



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

**Extension No:** 4584

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

6 January 2026

Dear Councillor,

**Planning Control Committee**

**3:00pm, Wednesday 14 January 2026**

**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 later. Members should note that the following site visits have been arranged:

<b>Application Number</b>	<b>Application Location and Description</b>	<b>Start Time</b>
TPO 2025/05	<b>121 Main Road, Brereton</b> Tree Preservation Order	1.45pm
CH/25/0223	<b>15 Post Office Lane, Slitting Mill, Rugeley, WS15 2UP</b> Demolition of existing dwelling and erection of 2no. detached two storey dwellings	2.05pm
CH/25/0235	<b>The Former Globe Inn, The Globe Site, East Cannock Road, Hednesford, Cannock, WS12 1LZ</b> Change of use of land and erection of a 5 bay self-service car wash with ancillary equipment	2.30pm

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. Mawle, D.  
Elson, J. Samuels, G.  
Fitzgerald, A. Thornley, S.J.  
Jones, P. Thornley, S.  
Jones, V. Wilson, L.  
Lyons, N.

## 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 17 December 2025 (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-building-control/development-control/11-view-planning-applications-and-make](http://www.cannockchasedc.gov.uk/residents/planning-and-building-control/development-control/11-view-planning-applications-and-make)

### Site Visit Applications

Application No.	Application Location and Description	Item No.
TPO 2025/05	<b>121 Main Road, Brereton, WS15 1DS</b> Tree Preservation Order	6.1 - 6.14
CH/25/0223	<b>15 Post Office Lane, Slitting Mill, Rugeley, WS15 2UP</b> Demolition of existing dwelling and erection of 2no. detached two storey dwellings	6.15 - 6.47
CH/25/0235	<b>The Former Globe Inn, The Globe Site, East Cannock Road, Hednesford, Cannock, WS12 1LZ</b> Change of use of land and erection of a 5 bay self-service car wash with ancillary equipment	6.48- 6.75

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Planning Control Committee**  
**Held on Wednesday 17 December 2025 at 3:00pm**  
**in the Council Chamber, Civic Centre, Cannock**

**Part 1**

**Present:**  
Councillors

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

Aston, J.	Mawle, D.
Elson, J.	Samuels, G.
Hill, J. (substitute)	Thompson, S. (substitute)
Jones, P.	Thornley, S.J.
Jones, V.	Wilson, L.
Lyons, N.	

**28. Apologies**

Apologies for absence were received from Councillors A. Fitzgerald and S. Thornley. Notification had been received that Councillor S. Thompson would substitute for Councillor Fitzgerald and Councillor J. Hill would substitute for Councillor S. Thornley.

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

<b>Member</b>	<b>Interest</b>	<b>Type</b>
Samuels, G.	Application CH/22/0044 - Brereton Closed Colliery, Land on southeast side of Colliery Road, Brereton, WS15 1QS - Application for a change of use of land for an outdoor recreational country park, the erection of an ancillary visitor centre, visitor car park and the siting of holiday lodge caravans - Cabinet appointed member on the Cannock Chase National Landscape Joint Management Committee	Personal

**30. Disclosure of Details of Lobbying by Members**

Nothing declared.

**31. Minutes**

**Resolved:**

That the Minutes of the meeting held 12 November 2025 be approved as a correct record.

**32. Members Requests for Site Visits**

**Resolved:**

That a site visit be undertaken in respect of Application CH/25/0352 - 115 Walsall Road, Norton Canes, Cannock, WS11 9QX, Permission in principle for one dwelling to rear.

Reason: to assess the siting of the dwelling within the application site

**33. Application CH/22/0044, Brereton Former Closed Colliery, Land on southeast side of Colliery Road, Brereton, WS15 1QS - Application for a change of use of land for an outdoor recreational country park, the erection of an ancillary visitor centre, visitor car park, and the siting of holiday lodge caravans**

The Chair explained that following a discussion with Planning Officers it had been agreed that the site visit would not be undertaken. This was due to health and safety concerns over limited parking at the site, the road being very busy and there was flooding in the area due to the wet weather conditions.

Consideration was then given to the report of the Development and Policy Manager (Item 6.1 - 6.28 (*presented by the Planning Officer*)).

The Planning Officer provided a presentation to the Committee outlining the application showing photographs and plans of the proposals. She then provided the following update which had been circulated to Members prior to the meeting: -

“Following compilation of the report for the Committee agenda, the Council received a copy of the applicant’s updated Planning Statement which was originally referenced in August 2025. The Planning Policy Officer has reviewed the statement and has provided the following comments:

*We note the additional Planning Statement (August 2025) that has been submitted to accompany the planning application for the proposed development at Brereton Former Colliery.*

*We have reviewed the Planning Statement and have no further comments to raise at this time that have not already been covered in the responses provided on the 6 February 2025 and 11 November 2025.*

*There is no change in the position held within those responses nor the overall position of Policy Officers.*

*The development is considered to be inappropriate development within the Green Belt and the principle of the development would not be supported.*

The above comments do not alter Officer’s view that the application is not acceptable, in principle, and Officer’s recommendation to refuse is not altered”.

Prior to consideration of the application representations were made by the applicant’s agent, speaking in support of the application.

**Resolved:**

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

The meeting closed at 4.05pm.

