacity); and a DoS of equal to or greater than 100% indicates that it has either reached or exceeded its theoretical capacity. Beyond 100% DoS, queues and delays increase disproportionately with increasing demand flow. In particular in relation to signals, queues would begin to not be able to discharge fully within each cycle and delays increase as a result.
- 15.8 For signal-controlled junctions, the 'Practical Reserve Capacity' (PRC) of the junction is also used to assess the impact of traffic. The PRC is calculated from the maximum degree of saturation on a lane controlled by the stage stream; and is a measure of how much additional traffic could pass through a junction controlled by the stage stream whilst maintaining a maximum DoS of 90% on all lanes. A positive value indicates that a junction has spare capacity, whilst a negative value demonstrates that a junction is either approaching or is already experiencing capacity issues and could be subject to congestion.

Table 4-1: LinSig Output - 2026 - Pedestrian Movement Every Cycle

Arm	Lane	AM Peak		PM Peak	
		DoS %	MMQ (PCU)	DoS %	MMQ (PCU)
Arm 1 - A34 Ringway (Eastbound towards proposed Toucan)	1	55.2%	6.7	57.8%	7.2
	2	56.9%	7.3	59.4%	7.9
Arm 2 - A34 Ringway (Eastbound towards existing Queens Sq Toucan)	1	39.7%	0.3	41.6%	0.4
	2	43.6%	0.4	45.5%	0.4
Arm 3 - A34 Ringway (Westbound past the proposed Toucan crossing, towards Beecroft Road)	1	33.7%	1.4	29.2%	0.8
	2	29.0%	0.2	24.1%	0.2
Arm 4 - A34 Ringway (Westbound towards proposed Toucan)	1	67.9%	4.0	58.2%	3.1
	2	66.0%	3.6	55.6%	2.7
Arm 5 - A34 Ringway (Eastbound towards Queen's Square roundabout)	1	28.1%	0.2	29.4%	0.2
	2	28.1%	0.2	29.3%	0.2
Arm 6 - A34 Ringway (Westbound towards existing staggered Toucan from Queen's Sq.)	1	49.4%	6.1	42.1%	4.8
	2	47.3%	5.4	40.0%	4.3
PRC %		32.5%		51.6%	

Figure 13: Extract from LinSig Output table shown within submitted Transport Technical Note

- 15.9 Having carried out the LinSig assessment, the applicant's Transport Consultants report states 'As seen within the results in Table 4-1, there is ample capacity on the network during both peak periods with the implementation of the Toucan crossing. Arm 1 is the eastbound approach to the new crossing that has the longest maximum queue of 7.9 cars and a DoS of 59.4%. Arm 4 heading westbound has a higher DoS (67.9%) but a shorter maximum queue (4.0 cars).'
- 15.10 Staffordshire County Council's traffic signal team have reviewed the submitted LinSig data and have concluded that the proposal would not result in roundabout exit blocking when the signals are called and therefore, would not cause a highway safety risk when compared with the existing staggered crossing which is much closer to the Beecroft Road Island. It is further stated that having reviewed the modelling, methodology and conclusions presented, Staffordshire County Council engineers assess there would not be a significant impact on the road network in terms of safety or capacity/queuing issues.

Criticisms of Proposed Highway Changes

- 15.11 A respondent on the application points to concerns about the validity of the data presented by not effectively accounting for uplift in usage of the crossing and concerns about traffic queuing. It is noteworthy that potential queuing was the number 1 issue that the Highway Authority wished to explore as part of these proposals. It is clear that following their review of the data presented the Highway Authority remain satisfied with the conclusions and modelling methodology. Nevertheless, Officers have sought further comment from the Highway Authority and relevant Highway Consultant on the applicant's side, in

relation to observations made. Where required, any comments will be provided as an update to Planning Committee.

- 15.12 Concerns are also raised pointing to excerpts from the Road Safety Audit (RSA) document. One query is whether the Road Safety Audit being conducted outside of school time is representative, another was in relation to queuing (Problem 7 in the RSA) and the width of the crossing (Problem 5).
- 15.13 Officers understand the wider process of Road Safety Audit to be an independent assessment of drawings of proposed changes to the public highway, where 'problems' within a design and 'recommendations' to resolve these problems are set out by an accredited assessor. The process allows the Designer to also dispute or respond to the initial 'problem' cited – accepting what is recommended or not – by the Assessor. These are predominantly design focused criticisms that often can be resolved by changes to the design – and are not comments from the Highway Authority.
- 15.14 In the case of the review being conducted during School Holidays, the conclusions would ultimately not be influenced by when the design review was carried out. It would be incorrect to conflate when a review was conducted of the design with a wider assessment of queuing. This appears to misunderstand the wider context of the review process. Moreover, at Problem 7 potential queuing on roundabout exits is highlighted as a 'Problem' and the assessor's recommendation is to conduct traffic modelling (LinSig as mentioned) to examine if other knock-on changes to roundabouts would be needed. Following the progression of this work, the Designer responds to the Assessor by saying the '*LinSig modelling shows that congestion will not block back to the upstream junctions because of the proposed crossing.*' This is not discussed as a concern to the Highway Authority.
- 15.15 Another suggested criticism by the respondent was in relation to the width of the crossing, this is Problem 5 in the RSA. In short, the Designer states this problem is disputed and that the recommendation to increase the width of the crossing was not accepted. Further comments state '*The crossing has been designed to SCC specifications. With the available space north and south it isn't believed there is an issue with overcrowding.*' The County Highways Officer endorses this view agreeing the design is safe and fit for purpose.

Highways Conclusions

- 15.16 Subject to further responses as will be provided in an Update Report, Officers do not dispute the conclusions within the Transport Technical Note or the response from the Highway Authority. The applicant has provided assessment of junction capacities in line with that expected and the methodology behind this assessment is endorsed by the County Council Highways Officers. On this basis, the proposals are judged acceptable subject to the conditions set out by the Highway Authority with the exception of condition 2 (in their response) which is already part of the overarching outline consent conditions and need not be duplicated.

16. ECOLOGICAL CONSIDERATIONS

Direct Site Impacts

- 16.1 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.
- 16.2 The site does not benefit from any formal or informal designation for nature conservation purposes, nor is it located immediately adjacent to sites of significance. The main risk to ecological assets as part of the development is likely to be the removal of bat roosting opportunities as part of any demolition. Such was considered as part of the original outline consent.

Environment Act 2021

- 16.3 Although the provisions of the Environment Act 2021 constitute a material consideration there is currently no legislative or policy requirement for a 10% Biodiversity Net Gain. Notwithstanding this there is still a requirement under paragraph 187 of the NPPF for decisions to contribute to and enhance the natural and local environment. However, it is considered that given the site is predominantly hard standing, this enhancement would be achieved through provision of appropriate landscaping within current solely hard landscaped areas.
- 16.4 Therefore, it is considered that subject to the attached conditions the proposal would not be contrary to policies CP12 and CP13 of the Local Plan and paragraphs 187 of the NPPF.

17. AIR QUALITY

- 17.1 An Air Quality Assessment was prepared by Tetrattech dated Feb 2023 and accompanied the outline planning application. The report considers potential impacts during the demolition and construction phases of the development and from the operational phases of the development separately.
- 17.2 In relation to construction/demolition, the main potential effects are dust emissions from a range of sources (e.g. tracked out materials during earthworks, construction, and demolition). In relation to these sources the report suggests the following mitigation:
- (i) *Communications with stakeholders and engagement prior to commencement should be undertaken. Displaying the name and contact details of the person accountable for air quality and dust issues on the site.*
 - (ii) *Implementing dust management protocols, recording complaints, liaison with other construction sites in the vicinity, implementing inspection processes, plan site layouts so dust generating uses are located away from receptors as far as possible, taking account of weather, enclosing high dust generating activity, avoiding site run off.*
 - (iii) *During demolition using water suppression, soft stripping buildings ahead of demolition, avoiding explosive blasting.*
 - (iv) *Minimising trackout of material, avoiding dry sweeping, implementing wheel wash facilities, installing hard surfaced haul routes where required.*

- 17.3 In relation to the operational phase of the development, Baseline 2019 traffic data and projected 2024 Future Year Baseline traffic data have been obtained for the operational phase assessment in the form of Annual Average Daily Traffic figures (AADT). For the operational year of 2024, assessment of the effects of emissions from the proposed traffic associated with the scheme, has been undertaken using the Emissions Factor Toolkit (EFT) 2024 emissions rates which take into account of the rate of reduction in emission from road vehicles into the future with the following factors:
- (i) *2019 Baseline = Existing Baseline Conditions; and,*
 - (ii) *2024 Future Year Baseline = Baseline Conditions + Committed Development Flows (through local growth factor).*
- 17.4 Taking account the expected uplift, detailed dispersion modelling of traffic pollutants has been undertaken for the proposed development. An operational year assessment for 2024 traffic emissions has been undertaken to assess the effects of the Proposed Development. The impacts during the operational phase take into account exhaust emissions from additional road traffic generated due to the proposed development. The conclusions within the report state:
- (i) *All proposed receptor locations are expected to be exposed to air quality below the Air Quality Objectives for NO₂, PM₁₀ and PM_{2.5}.*
- 17.5 The Council's Environmental Health Officer raised no objections to the proposed methodology utilised to examine the effects of the development. Furthermore, the results are below the Air Quality Objective levels set by Government and as such comments from Environmental Protection state the development is unlikely to have an adverse impact on receptors following the development of the site. No further conditions are recommended, therefore. As such compliance with Local Plan Policy CP3 is assured.

18. OTHER ISSUES

- 18.1 A range of items are mentioned from the Police Architectural Liaison Officer. Many of the points go further than planning matters (such as coordinating CCTV coverage networks) or incorporating anti vandal measures in the design. These matters have been relayed to the architects concerned.
- 18.2 The Lead Local Flood Authority are generally satisfied with the work prepared in the drainage strategy, but it is acknowledged further work on this phase is still required. Conditions are recommended to secure this. Officers have no basis to disagree with this approach.

19. HUMAN RIGHTS ACT 1998 AND EQUALITY ACT 2010

Human Rights Act 1998

- 19.1 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

- 19.2 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.

- 19.3 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.

20. CONCLUSION

- 20.1 The application is part of a 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 is to enhance accessibility, traffic movement, parking and servicing and the public realm.
- 20.2 In terms of assessment of the application, Policy CP11 identifies Cannock as a strategic sub-regional centre and the aims of the policy seek to retain and strengthen this role. The design basis of the development proposed is articulated clearly within the submissions. A contemporary approach is adopted which in turn is considered to seek to promote the entrance from the north, making it more cycle/disabled friendly and aesthetically pleasing. Highway impacts from queuing traffic were a main consideration. As shown the modelling supplied provides a basis for assessing this. The methodology behind this assessment and the wider conclusions are endorsed by the County Council, albeit Officers await further specific response on the observations raised by the public respondent – and these will be reported as part of a Member Update Report.
- 20.3 Overall, the development is assessed as broadly complying with the requirements of Local Plan Policy CP11 and the Emerging Local Plan, where improvements to the appearance of the town centre feature within the allocation. The uses allowed by the original outline permission align with those within Policy CP11 and the site is a sustainable location which is Previously Developed Land, the re-use of which should be afforded substantial weight, as per NPPF paragraph 118(c). The redevelopment of this town centre area aligns with the NPPF ambition to promote economic growth through the regeneration of sustainably located town centre sites.

Application No: CH/23/0401

Item No. 6.37

Location: Land between Ashleigh Road and Hardie Avenue
Rugeley WS15 1NU

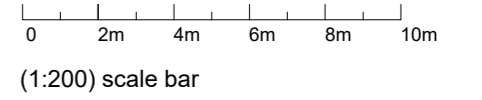
Proposal: Erection of 8x 3-bed semi-detached houses and
1x 3-bed detached house



Site Location Plan

PLANNING ISSUE

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LANDSCAPING:

GROUND PREPARATION:

Planting areas for new shrubs to be sprayed out with a glyphosate a minin days prior to any further ground work to ensure weed control. Prior to plant topsoil all areas to be cleared of all builders rubbish, stones etc. and base a depth of 500mm. Planting areas to be cultivated to a depth of 500mm.

PLANTING:

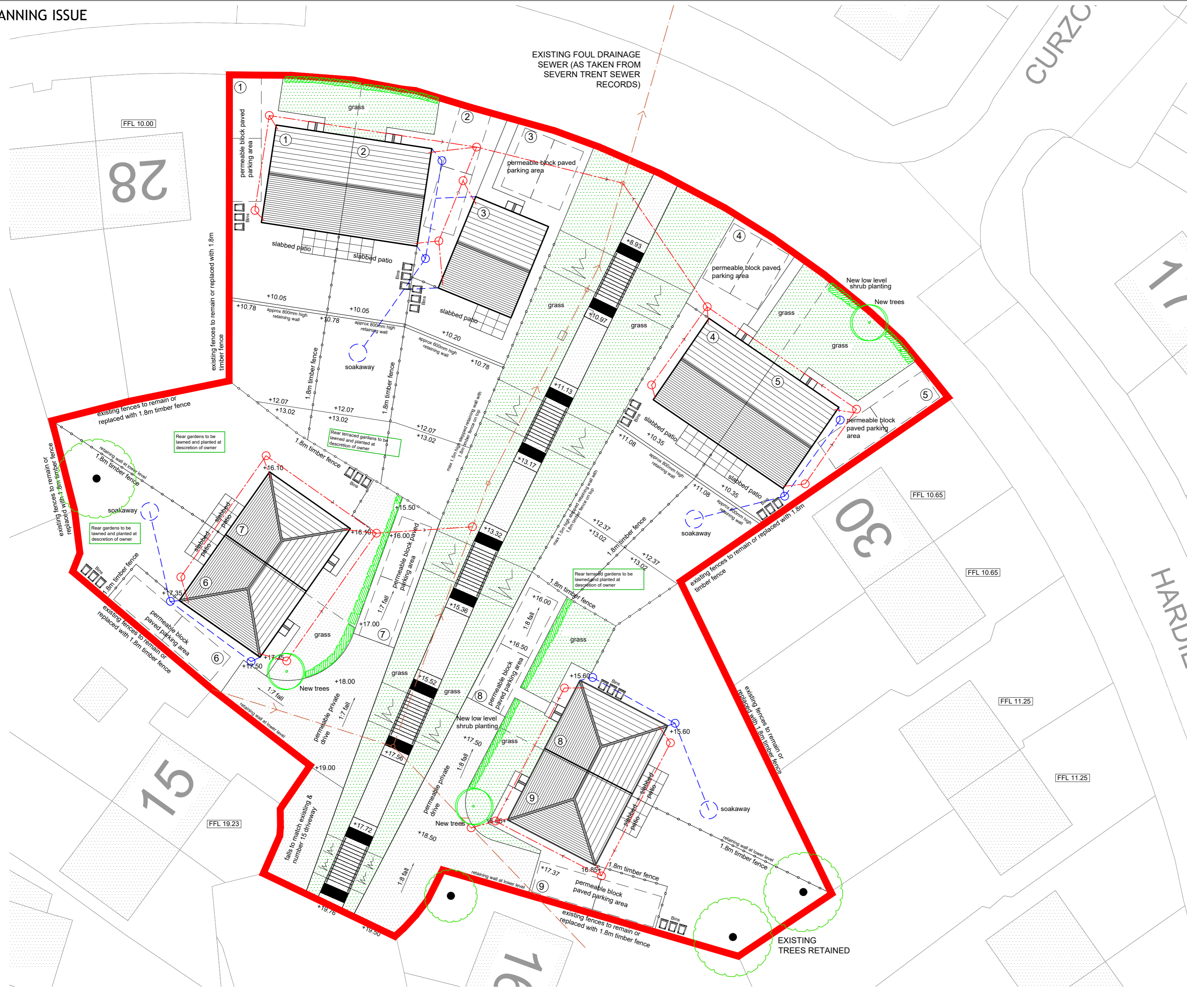
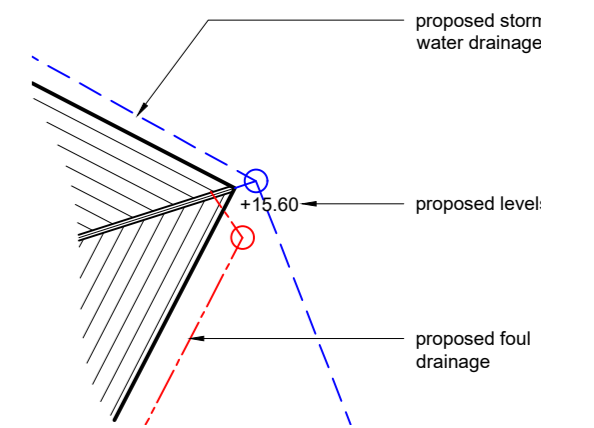
Plants to be of size and type as shown in schedule. Trees and shrubs to b locations given unless otherwise agreed. Plants shall be removed from the covering or packing immediately prior to planting. Roots shall not be allow under any circumstances. Immediately before planting the plants shall hav fully soaked in 3:1 water:broadleaf root dip solution.

PLANTING OF TREES SIZE 45-120mm TALL & SHRUBS:

All plants to be pit planted, with pits for trees to be at least 75mm greater t spread and depth but pits shall not be less than 450x450x300mm with bas with fork to a depth of 200mm. Pits for shrubs to be a minimum 75mm gre spread or depth and with base broken up. Notch planting will not be allow mixture to consist of 3:1 excavated material: peat free compost to which h: added 20grms of balanced NPK fertilizer per tree and 15grms per shrub. T be set to prevailing windward side of tree with stake set in ground prior t as to avoid root damage to roots. Stakes not to be driven into ground follw of trees.

PLOT NO.	FFL
1	10.20
2	10.20
3	10.35
4	10.50
5	10.50
6	17.50
7	16.25
8	15.75
9	17.00

KEY:



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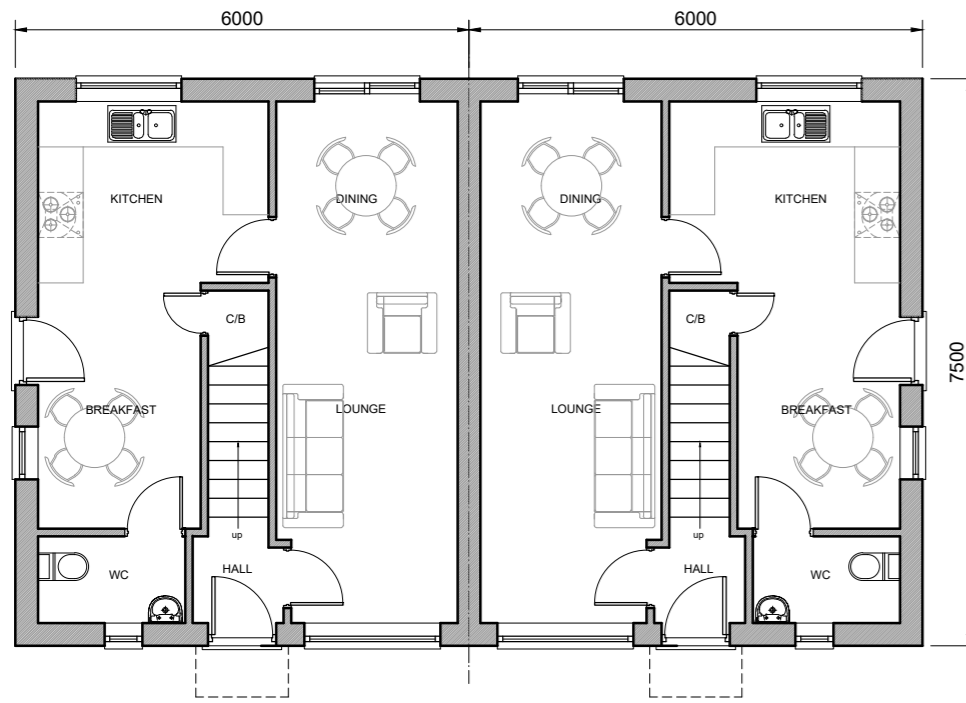
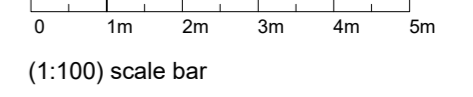
PROJECT:
**PROPOSED DEVELOPMENT AT
LAND BETWEEN HARDIE AVENUE & ASH
ROAD, PEAR TREE ESTATE, RUGELEY**

DRAWING TITLE:
PROPOSED SITE PLAN

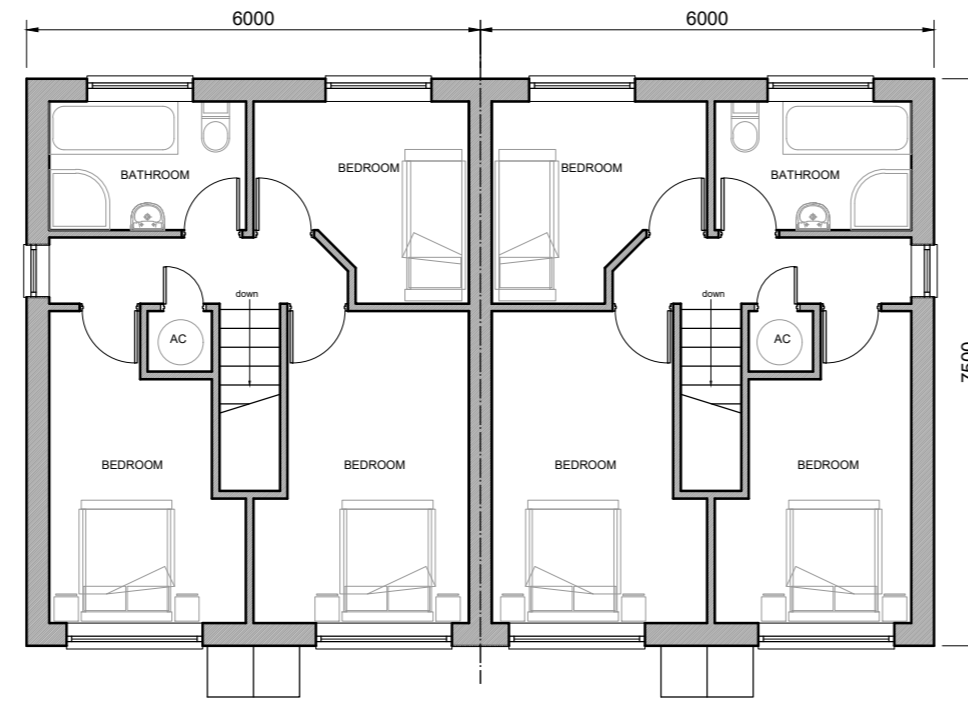
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PLANNING ISSUE

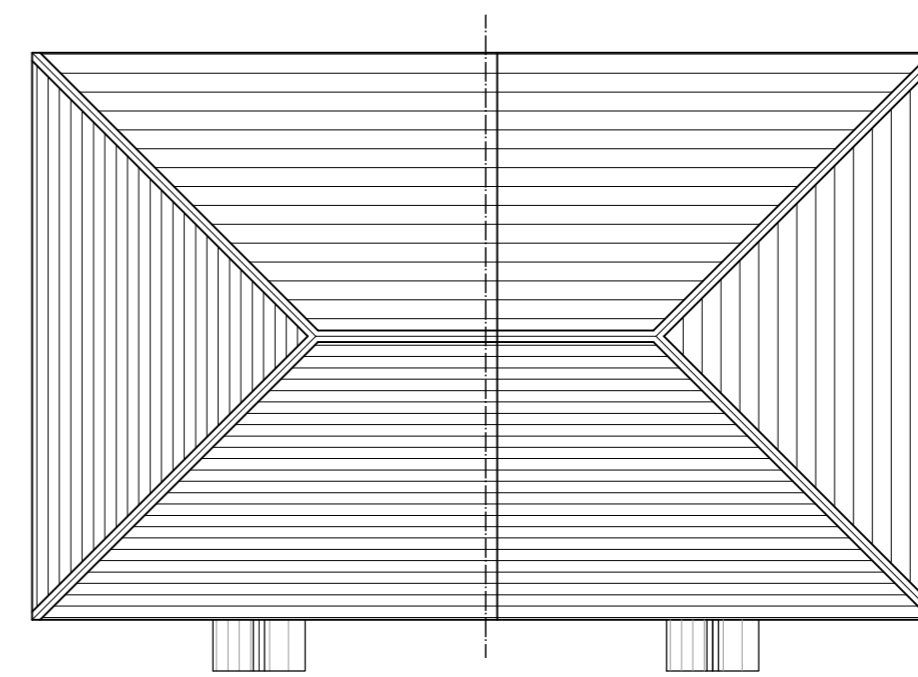
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GROUND FLOOR PLAN (PLOTS 6-7 & 8-9)



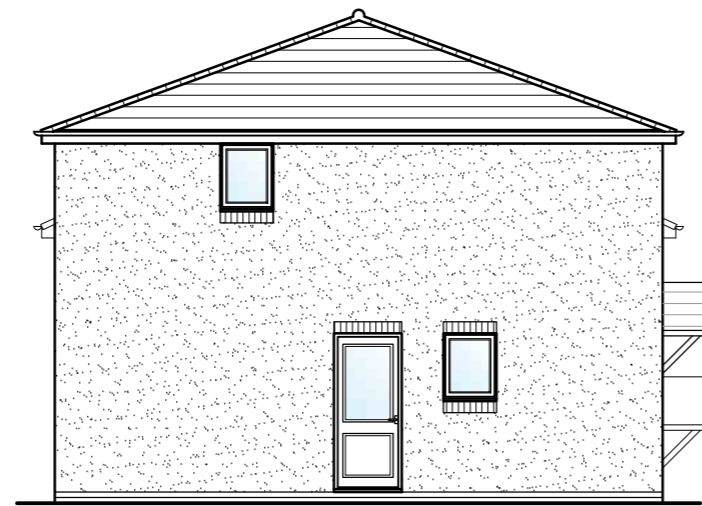
FIRST FLOOR PLAN (PLOTS 6-7 & 8-9)



ROOF PLAN (PLOTS 6-7, PLOTS 8-9 SIMILAR BUT HANDED)



FRONT ELEVATION
(PLOTS 6-7, PLOTS 8-9 SIMILAR BUT HANDED)



LEFT HAND SIDE ELEVATION
(PLOTS 6-7, PLOTS 8-9 SIMILAR BUT HANDED)



REAR ELEVATION
(PLOTS 6-7, PLOTS 8-9 SIMILAR BUT HANDED)