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**Chair**

**Tree Preservation Order Confirmation No. 2025/05**

**Location:** 121 Main Road, Brereton,

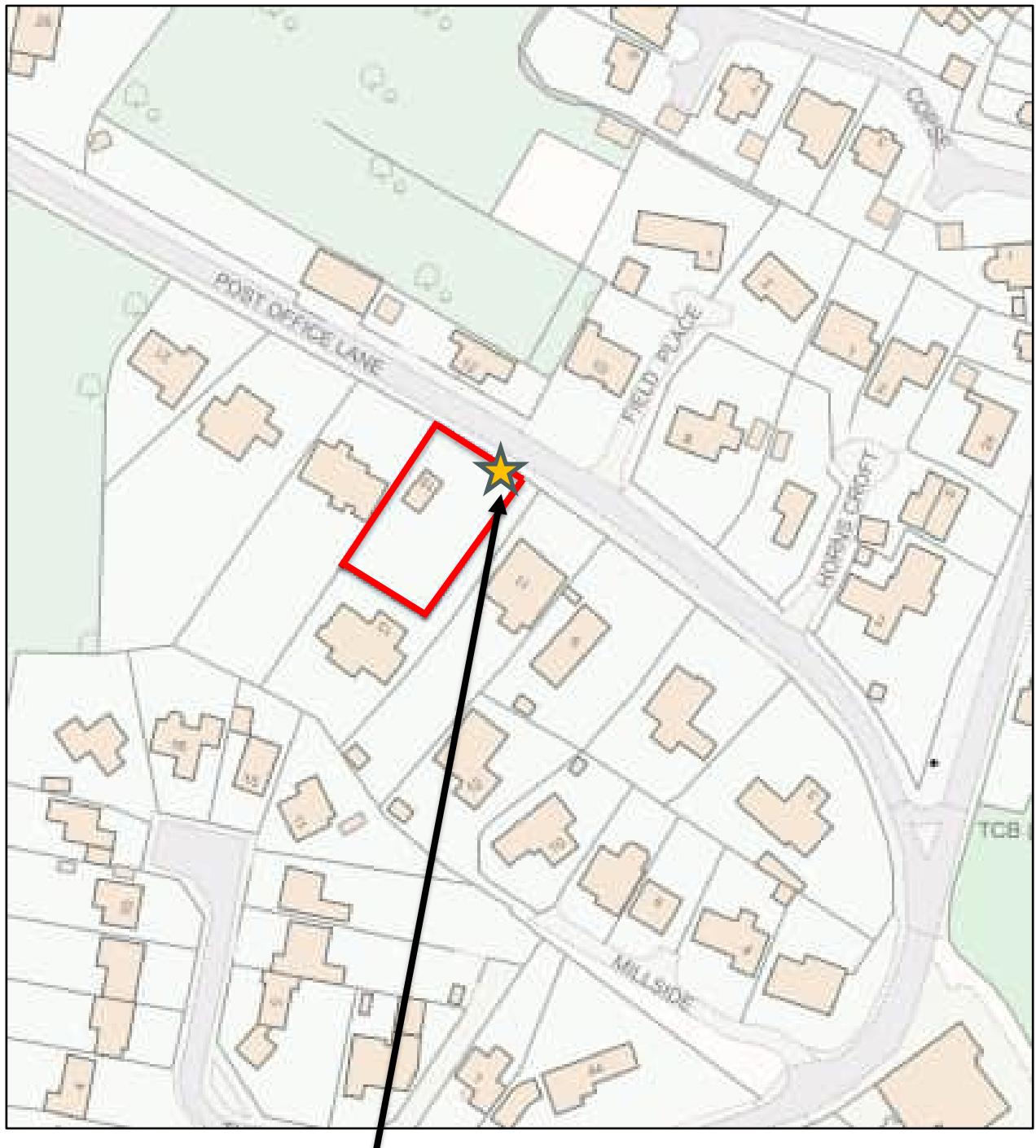


**Site Visit Meeting Point**

**Application No: CH/25/0223**

**Location:** 15, Post Office Lane, Slitting Mill, Rugeley, WS15 2UP

**Proposal:** Demolition of existing dwelling and erection of 2no.  
detached two storey dwellings

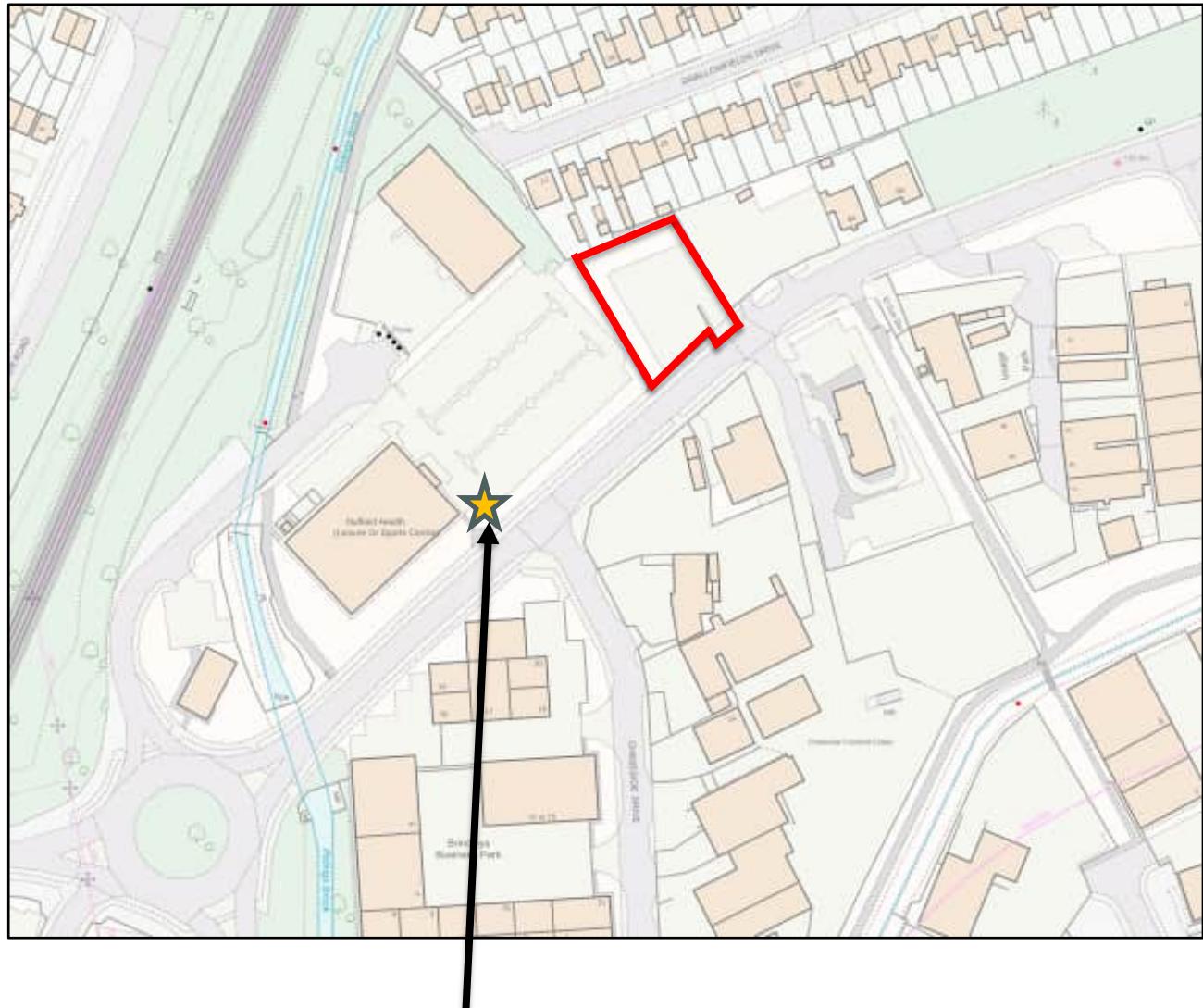


**Site Visit Meeting Point**

**Application No:** CH/25/0235

**Location:** The Former Globe Inn, The Globe Site, East Cannock  
Road, Hednesford, Cannock, WS12 1LZ

**Proposal:** Change of use of land and erection of a 5 bay self service car  
wash with ancillary equipment



**Site Visit Meeting Point**



## Site Location Plan



**Planning Control Committee****14 January 2026**

<b>Tree Preservation Order Reference:</b>	<b>TPO 2025/05</b>
<b>Received:</b>	
<b>Location:</b>	121 Main Road, Brereton
<b>Parish:</b>	Brereton & Ravenhill
<b>Ward:</b>	Brereton & Ravenhill
<b>Application Type:</b>	Tree Preservation Order Confirmation

**Reason for committee decision:**

An objection has been raised in response to the making of the TPO, this has to be duly considered with the associated comments, by the Committee in order to confirm or not the TPO.