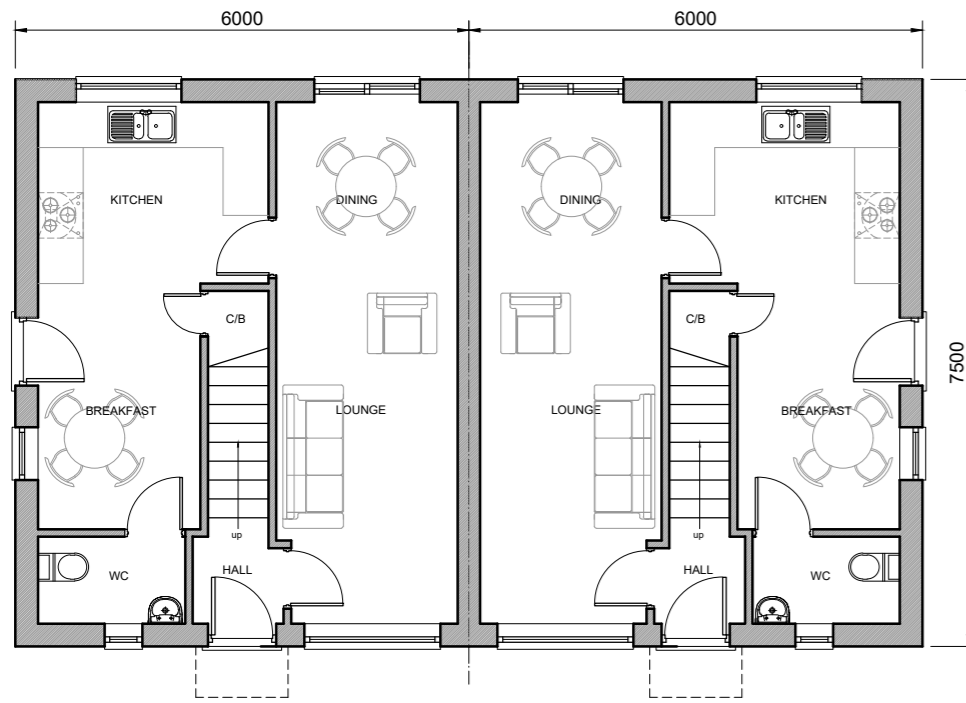
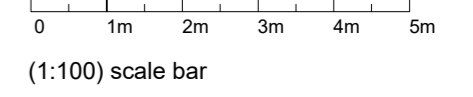


RIGHT HAND SIDE ELEVATION
(PLOTS 6-7, PLOTS 8-9 SIMILAR BUT HANDED)

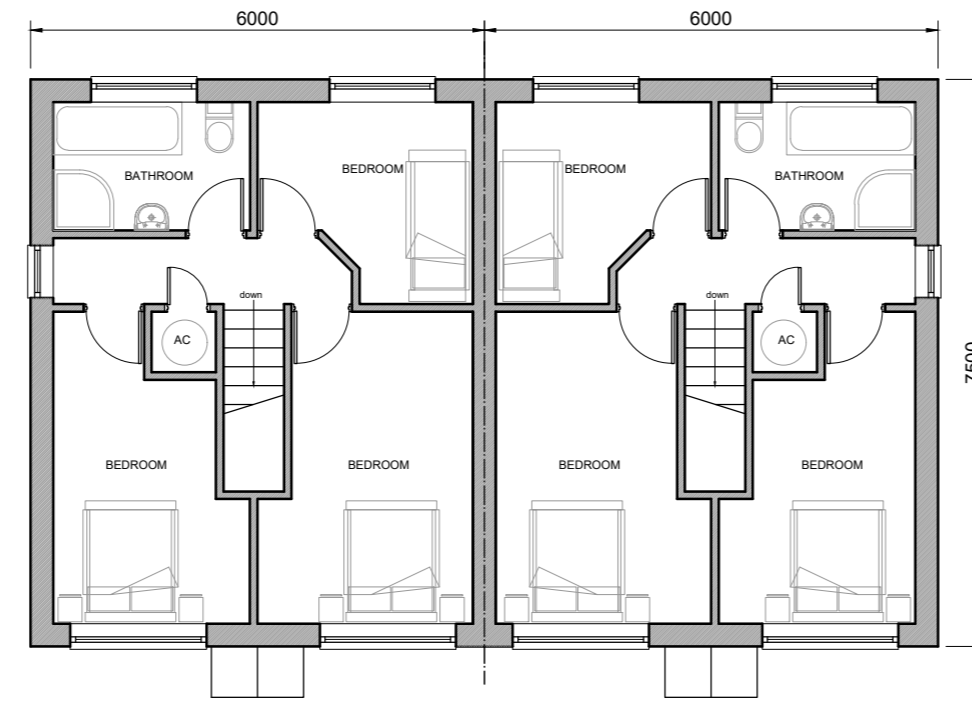
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<p>PROJECT: PROPOSED DEVELOPMENT AT LAND BETWEEN HARDIE AVENUE & ASHLEIGH ROAD, PEAR TREE ESTATE, RUGELEY</p>		
<p>DRAWING TITLE: PLOTS 6-7 & 8-9 PROPOSED PLANS & ELEVATIONS</p>		
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PLANNING ISSUE

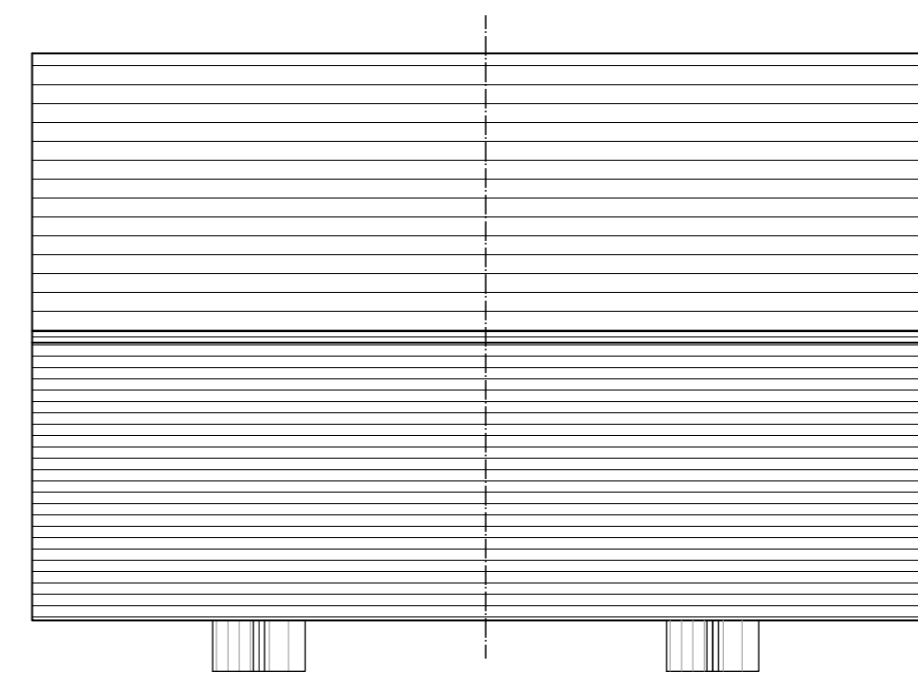
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GROUND FLOOR PLAN (PLOTS 1-2 & 4-5)



FIRST FLOOR PLAN (PLOTS 1-2 & 4-5)



ROOF PLAN (PLOTS 1-2 & 4-5)



FRONT ELEVATION
(PLOTS 1-2 & 4-5)



SIDE ELEVATION
(PLOTS 1-2 & 4-5)

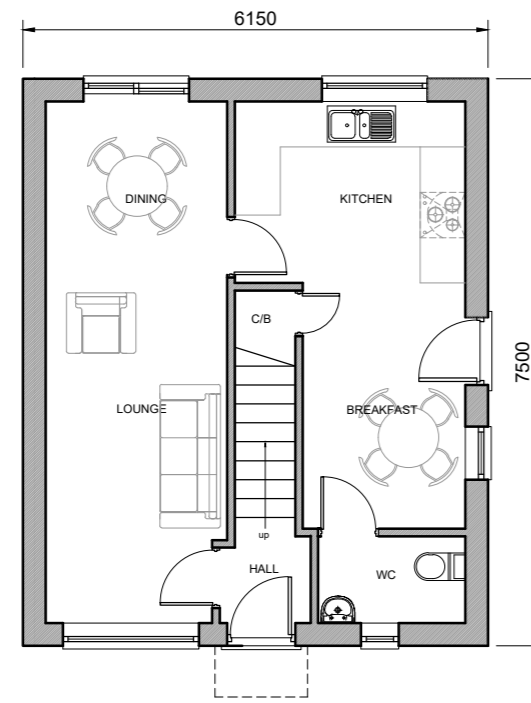
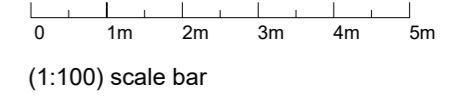


REAR ELEVATION
(PLOTS 1-2 & 4-5)

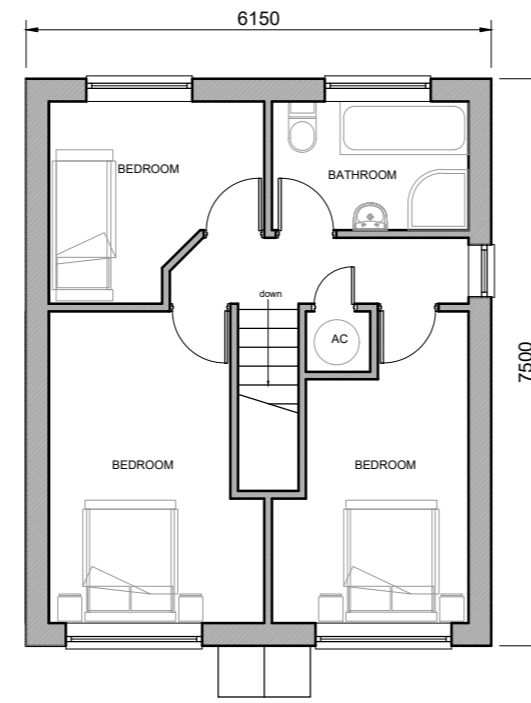


SIDE ELEVATION
(PLOTS 1-2 & 4-5)

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<p>PROJECT: PROPOSED DEVELOPMENT AT LAND BETWEEN HARDIE AVENUE & ASHLEIGH ROAD, PEAR TREE ESTATE, RUGELEY</p>		
<p>DRAWING TITLE: PLOTS 1-2 & 4-5 PROPOSED PLANS & ELEVATIONS</p>		
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GROUND FLOOR PLAN (PLOT 3)



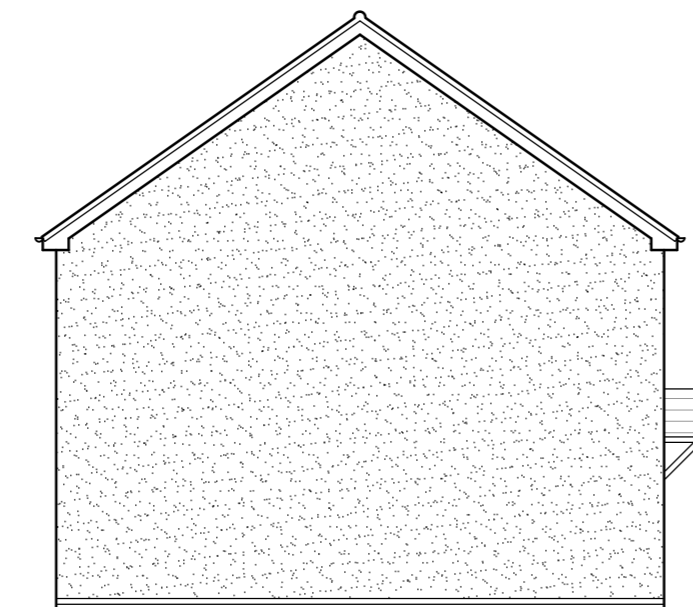
FIRST FLOOR PLAN (PLOT 3)



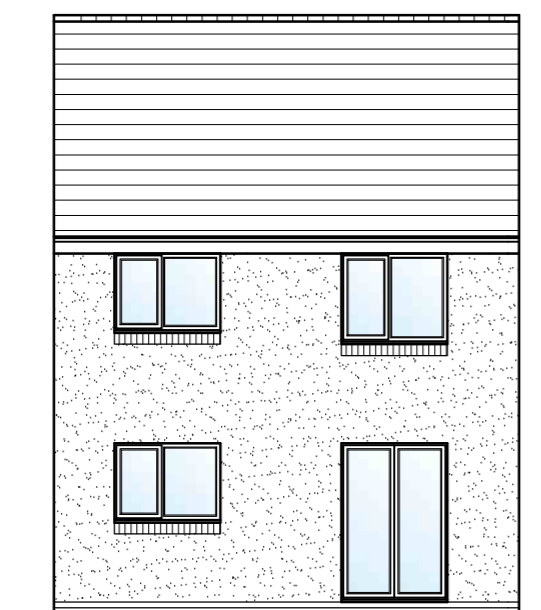
ROOF PLAN (PLOT 3)



FRONT ELEVATION (PLOT 3)




SIDE ELEVATION (PLOT 3)



REAR ELEVATION (PLOT 3)



SIDE ELEVATION (PLOT 3)

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<p>PROJECT: PROPOSED DEVELOPMENT AT LAND BETWEEN HARDIE AVENUE & ASHLEIGH ROAD, PEAR TREE ESTATE, RUGELEY</p>		
<p>DRAWING TITLE: PLOT 3 PROPOSED PLANS & ELEVATIONS</p>		
DATE:	Oct 23	SCALES: 1:100 @ A2
DRAWN:	IG	DRG No.:
CHECKED:		4054-005-06
		REV:

Contact Officer:	David O'Connor
Telephone No:	4515

Planning Control Committee
15 January 2025
Update Report

Application No:	CH/23/0401
Received:	30 November 2023
Location:	26 Hardie Avenue, Rugeley, Staffordshire WS15 1NU
Parish:	Rugeley CP
Ward:	Western Springs
Description:	Erection of 8x 3-bed semi-detached houses and 1x 3-bed detached house on land between Ashleigh Road and Hardie Avenue Rugeley WS15 1NU
Application Type:	Full Planning Permission

The application is being presented again to Members for determination as the site is owned by Cannock Chase Council and after a considerable period of time following the resolution to approve the development subject to S106 at Planning Control Committee 7 February 2024, the applicant has not entered into the required S106.

RECOMMENDATION: Refuse for the following reasons:

- (1) In the absence of an acceptable strategy to provide adequate long term maintenance to the central public footpath and associated land within the design, the development as proposed is judged unsustainable. The request for a S106 to secure adequate maintenance of the land is assessed as meeting the tests for S106 obligations within 56 and 58 of the National Planning Policy Framework, with the request being necessary, site specific/related to the development and appropriately quantified so as to meet the need to be fairly related in scale and kind to the development. Without such obligations being secured through a s106, the proposal would fail to enhance and thereafter maintain this area of public space within the designated Green Space Network and as such is contrary to Cannock Chase Local Plan Policies CP2 and CP5.
- (2) The applicant's refusal to sign or progress the S106 leaves the application in limbo and if approved would provide open space without due maintenance – which is viewed both as unsustainable and as not delivering upon the planning merits that were weighed in the balance as part of the original approval recommendation by

Planning Committee. As such there is a need to move to a conclusion on the submissions by refusing the application.

CONTEXT OF RECOMMENDATION

- 1.1 The application site relates to an irregular piece of land located to the side and behind numbers 28 and 30 Hardie Avenue on the Pear Tree Estate, Rugeley. The land is an open grassed area that forms part of the Green Space Network (GSN). The land slopes up steeply from Hardie Avenue providing a link to Ashleigh Road. All land at present is understood to be within the Council's ownership.
- 1.2 The application as was resolved to be approved by Planning Committee, proposed the erection of four pairs of semi-detached dwellings, and one detached dwelling providing for 9 No. dwellings in total. The dwellings are intended to straddle the proposed new formalised public footpath link that is to be sited within the centre of the site. In February last year Planning Control Committee voted to approve the application subject to the applicant entering a S106 obligation to secure appropriate maintenance responsibilities for the future footpath (full details of which are provided within the original Officer Report at Appendix 1).

S106 Obligations

- 1.3 The request for a S106 agreement follows a previous S106 agreement from 2019 where it was agreed and signed by all parties that a maintenance sum of £12,472 **index linked** would be paid to cover the ongoing maintenance of the publicly maintained land within the centre of the site to cover maintenance over a 20-year period. This was calculated using standard methodology accounting for items such as:
- (i) Litter bins – emptying twice weekly, replacing the liner after 5 years, replacing the bin after 10 years.
 - (ii) Tarmac surface – repair patching, resurface year 15 with slurry seal and chippings.
 - (iii) Landscaping – Hedge 120 linear metres cut once a year, grass cutting 310sqm cut 10 times per year .

Total cost £623.64 per year, times 20 years = £12,472.79

- 1.4 A new agreement was prepared for the 2024 application carrying forward the previous requirements but updated to reflect the indexation rises since the 2019. Using RPI inflation to convey the index linked amount it is suggested that Costs of Good And Services has risen by 33% over the 2019 to 2024 period. The new figure inserted into the draft was £16588 reflecting this uplift.
- 1.5 In September 2024 the Council received notice that having considered the maintenance payment the applicant was not prepared to proceed on the basis of the sums inserted in the Agreement. Further dialogue was undertaken explaining the context of the figures, how they were worked out and that the Planning Committee resolved to approve the application subject to the S106 requirements stated in the Officer Report at Appendix 1. Indeed this report at Para 12.2 confirms the only S106 matter required to be written into a formal agreement is the re-provision of the footpaths through the site and the

maintenance responsibility, hence the stated resolution by Planning Committee in line with the Officer Recommendation on the original report to secure this by S106.

Applicant Offer

- 1.6 Since September 2024 there has been little progress to resolving the matter. The applicant was invited to submit further information to dispute the figures on multiple occasions since September. On one occasion the applicant stated the intention to undertake maintenance and landscaping for 2 years, then pass the land back to the Council with no further maintenance liability or contributions to maintenance. This offer was put to the Council's Principal Landscape Officer who coordinates adoption of Open Space maintainable at the public expense. The response (also relayed to the applicant) stated:

Principal Landscape Officer Comments on Applicant Offer

It was and would be the intention for the developer to install the footpath and landscaping within the access corridor and then have an establishment period, generally 3 years but possibly two (depends what was stated in the original 2019 S106 agreement). This would include the usually quarterly joint inspections and subsequently at the end of the period if all should be fine then the site could be adopted by the Council who on payment of the requisite 20year commuted maintenance sum would adopt and take on the maintenance in perpetuity.

The Council will not just take on land after a set period of time with no involvement/checks and definitely not if there is no commuted maintenance sum.

- 1.7 The applicant puts forward an approach which either leaves the public footpath and related land accessible but without adequate long term care, or pushes further burden onto public finances, over and above the current grass cutting regime that is employed for the site. I.e. emptying bins, replacing street bins, repairing surfaces. Whilst yearly the amount is quite low (£829.44 / year index linked to 2024 levels) this cost must ultimately be borne within Council budgets if not met by the development. In light of other cuts to services and documented financial pressures coupled with the precedent that this approach to public open space would set, Officers do not consider either of these approaches reasonable.

Conclusion

- 1.8 In the absence of a proposed strategy to provide adequate long term maintenance to the central public footpath and associated land within the design, the development as proposed is judged unsustainable. Further the request for a S106 to secure adequate maintenance of the land is assessed as meeting the tests for S106 obligations within the NPPF, with the request being necessary, site specific/related to the development and appropriately quantified so as to meet the need to be fairly related in scale and kind to the development.
- 1.9 The applicant's refusal to sign or progress the S106 leaves the application in limbo and if approved would provide open space without due maintenance – which is viewed as unsustainable and not delivering the planning merits that were weighed in the balance as part of the original approval recommendation by Planning Committee. As such there is a need to move the application to a conclusion by refusing the development.

APPENDIX 1

PREVIOUS OFFICER REPORT 7 FEB 2024

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

Planning Control Committee 7 February 2024

Application No:	CH/23/0401
Received:	30 November 2023
Location:	26 Hardie Avenue, Rugeley, Staffordshire WS15 1NU
Parish:	Rugeley CP
Ward:	Hagley
Description:	Erection of 8x 3-bed semi-detached houses and 1x 3-bed detached house on land between Ashleigh Road and Hardie Avenue Rugeley WS15 1NU
Application Type:	Full Planning Permission

The application is being presented to Members for determination as the site is owned by Cannock Chase Council

RECOMMENDATION:

It is recommended that delegated authority be given to the Head of Economic Prosperity to grant planning permission, subject to the completion of a S106 agreement to:

- secure appropriate maintenance responsibilities for the future footpath and thereafter, the conditions outlined below.

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. Prior to the commencement of any development or earthworks on the site, a detailed report providing evidence to demonstrate the proposed dwellings and footpath will not impact upon ground stability shall be submitted to and approved in writing by the

Local Planning Authority. The report shall consider the following:

- a) the proposed means of retaining the land and dwellings, details of any required specialist foundations and shall provide evidence of appropriate calculations from a suitably qualified party to demonstrate the suitability of the proposed engineering solution.
- b) any required testing to establish ground conditions.
- c) required drainage within any retaining structures post completion and during the construction of any retaining structures.
- d) the proposed means of installation of any retaining structures, assess any potential impacts upon neighbouring properties and assess the opportunities for mitigating or minimising such impacts.

The development shall thereafter be undertaken in accordance with the approved report.

Reason:

In the interests of human health and addressing land stability in accordance with NPPF paragraph 170.

3. No part of the development hereby approved shall commence until a scheme detailing the extent of the proposed retaining walls, the materials used in their construction and details of any proposed balustrading have been submitted to and approved by the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details.

Reason

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

4. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including planting, fencing, walls, 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 development shall be carried out in accordance with the approved details.

Reason

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

5. 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, 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, vehicle movements (including those associated with the demolition works) to avoid school travel times 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.

6. The development hereby permitted shall not be commenced until details of proposed measures to mitigate known former landfill gases have been submitted to and agreed in writing by the Local Planning Authority.

Thereafter the approved measures shall be incorporated into the construction of each dwelling hereby permitted. No dwelling shall be occupied until verification that the approved measures have been incorporated into the construction of that dwelling has been received by the Local Planning Authority.

Reason:

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

7. Prior to the commencement of the development, details of the proposed means of foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall pay due regard to the sloping nature of the site and land stability.

Thereafter the development shall be carried out in accordance with the approved details.

Reason:

In the interests of ensuring appropriate site drainage that takes account of the constraints on the site in accordance with the NPPF.

8. All side facing first floor windows and all bathroom windows shown within the approved plans shall be obscured glazed to a minimum privacy level of Grade 5 and shall be permanently so retained for the life of the development.

Reason:

In the interests of reducing opportunities for overlooking and enhancing the privacy within neighbouring existing dwellings.

9. The development hereby permitted shall be carried out in strict accordance with the approved sectional details and stated datum levels within drawings 4054-005-08. Unless otherwise agreed in writing the development shall be carried out in accordance with the stated levels. At the reasonable request of the Local Planning Authority, where it would appear deviation from the approved levels is apparent, the developer at his expense, shall provide evidence of the finished levels within the site via formal site survey.

Reason:

In order to ensure compliance with the submitted details in the interests of amenity and allow for assessment of the resulting stated levels on site, where required.

10. No construction work or deliveries to the site shall be undertaken outside the hours of 0800 to 1900 Monday - Friday, 0800 to 1300 on Saturdays or at any time on Sundays, Bank or Public Holidays.

Reason

To protect the amenity of neighbouring occupiers.

11. The development hereby permitted shall not be brought into use until the access, parking and turning areas have been provided and surfaced in accordance with drawing number 4054-005-03 Proposed Site Plan and shall be thereafter retained for the lifetime of the development.

Reason:

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

12. Prior to the commencement of the development the replacement public footpath shall be provided in accordance with the submitted Drawing Number 4054-005-03 Proposed Site Plan and Drawing Number 4054-005-08 Site Sections and Proposed Street Scene.

Reason:

In the interests of maintaining connectivity during the course of the construction process.

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

4054-005-03 Proposed Site Plan dated Oct 23

4054-005-04 Proposed Equinox Shadows

4054-005-05 Plots 1-2 and 4-5 Plans and Elevations

4054-005-06 Plot 3 Floor Plans and Elevations

4054-005-07 Plots 6-7 and 8-9 Plans and Elevations

4054-005-08 Site Sections and Proposed Street Scene.

4054-005-09 Proposed Walkway Details

Reason:

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

Notes to the Developer:

Please note that prior to any alterations to the existing access within the public highway you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to "vehicle dropped crossings" which includes a "vehicle dropped crossings information pack" and an application form for a dropped crossing. Please complete and send to the address indicated on the application form, which is Staffordshire County Council at Network Management Unit, Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford. ST16 2DH or email

(nmu@staffordshire.gov.uk) www.staffordshire.gov.uk/transport/staffshighways/licences

Consultations and Publicity

Internal Consultations

Parks and Opens Spaces - Comments

There are no objections to the proposed tree removals but further details in relation to proposed tree protection to be instigated during the work should be provided.

Details landscaping information should be provided.

Bollards to prevent vehicular access should be provided which may involve redesign of the steps.

Additional levels information and a barrier between the private access drive and parking areas should be provided. Litter bins should be provided.

Confirmation is required as to the future responsibility for the access corridor.

Ecological Enhancements should be provided.

Planning Policy – Comments

The site forms part of the Green Space Network but does not fall within any other designated areas shown on the Local Plan Policies Map. I can also advise that the site comprises SHLAA (2023) sites R168 (6-15years) and R142 (Restricted and Excluded).

The development site is identified as being located within the Hagley Character Area; this character area is identified as being in a suburban area Character Density Zone. The Character Area Descriptions and District Profile for Hagley, states that this is a residential suburban area to the south-west of Rugeley town centre of inter-war and modern character types of houses with associated community facilities e.g., schools, health centre, reaching out to the urban-rural fringe.

The Character Area Descriptions identifies key local design principles and / or design principles new development should consider, including: recognise scope for variety of good quality design and materials throughout area whilst respecting scale and density of existing development, however area characterised by housing estates of homogenous design types which are each more sensitive to introduction of innovation; promote the permeability of cul-de-sac developments and links between key facilities is via improved green links where appropriate; consider visual impact of development on local views from nearby high ground.

The Design SPD for new dwellings also considers that the effects of shade from existing/proposed trees or buildings on or adjacent to the site must be fully considered. Further design considerations including spatial separation and garden space should refer to Appendix B of the Design SPD: Residential Development Guidelines including garden sizes.

It is considered that the proposed should respect the character and density of the area and promote the creation of better places in which to live and work.

Environmental Health – No objections subject to conditions

No particular concerns with the proposed development, although construction times should be restricted to minimise impact on residential amenity.

A Construction Hours condition is recommended.

External Consultations

Staffordshire County Council Highways Authority – No response received

Previous comments on the past scheme indicated no objections to the development subject to conditions requiring:

- (i) the parking and access arrangements proposed being provided prior to use of the dwellings
- (ii) The replacement of the public footpath
- (iii) The provision of cycle storage facilities in line with details to be submitted and agreed

Response to Publicity

The application has been advertised by neighbour letter. No letters of representation have been received in relation to the proposals.

1. RELEVANT PLANNING HISTORY

- CH/15/0255 - 5 No. 3 bedroom houses and associated access, Land adjacent to 28, Hardie Avenue, Rugeley. Approved subject to completion of S106 agreement. S106 yet to be formally signed and completed and therefore decision not yet issued.
- CH/17/295 - Residential development: Erection of two pairs of semi-detached dwellings. Approved Feb 2019

2. SITE AND SURROUNDINGS

- 2.1 The application site relates to an irregular piece of land located to the side and behind numbers 28 and 30 Hardie Avenue on the Pear Tree Estate, Rugeley. The land is an open grassed area that forms part of the Green Space Network (GSN). The land slopes up steeply from Hardie Avenue providing a link to Ashleigh Road. All land at present is understood to be within the Council's ownership.
- 2.2 There are two stepped paths on either side of the site, which lead to Ashleigh Road. The street scene comprises of a residential estate with semi-detached dwellings, which are all similar in appearance.