**Recommendation:**

To confirm Tree Preservation Order No. 2025/05 without modification

**Reason(s) for Recommendation:**

To protect the amenity value that the tree provides to the locality as part of the Brereton Conservation Area.

## 1 Policy Context

- 1.1 Section 198 of The Town and Country Planning Act 1990 (as amended) empowers Local Planning Authorities to protect trees or woodlands in their area in the interest of amenity by making tree preservation orders.
- 1.2 Local Planning Authorities can make a Tree Preservation Order (TPO) if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. In this respect, 'expediency' means that there is a risk of trees being felled or pruned severely so as to spoil the amenity of the trees or be detrimental to the health of the trees. An Order

prohibits the cutting down, topping, lopping, uprooting or wilful destruction of trees without the Local Planning Authority's written consent.

1.3 Amenity, whilst not defined in law, is a matter of judgement for the Local Planning Authority. In terms of the purpose of TPOs, they should be used to protect selected trees and woodlands if their destruction or removal would have a significant negative impact on the local environment and its enjoyment by the public. Before authorities make or confirm an Order, they should be able to show that protection would bring a reasonable degree of public benefit in the present or future. Matters to consider are:

#### Visibility

The extent to which the trees or woodlands can be seen by the public will inform the authority's assessment of whether the impact on the local environment is significant. The trees, or at least part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public.

#### Individual, collective and wider impact

Public visibility alone will not be sufficient to warrant an Order. The authority is advised to also assess the particular importance of an individual tree, of groups of trees or of woodlands by reference to its or their characteristics including:

- size and form;
- future potential as an amenity;
- rarity, cultural or historic value;
- contribution to, and relationship with, the landscape; and
- contribution to the character or appearance of a conservation area.

#### Other factors

Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

- 1.4 An Order comes into effect on the day that it is made, and once made, interested parties have a minimum of 28 days to make representations either supporting or objecting to the Order. A Local Planning Authority has six months in which to confirm the Order or to decide not to confirm it. An Order cannot be confirmed unless the LPA has considered duly made representations made in response to the Order.

## **2 Description of Site, Tree and History**

- 2.1 The site is located within the Brereton Conservation Area
- 2.2 The tree is located adjacent to the rear (north eastern) boundary of the communal gardens to the rear of 119-125 Main Road Brereton. The properties are single storey semi detached bungalows owned by the Birch Sampson Trust and leased to individual tenants.
- 2.3 To the rear of the gardens is a block paved parking area within the ownership of the adjacent Wilbury Mews apartments.



- 2.4 The tree is an early mature sycamore that visually appears to be in good health with a life expectancy of 100-150 years. It is visible from Main Road, Seabrook Road and linking footpath to Railway View and forms in integral part of the Brereton Conservation Area.

- 2.5 The trees crown is slightly one sided which is a result of it having grown adjacent to another larger sycamore tree. Since the removal of that tree in 2020/1, the crown has begun to regrow and slowly balance its shape.



- 2.6 In July 2025 a Conservation Area Notification was submitted to the Council regarding felling of the tree. The tree officer at the time after visiting the site felt that there was insufficient justification to fell the tree based on the issues raised and thus a TPO was placed on the tree. It is the confirmation of this TPO that is the matter before Committee today.

### **3 Representations**

- 3.1. One objection has been received from the tenant of 121 Main Road, Brereton which comprises of the following reasons:-
- 3.1.1 Tree has caused damage to the roof and side panels of the shed and has made it sink so am unable to lock the door.
- 3.1.2 The tree drops dead branches and lots of leaves. We do not have the bins emptied after November so they (the leaves) get everywhere by the back door

and around other areas which once wet they are very slippery to walk on so once the bin is full they have to stay there till it gets emptied the following year.

- 3.1.3 Tree roots are affecting the block paving of the adjacent car parking area belonging to Wyvern Grove apartments.
- 3.1.4 Tree has caused the retaining wall to the parking area to crack.

## **4 Response to Representations**

- 4.1. With reference to 3.1.1 damage to the shed:-

- 4.1.1 The shed is located approximately 1.5m from the trunk of the tree. Paving slabs have been laid around three sides of the shed and it would appear that on the house side the slabs extend under the hedge. It is not clear if the whole shed sits on paving slabs due to adjacent abutting paving and gravel strips. Ref Picture 1
- 4.1.2 The ends and side of the shed facing the house appear to be in moderate condition but the side adjacent the tree needs repainting. There is some rot in all the lower boards where they are in contact with the ground. The roof is felted and there was no signs of damage.
- 4.1.3 Sheds or structures placed close to or under most trees or hedges will be more prone to algal growth on the shaded side and can accumulate moss growth on the roof. Dealing with these aspects would be part of any regular maintenance requirements and not justification for removal of the tree.
- 4.1.4 Whilst the shed leans slightly towards the house it is unclear if this is solely the result of root growth, ground sinkage or the condition of the shed base itself given the age of the shed. Adjustment to the Gate Bolt could be made to resolve this matter.

- 4.2 With reference to Para 3.1.2 Dropping of dead branches & leaves:-

- 4.2.1 All trees contain dead wood within their canopies, some species are more prone to this such as Oaks, Sycamores less so. In general small twigs up to 20-25mm (1inch) will be blown out of trees in strong winds and will not cause any damage.

Where larger dead branches are noted within a tree, these should be removed promptly to prevent any damage occurring. This would be part of general tree maintenance within any garden or public area.

- 4.2.2 Leaf fall is a natural occurrence and would be part of regular property maintenance. It cannot be justification for removal of a healthy tree.
- 4.2.3 The garden waste is collected fortnightly and both 121 and 125 Main Road have garden waste permits, 121 having had a permit since the scheme started. Any issues with non-collection should be passed to the Councils Waste and Commercial Services section so as to be dealt with promptly.

4.3 With reference to 3.1.3 Roots affecting block paving:-

- 4.3.1 To the north of the tree and boundary fence along the rear of 119-125 Main Road is a private block paved car parking area which is in the ownership of Wilbury Mews apartments. There is evidence of some minor lifting of blocks close to the boundary wall but this is directly adjacent where the felled tree was located. Ref picture 2. There is no visible lifting of blocks adjacent where the TPO tree abuts the fence. It is not clear when this lifting occurred and at this stage if it was a result of the tree that was removed or the present tree. It is quite common to get ground heave as a result of a tree being removed for several years afterwards.
- 4.3.2 Dependant on the nature of the roots found, then it may be possible to prune back the roots and relay the blocks or given the location, install an alternative free draining surface such as gravel that would not impact detrimentally on the use and function of the parking area.