Figure 1: Satellite imagery showing the sites location and context in relation to neighbouring properties. Taken from Google Earth ©

3. PROPOSAL

- 3.1 The application proposes the erection of four pairs of semi-detached dwellings, and one detached dwelling providing for 9 No. dwellings in total. These are proposed to take access from both Hardie Avenue (the lower road) and Ashleigh Road to the south via a driveway with a 1 in 7 gradient. The Hardie Avenue properties will front the main highway in a similar manner to the existing dwellings adjacent. The properties off Ashleigh Road will be set down from the height of the dwellings on the higher land but owing to the steeply sloping nature of the site, will sit substantially above the finished floor level of the dwellings at the foot of the slope. The dwellings will straddle the proposed new formalised public footpath link that is to be sited within the centre of the site.

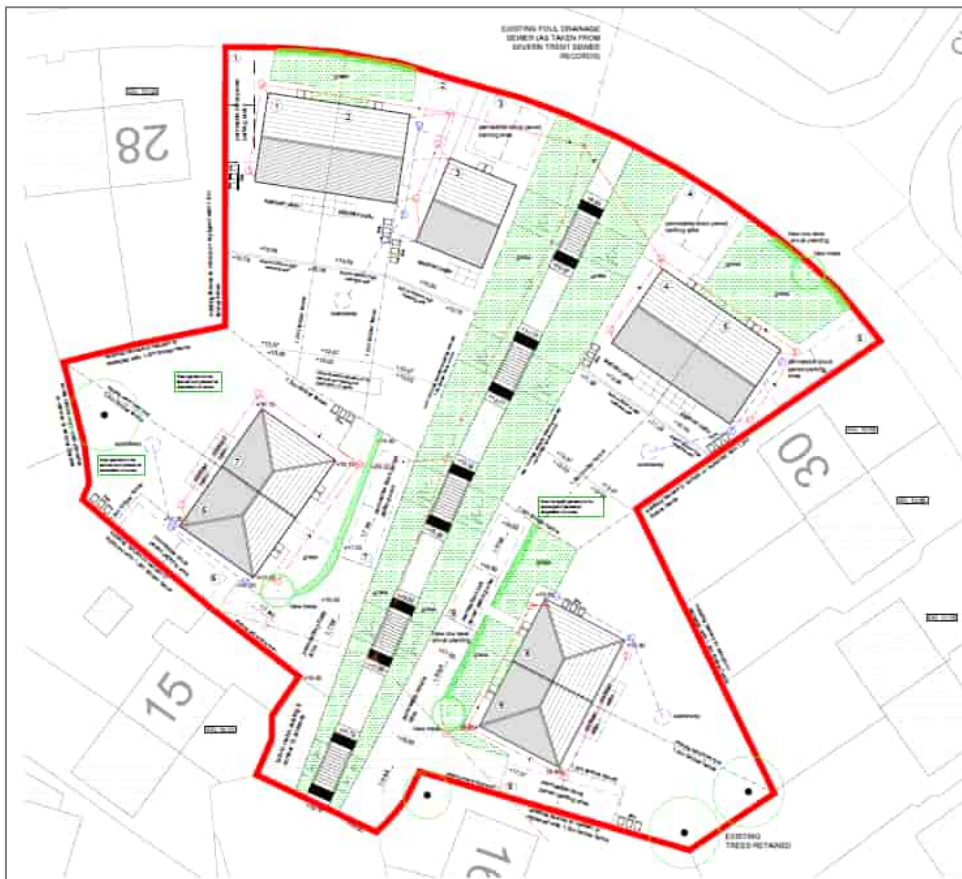


Figure 2: Extract from Proposed Site Layout Plan Ref 03.

4. PLANNING POLICIES

- 4.1 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.
- 4.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1 (2014) and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan Part 1

- 4.3 Relevant policies within the Local Plan include: -

CP1 - Strategy – the Strategic Approach

CP3 - Chase Shaping – Design

CP6 – Housing Land

CP7 – Housing Choice

Minerals Local Plan for Staffordshire

- 4.4 Relevant Policies within the Minerals Plan Include:

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

National Planning Policy Framework (NPPF)

- 4.5 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.
- 4.6 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.
- 4.7 Relevant paragraphs within the NPPF include paragraphs: -
- 8: Three dimensions of Sustainable Development
 - 11-14: The Presumption in favour of Sustainable Development
 - 47-50: Determining Applications
 - 60, 75, 76, 77, 78: Delivering a Sufficient Supply of Homes
 - 131, 135, 137, 139: Achieving Well-Designed and Beautiful Places
 - 180, 191: Conserving and Enhancing the Natural Environment
- 4.8 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

5. DETERMINING ISSUES

- 5.1 The determining issues for the proposed development include: -
- (i) Principle of development
 - (ii) Character and Appearance
 - (iii) Amenity Considerations
 - (iv) Highways Considerations
 - (v) Tree Considerations
 - (vi) Biodiversity
 - (vii) Land Stability and Contamination
 - (viii) Other Issues

6. PRINCIPLE OF THE DEVELOPMENT

- 6.1 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.
- 6.2 The site is located within the settlement of Rugeley. Policy CP6 states that housing proposals for 2350 new dwellings will be provided on urban sites with 29% provided in Rugeley. These will generally be provided on sites identified within the SHLAA, albeit the figures do account for discounts and additional windfalls evidenced historically within the SHLAA.
- 6.3 In respect to the principle of the proposal it is noted that the site is within the existing settlement, is within walking distance of key public services, public transport and is served by a local centre. Spatially therefore it is considered the site has good access by public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development.
- 6.4 Development of the site would run in conflict with the general presumption to maintain existing sites that form part of the defined Green Space Network. However, Policy CP5 states that there will be a general presumption against the loss of these sites unless:
- (i) The site is surplus to requirements and no longer required to meet demand for any of the identified purposes or,
 - (ii) The wider sustainability benefits of the proposals outweigh the loss or.
 - (iii) Appropriate replacement facilities of equivalent or better quality, quantity and accessibility are provided.
- 6.5 The development in this case, as has previously been confirmed by the Council's Landscape Officer, is considered to be poor quality open space owing to the steeply sloping nature of the site. In their view, the site is surplus to requirements and does not fulfil its status as designated Green Space Network land. The site is also immediately adjacent to properties who report they have been burgled in previous years. The disposition of the public space around these existing dwellings means easy access is available to land that is not particularly overlooked, is in close proximity to private spaces and offers opportunities for individuals to linger unchallenged which in turn would likely contribute to anti-social behaviour (ASB). This is exacerbated by the various potential escape routes available, the absence of territoriality, ownership or management of the space, the poor appearance of the land and the overall absence of defensibility in terms of the transition away from public to private. Such factors are known to contribute to crime and the fear of crime alongside ASB and are cited within the Secured by Design Standards 2016, Urban Design Compendium and Building for Life Design Criteria.
- 6.6 To remove opportunities such as these via the provision of the new dwellings would promote natural surveillance of the spaces, increase territoriality and ownership of the public space, and would remove unmanaged or unmaintained corners where individuals could linger without challenge. Such changes display clear benefits in terms of reducing crime and the fear of crime and in terms of the

aesthetic appearance of the area. Such benefits closely accord with the desire to promote defensible space set out in Local Plan Policy CP3.

- 6.7 Therefore, on the basis of both the site being surplus to requirements in terms of open space provision and in terms of the wider sustainability benefits that would flow from the environmental improvements resulting from the development, in principle the proposals are considered to accord with the exceptions requirements of Local Plan CP5.

7. DESIGN CHARACTER CONSIDERATIONS

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

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



Figure 3: Site imagery taken from Hardie Avenue looking up towards Ashleigh Road

- 7.2 The land in question is undeveloped grassland with two footpaths providing links to Hardie Avenue from Ashleigh Road. The land is not particularly well managed partly as a consequence of the difficulty in mowing such a steep site. It also is steeply sloping, which in bad weather means mud or icy conditions would render the route unusable. In conjunction fronting onto Hardie Avenue, it is proposed to formalise the footpath into a single landscape strip with steps. This has benefits in terms of the appearance of the site and accessibility year-round to the wider footpath network. It is noted retaining walls will be required to address the levels. It will be important to ensure these are constructed from appropriate materials and conditions are recommended accordingly.



Figure 4: Extract from proposed front elevation that reflects the roof form of adjacent properties.

- 7.3 In terms of the appearance of the buildings, the general roof form proposed to the dwellings and the general plan form is reflective of the appearance of the neighbouring semi-detached properties. It is noted that in order to reduce the effects of the proposed dwellings on neighbouring properties, the hipped roofs proposed to the upper dwellings are to be much shallower than that apparent in the existing dwellings. This is considered to run at odds with the prevailing appearance of the existing dwellings in the area. Members will need to consider if this design deviation is so serious as to warrant refusal of the application. In the Officer's view, the design approach taken is justifiable on the basis of minimising effects on neighbouring buildings.
- 7.4 Taking the above into account, Officers consider that subject to conditions the proposals broadly accord with the guidance within the Design SPD and broadly accord with the aims of Local Plan Policy CP3 and the aims of the NPPF. Whilst a slight deviation from the design ideal is apparent resulting from the differing roof pitches proposed to existing properties, this is considered minor and is justifiable in amenity impact terms.

8. AMENITY CONSIDERATIONS

- 8.1 Policy CP3 of the Local Plan states that the following key requirements of high-quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 8.2 Of particular note in relation to the assessment of amenity impacts is the proximity to neighbours at 34 Hardie Avenue and 15 Ashleigh Road as well as No. 34. Working through these in turn:

8.3 28-36 Hardie Avenue & prospective occupants of proposed dwellings

Separation Distances – Inter-visibility between dwellings

- 8.4 In relation to properties on Hardie Avenue and loss of privacy within dwellings, in all instances where some outlook is apparent broadly towards neighbouring properties, separation distances in excess of 20m are apparent and these often are not square relationships (i.e. such that the standard can afford to be reduced marginally without impacting privacy and inter-visibility). The Council's standards

suggest 21.3m would convey an acceptable relationship. Taking into account the particular circumstances of this case, (i.e., not facing elevations, unusual levels differences etc) it is considered there is no significant impact in terms of inter-visibility and privacy impacts between the most affected existing dwellings in the vicinity of the site and the prospective occupants of the lower dwellings proposed.

Overlooking of Gardens

With regard to garden areas and overlooking, the Council's standards within the Design SPD suggest that side facing windows not be nearer to boundaries than 10m. The windows in this case that are side facing serve only landing space and any lesser distance to a boundary will be dealt with by condition. However, the Council's standards do not state a specific distance to boundaries for rear facing windows. It seems reasonable to Officers to carry forward the 10m side boundary standards to the rear as a minimum figure for main windows on the rear elevation.

- 8.5 Taking into account the above and applying it to the proposed development, it is noted that the first-floor plans position the main rear facing window more centrally within the building and the other window is a bathroom window that could be obscure glazed and permanently so maintained by condition. In all cases for dwellings 28-36 Hardie Avenue and the new prospective properties this distance is 9.5m – 10m and often with an angular relationship such that direct views are less likely. Taking this into account, it is judged the proposed dwellings would not cause an unacceptable degree of overlooking to neighbouring gardens.

Loss of Light and Overbearing

- 8.6 The submitted plans provide detailed sectional analysis of the proposed buildings versus the existing finished ground levels for properties on Hardie Avenue. In particular the relationship to 32 Hardie Ave is examined in detail alongside Proposed Plot 1. In both instances the 25-degree standard is shown to be met within the detailed sectional appraisal. In line with the Council's guidelines for opposite obstructions this is indicative that an acceptable level of daylight and outlook would remain to the respective properties.

Overshadowing and Solar Panels

- 8.7 Detailed appraisal of the levels of overshadowing that would result from the proposals is provided in the submissions. These plans assess the shadows cast at Spring Equinox levels. This means the shadow path analysis is a mid-point analysis that takes account the shadows would be less than shown in the summer and more than shown in the winter. This approach to assessing the effects accords with the requirements of the BRE Site Layout: Planning for Daylight and Sunlight guidelines.
- 8.8 The submitted Shadowing Assessment plans show that all dwellings will receive at least 2 hours of sunlight to more than 50% of their gardens on 21 March (Spring Equinox Level). This accords with the suggested minimum standard at paragraph 3.3.7 of the above guidelines. Moreover, it is shown within the shadow assessment plans that all neighbouring gardens to the existing and proposed properties would receive in excess 3 hours sun within their gardens such that the standard will be comfortably exceeded. The shadow paths shown also do not overlap existing or proposed building through the main parts of the day. This means that no shadowing of internal spaces is likely to occur (at Spring Equinox 'medium' sun levels) when some shadowing is permissible in practice. Hence the

development is considered to not to cause significant additional shadowing of internal or external spaces to warrant refusal of the submission.

In relation to the proposed shading of solar panels at 34 Hardie Avenue, this property is situated due east of the proposed plots 3 and 4. Shading could not substantially affect the roof of this building until late into the evening when the sun is west of the development. Hence during main productive hours and at Spring Equinox mid-levels, it is not considered the solar panels associated with No. 34 would be substantially affected.

Amenity Considerations for 15 and 16 Ashleigh Road

8.9 For numbers 15 and 16 Ashleigh Road, these are the properties to the south of the site that are most likely to be impacted by the development. In exploring whether the proposals would lead to amenity impacts on these dwellings it is considered:

- The southerly position of these existing dwellings means no overshadowing from the development.
- The front and back outlook of these existing properties is consistent with those proposed. In tandem with the lower finished datum level of the proposed properties this ensures no loss of light, sense of enclosure or inter-visibility between living spaces.
- Subject to conditions requiring obscured first floor side facing windows, no overlooking towards neighbouring gardens or other areas would result.

Prospective Residents Amenity

8.10 For the proposed dwellings, the proposals would meet the minimum recommendations for outdoor amenity space and parking provision.

8.11 Taking the above factors into account, in accordance with the assessment criteria set out within the Council's adopted standards, it is considered that a good standard of amenity would be achieved for all existing and future occupiers of the existing and proposed dwellings in accordance with Policy CP3 of the Local Plan and the NPPF.

9. IMPACT ON HIGHWAY SAFETY AND PUBLIC FOOTPATH

9.1 Paragraph 115 of the NPPF states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

9.2 In this respect, the County Highway Authority previously raised no objections to the proposals in terms of highway safety subject to conditions. Whilst it is recognised there is some degree of on street parking on Ashleigh Road, it is not judged that 4 No. additional dwellings would pose a severe transport or highways issue at the location. Furthermore, the conditions in particular require that the dwellings permitted are not brought into use until the driveways are provided i.e., to minimise on street parking.

- 9.3 The conditions seek to secure the replacement footpath shown on the drawings is provided prior to commencement of the development. This is considered justified taking account the full planning balance apparent in this case. i.e., there is a loss of open space and potentially public footpath. In order to combat this loss and ensure walkability within the community is not impacted, Officers would recommend that it is ensured the development is completed following re-provision of the footpath as shown. In addition, this is intended to form a component of the S106 as part of this development.
- 9.4 With regards to parking provision, the dwellings proposed are 3-bedroom properties. Each would therefore require 2 off-street spaces. The proposals provide for this with appropriate manoeuvring. Accordingly, it is considered the proposals accord with the Parking SPD of 2 spaces per 3-bedroom dwelling.
- 9.5 Overall, it is concluded that the residual cumulative impacts of the proposal would not be severe in highway terms, conditions would ensure site permeability is maintained and the proposals would be in accordance with the Parking SPD and the NPPF.

10. IMPACT ON NATURE CONSERVATION INTERESTS

- 10.1 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that are given special protection, or which are of particular conservation interest.
- 10.2 As such the site is not known to have significant ecological value and therefore no obvious direct harm to nature conservation interests is considered to result.
- 10.3 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 9 No. such that SAC mitigation contributions are required. Such contributions will be secured by CIL where applicable to the development.
- 10.4 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.

11. LAND STABILITY AND CONSTRUCTION MANAGEMENT

- 11.1 The development is located on a steeply sloping site. To develop the site will require detailed structural consideration to prevent land slip and danger to properties lying beneath the development. Whilst it is recognised an engineering drawing for a retaining wall with surface drainage outfall has been provided, more detailed consideration of potential land slip, impacts from surface water during construction and post completion and any other potential safety implications is considered necessary. Such matters can reasonably be secured by condition in the interests of health and safety of residents and property.

- 11.2 By its nature, the construction of the appropriately engineered solution and the dwellings and footpath will necessitate care and planning in relation to the development programme. Materials deliveries to the site, plant and machinery deliveries and storage etc, will all need to be considered given the constraints applicable to the site. Furthermore, Environmental Protection recommend controls and care is taken in the construction process given the proximity to existing dwellings. Accordingly, it is considered in the interests of maintaining safe and convenient access to the site and neighbouring properties and on the basis of amenity, a construction and environmental management plan and programme of works that takes account of any specialist engineered solution is required. Such a plan can reasonably be secured by condition.

12. OTHER CONSIDERATIONS

- 12.1 The Council's Landscape Officer recommends that boundary treatment details and balustrading details to retaining walls. Clarification via details of the maintenance responsibility for these features is also sought. Such details are relevant to the design merits of the proposals and are considered reasonable. Details of soft landscaping and foul and surface water drainage are also sought. These matters can also reasonably be secured by condition.
- 12.2 In terms of S106 requirements and contributions, the Councils CIL Charging Schedule was approved on 19th February 2015 and came into effect on the 1st June 2015. The CIL at the current rate is payable for all new residential development and is used to pay for infrastructure including SAC contributions. Therefore, the only S106 matter required to be written into a formal agreement is the re-provision of the footpaths through the site and the maintenance responsibility.

13. HUMAN RIGHTS ACT 1998 AND EQUALITY ACT 2010

Human Rights Act 1998

- 13.1 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

- 13.2 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.
- 13.3 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.

- 13.4 It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.
- 13.5 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.

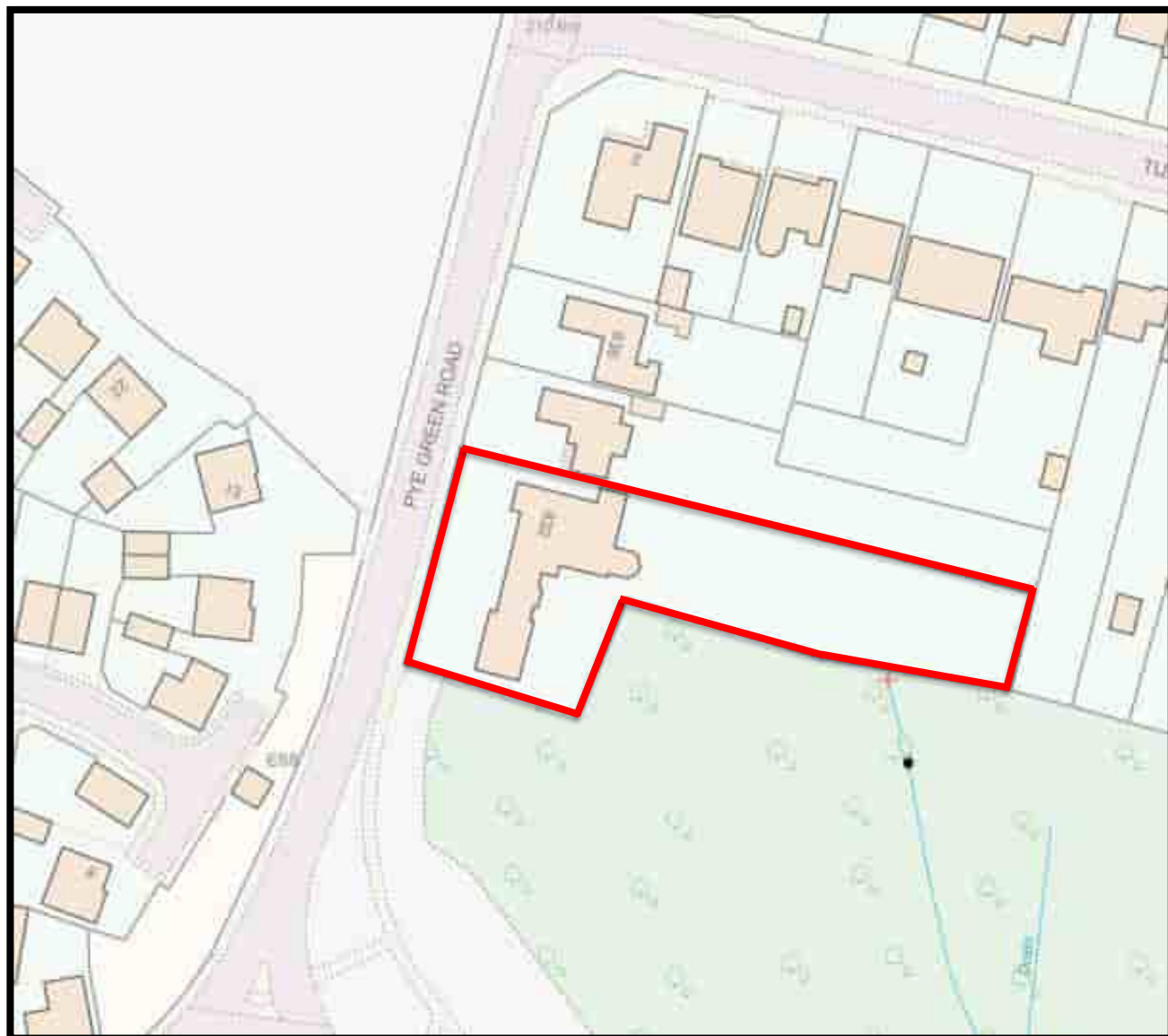
14. CONCLUSION

- 14.1 The application proposes the erection 9 No. dwellings in total. The proposed redevelopment of the site is considered to be acceptable in principle given the sites location within the settlement of Rugeley. Whilst the site does form part of the Green Space Network, as evidenced within this report, the site is considered surplus to requirements and does not fulfil its function as Green Space Network given the steeply sloping nature of the site. Indeed, the location of the land in question and its appearance, are considered to be a contributing factor to ASB and crime within the area. Hence redevelopment of the land would assist in improving the appearance of the area, reducing the fear of crime, and improving accessibility to the wider footpath network owing to the replacement footpath proposed.
- 14.2 Although in part, the design of the proposed dwellings could be improved by steepening the roof pitches to reflect neighbouring dwellings, the shallower pitch is required to minimise the effects upon neighbouring properties. Detailed assessment of the amenity impacts of the development have been carried, including via sectional and shadow analysis. Overall, the submitted plans show that the proposed development would be in accordance with the Design standards set out with. he adopted Design SPD.
- 14.3 A number of other issues such as traffic and parking, land stability, construction considerations have been considered in this report. In all cases it is considered there are no substantial reasons as to why permission should be withheld, and in many cases the issues can be addressed via planning conditions.
- 14.4 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.

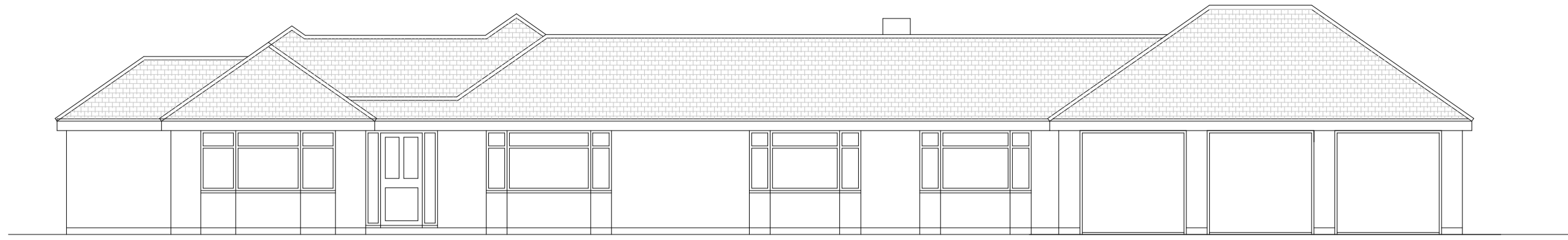
Application No: CH/24/314

Location: 832 Pye Green Road, Cannock, Staffordshire WS12
4LW

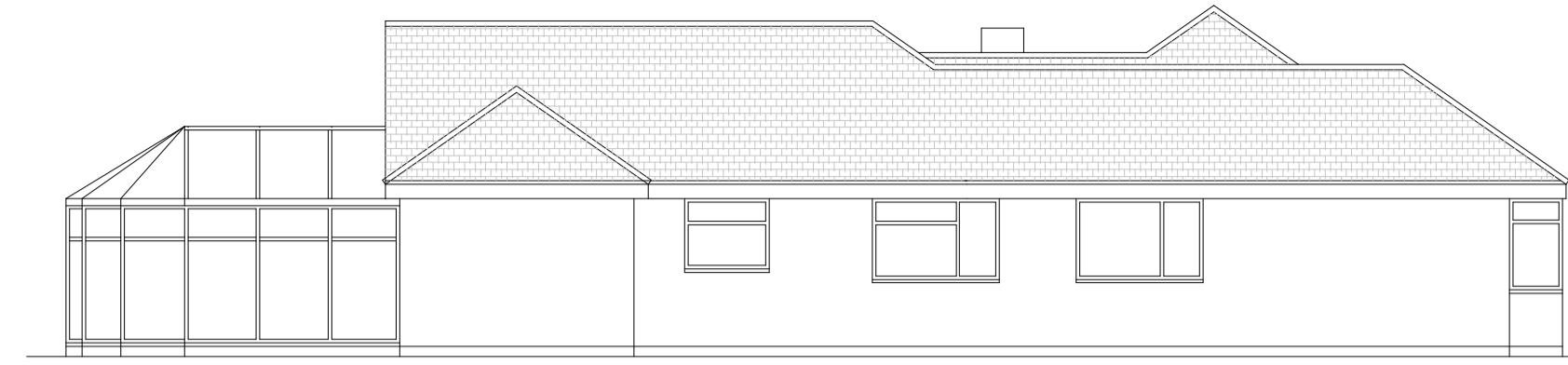
Proposal: Subdivision of bungalow into two dwellings