4.4 With reference to 3.1.4 Retaining wall crack:-

- 4.4.1 The retaining wall is located along the north east and south east sides of the adjacent private parking area. The retaining wall forms the boundary to the rear gardens of 3 Railway View and 1 - 3 Scholars View, these being at a lower level.
- 4.4.2 The crack is located towards the northern end of the south eastern section of retaining wall, approximately 6.0m from the tree, Ref Picture 3. At the present time no evidence has been presented to confirm that the existing tree or the previous tree was responsible or even if it is a result of the stability of the retaining structure as a whole.

- 4.4.3 Investigatory work has been proposed by the Birch Sampson Charity and until such findings are known, an appropriate solution cannot be determined at this time. Should further evidence be provided that other works are required to the tree, then a Tree Works Application could be made with the relevant justification.
- 4.5 It is acknowledged that the tree has an unbalanced crown, as a result of growing adjacent to another large mature Sycamore. This tree was felled in 2020-21 following a Conservation Area Application on the grounds of a large cavity at the base. At the same time works were proposed to the remaining TPOd sycamore tree to help rebalance the crown. This work was not carried out despite this been recommended by the tree consultant for the Charity.
- 4.6 There is always a possible risk from trees in any situation, but it is not proportionate to the risk for justification of pre-emptive removal of trees. Regular inspections of the trees by a competent and qualified person is recommended (every 2 years) and would identify what and when any action is needed. Undertaking and recording of such inspections would demonstrate a positive approach by an owner to their 'duty of care' and be taken into consideration within any potential insurance dealings.
- 4.7 The TPO was made as a result of a Conservation Area Notification to fell the tree without sufficient justification (Para 2.6). If the TPO is not confirmed then the original Conservation Area Notification would be valid and the tree could be felled, which would have a negative impact on the character and nature of Brereton Conservation Area.
- 4.8 The confirmation of the TPO would not prevent appropriate works being carried out to the tree nor would it prevent the trees removal if there was appropriate justification.

## **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 confirm the Order accords with

the relevant legislation 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 The tree presently forms a significant part of the Brereton Conservation Area and in respect to all matters noted, it is considered that TPO 2025/05 should be confirmed without modification.

## **7 Enclosure**

- 7.1 TPO plan

## TPO 2025/05 Plan



**Photos re TPO 2025/05 121 Main Road Brereton**

Picture 1 Shed and tree behind



Picture 2 Car park block paving - adjacent removed tree



Picture 2 South eastern retaining wall to car park



**Application No: CH/25/0223**

Item No.6.15

**Location:** 15, Post Office Lane, Slitting Mill, Rugeley, WS15 2UP

**Proposal:** Demolition of existing dwelling and erection of 2no.  
detached two storey dwellings



**Site Plan**



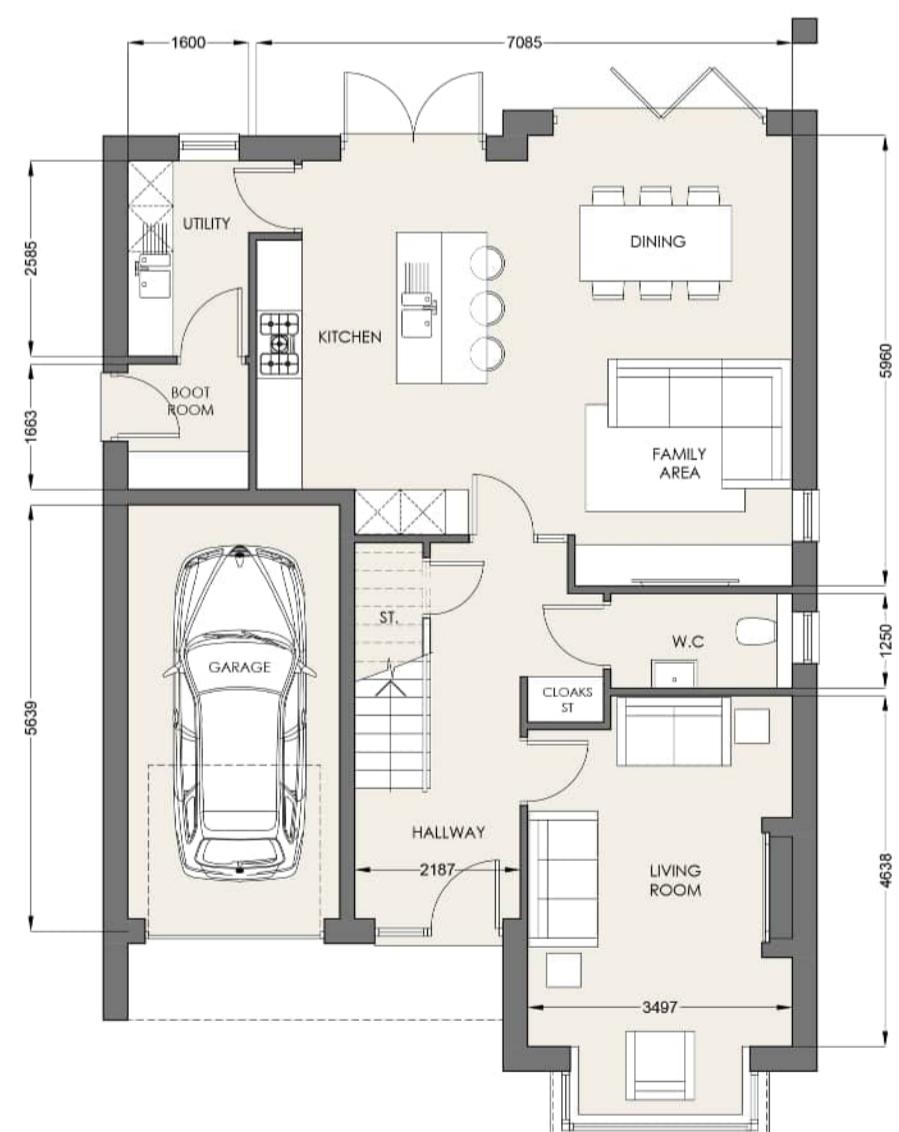
PROPOSED FRONT ELEVATION

PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION

PROPOSED SIDE ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

2062 SQ FT  
 REVISIONS  
 A 24/06/25 Depth of houses reduced & front balconies removed.  
 neil boddison associates ltd  
  
 architecture planning land  
 20A MARKET STREET, LICHFIELD,  
 WS13 6LH  
 TEL: 01543 262444  
 WEB: WWW.N-B-A.CO.UK

CLIENT:  
 MR & MRS MORRISSEY

PROJECT:  
 15 POST OFFICE LANE  
 SLITTING MILL  
 RUGELEY  
 WS15 2UP

DRAWING TITLE:  
 PLOT 1  
 PROPOSED PLANS AND ELEVATIONS

PLANNING

SCALE  
 1:100  
 SHEET  
 A2  
 DATE  
 FEBRUARY 2025  
 DRAWN BY  
 DJ

DRAWING NO  
 31213-02  
 REV.  
 A



PROPOSED FRONT ELEVATION



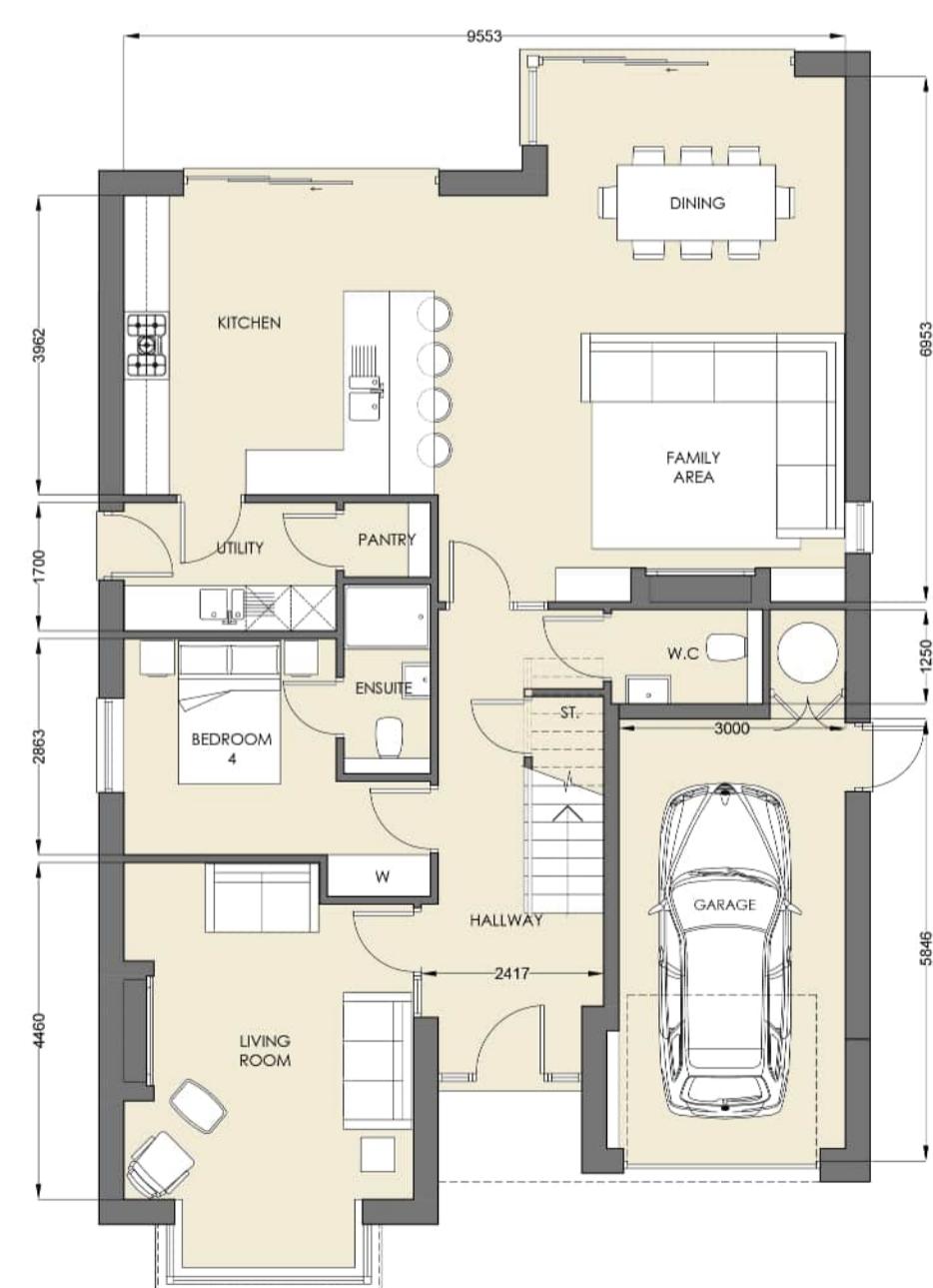
PROPOSED SIDE ELEVATION



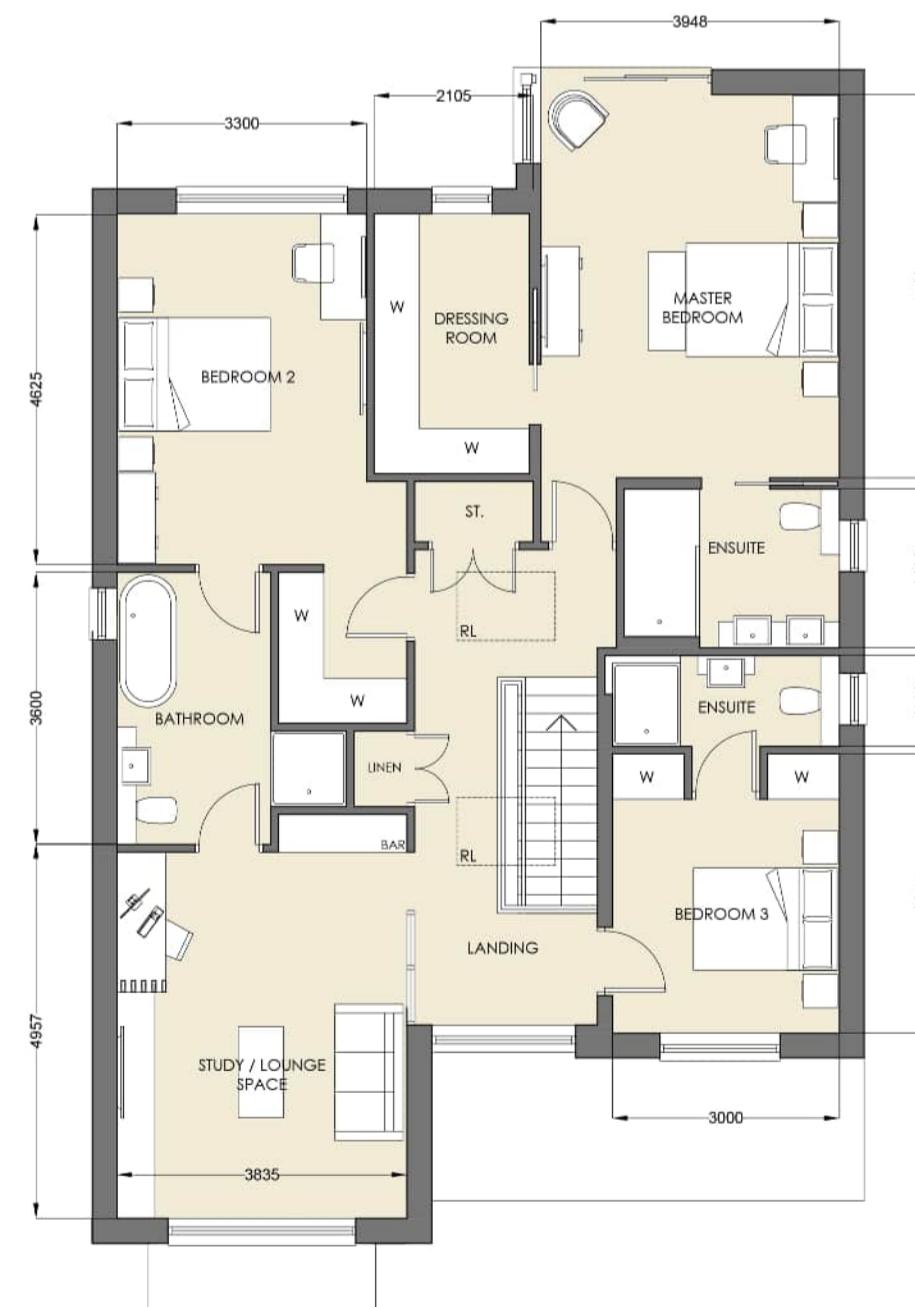
PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