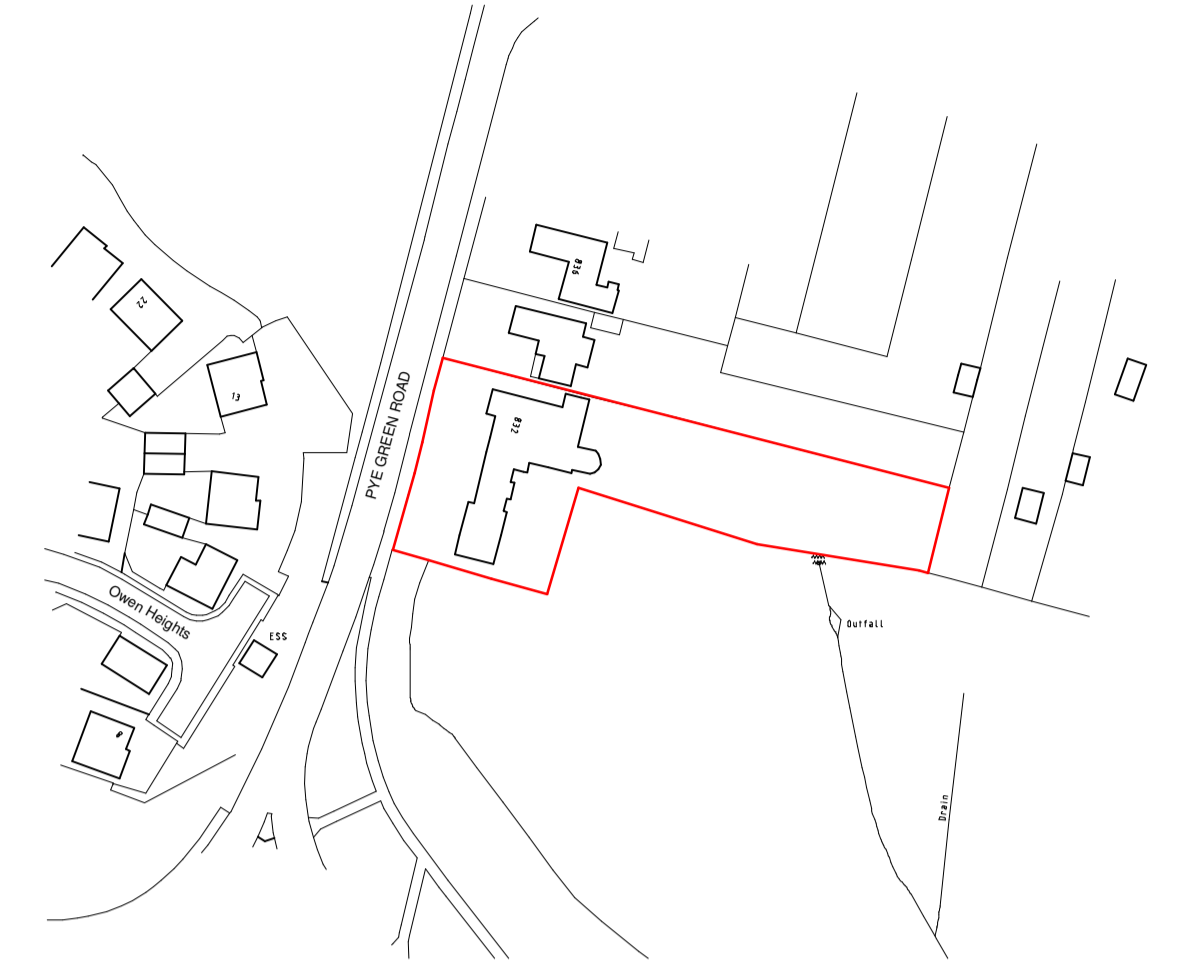
Site Location Plan



Existing Front Elevation



Existing Side Elevation



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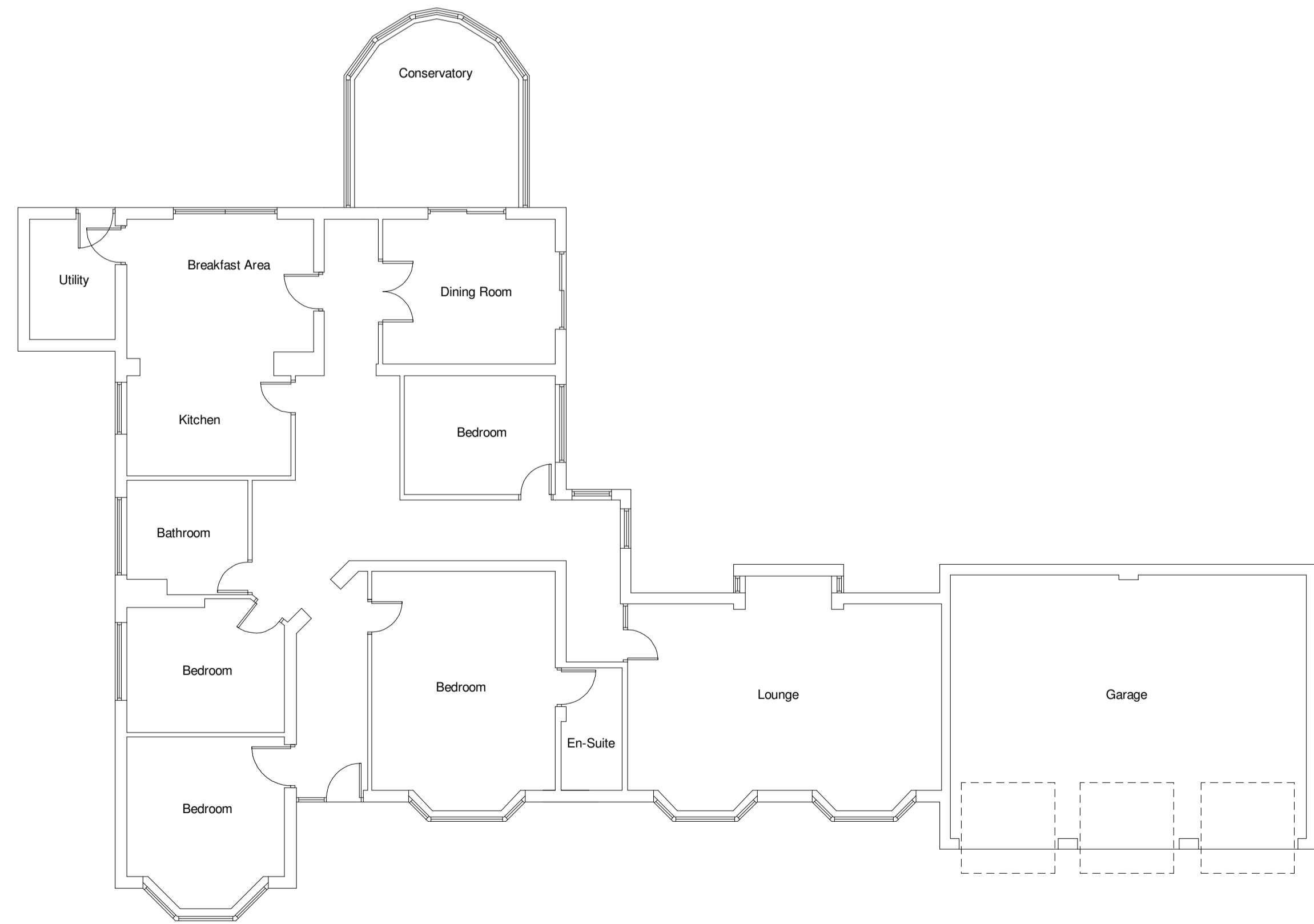
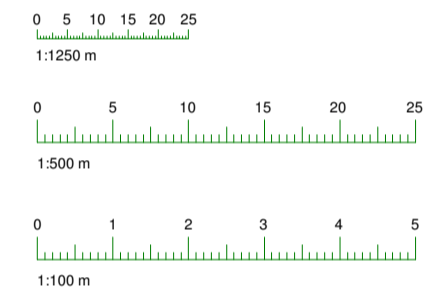
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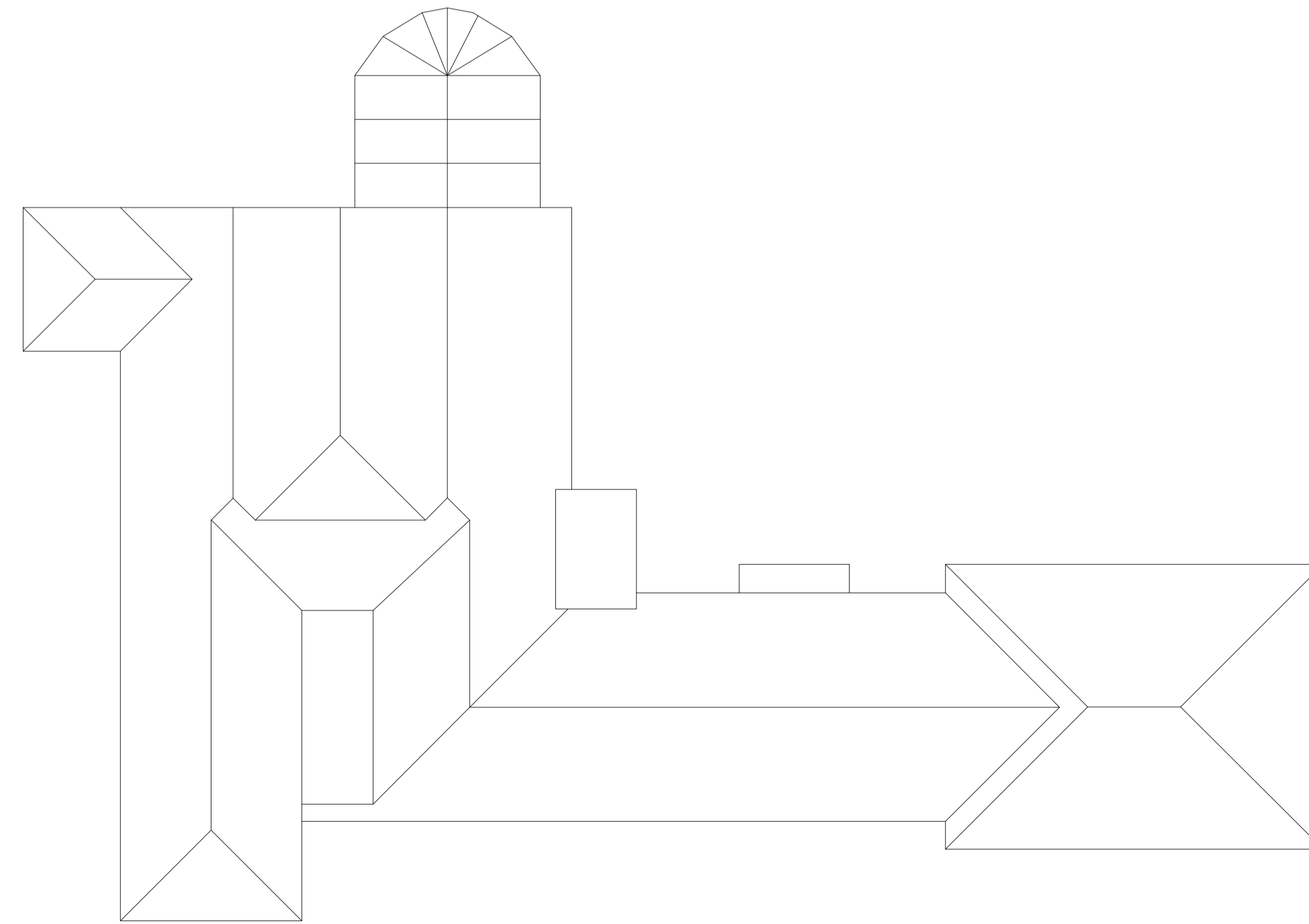
Existing Rear Elevation



Existing Side Elevation

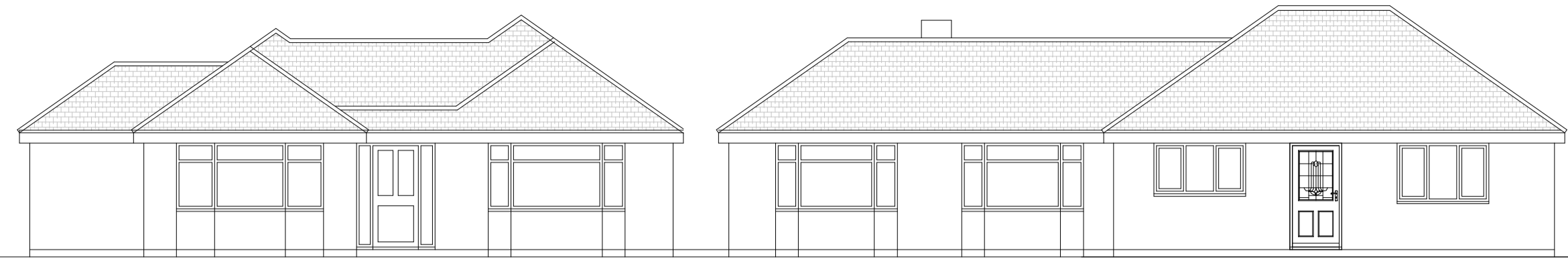


Existing Floor Plan

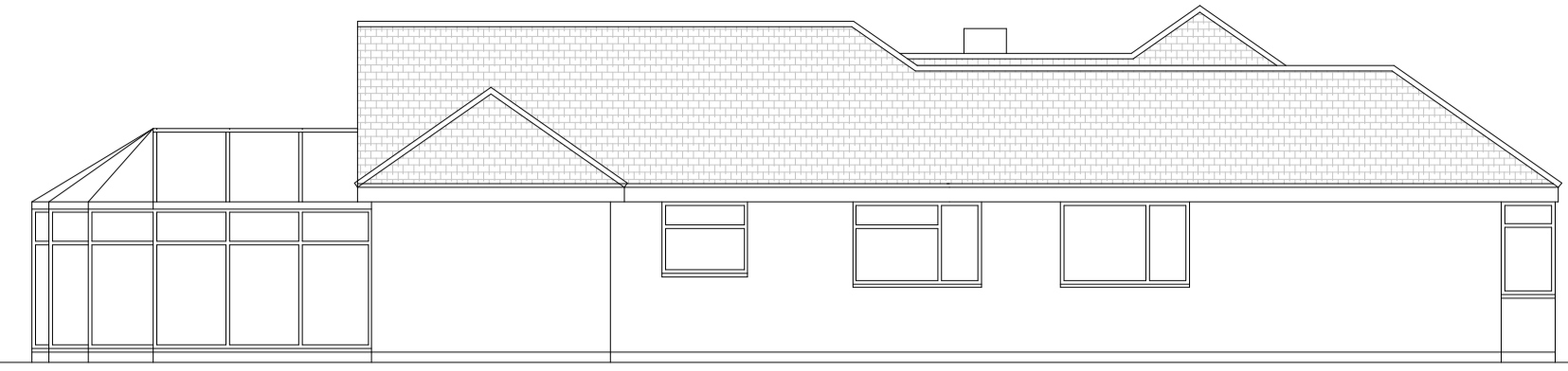


Existing Roof Plan

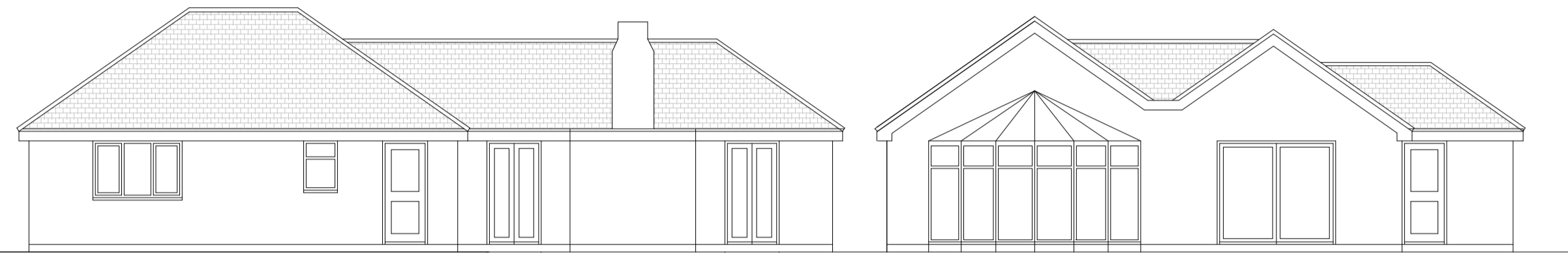
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<p>Project: 832 Pye Green Road Cannock</p>			
<p>Drawing Title: Existing Plans & Elevations</p>			
Stage:	Status:	Sheet Size: A1	
Job Number: 3067	Date: 25-07-24	Scale: 1:100	
3067-01			Revision:



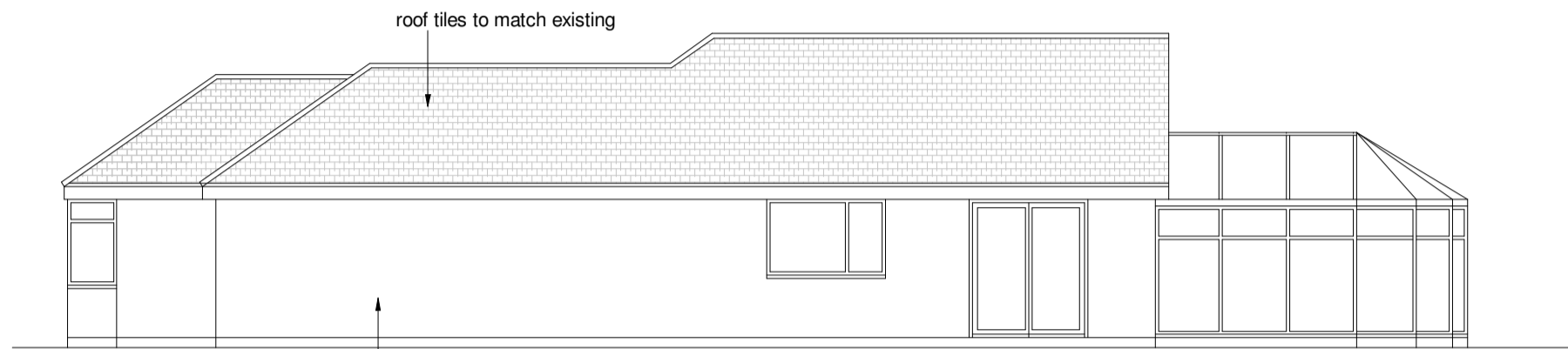
Proposed Front Elevations



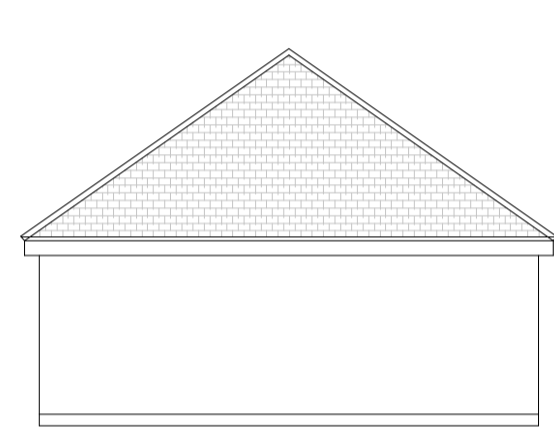
Proposed Side Elevation of 832



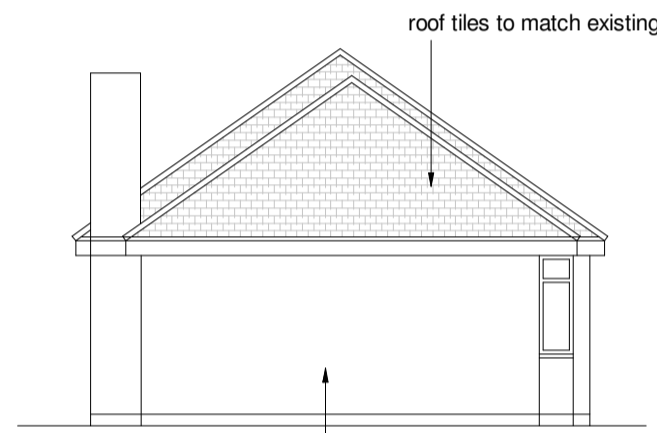
Proposed Rear Elevations



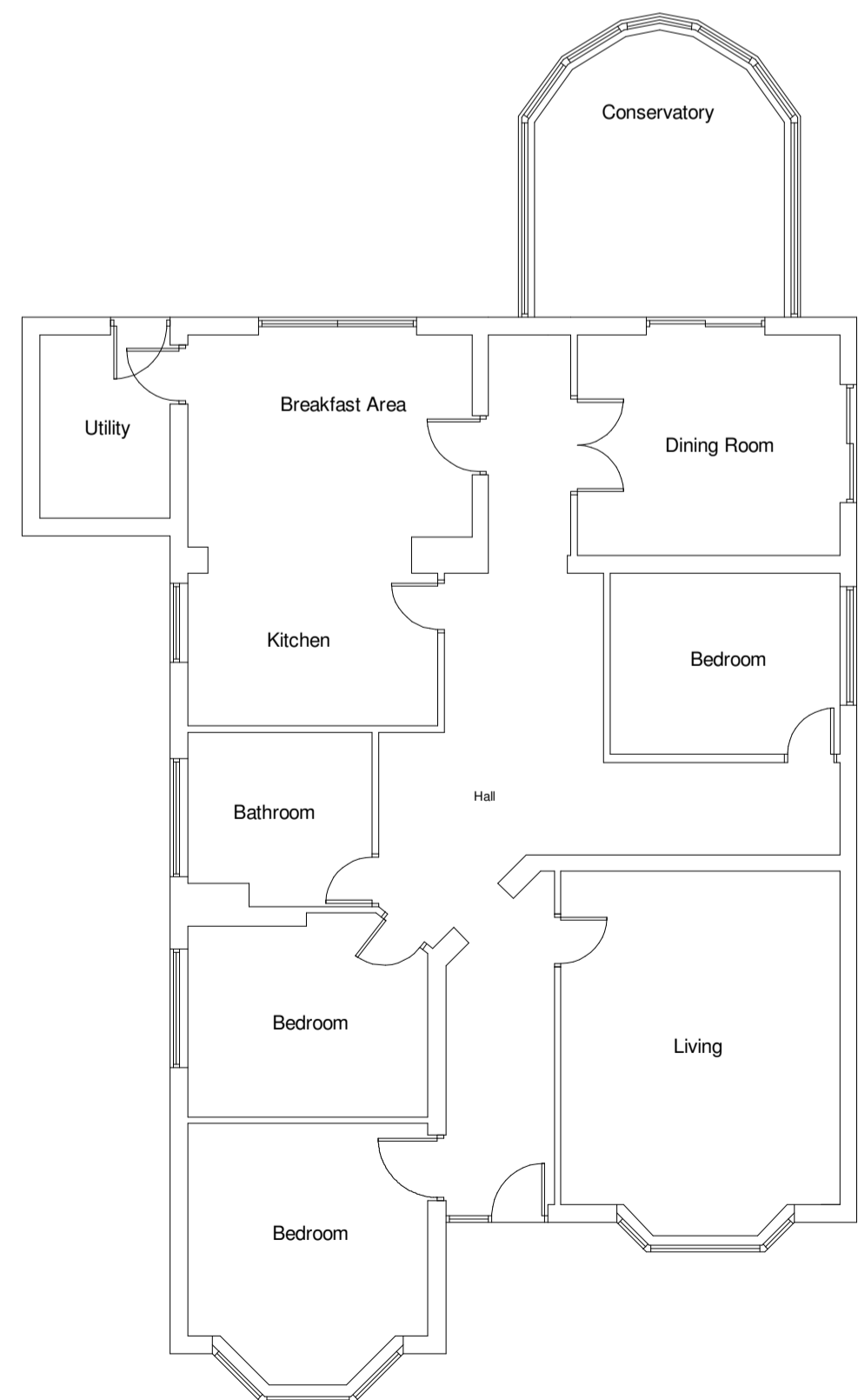
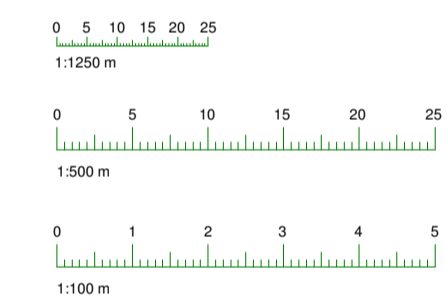
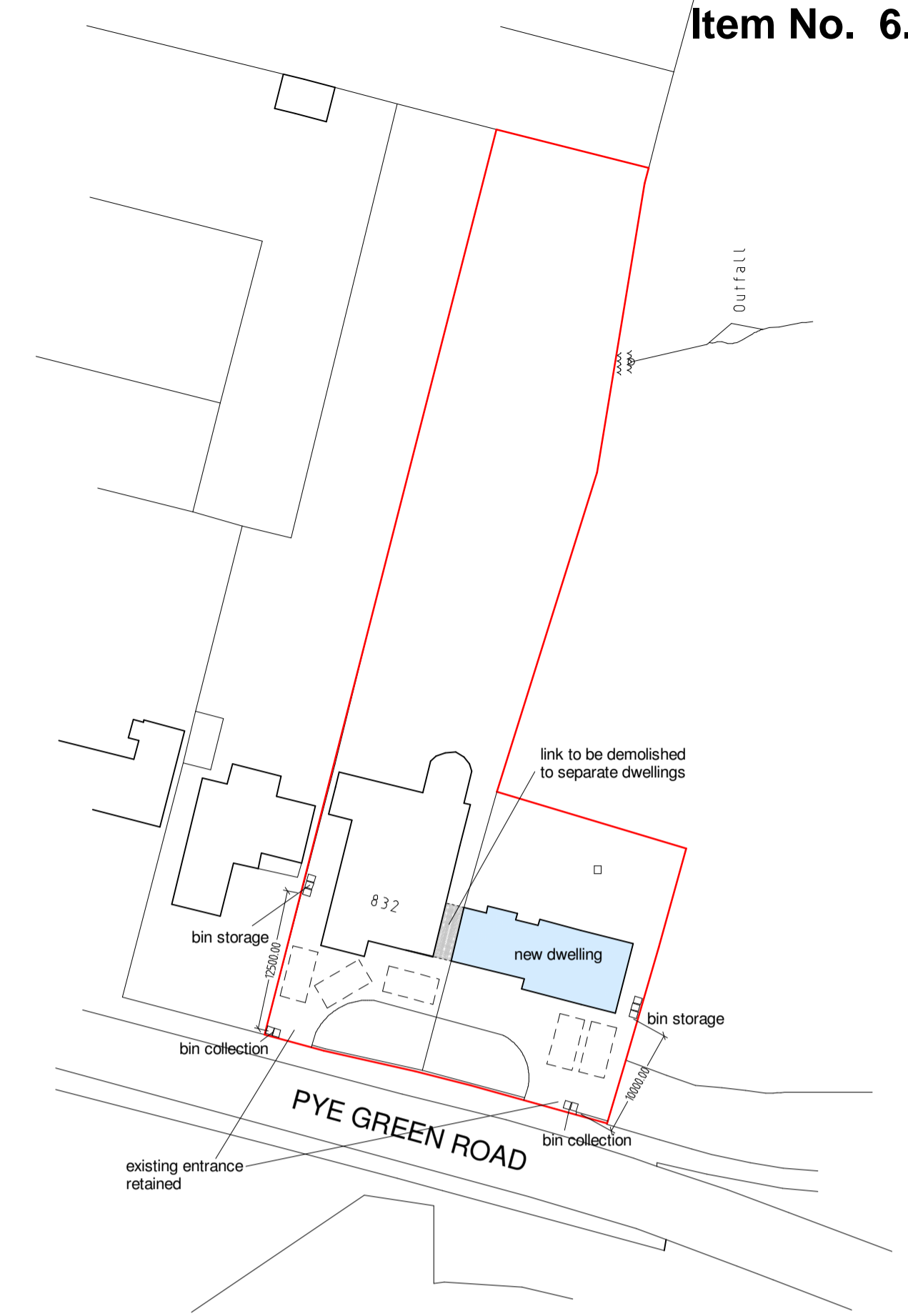
Proposed Side Elevation of 832



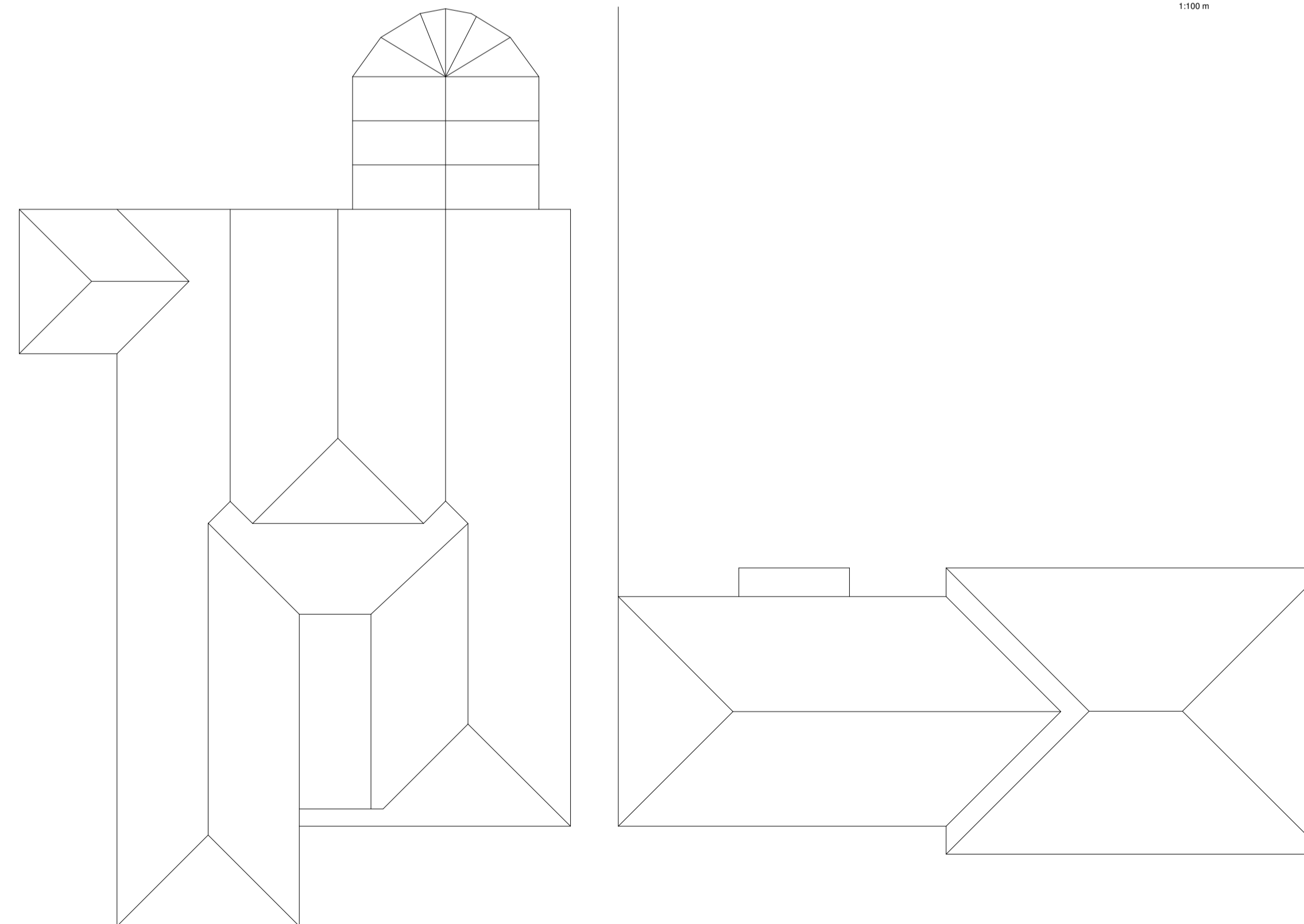
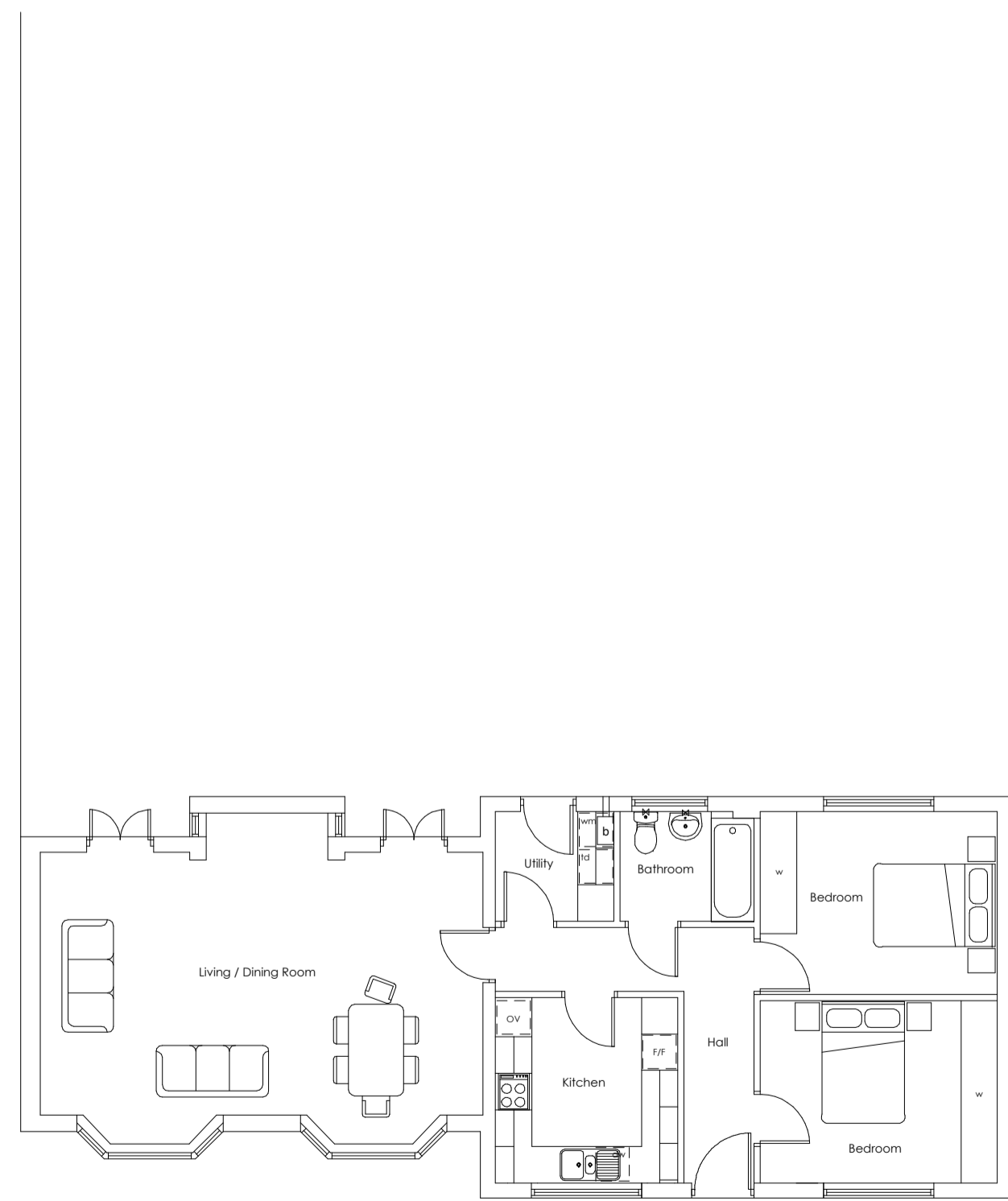
Proposed Annex Side Elevation



Proposed Annex Side Elevation



Proposed Floor Plan



Proposed Roof Plan

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<p>Client: Mr N Clarke</p>			
<p>Project: 832 Pye Green Road Cannock</p>			
<p>Drawing Title: Proposed Plans & Elevations</p>			
Stage:	Status:	Sheet Size: A1	
Job Number: 3067	Date: 26-07-24	Scale: 1:100	
3067-02			Revision:

Contact Officer:	Amy Jackson
Telephone No:	01543 464 577

<p>Planning Control Committee 15 January 2025</p>

Application No:	CH/24/314
Received:	20-Nov-2024
Location:	832 Pye Green Road, Cannock, Staffordshire WS12 4LW
Parish:	Hednesford
Ward:	Hednesford Green Heath
Description:	Subdivision of bungalow into two dwellings
Application Type:	Full Planning Application

This application is being presented to Planning Control Committee due to the applicant being an employee of the Council.

Recommendation: The application be approved subject to conditions.

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions)

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

Reason

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

2. The materials to be used for the external surfaces of the development shall be of the same type, colour, and texture as those used on the existing building.

Reason

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development within Part 1 of Schedule 2 to the Order shall be carried out to the 'new dwelling', as described in the Proposed Plans & Elevations - 3067-02, which comprises a two-bedroomed bungalow, without an express grant of planning permission, from the Local Planning Authority.

Reason

The Local Planning Authority considers that such development would be likely to adversely affect the established landscaping which abuts the site. It is considered to be in the public interest to require an application to enable the merits of any proposal to be assessed and to ensure compliance with Local Plan Policy CP3 and CP14 and the NPPF.

4. The development hereby permitted shall not be brought into use until the parking areas have been provided in a bound and porous material in accordance with approved Drawing No. 3067-02 'Proposed Plans and Elevations' and shall thereafter be retained for the lifetime of the development.

Reason

In the interest of highway safety and to ensure compliance with paragraph 116 of the National Planning Policy Framework.

5. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Proposed Plans & Elevations - 3067-02

Reason

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

Notes to the Developer:

Mining Remediation 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 Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at: <https://www.gov.uk/government/organisations/mining-remediation-authority>

Consultations and Publicity

External Consultations

Hednesford Town Council - No response to date.

Highway Authority - No objection, subject to condition.

Internal Consultations

Parks & Open Spaces - No objection

Environmental Health - No comments.

CIL Officer - No response.

Response to Publicity

The application has been advertised and neighbour letter. No letters of representation have been received.

Relevant Planning History

CH/97/0188: 832, Pye Green Road, Hednesford - Change of use of land and alterations and extensions to existing bungalow granted - 21-may-1997.

1 Site and Surroundings

- 1.1 The application site comprises an existing four bedroomed bungalow located in the suburban area of Hednesford. The frontage comprises a wide hardstanding driveway, with two access points for vehicles, the frontage is delineated with a small brick wall. The bungalow includes an integral triple garage and there is a substantial private garden to the rear. The dwelling is set on lower ground than the adjacent highway.
- 1.2 The site is not Green Space Network as it relates to existing garden land, which was subject to development under planning permission CH/97/0188. The site is, however, bordered by Green Space Network which comprises of substantial landscaping, including established trees.
- 1.3 The site is located within a Mineral Consultation Area and is considered low risk by the Mining Remediation Authority. The wider street scene comprises of dwellings of varying scales, design, and styles.

2 Proposal

- 2.1. The applicant is seeking consent for the subdivision of the existing bungalow into two dwellings.
- 2.2. The existing triple garage and a lounge would be converted to form a separate two-bedroom bungalow with private amenity area and driveway with separate access. The existing ensuite and hallway that links the main dwelling to the lounge and triple garage would be removed. The proposed finishes to the external works required would match those of existing dwelling.
- 2.3. The bungalow to the east would become a three bedroomed dwelling, retaining its respective rear amenity and driveway with separate access.
- 2.4. Externally the proposal includes the removal of three garage doors and proposed windows and access doors to the front and rear.

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 (2017 - 2028) 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 |
| CP7: | Housing Choice |
| CP10: | Sustainable Transport |
| CP12: | Biodiversity and Geodiversity |
| CP13: | Cannock Chase Special Area of Conservation (SAC) |
| CP14: | Landscape Character and Cannock Chase Area of Outstanding Natural Beauty |
| CP16: | Climate Change and Sustainable Resource Use |
- 3.4 Minerals Local Plan for Staffordshire
- There are no policies relevant to the proposal within the Minerals Plan.
- 3.5 Neighbourhood Plan
- Relevant policies within the Hednesford Town Neighbourhood Plan include: -
- Housing Development - Policy H1
- 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 |
| 116: | Highway Safety and Capacity |
| 128: | Making effective use of land |
| 131, 135, 136, 137, 139: | Achieving Well-Designed Places |
| 181: | Planning and flood risk |
| 193-195: | Habitats and biodiversity |
| 196, 198: | Ground conditions and pollution |
| 231, 232 | Implementation |

3.9 Other relevant documents include: -

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

4 Determining Issues

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

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

‘For decision taking this means:

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

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

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

4.1.4. 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.

4.1.5. 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 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.

4.1.6. Policy H1 of the Hednesford Neighbourhood Plan states:

'The building of bungalows will be supported where it is viable either as a component of the dwelling types or, on appropriate small developments as the whole development, on housing sites identified in the SHLAA which do not have the benefit of full planning permission or are the subject of adopted development briefs, together with any windfall sites which come forward during the plan period. Bungalows should be designed to mobility standards suitable for occupants who may need to use wheelchairs or other mobility aids. The properties should normally be two bedroomed units on plots which provide the minimum garden space identified in the District Council's adopted Design Supplementary Planning Document. The District Council should consider withdrawing "Permitted Development" rights for extensions in order to retain the property at a size to meet the identified demand.'

4.1.7. In this instance the site is a windfall site, and the proposed development would be supported by the above in delivering accessible bungalows with appropriate garden space. The site comprises an existing dwelling within a residential area and as such the principle of the proposed is firmly established.

4.1.8. 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.

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

4.2.1. In this respect external alterations include the removal of the garage doors to be replaced with a front door and windows. A rear access door and further new windows are also proposed. These alterations are minor and would reflect the nature of the existing building, as such are unlikely to have a significant impact on character and form of the area.

4.2.2. The site is bordered by established trees to the east and south boundary. Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. The proposed could increase pressure on removal of these existing trees. However, as these trees are owned by the Council, and the building footprint is not increasing the potential impact on these adjacent trees is anticipated to be negligible.

4.2.3. However, permitted development rights in relation to enlargement and outbuildings have been removed from the proposed dwelling to allow for any potential harm to trees through extension or outbuildings to be reviewed by the Local Planning Authority. No objections were raised by the Council's Tree Officers.

4.2.4. 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.

4.3 Impact on Residential Amenity

- 4.3.1. As the building already exists, there are no issues expected to the neighbouring occupiers.
- 4.3.2. In this instance, the only neighbouring property which abuts the proposed new dwelling would be the host dwelling. In terms of loss of privacy, there would be no side facing windows facing onto the host dwelling.
- 4.3.3. Paragraph 198 of the NPPF states:
'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life'*
- 4.3.4. Whilst the introduction of a second separate dwelling would increase the intensification of the site, the new property would sit on a corner plot with no immediate neighbours within an existing residential location. As such, it is unlikely this would lead to significant disturbance to neighbouring occupiers in relation to noise and coming and goings over and above the existing situation.
- 4.3.5. Turning now to the proposed dwelling and host dwelling, the amenity proposed for the new dwelling and the existing dwelling, would comply with the Council's minimum garden sizes outlined in the Design SPD, as such are considered acceptable and would not cause significant harm to the amenity of existing or future occupiers.
- 4.3.6. Given the above, the proposed is considered to accord with the requirements of Policy CP3 of the Cannock Chase Local Plan and they meet the requirements of the Council's Design SPD and relevant paragraphs of the NPPF.

4.4 Impact on Highway Safety

- 4.4.1. Paragraph 116 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.4.2. In this instance the proposal includes off road parking spaces for both dwelling which complies with the Council's parking requirements. The Highway Authority have no objection to the proposal subject to condition securing the proposed parking arrangements.
- 4.4.3. Given the above, in this instance, the proposed development would not result in an unacceptable impact on highway safety and as such would accord with paragraph 116 of the NPPF.

4.5 **Impact on Nature Conservation Interests**

- 4.5.1 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) 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 by one, such that a SAC mitigation contribution is required which has already been secured by a Section 111 agreement.
- 4.5.2 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.
- 4.5.3 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.5 **Drainage and Flood Risk**

- 4.6.1. The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps. Policy in respect to drainage and flood risk is provided by 165-175 of the NPPF.
- 4.6.2. Of particular note is paragraph 181 which states:
'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.'
- 4.6.3. In this respect it is noted that the building and surrounding hardstanding already exist and is serviced by drainage. The proposal would not increase the area of buildings or hard standing occupying the site to such an extent that would generate significant additional run-off from the site.

4.7 **Mineral Safeguarding**

- 4.7.1 The site falls within a Mineral Safeguarding Area (MSAs). 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. The application site is located within a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.
- 4.7.2 As such, the proposal would not prejudice the aims of the Minerals Local Plan.

4.8 **Waste and Recycling Facilities**

- 4.8.1 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).

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

4.19 **Ground Conditions and Contamination**

- 4.9.1. The site is located in a general area in which Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application, and it is advised that any risk can be managed by the attachment of an advisory note to any permission granted.
- 4.9.2. The Council's Environmental Health Officers were consulted on the application and raised no issue in terms of ground contamination.

5 **Human Rights Act 1998 and Equality Act 2010**

Human Rights Act 1998

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

Equality Act 2010

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

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

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

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

6 Conclusion

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

Application No: CH/24/093

Item No. 6.75

Location: 123, New Penkridge Road, Staffordshire, Cannock, WS11 1HN

Proposal: Erection of 2 no. dwelling, conversion of existing single principal dwelling to 2 no. dwellings, conversion of existing barns to 1 no. dwelling and extensions and alterations to existing amenity land



Site Location Plan

Item No. 6.76



- 450 x 450 x 35mm concrete slabs with suitable edging to all interfaces
- Soft Landscaping Area (Lawn)
- GeoTrax® GC 100 - 50mm clean angular stone overfill
- Existing planting borders
- Bark Chipping Area Proposed
- Existing Concrete Paving
- Porous gravel surface
- Visibility Spay
- 1.8m Closeboard fence
- Foul Drainage
- Storm Drainage (Soakaway)
- TPO Tree
- TPO Trees to be removed
- Non TPO Trees to be removed due to condition
- Non TPO Trees to be removed for development purposes
- Trees to be retained
- Proposed Trees

Rev	Details	By	CHK	Date
C	Additional Tree Information Shown	MB		13.06.24
B	Additional Vm. Slaty Shown	MB		12.07.24
A	Additional Information Shown	MB		10.05.24
X	PROJECT ISSUE	MB		04.12.23

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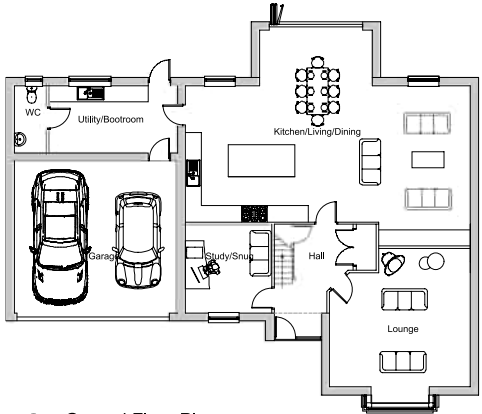
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Project:
**123 New Penkridge Road Cannock
WS11 1HN**

Drawing Title:
**Site Plan
Proposed**

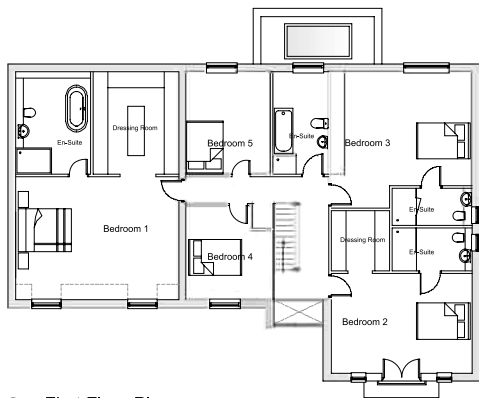
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RIBA 3	S2 - For Information	A1
Job Number: 2720	Date: 04.12.2023	Scale: 1:250
2720-06		Revision: C

1 Site Plan - Proposed
1:250



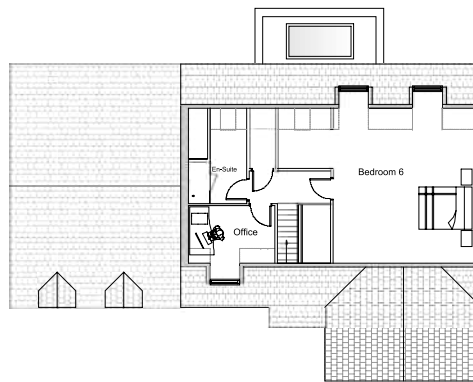
1 Ground Floor Plan

1:100



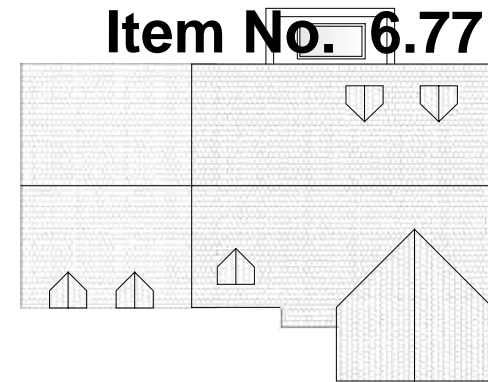
2 First Floor Plan

1:100



3 Second Floor Plan

1:100



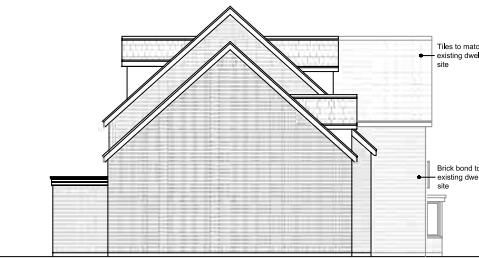
4 Roof Plan

1:100



5 Principal Elevation (North)

1:100



6 Side Elevation (West)

1:100



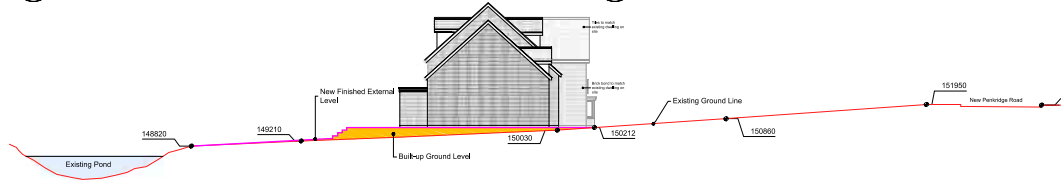
7 Rear Elevation (South)

1:100



8 Side Elevation (East)

1:100



9 Site Section

1:200

- Key:**
- 400 x 400 x 20mm concrete slabs with drainage to all interfaces
 - Self-lubricating Area (Lawn)
 - Geotrax GC 100 - 50mm diam angular stone cover
 - Existing planting borders
 - Dark Chipping Area Proposed
 - Existing Concrete Paving
 - Porous gravel surface
 - Visibility Splay
 - 1.8m Chainboard fence
 - Foul Drainage
 - Storm Drainage (Sewerway)
 - TPD Tree
 - TPD Trees to be removed due to condition
 - Non TPD Trees to be removed for development purposes
 - Non TPD Trees to be retained
 - Proposed Trees
 - Proposed Hedge Lines



10 Site Plan - Proposed

1:500



SCALE 1:500



SCALE 1:200



SCALE 1:100

Rev.	Detail	By	CHK	Date
A	Site Section Sheet	MB		15.06.24
X	FIRST ISSUE	MB		04.12.23

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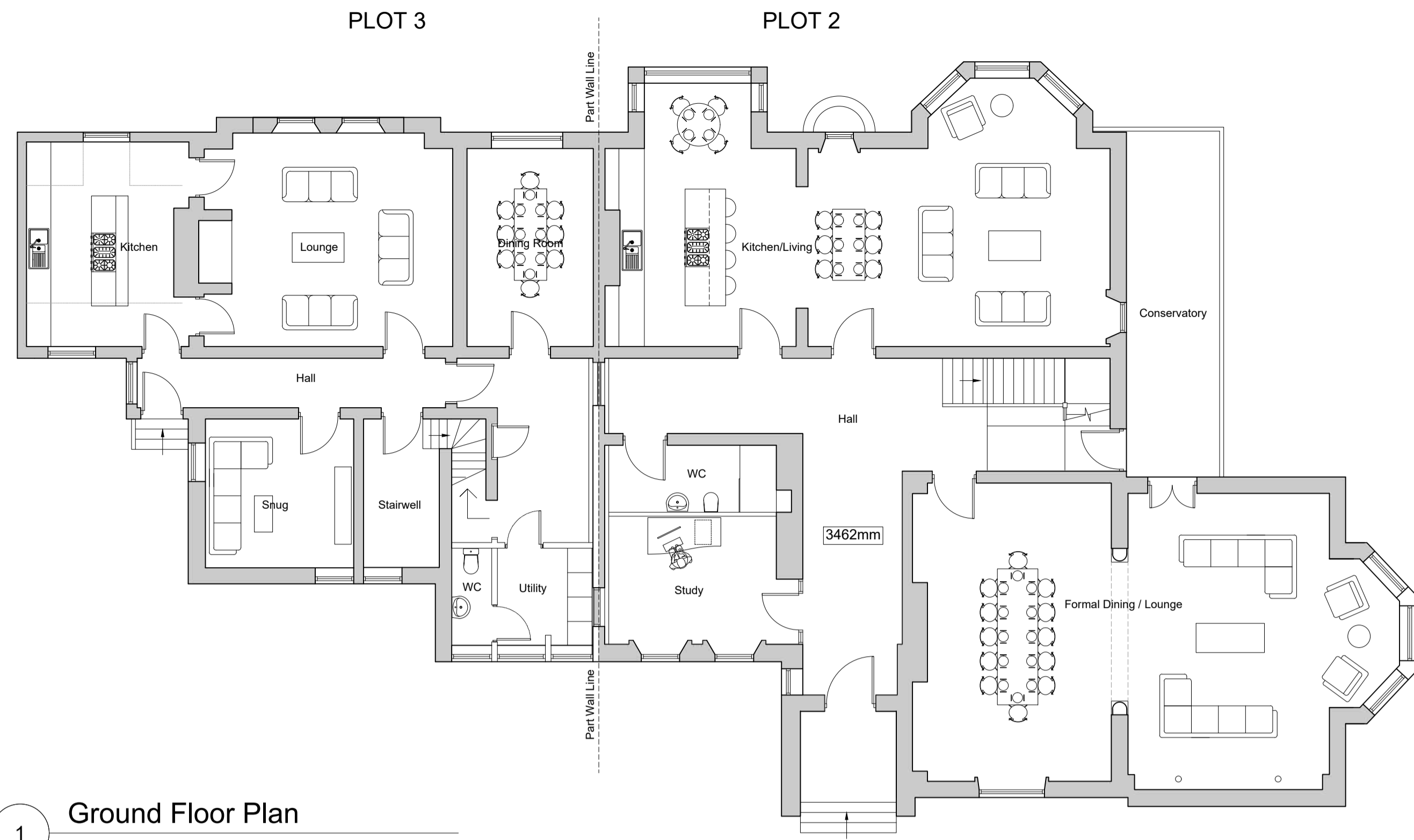
Project: **123 New Penkridge Road Cannock WS11 1HN**