2664 SQ FT

REVISIONS

A 24/06/25 Depth of houses reduced &amp; front balconies removed.

neil boddison associates ltd



architecture planning land

20A MARKET STREET, LICHFIELD,  
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TEL: 01543 262444  
WEB: WWW.N-B.A.CO.UKCLIENT:  
MR & MRS MORRISSEYPROJECT:  
15 POST OFFICE LANE  
SLITTING MILL  
RUGELEY  
WS15 2UPDRAWING TITLE:  
PLOT 2  
PROPOSED PLANS AND ELEVATIONS

PLANNING

SCALE  
1:100  
DATE  
FEBRUARY 2025  
DRAWN BY  
DJDRAWING NO  
31213-03  
REV.  
A1:100 @ A2  
0 2m 4m 6m 8m 10m© This drawing and the building works depicted  
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REVISIONS  
A 24/06/25 Depth of houses reduced & front balconies removed.

neil boddison associates ltd



architecture planning land

20A MARKET STREET, LICHFIELD,  
TEL: 01543 242444  
WEB: WWW.N-B-A.CO.UK

CLIENT:  
MR & MRS MORRISSEY

PROJECT:  
15 POST OFFICE LANE  
SLUTTING MILL  
RUGELEY  
WS15 2UF

DRAWING TITLE:  
PROPOSED STREET SCENE

PLANNING

SCALE 1:200	SHEET A3
DATE FEBRUARY 2025	DRAWN BY DJ

DRAWING NO. 31213-04	REV. A
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1:200 @ A3

4m 0 4m 8m 12m 16m 20m

4m

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**Planning Control Committee****14<sup>th</sup> January 2026**

<b>Application No:</b>	CH/25/0223
<b>Received:</b>	23rd July 2025
<b>Location:</b>	15, Post Office Lane, Slitting Mill, Rugeley, WS15 2UP
<b>Parish:</b>	Rugeley
<b>Ward:</b>	Etchinghill and the Heath
<b>Description:</b>	Demolition of existing dwelling and erection of 2no. detached two storey dwellings
<b>Application Type:</b>	Full Planning Application

**The application is being presented to Members due to a significant number of neighbour objections being received. Most objections refer to the scheme's impact upon the privacy of neighbouring occupiers and the detrimental impact of the proposal upon the street scene and the character of the wider area.**

**Recommendation**

To give delegated authority to Officers to secure the required SAC mitigation then approve subject to the recommended conditions.

**Reason for Recommendation**

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

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

**PRE-COMMENCEMENT CONDITIONS**

1. Before the commencement of any works other than demolition, including works and deliveries associated with construction, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include:

- Construction and delivery hours (to avoid school opening and closing times)
- Arrangements for the parking of site operatives
- Storage of plant and materials used in constructing the development.
- Measures to remove mud or debris carried onto the adopted highway.

Reason

In the interest of highway safety.

2. No development (including demolition or modification) shall take place on the existing building at 15 Post Office Lane, Rugeley 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

3. Prior to the commencement of any construction or site preparation works, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing Tree Protection Drawing 31213-12 Rev A. 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.

**PRIOR TO COMMENCEMENT ABOVE GROUND LEVEL**

4. The development hereby approved shall not commence above ground level until full details of all external materials, including hard landscaping, fenestration and rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full prior to first occupation.

**Reason**

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

5. Prior to the commencement of the development above ground level a scheme detailing the makes, models and locations of bat and bird boxes and locations and specification of gaps in fencing for hedgehog movement shall be submitted to and approved in writing by the Local Planning Authority. The following features shall be provided in the development:
  - a) A minimum of 2 built in bat boxes or integrated bat tubes, suitable for nursery or summer roosting for small crevice dwelling bat species.
  - b) A minimum of 2 artificial nests, of integrated design, suitable for swifts
  - c) Hedgehog holes in the bottom of fencing to allow hedgehog access through the site and into the surrounding area. The features shall be installed in accordance with the approved scheme and remain in place for the lifetime of the development.

Reason

To incorporate features into the development which support priority or threatened species in accordance with section 187(d) of the NPPF.

**PRIOR TO FIRST OCCUPATION**

6. The development hereby approved shall be completed in full accordance with the boundary treatment details shown on drawing reference 31213-10 (Proposed Boundary Treatments). The details shall be completed prior to first occupation and shall be retained for the lifetime of the development.

Reason

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

**ALL OTHER PLANNING CONDITIONS**

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

31213-01 Rev G Proposed Site Plan

31213-10 (Proposed Boundary Treatments)

Tree Protection Drawing 31213-12 Rev A

Site Location Plan 00 Rev A

Proposed Street Scene 04 Rev A

Proposed Site Section 05 Rev A

Proposed Plans and Elevations Plot 2 03 Rev A

Proposed Plans and Elevations Plot 1 02 Rev A

Reason

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

8. 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.

9. The development hereby permitted shall not be brought into use until the access and parking areas have been provided in accordance with Drawing No. 31213-01 Rev G Proposed Site Plan and shall thereafter be retained for the lifetime of the development.

Reason

In the interest of highway safety.

10. The development hereby permitted shall not be occupied until its foul and surface water drainage systems have been completed and connected to the public sewerage system.

Reason

To ensure the health and safety of the occupiers.

11. Windows at the eastern and western (side) elevations for plots 1 and 2 at first floor level, which serve the bathroom and en-suite as shown on plans 31213-02 Rev A and 31213-03 Rev A, shall be opaque glazed.

Reason

To protect the privacy of neighbouring occupiers.

12. 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 access points, bat boxes and bird boxes, trees and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/23 Bats and artificial lighting in the UK and also page 32 of the Preliminary Bat Roost and Bird Survey (S.C Smith, 15 July 2025). 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

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

Reason

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

14. No plant or machinery shall be operated, no loading or unloading of vehicles and no movement of commercial vehicles to or from the site shall take place outside the hours of 8 a.m. to 7 p.m. Monday to Saturday. None of the above operations shall be carried out at any time on Sundays or Bank and Public Holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties and to ensure compliance with the Local Plan Policies CP3 - Chase Shaping, CP8 - Employment Land and the NPPF.

### **Notes to 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](http://www.gov.uk/government/organisations/the-coal-authority)

#### **Demolition**

The demolition of the existing building should be undertaken under the usual controlled provisions afforded by The Building Act 1984 with the appropriate specialist attention being paid should the construction of same incorporate any asbestos containing materials.

#### **Highways**

The works will 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 Traffic and Network Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to [trafficandnetwork@staffordshire.gov.uk](mailto:trafficandnetwork@staffordshire.gov.uk))  
<https://www.staffordshire.gov.uk/Highways/licences/Vehicle-access/VehicleAccessCrossings.aspx>

Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Traffic and Network Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to [trafficandnetwork@staffordshire.gov.uk](mailto:trafficandnetwork@staffordshire.gov.uk)).

### 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 where more than one is required
- 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.

### Integrated Bat Roosts

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 <https://www.bats.org.uk/our-work/buildings-planning-and-development/bat-boxes/puttingup-your-box> for more details). Hedgehog holes should not be less than 130mm x 130mm.

## **Consultations and Publicity**

### **Statutory Consultations**

SCC Highways - Objection. The development proposals are contrary to Paragraph 117 of the National Planning Policy Framework in that they do not give priority first to pedestrian and cycle movements or facilitate access to high quality public transport with appropriate facilities to encourage public transport use. In consideration of the above, the Highway Authority recommends the application should be refused for the following reasons The proposed development does not constitute sustainable development in that it is reliant on the private car and does not enable future residents to reasonably choose sustainable modes of transport to access the site and therefore would result in the likelihood of increased highway danger to all users.

Rugeley Town Council No comments received.

### **Non-Statutory Consultations**

Ecology Officer - No objection, subject to planning conditions.

Environmental Health - No objection.

Landscape Officer - Objection due to the pressure the development will put on the existing trees and hedgerow for removal or substantial pruning. Recommend the layout is amended from two plots to one to alleviate this pressure

Cannock Chase AONB Unit - No comments received.

### **Response to Publicity**

The application has been advertised by neighbour letter.

14no letters of representation have been received, 1no in support of the scheme and the remainder being objections, of which are summarised as follows:

### Material

- The current site is neglected, having a detrimental effect upon the surrounding area.
- The scheme will have a detrimental impact upon the street scene, due to its overdevelopment.
- The scheme does not meet separation standards.
- Privacy concerns due to modern glass houses not being suitable for neighbours on all four sides.
- The properties do not follow the existing building line.
- The submitted Bat Survey is not accurate
- Concerns raised in respect of parking and displaced vehicles.
- The dwellings are out of character.

### Non-Material

- The applicant respects the TPO status of the tree.
- The scheme sets a precedent for future development.

### **Relevant Planning History**

CH/25/0092 - Demolition of existing dwelling and erection of two replacement dwellings. Withdrawn.

### **1 Site and Surroundings**

1.1 The application site is located on the south side of Post Office Lane, Slitting Mill and comprises a pre-fabricated single storey dwelling located on the northwest side of the plot.

- 1.2 The building is set back from the highway with the garden wrapping around its front (north) side (southeast) and rear (south). Its vehicular access is located to the southeast side of the site. There are a number of protected trees within and adjacent to the site, with 3no located along the rear boundary.
- 1.3 The plot sits on slightly higher ground than the highway with the land then falling to the south. The neighbouring property immediately rear of the plot therefore sits on slightly lower ground by approximately one metre. A large detached two storey dwelling sits adjacent to the northwest.
- 1.4 Housing in the area is varied both in design, scale/height and plot sizes. The site is wholly contained within the settlement boundary and is within the Cannock Chase National Landscape, a Mineral Safeguarding Area and is within a Low Risk Area for historic coal mining activity. The site is within Flood Zone 1.

## **2      Proposal**

- 2.1 Planning permission is sought for the demolition of the existing dwelling and the removal of existing concrete pads located across the site. The property is to be replaced by 2no. two storey self-build dwellings (to be occupied by the applicant and their daughter).
- 2.2 The dwellings are contemporary in design, with asymmetrical roofs, wood panelling, render and modern fenestration.
- 2.3 The dwellings will each be served by independent accesses on to Post Office Lane. One will utilise the existing access and a new access will be created to serve the northwest plot with visibility splays of 2m by 43m. Parking for 3no. cars per plot is provided; two on each drive and one within the garage (3m by 6m internally).

### 3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014) and the Minerals Local Plan for Staffordshire (2015-2030).
- 3.3 Relevant Policies within the Local Plan Include:

- CP1: - Strategy – the Strategic Approach
- CP3: - Chase Shaping – Design
- CP5: - Social Inclusion and Healthy Living
- CP9: - A Balanced Economy
- CP11: - Centres Hierarchy
- CP12: - Biodiversity and Geodiversity
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
- CP15: - Historic Environment
- CP16: - Climate Change and Sustainable Resource Use

- 3.3 The policies within the Minerals Plan are:

Policy 3.2 – Safeguarding Minerals

- 3.5 Relevant paragraphs within the NPPF include paragraphs: -

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

126, 130, 134:	Achieving Well-Designed Places
174 & 176	Conserving and Enhancing the Natural Environment
179-182	Habitats and biodiversity
183-185	Ground Conditions & Pollution
218, 219	Implementation

3.9 Other relevant documents include: -

- Design Supplementary Planning Document, April 2016.
- Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- Cannock Chase AONB Design Guide

## 4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity
- iv) Impact on highway safety
- v) Impact on nature conservation
- vii) Drainage and flood risk
- viii) Mineral safeguarding
- ix) Waste and recycling facilities
- x) Ground conditions and pollution
- xi) Planning Balance and Weighting Exercise

4.2 Principle of the Development

4.2.1 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.

4.2.2 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'.

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

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

4.2.4 Other than the above general strategic approach there are no relevant policies within the Local Plan in respect to the approach to be taken with regard to the development of wind-fall sites. As such the proposal falls to be determined in

accordance with the tests set out in subsection (d) (i) or (ii) of paragraph 11 of the NPPF show above.

- 4.2.5 The application site is not designated as SSSI or SAC, nor does it contain a listed building or conservation area or affect the setting of a designated heritage asset; nor is it located within flood zones 2 or 3. The site is located within the National Landscape Designation however that in itself doesn't preclude development and will be assessed within the body of the report.
- 4.2.6 Notwithstanding the above, Policy CP6 of the Cannock Chase Local Plan states that housing proposals within defined settlement boundaries shall be limited to small infill sites which accord with sustainable development principles outlined within the NPPF and the strategic approach defined within Policy CP1 and other Local Plan Policies as appropriate. In this instance, the application site is not considered as an 'infill site' but the demolition and replacement of an existing dwelling albeit with two dwellings.