Drawing Title: **Plot 1 Proposed**

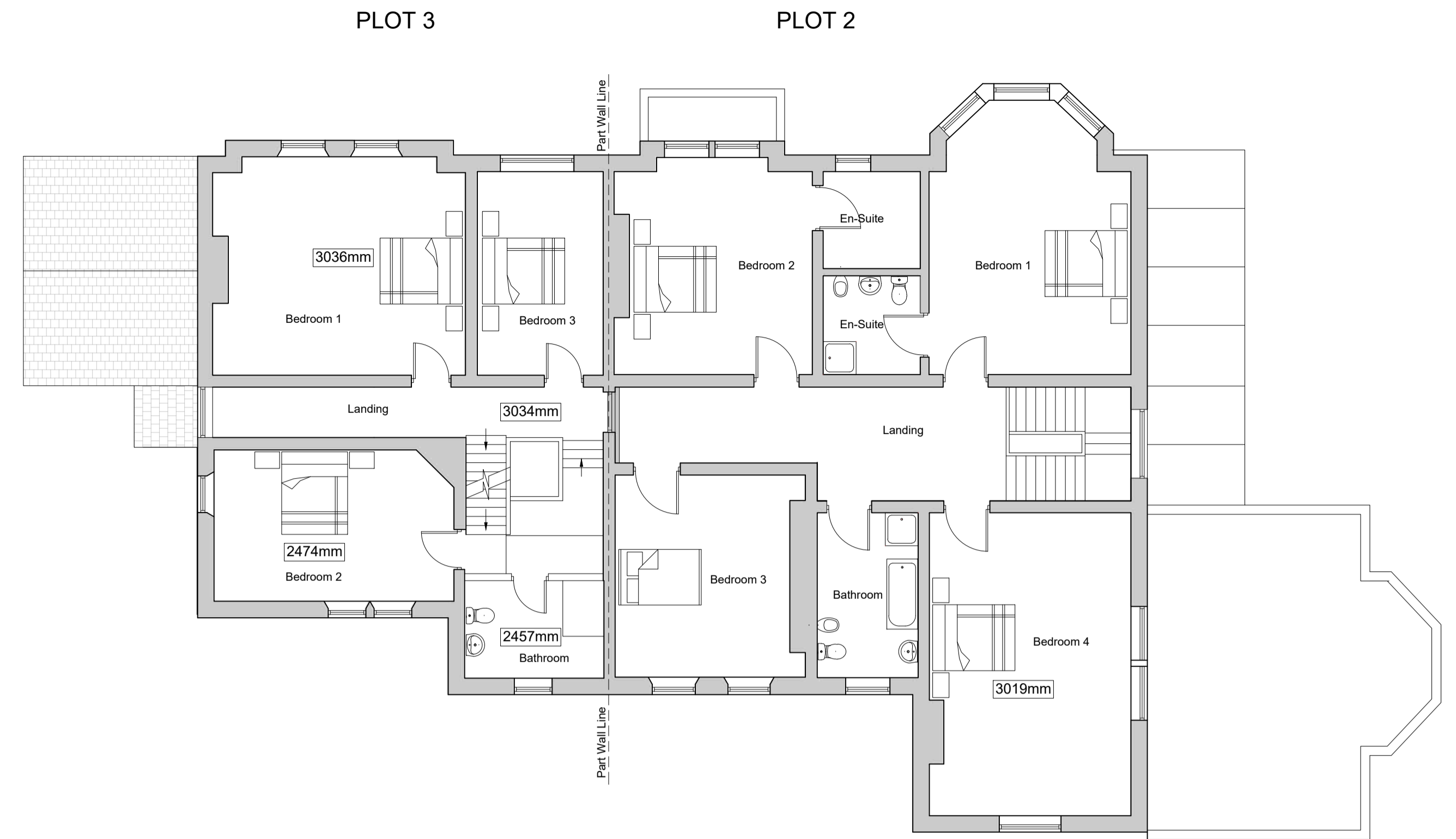
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Job Number: **2720** | Date: **04.12.2023** | Scale: **As Noted**

2720-07 | Revision: **A**



1 Ground Floor Plan
1:100



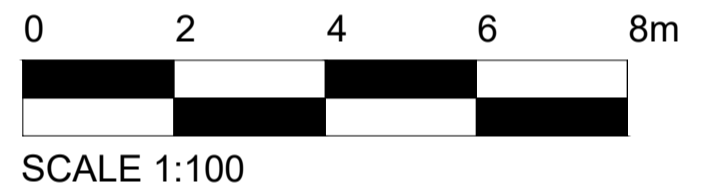
2 First Floor Plan
1:100



3 Principal Elevation (North)
1:100



4 Side Elevation (East)
1:100



5 Rear Elevation (South)
1:100



6 Side Elevation (West)
1:100

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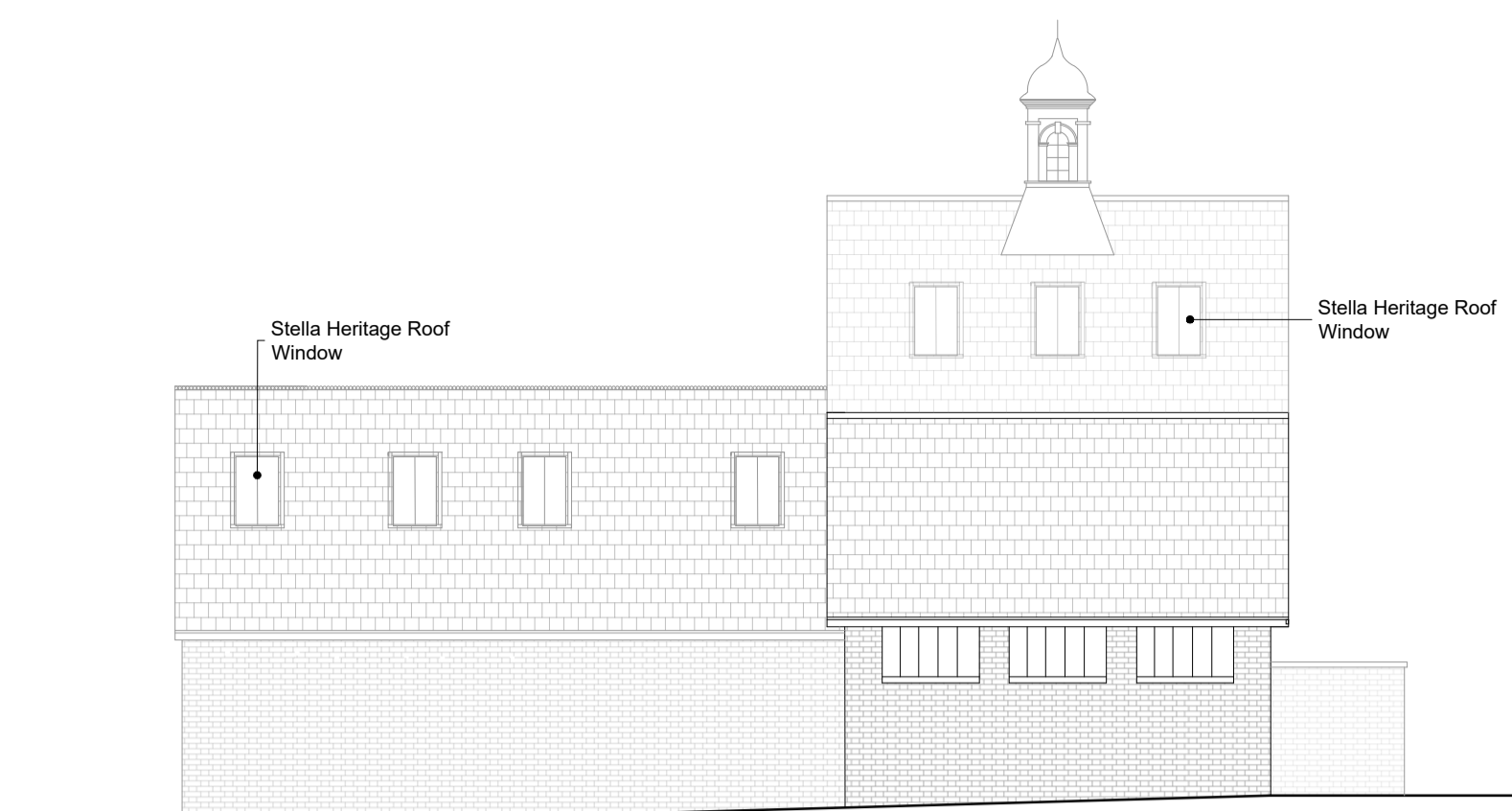
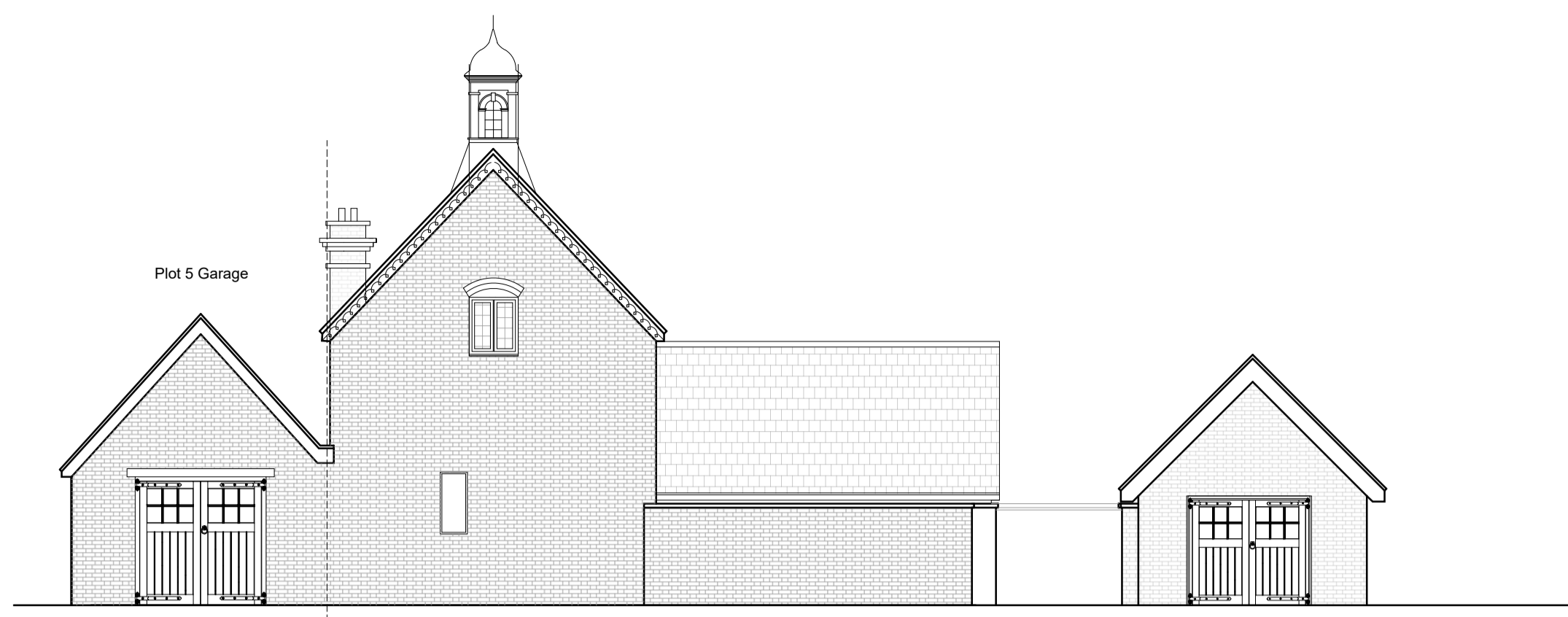
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Drawing Title:
Plot 2 & 3 Proposed

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Revision:		

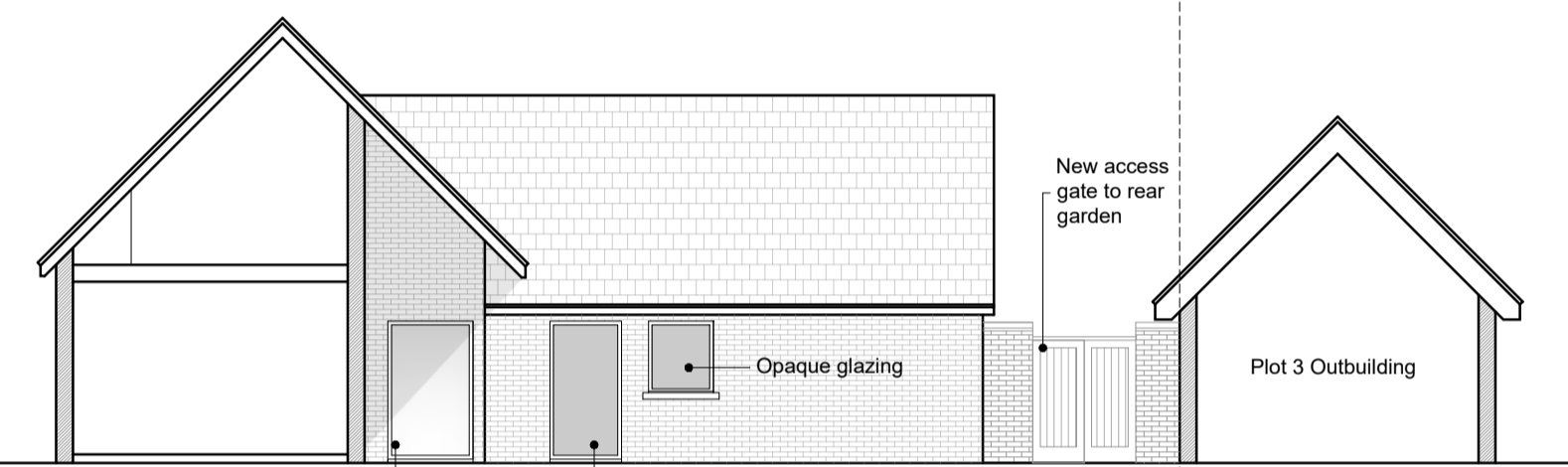
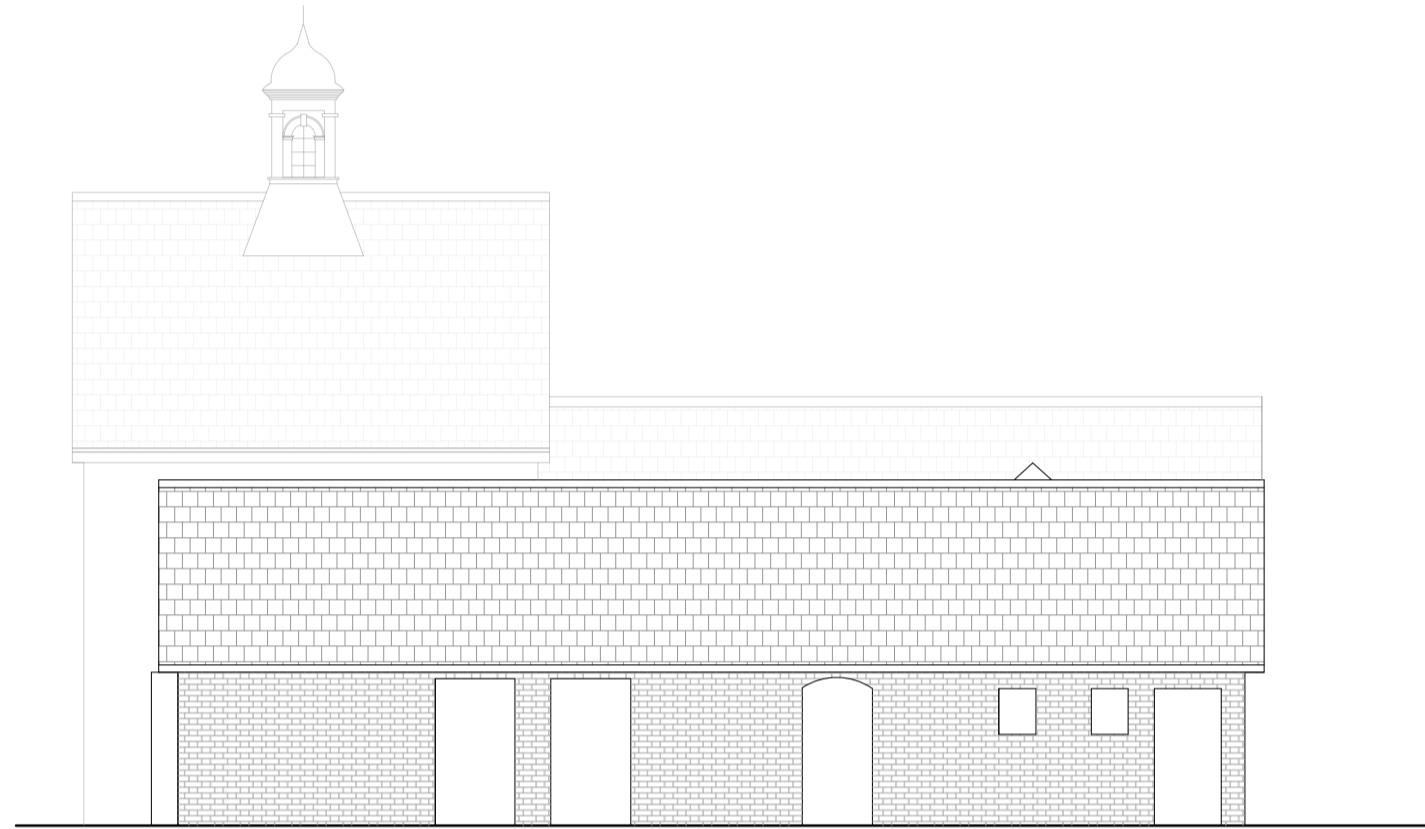
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1 Principal Elevation (North)
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2 Side Elevation (East)
1:100

3 Rear Elevation (South)
1:100

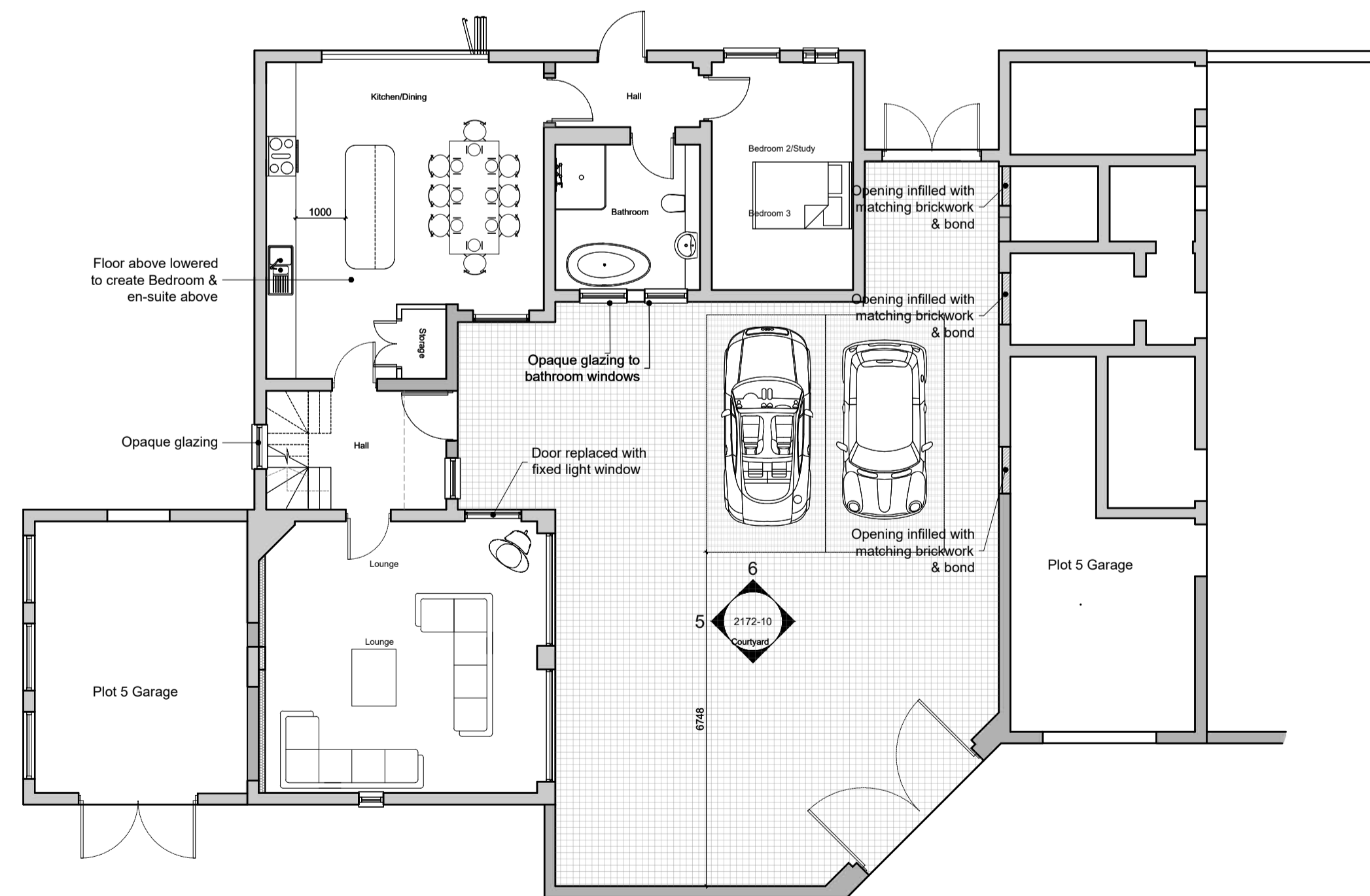


4 Side Elevation (West)
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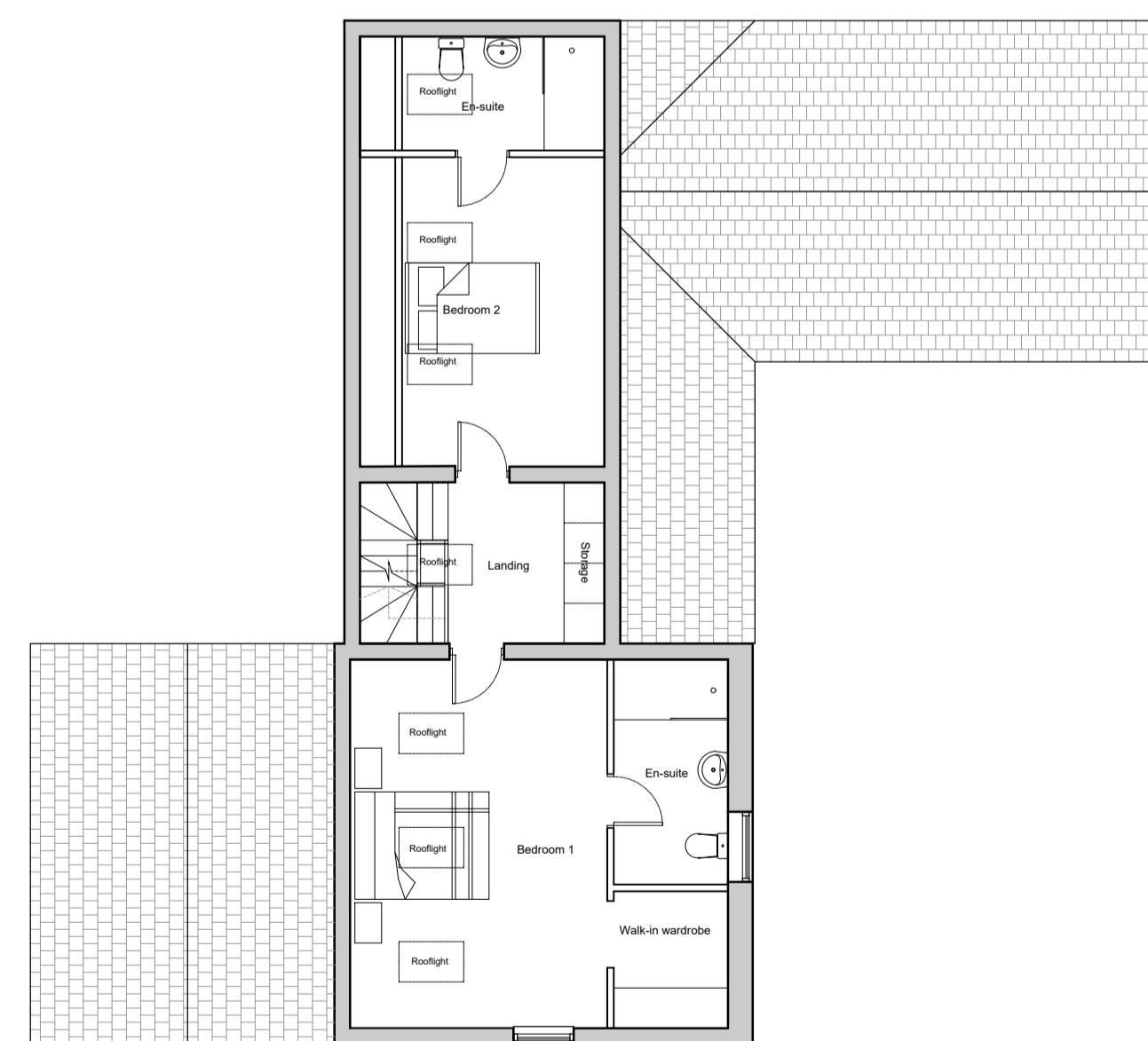
5 Side Elevation (West)
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6 Side Elevation (West)
1:100

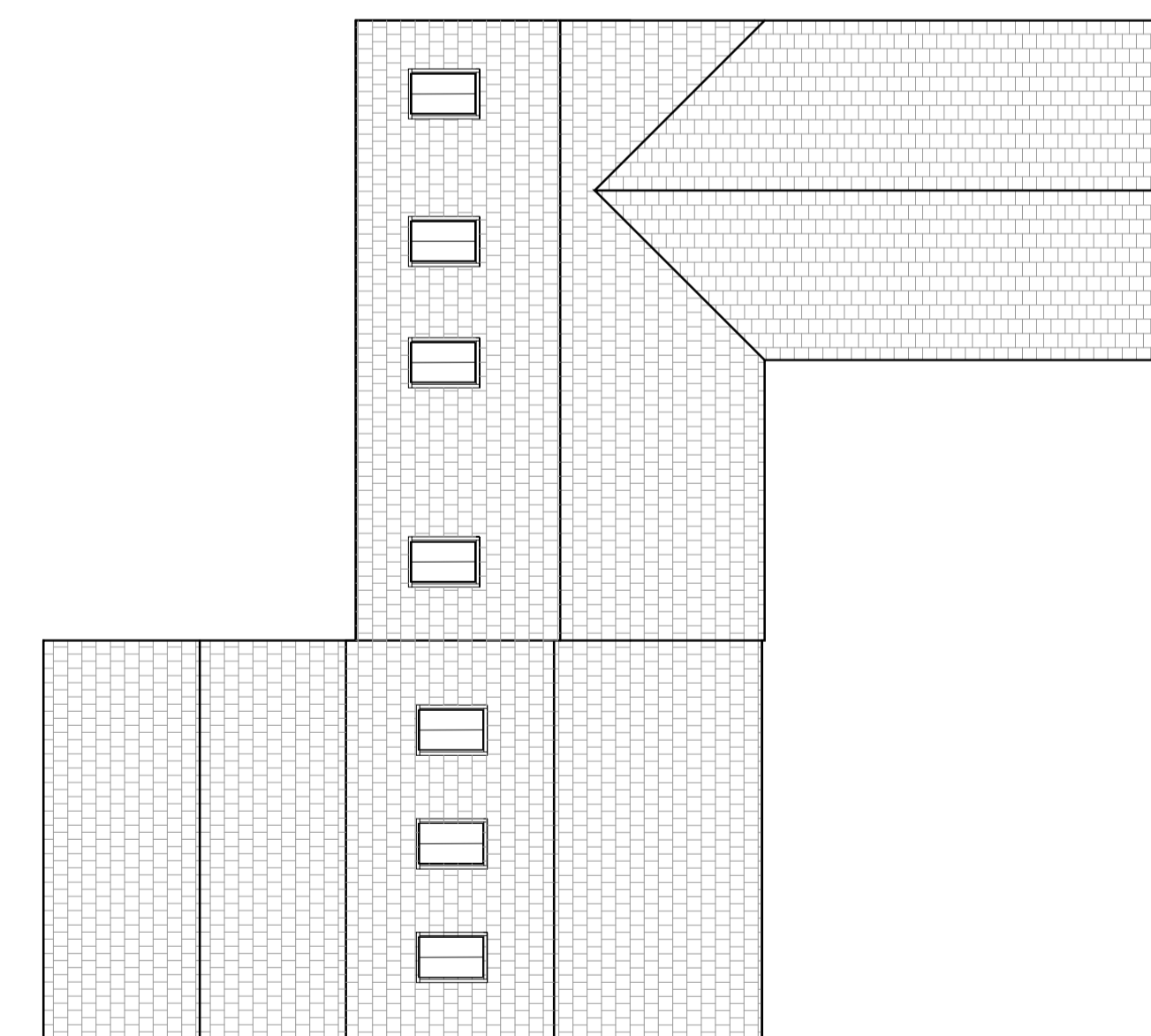
10 Site Identification Plan
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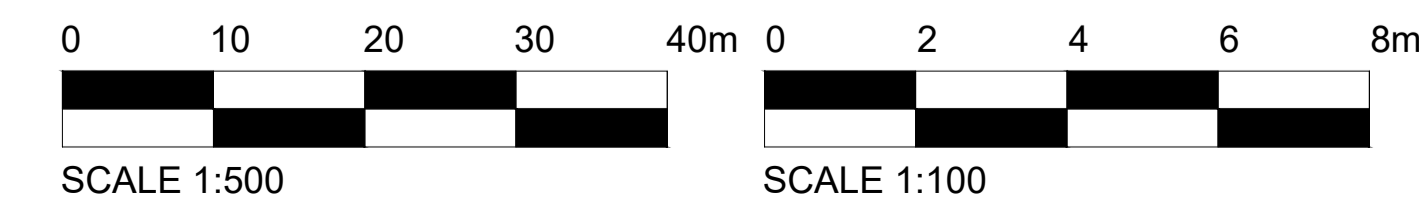
7 Ground Floor Plan
1:100



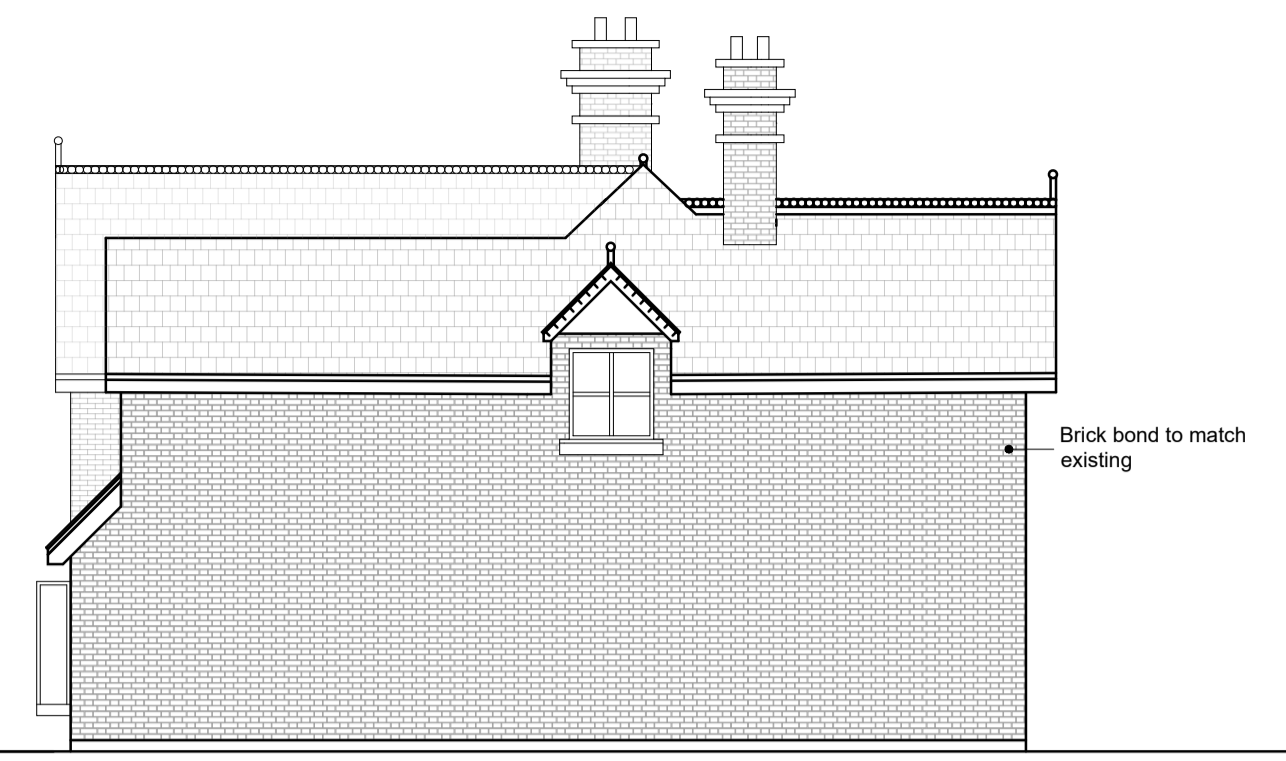
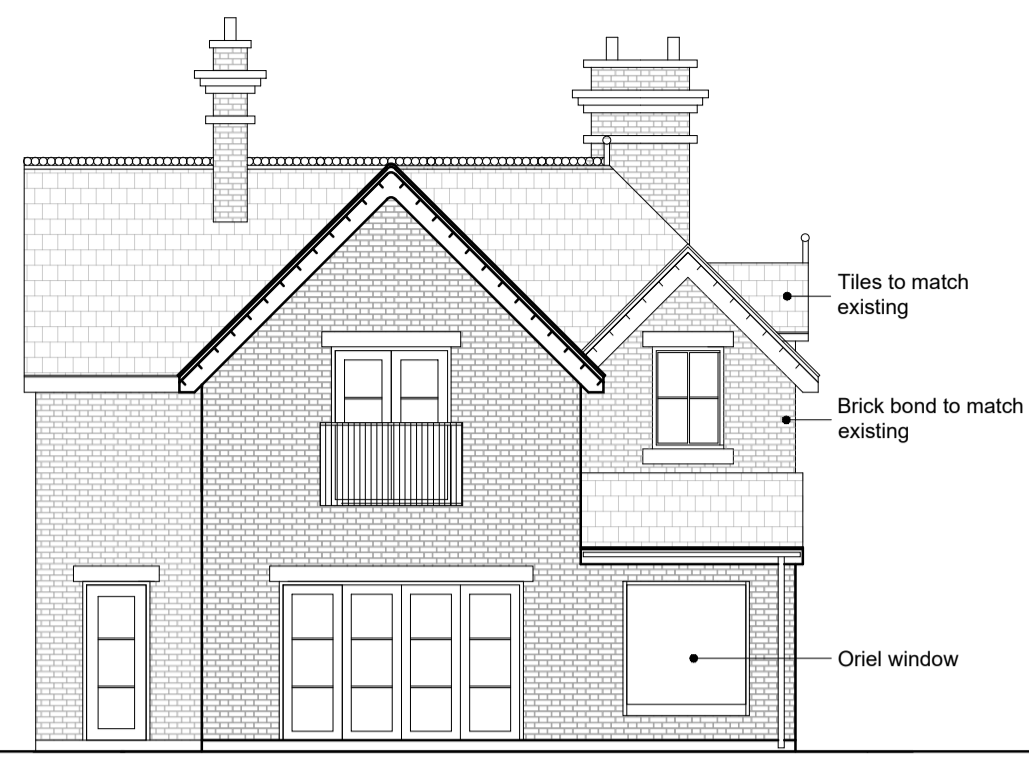
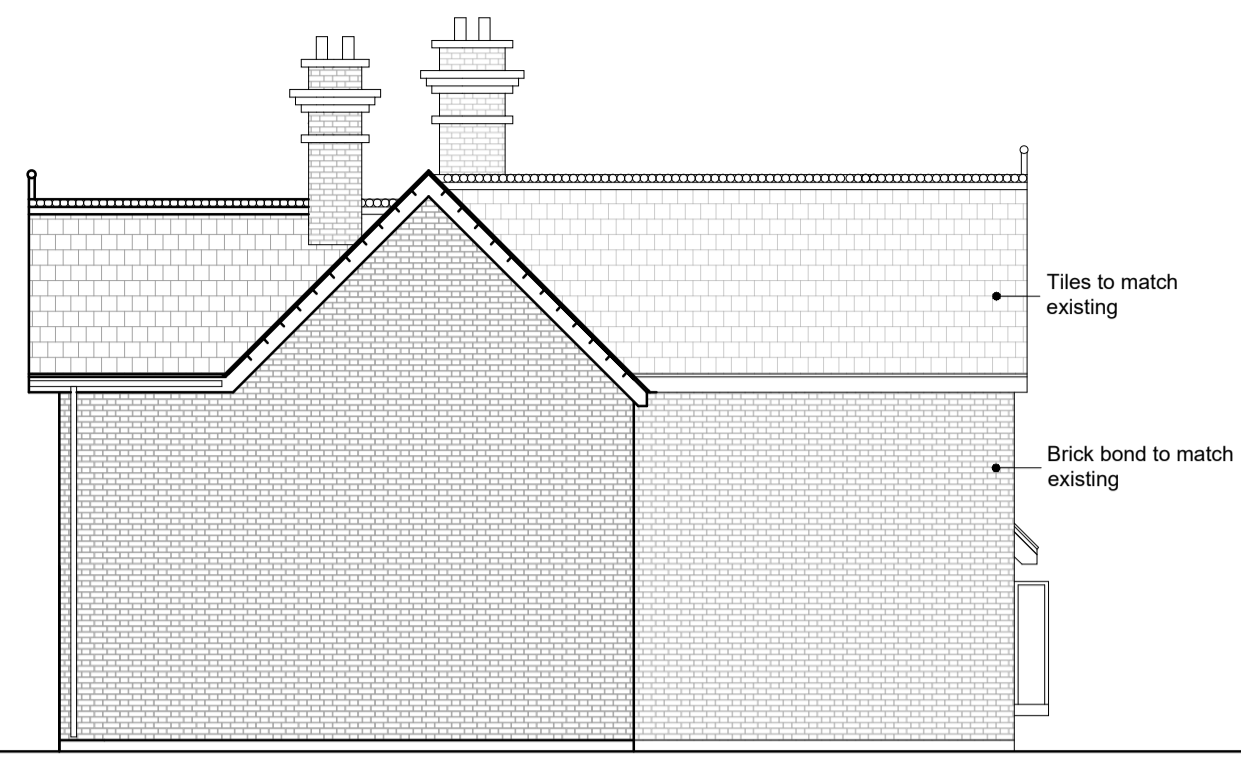
8 First Floor Plan
1:100



9 Roof Plan
1:100



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<p>Drawing Title: Plot 4 Proposed</p>			
Stage: RIBA 3	Status: S2 - For Information	Sheet Size: A1	
Job Number: 2720	Date: 04.12.2023	Scale: As Noted	Revision: -
<p>2720-10</p>			



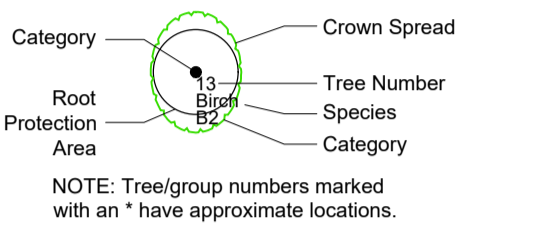
1 Principal Elevation (North)
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2 Side Elevation (East)
1:100

3 Rear Elevation (South)
1:100

4 Side Elevation (West)
1:100

- Key:
- Viz Splay
 - 1.8m Closeboard fence
 - Soft Landscaping Area (Lawn)
 - Paving slabs (Type 1)
Marsala Redwood Smooth Buff Paving Slab 400 x 400 x 22 mm
 - Paving slabs (Type 2)
Marsala Indian Sandstone Paved Buff Matt Paving Slab 600 x 300 x 22 mm
 - Soft landscaping fill (Bark)
 - Foul Drainage
 - Storm Drainage (Soakaway)
- Category
- Category A
 - Category B
 - Category C
 - Category U



- TPO Tree
- Trees to be retained
- Trees to be removed
- Proposed Trees
- Proposed Hedge Lines



SCALE 1:100

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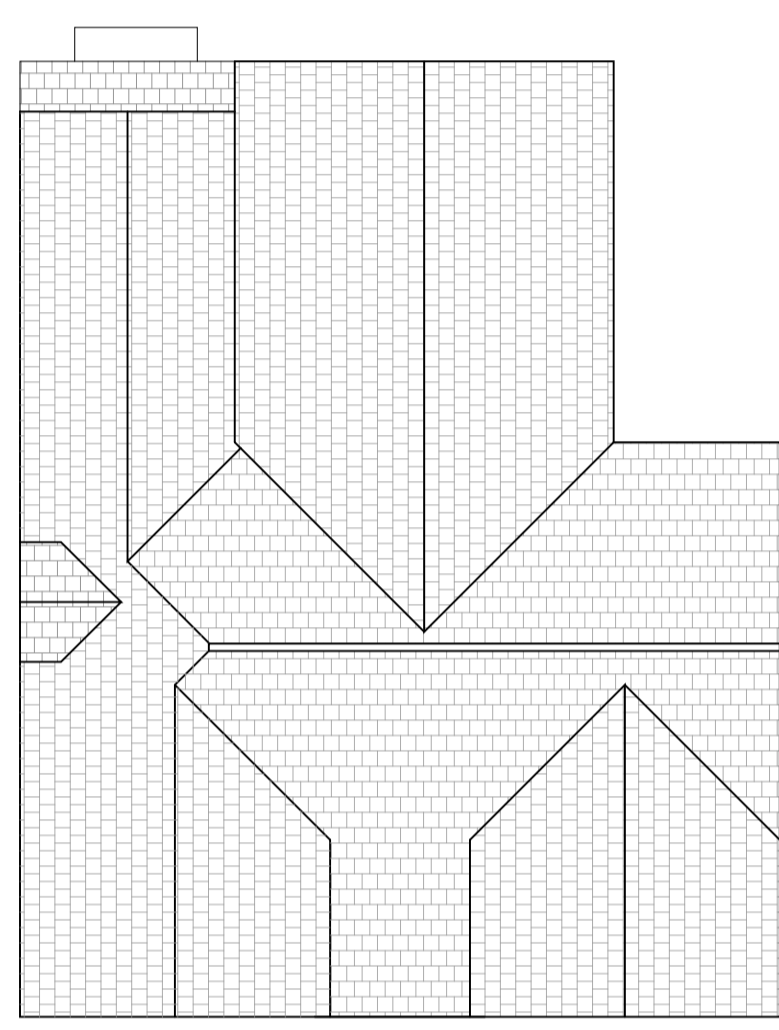
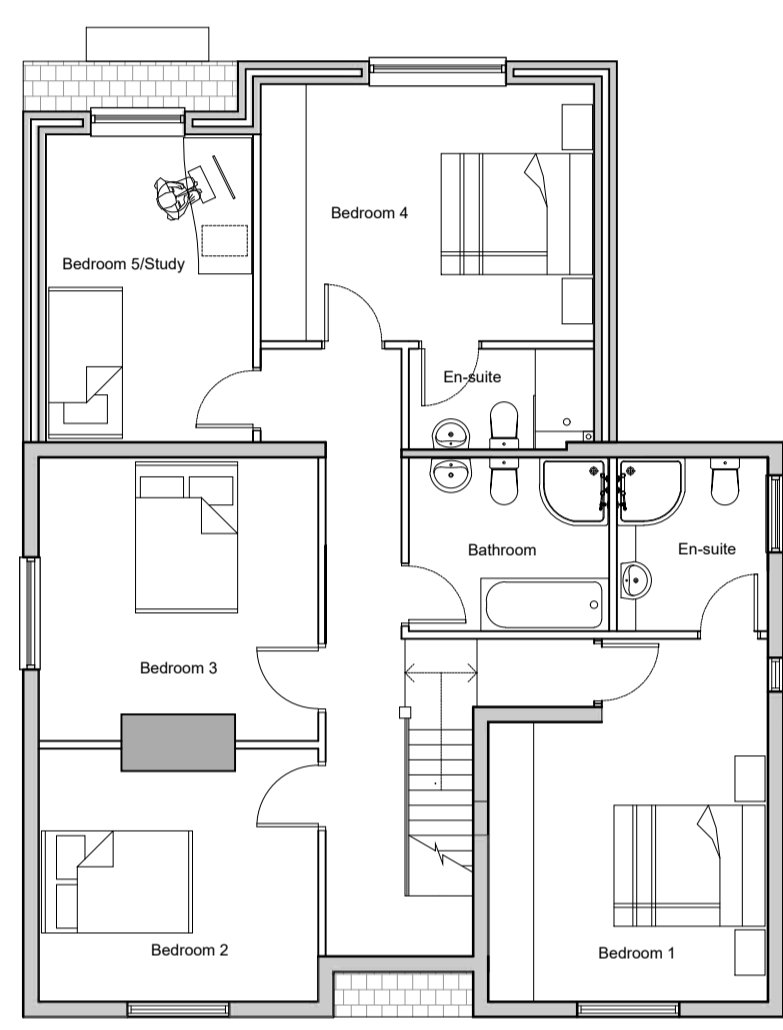
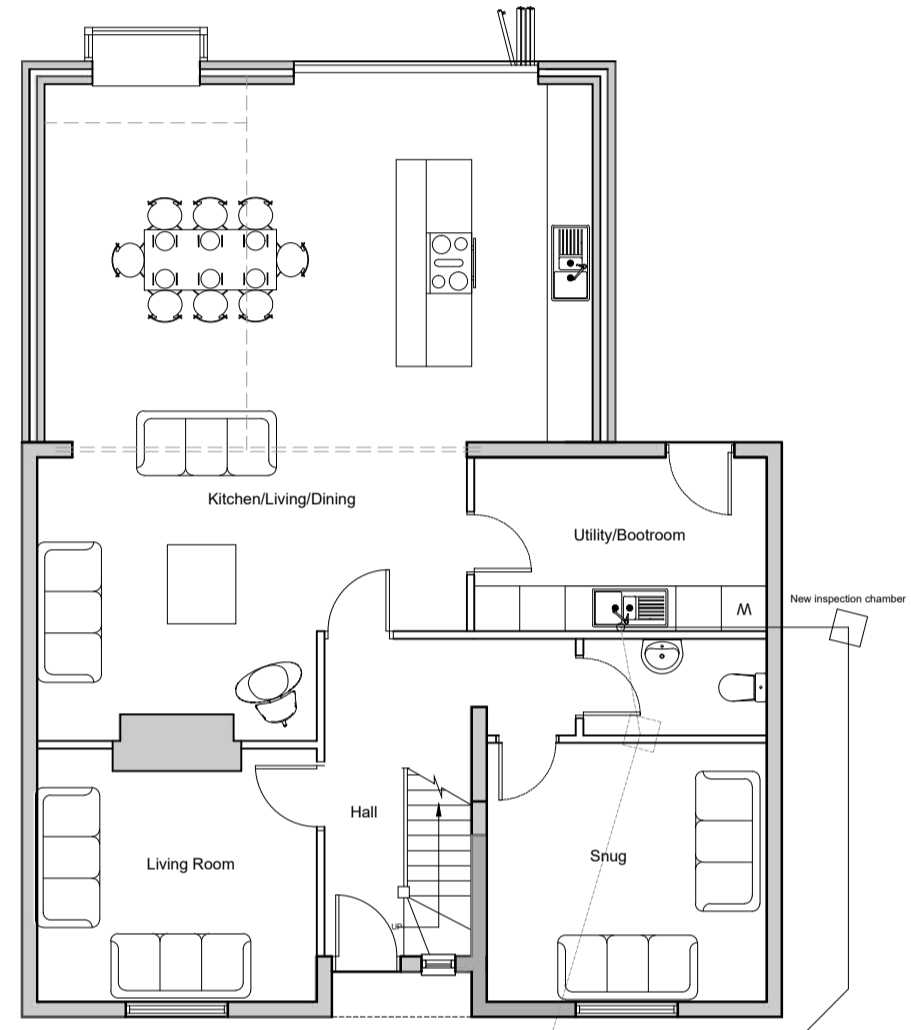
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Project:
**123 New Penkridge Road Cannock
WS11 1HN**

Drawing Title:
Plot 5 Proposed

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Revision:
2720-11



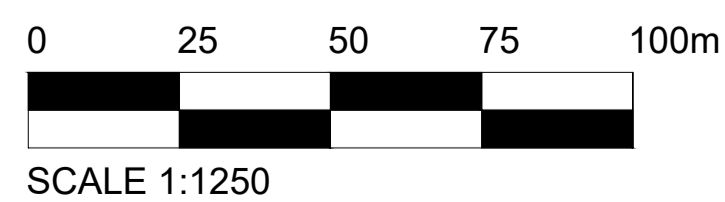
5 Ground Floor Plan
1:100

6 First Floor Plan
1:100

7 Roof Plan
1:100



8 Plot Identification Plan
1:1250

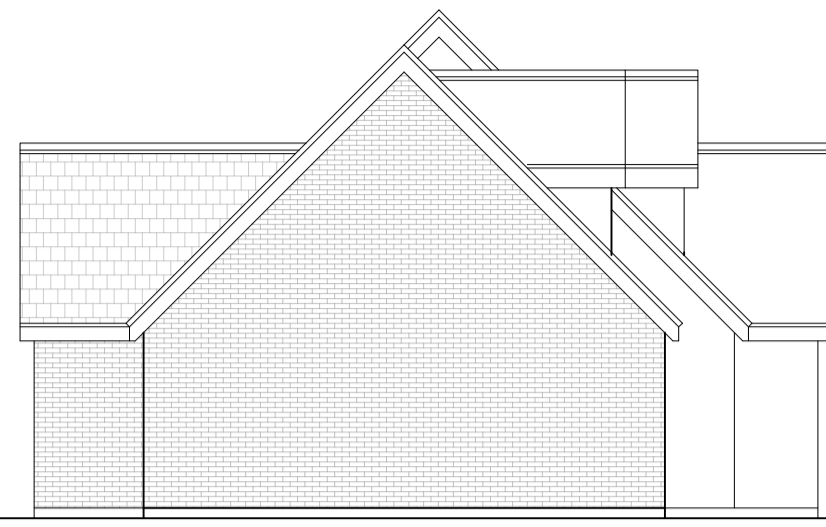


8 Site Plan
1:200





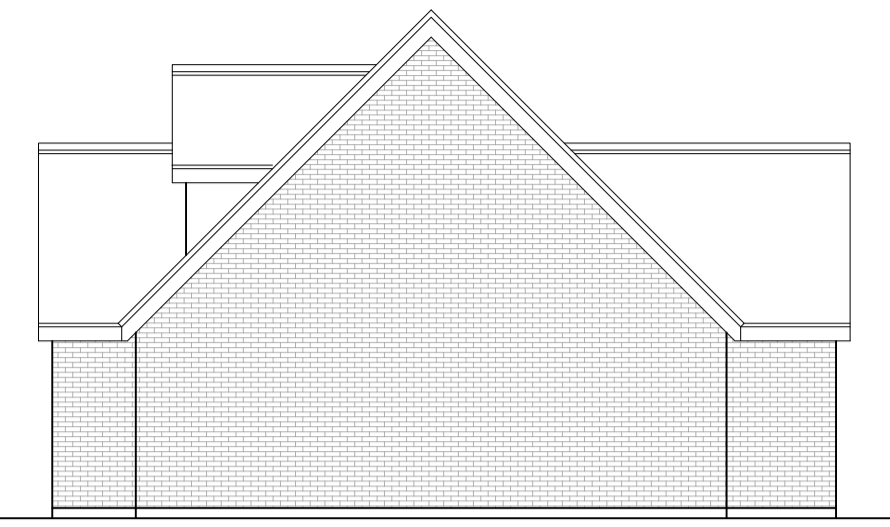
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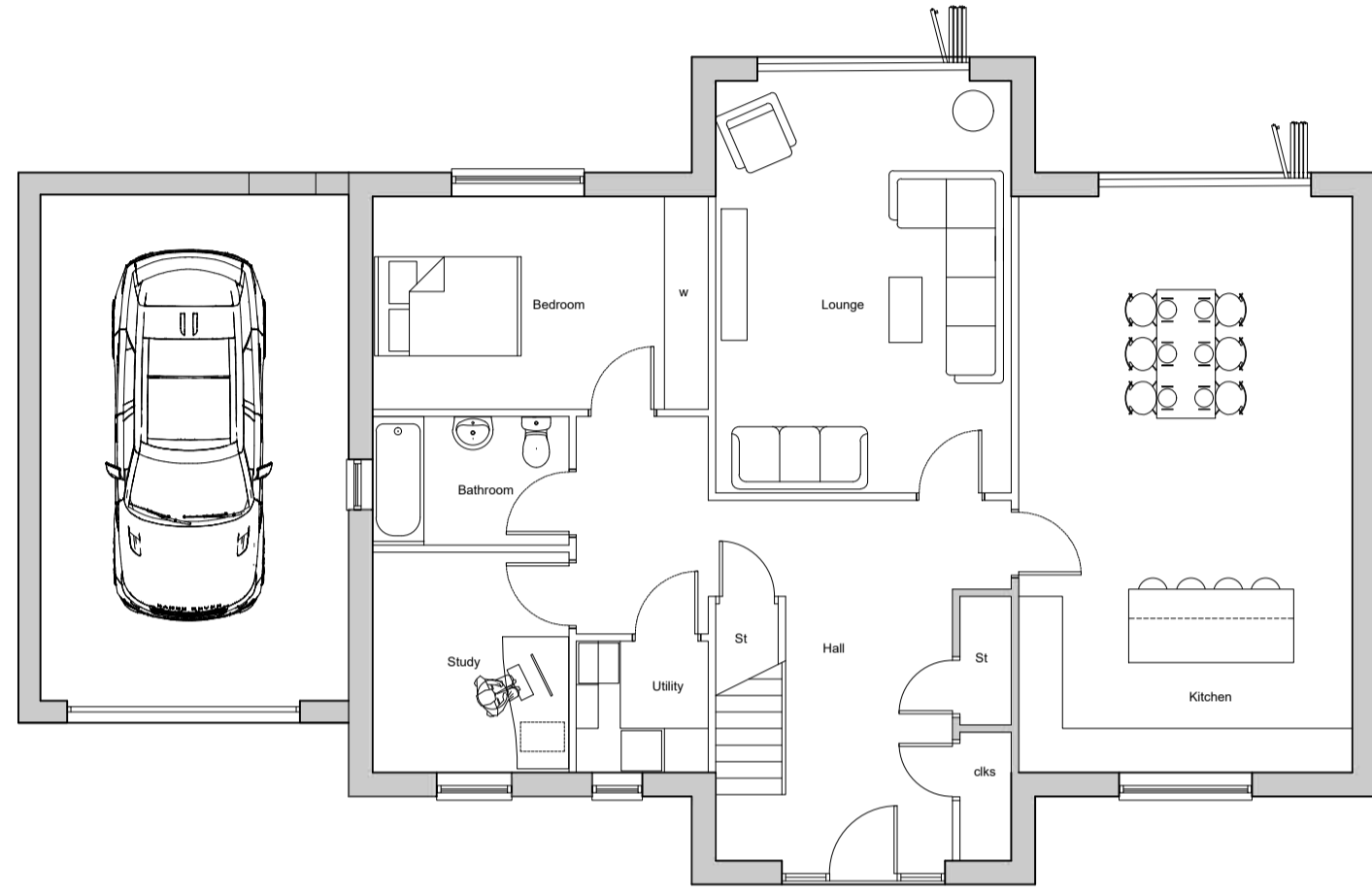
2 Side Elevation (North)
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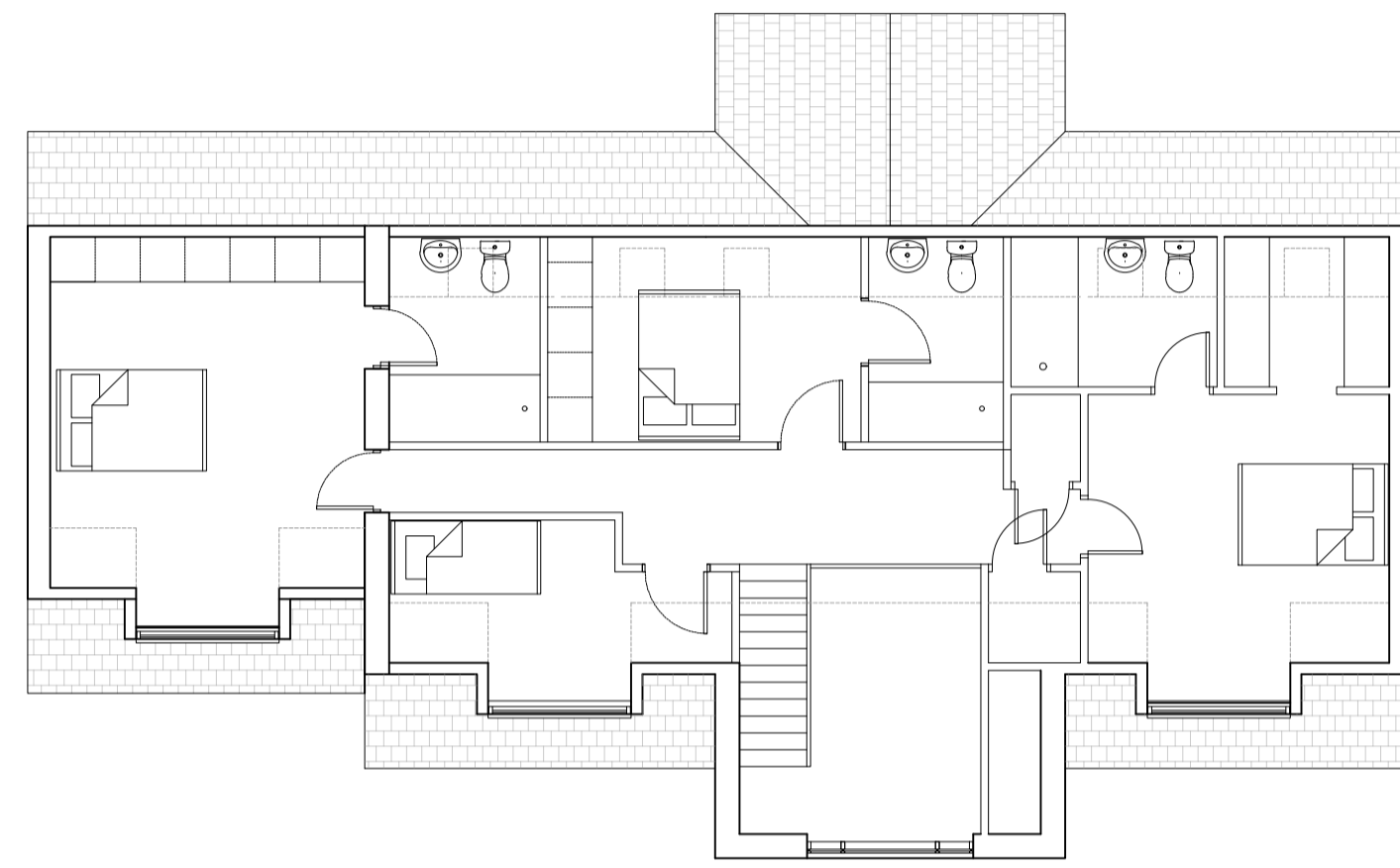
3 Rear Elevation (East)
1:100



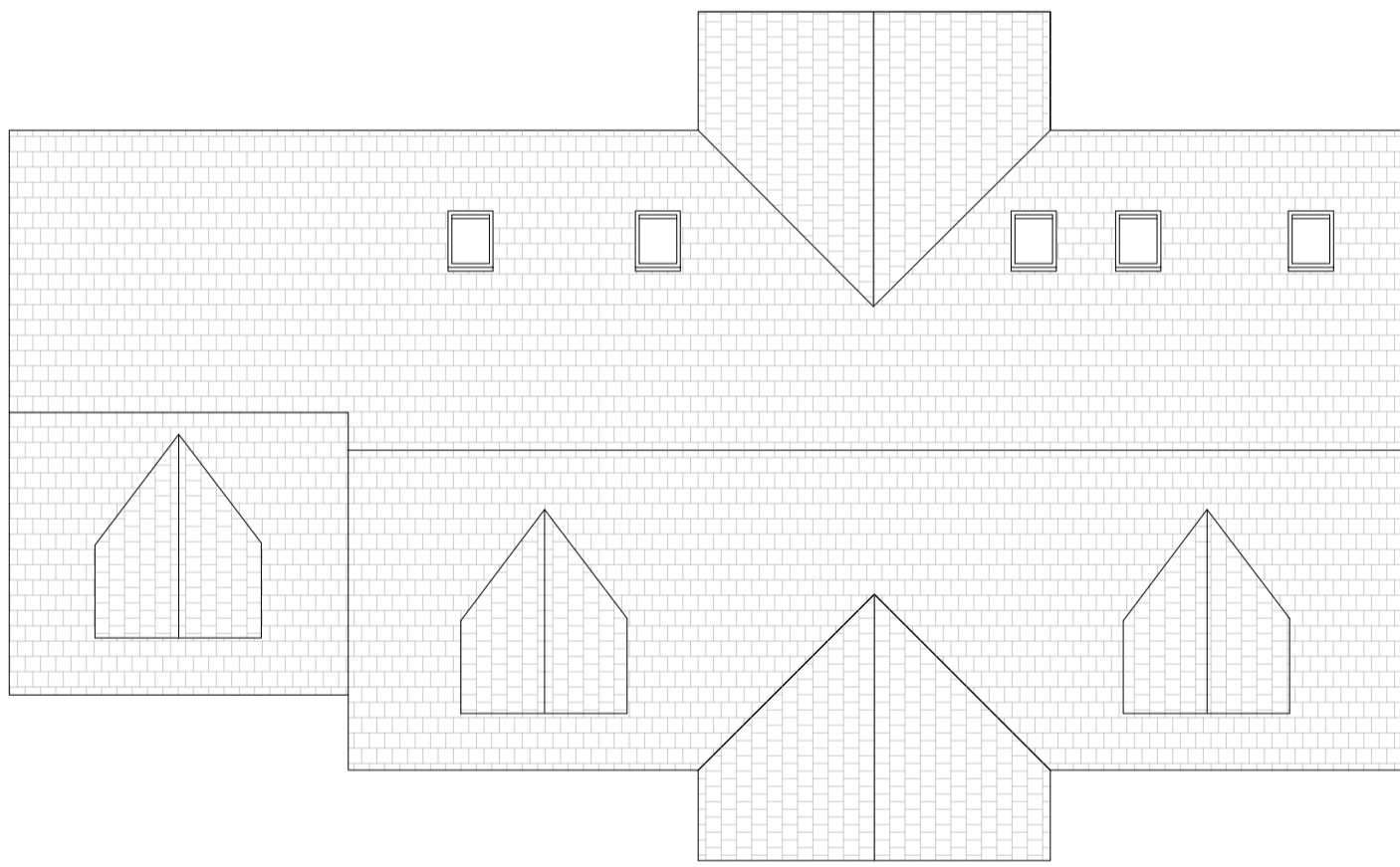
4 Side Elevation (South)
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5 Ground Floor Plan
1:100



6 First Floor Plan
1:100

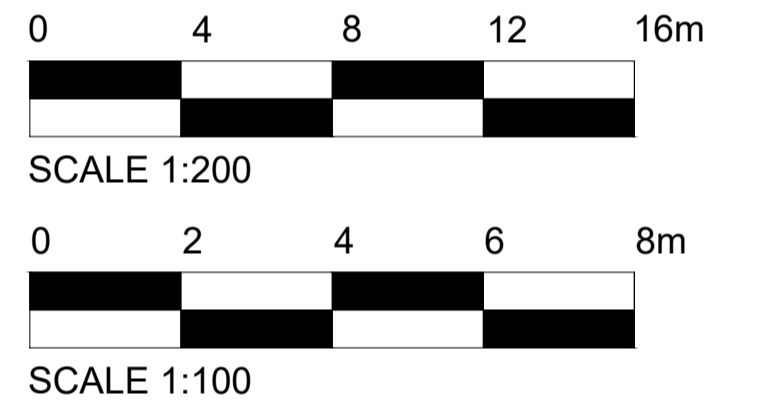


7 Roof Plan
1:100

- Key:**
- Viz Splay
 - 1.8m Closeboard fence
 - Soft Landscaping Area (Lawn)
 - Paving slabs (Type 1)
Material: Portland Cement Set Screed 50mm x 12mm
 - Paving slabs (Type 2)
Material: Solid Sandstone Paving Slab 600 x 300 x 22mm
 - Soft landscaping fill (Bark)
 - Foul Drainage
 - Storm Drainage (Soakaway)
- Category Legend:**
- Category A
 - Category B
 - Category C
 - Category U
- Tree Protection Area Legend:**
- Crown Spread
 - Tree Number
 - Species
 - Category
- NOTE: Tree/group numbers marked with an * have approximate locations.
- TPO Tree
 - Trees to be removed



8 Site Plan
1:200



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

H&S HAZARDS:

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

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

Significant hazards are defined as:-

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

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Client:

Project:
**123 New Penkridge Road Cannock
WS11 1HN**

Drawing Title:
Plot 6 Proposed

Stage: RIBA 3	Status: S2 - For Information	Sheet Size: A1
Job Number: 2720	Date: 04.12.2023	Scale: As Noted
Revision:		

2720-12

Contact Officer:	Helen Sherratt
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<p>Planning Control Committee 15th January 2025</p>
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Application No:	CH/24/093
Received:	3 April 2024
Location:	123, New Penkridge Road, Staffordshire, Cannock, WS11 1HN
Ward:	Cannock Park and Old Fallow
Description:	Erection of 2 no. dwelling, conversion of existing single principal dwelling to 2 no. dwellings, conversion of existing barns to 1 no. dwelling and extensions and alterations to existing amenity land.
Application Type:	Full Planning Application

The application is being presented to Members for determination, as it has received a significant level of neighbour objection (16no) in respect of highway safety concerns, privacy, drainage and impact on biodiversity.

Recommendation:

It is recommended that the planning application is approved, subject to planning conditions as detailed below:

Time Limits and General Implementation Conditions

Time limit

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.

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1299.1/LEES Landscape and Ecological Plan
 - 2720-01 Location Plan
 - 2720-02 Block Plan
 - 2720-08 Proposed Plots 2 and 3
 - 2720-10 Proposed Plot 4

- 2720-11 Proposed Plot 5
- 2720-12 Proposed Plot 6
- 2720-07A Proposed Plot 1 Plan Rev A
- 2720-06C proposed Site Plan Rev C
- Plot 1 Visibility Splay 2720-13 Rev A

Reason:

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

Pre-commencement conditions

Arboricultural Method Statement

3. No part of the development hereby approved shall commence until an Arboricultural Method Statement (AMS) to BS5837-2012 standard, which includes all tree protection measures, has been submitted to and approved in writing by the Local Planning Authority.

The approved tree protection measures shall thereafter be erected prior to commencement 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.

Landscaping

4. No part of the development hereby approved shall commence until a scheme detailing the external environment-landscape, including fencing, walls, 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 development shall be carried out in accordance with the approved details.

Reason:

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

Bat / Bird boxes

5. Prior to the commencement of development on plots 1, 5 and 6 the makes, models and locations of integrated bat roosting and bird nesting bricks/boxes shall be submitted to and approved in writing by the Local Planning Authority.

The following shall be integrated into the buildings across plots 1, 5 and 6:

- A minimum of 3 integrated bat bricks or boxes, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 3 integrated swift bricks.

The bricks/boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting and remain in place for the lifetime of the development.

Reason:

To improve biodiversity in accordance with the NPPF.

Bat Licence

6. No development (including demolition or modification) shall take place on the existing buildings on plots 4 and 5 until either an individual bat mitigation licence, or evidence that the site has been registered with Natural England under a low impact mitigation class licence, has been submitted to the Local Planning Authority together with the approved Method Statement and any accompanying figures.

Reason:

To ensure the protection of bats which are European Protected Species.

Construction Management Plan

7. No development shall take place including any works of demolition, until a Highways Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The statement shall provide for :-
 - A site compound with associated temporary buildings
 - The parking of vehicles of site operatives and visitors
 - Times of deliveries including details of loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - Duration of works
 - Wheel wash facilities (if required)

Reason:

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

Conditions to be complied with prior to first occupation / use

Access Requirements

8. Prior to the first occupation of the hereby approved development, the site accesses shall be completed within the limits of the public highway in accordance with submitted Drawing Number 2720-06 Revision B. The surface of the accesses to the rear of the carriageway edge should be constructed with a porous bound material for a minimum of 5m. Visibility splays shall be kept free of all obstructions to visibility over a height of 0.6m above the adjacent carriageway level.

The accesses and visibility splays are then to be retained for the life of the development.

Reason:

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

Parking & Turning

9. The proposed parking, accesses and turning areas as shown on the approved plan shall be sustainably drained, hard surfaced in a bound material and marked out prior to the first occupation of the dwellings hereby permitted.

Thereafter these parking areas shall be retained in accordance with the approved plans for the lifetime of the development.

Reason:

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

Conditions to be Complied with At All Times

Construction Hours

10. No construction work or deliveries to the site shall be undertaken outside the hours of 0800 to 1900 Monday - Friday, 0800 to 1300 on Saturdays or at any time on Sundays, Bank or Public Holidays.

Reason:

To protect the amenity of neighbouring occupiers.

External Lighting

11. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/23 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason:

To minimise disturbance to bats, which are European Protected Species.

Tree Works

12. Tree works shall be carried out strictly in accordance with section 5.0 of the Preliminary Roost Assessment Report (Steven Pagett Ecological Services, December 2024).

Reason:

To ensure the protection of bats which are European protected species.

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).

Ecology

For swift bricks: Bricks should be positioned 1) Out of direct sunlight 2) At the highest possible position in the building's wall 3) In clusters of at least three 4) 50 to 100cm apart 5) Not directly above windows 6) With a clear flightpath to the entrance 7) North or east/west aspects preferred (See www.swift-conservation.org/Leaflet%20%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf for more details).

For integrated bat boxes: Boxes should be positioned 1) Away from artificial illumination 2) At the highest possible position in the building's wall 3) Close to hedges or tree lines 4) With a clear flightpath to the entrance 5) South, south-east and south-west aspects preferred.

(See: www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes/putting-up-your-box for more details).

Consultations and Publicity

External Consultations

Staffordshire County Council Highways - No objection, subject to planning conditions.

Internal Consultations

Environmental Protection - No objection, subject to planning condition requiring restrictions on construction hours.

Landscape Officer - No objection, subject to a planning condition requiring the submission of a revised Arboricultural Method Statement including tree protection measures.

Ecology officer - No objection, subject to conditions.

Response to Publicity

The application has been advertised by neighbour letter. 16no letters of representation (objections) has been received. Several respondents do not object to the scheme in principle but have concerns in respect of plot 6, specifically the new access point proposed at Rokholt Crescent. Their comments are summarised as follows:

- The scheme is of a larger scale than the surrounding built environment.
- Loss of natural light.
- There will be a greater sense of enclosure for surrounding properties.

- The scheme will be a threat to privacy.
- Rokholt Crescent should remain as a cul-de-sac and not a through road for the properties.
- The scheme will create further parking difficulties on Rokholt Crescent.
- The scheme will create a highway hazard due to increased traffic movement.
- The scheme sets a precedent for further development.
- The scheme will result in the loss of protected trees.
- Concerns raised in respect of surface water drainage and the inadequacy of soakaway drainage for plot 6.
- Construction traffic will create noise and disturbance.

Relevant Planning History

The site has no relevant planning history.

1.0 Site and Surroundings

- 1.1 The application site relates to Rokholt, a large dwelling originating from the 19th century located on the southern side of New Penkridge Road, Cannock.
- 1.2 The site comprises a spacious plot, with a wooded area within the western section of the site and a small pond. A number of small brick-built structures lie within the site, including a former gardener's cottage and outbuildings. Rokholt is not a listed building, nor does the site lie within a conservation area. It is however considered to comprise a non-designated heritage asset due to its age and architectural and historic interest. The site also benefits from a number of trees subject to blanket and individual Tree Protection Orders (as below).



- 1.3 Residential properties surround the site, with dwellings of a tighter grain of development to the south. Rokholt Crescent and Sherbrook Road lie directly to the south of the site, both roads being cul-de-sacs terminating at the application site's boundary.
- 1.4 The site lies within the Mineral Safeguarding Areas for bedrock and superficial sand and gravel, and is within the Coal Authority's designated Low Risk Development Area. Levels are relatively consistent across the site and it is within Flood Zone 1.

2. Proposal

- 2.1 The applicant seeks planning consent for the erection of 2 no. dwellings, the conversion of existing single principal dwelling ('Rokholt') to 2 no. dwellings, and the conversion of the existing barns to 1 no. dwelling.

Plot 1

- 2.2 Located within the northwest corner of the site, this newbuild property is orientated to replicate the house to the west (No.123A), facing New Penkridge Road, and is well set back into this long plot. The entrance to the plot would be via a new access point on New Penkridge Road directly adjacent to the driveway of 123A.

Plots 2 & 3 (Rokholt)

- 2.3 The proposals for the main house comprise an internal division at first and second floor by blocking up three doorways to create two dwellings. No external alterations are proposed.

Plot 4 (Gate Keepers Lodge)

- 2.4 These existing 'Gate keepers Lodge' will be converted internally, with no extensions proposed.

Plot 5 ('Gardener's Cottage')

- 2.5 This existing dwelling will be converted internally, with no extensions proposed.

Plot 6

- 2.6 This will be the second new built property on site. Architecturally, the dwelling relates to the 1970s suburban housing constructed to the south of the site on Rokholt Crescent, from where it will be accessed. Plot 6 is the only property to be accessed via Rokholt Crescent, through the creation of a new access. The remainder of the properties will use the existing access arrangement on New Penkridge Road.

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
- CP10: – Sustainable Transport
- CP12: - Biodiversity and Geodiversity
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- 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.

3.5 Relevant paragraphs within the NPPF:

- 8: Three dimensions of Sustainable Development
- 11-14: The Presumption in favour of Sustainable Development
- 48-51: Determining Applications
- 61 - 71: Delivering a Sufficient Supply of Homes
- 131- 141: Achieving Well-Designed and Beautiful Places
- 187-201: Conserving and Enhancing the Natural Environment
- 202-221: Conserving and Enhancing the Historic Environment

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

4.1 Both paragraph 11 of the NPPF (2024) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development.

4.2 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'

4.3 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.”

4.4 In this instance, the proposal relates to a greenfield site within a residential location. Although the Local Plan has housing policies (CP6 and CP7), it is silent in respect of its approach to windfall sites on both greenfield and previously developed land. As such, in accordance with Policy CP1 of the Local Plan, the proposal falls to be considered within the presumption in favour of sustainable development, outlined in paragraph 11 of the NPPF. The proposal is however in accordance with the thrust of Policy CP1 insofar as it would provide new housing within an existing settlement.

4.5 In this respect the location of the site is within a sustainable location, close to local 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.

4.6 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.

4.7 Rokholt House is however, considered to be a local non-designated heritage asset. Notwithstanding, 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.

4.8 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.

5. **Design and the Impact on the Character and Form of the Area including impact on the Non-Designated Heritage Asset**

5.1 The existing dwelling of Rokholt is considered to be a non-designated heritage Asset. In this respect, it is noted that one of the core principles of the NPPF is that heritage assets should be conserved in a manner appropriate to their significance.

- 5.2 Paragraph 208 of the NPPF sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 5.3 In examining these considerations local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. In this case Officers are satisfied this requirement is met by the report supplied.
- 5.4 At Para 216 it clarifies that the effect on a non-designated heritage asset should be taken into account and in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.5 In this case, the harm to the non-designated Heritage Asset would be less than substantial. The works proposed to the main dwelling, the existing outbuildings and within the wider curtilage are sympathetic and of a compatible use to surrounding development. The proposal would bring much needed housing into the District wherein there is currently a shortfall. As such, benefits outweigh the less than substantial harm to the heritage asset. The development is therefore in compliance with Local Plan Policy CP3, CP15 and CP16.
- 5.6 The application site is already developed, comprising of a large dwelling and outbuildings within a spacious plot. Most of the site is largely screened by existing boundary treatments, and the overall design and layout of the scheme will be sympathetic to the appearance of the site and the wider area more generally. The prevailing character of the area is residential, and the proposal will be a compatible use.
- 5.7 The conversion of the main dwelling, the Gardener's Cottage and the Gate Keepers Lodge will be carried out with minor external alterations. In respect of the two new build properties, their design and general roof form proposed is reflective of the appearance of on-site properties and take cues from the main dwelling 'Rokholt', with attractive design features such as protruding gables and floor to ceiling windows.
- 5.8 Taking the above into account, Officers consider that subject to conditions the proposals broadly accord with the guidance within the Design SPD and broadly accord with the aims of Local Plan Policy CP3 and the aims of the NPPF.
6. **Impact on Residential Amenity**
- 6.1 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".

- 6.2 The scheme will result in the provision of 6no separate residential units. Given the large size of the plot, it is considered that the additional activity and vehicle movement anticipated from 6no dwellings is sufficiently accommodated. The 2no new dwellings, in the western and south-eastern areas of the site, are an adequate distance from neighbouring properties to not give rise to concerns in respect of privacy and overlooking. The new dwellings will replicate the orientation of neighbouring properties (123A New Penkrige Road and 22 Rokholt Crescent), which is welcomed and will ensure continuation of the street scene in the respective localities.
- 6.3 Taking the above into account, it is judged the proposed new dwellings would not cause an unacceptable degree of overlooking to neighbouring properties. The 4no other dwellings created will be via changes of use, with minimal external alterations and there are no concerns in respect of residential amenity.
- 6.4 Several neighbour representations raise concerns in respect of potential increased vehicle activity due to the creation of an access from Rokholt Crescent to serve plot 6. Whilst noted, Rokholt Crescent shall remain as a cul-de-sac, with plot 6 being the terminating point; it will not be possible for the other dwellings to utilise this vehicular access and there will not be a road through the site to New Penkrige Road to the north. As such, the creation of a single access to plot 6 is acceptable and will not give rise to issues in respect of disturbance and unprecedented vehicular activity to and from plot 6. There are no concerns in regard to displaced vehicles on Rokholt Crescent, as plot 6 has a large, tarmacked frontage with a sufficient level of parking for at least 4no vehicles.
- 6.5 Concerns have also been raised in respect of construction traffic using the newly created access. Whilst these are noted, construction traffic would only utilise Rokholt Crescent to access plot 6 and, during the development phase, a certain level of short-term disturbance is expected. Notwithstanding this, construction hours have been limited via condition and a Highways Construction Management Plan has also been secured via condition.
- 6.6 Taking the above factors into account, in accordance with the assessment criteria set out within the Council's adopted standards, it is considered that a good standard of amenity would be achieved for all existing and future occupiers of the existing and proposed dwellings in accordance with Policy CP3 of the Local Plan and the NPPF.

7. **Impact on Highway Safety**

- 7.1 Paragraph 116 of the NPPF states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
- 7.2 The application is for the erection of 2no dwellings, conversion of the existing single principal dwelling to 2no dwellings, conversion of existing outbuilding to 1no dwelling and extensions and alterations to existing amenity land at No. 123 New Penkrige Road.
- 7.3 The converted dwelling and outbuilding will utilise the existing vehicular access crossing off New Penkrige Road. The existing gateposts will be removed to widen this access to allow two-way vehicular movements. Vegetation will need to

be cut back and maintained to provide the required 2.4m x 43m visibility splays and 1.5m x 1.5m pedestrian visibility splays as shown on 'Site Plan Proposed' Drawing No. 2720 – 06 Revision C; this will be secured via planning condition.

- 7.4 A new access is proposed for Plot 1 off New Penkridge Road with adequate 2.4m x 43m visibility splays in both directions. A new access is also proposed onto Rokholt Crescent for Plot 6 and each dwelling has sufficient turning and manoeuvring space to allow vehicles to leave in a forward gear. Each dwelling is provided with large, tarmacked frontages which exceed the provisions of the Parking SPD. The SCC Highways Officer has no objection to the scheme, subject to conditions.
- 7.5 Overall, it is concluded that the residual cumulative impacts of the proposal would not be severe in highway terms and would not create an unprecedented level of additional vehicles on the surrounding highway network, nor encourage the displaced parking of vehicles. As such, the scheme is compliant with the provisions of the Local Plan and the NPPF.

8. Impact on Nature Conservation Interests

- 8.1 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 2 No. such that SAC mitigation contributions are required. Such contributions will be secured by CIL. The remaining dwellings created via change of use will be liable to secure mitigation via a S111 payment prior to determination.
- 8.2 The submitted Bat Survey demonstrates that the protected species are on site. Following the submission of further surveys and information, the Ecology Officer is satisfied that the development proposal will not have a detrimental impact upon protected species nor the biodiversity of the site, subject to planning conditions including securing a Bat Mitigation License from Natural England. Subject to this, the proposal would not result in any direct harm to nature conservation interests.

Landscaping

- 8.3 The site has a wooded feel, with a number of on-site trees being protected, and this will be retained by the retention and protection of the majority of trees on the site. The boundary of the site onto New Penkridge Road will be preserved as a wooded boundary and 12 trees will need to be removed to achieve the proposal. Of these trees three are B category trees and the remainder are C. Given the high population of trees on the site and the wooded feel of the locale the loss of these trees will not alter the exterior views of the site. The trees listed as category C within the submitted Tree Report are replaceable. Their replacement with more sustainable tree stock will improve the amenity value of the site.
- 8.4 The Landscape Officer has no objections to the scheme, subject to the provision of an Arboricultural Method Statement to include details in respect of tree protection.

8.5 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.

9. **Drainage and Flood Risk**

9.1 The site is in a Flood Zone 1 which is at least threat from flooding. A neighbour concern in respect of the proposed use of soakaways is noted. However, although the applicant has not indicated the means of drainage it is noted that the site immediately abuts a main road and is within a predominantly built-up area. As such it is near drainage infrastructure that serves the surrounding area and is considered acceptable. A neighbour concern in respect of the proposed use of soakaways is noted.

10. **Ground Conditions and Contamination**

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

10.2 The Council's Environmental Health Officers were consulted on the application and raised no issues in terms of ground contamination.

11. **Mineral Safeguarding**

11.1 The site falls within two Mineral Safeguarding Area (MSAs) for superficial sand and gravel and bedrock.

11.2 Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aims to protect mineral resources from sterilisation by other forms of development.

11.3 The Council's Environmental Health Officers were consulted on the application and raised no issues in terms of mineral safeguarding.

12 **Human Rights Act 1998 and Equality Act 2010**

Human Rights Act 1998

12.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998.

12.2 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

12.3 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.

12.4 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.

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

12.6 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.

13 Conclusion

13.1 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.

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