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

- 4.2.8 In respect to the location of the site, it is noted that the Highway Authority object to the application on the basis that:

*The proposed development does not constitute sustainable development in that it is reliant on the private car and does not enable future residents to reasonably choose sustainable modes of transport to access the site and therefore would result in the likelihood of increased highway danger to all users.*

- 4.2.9 The site is, however, within the settlement of Slitting Mill wherein there residential properties and access to public footpaths. It is noted that there are no schools or shops within Slitting Mill. Therefore, occupiers are likely to rely on the use of private vehicles for trips to Rugeley and other towns. Officer note however, that this would be the case for existing occupiers of the site and the surrounding neighbours. It is also recognised at para 109 of the NPPF that transport solutions will vary between urban and rural areas. As such, there will

be a planning judgment between the desirability of supporting rural development and maximising sustainable transport opportunities.

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

#### **4.3 Design and the Impact on the Character and Form of the Area and National Landscape Designation**

4.3.1 In respect to the character of the area several neighbour objections state that the scheme will comprise the overdevelopment of the plot and will be out of character against the surrounding context.

4.3.2 The proposal seeks planning consent for the erection of 2 no four bedroom detached dwellings, to replace an existing single storey pre-fabricated bungalow within a spacious plot.

4.3.3 The layout plan demonstrates that the buildings would be set back within the site behind a short frontage and would be centred within the plot, with sufficient space retained either side of the property to allow access and views to the countryside beyond.

4.3.4 The character of this location is residential and comprises of detached dwellings fronting Post Office Lane set behind landscaped frontages with private rear gardens. The wider street scene comprises an eclectic mix of properties in terms of age and architectural style, including detached and semi-detached properties.

4.3.5 Within Slitting Mill it is noted that plot widths vary with the plot opposite the application site, orientated with its side elevation facing on to Post Office Lane due to a lack of depth within that plot. The area of each plot proposed would be approx 415m<sup>2</sup> which would be not dissimilar to the 440m<sup>2</sup> of the opposite plot. Other smaller plots within the wider area comprise of 220m<sup>2</sup> as a minimum.

4.3.6 It is also noted that a number of dwellings within post office land fill the entire width of the individual plots. As such, the layout of the proposal would be little different to the existing arrangements although it is acknowledged that the

individual plot widths would be narrower. It is considered that this in itself would not make the proposed scheme unacceptable. The applicant has incorporated a good degree of new landscaping whilst retaining existing landscape features.

- 4.3.7 In terms of the built density of the dwellings, they will replace a small, single storey bungalow of which sits within a spacious plot. As such, any new dwellings of larger size and scale constructed at the site are likely to initially appear different within the street scene and be an intensification of the site. However, the proposed dwellings reflect the grain of development across the wider area and, in Officer's view, does not constitute overdevelopment of the site. The dwellings do not appear bulky and irrespective of their contemporary design, would not be out of keeping within the street scene and would sit comfortably within the plot in a similar fashion to adjacent properties.
- 4.3.8 Neighbour concerns regarding the properties sitting forward of the 'building line' are noted, however each proposal is weighed upon its own merit and there is no steadfast 'line' of development to comply to, subject to the proposals not impeding on the 45-degree sight line of neighbouring properties, of which it has been demonstrated that they do not:



- 4.3.9 In regard to the National Landscape, Chapter 2.1 of the Cannock Chase AONB Design Guide sets out the principles of good design within the Cannock Chase National Landscape:

*Development within the AONB should be of enduring high quality built form with associated public realm and landscape that sensitively responds to the setting. This can be achieved through using best practice contemporary design that is rooted in local character and which avoids a pastiche of architectural styles. Local characteristics including block form, settlement layout and plot arrangement, and materials and colours selected from the local character of the surrounding area can assist in creating development proposals that positively respond to the context of the AONB.*

*The Design Guide SPD sets out guidance for mature suburbs, such as Slitting Mill, as they are mostly found on the edge of the urban areas where densities are low and the transition to the rural landscape is important. The spacious nature and lower density of these areas has led to pressure for intensification of development, particularly on the larger plots with impacts on/loss of mature*

*trees and shading effects on the new development itself. Whilst such development can have benefits by increasing housing stock and making efficient use of land, it can also affect local character, amenity and privacy unless development is designed to be sympathetic to the main features which make these areas unique.*

- 4.3.10 The proposed dwellings would be of modern construction with floor to ceiling glazing at the front elevation, finished with render and cladding under a tiled roof. The proposed use of external cladding is noted, and whilst cladding is not overtly seen within the surrounding street scene, there are examples of its use and the wider area does comprise of a variety of finishes, including facing brickwork and render. As such the proposed dwellings would easily assimilate into the already varied street scene. A planning condition has been imposed to ensure that the materials assimilate well within the woodland character of the area and comply with the above guidance.
- 4.3.11 In light of the above, Officers are of the view that the proposal would remove one out of keeping and dilapidated dwelling and replace it with two dwellings of a contemporary design whilst providing sufficient landscaping to ensure assimilation within the street scene and wider National Landscape designation. Therefore, having had regard to Policy CP3 of the Local Plan and the above mentioned paragraphs of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings, successfully integrate with existing features of amenity value, maintain a strong sense of place and visually attractive such that it would be acceptable in respect to its impact on the character and form of the area including the National Landscape.

#### **4.4 Impact on Residential Amenity**

- 4.4.1 The nearest properties to the application site are located on either side of the property at nos. 11 and 17 Post Office Lane, as well as a detached property (no.13) to the rear, to which access is achieved from Post Office Lane along the side boundary of the application site.

- 4.4.2 The proposed dwellings have windows at each side elevation at first floor. To protect the privacy of the neighbouring properties on either side of the application site, a condition has been recommended requiring these windows to be obscure glazed. As such, the proposed dwellings would not cause significant harm to these neighbour's amenity in terms of privacy, overlooking and overbearing.
- 4.4.3 Officers have assessed the separation distances between the new dwellings and the existing dwelling to the rear; the rear elevation of the plots will be 20 metres from the front elevation of the dwelling to the rear (No.13). Whilst this does represent a shortfall of 1.3 metres in the requirement set out within the Design Guide SPD, which is a 21.3m requirement, it is noted that the new dwellings would be offset in comparison to No.13 and so do not represent a direct relationship between the existing dwellings and those proposed. Furthermore, it is only the projecting rear gable of plot 2 that falls to be less than the required 21.3m. The application site is bound by existing trees and boundary structures with additional hedge planting proposed which would help to screen the proposal.
- 4.4.4 Neighbour concerns in respect of the different land levels across the site are noted. The levels shown on Proposed Site Section drawing ref 31213-05 are broadly akin to levels across the surrounding area. The finished floor level (FFL) of the new dwellings will be 124.05 and the FFL of the dwelling to the rear is 122.88, a difference of 1.17 metres across 20 metres. There will be a gradual slope on each property from patio level down to the rear fence with the property to the rear to further alleviate the difference in ground levels between the site and to the south of the site.



- 4.4.5 In light of the above, this separation distance, together with the offsetting of the dwellings and the intervening boundary treatments both existing and proposed would absorb any impact to this neighbouring property. As such, whilst it is appreciated that there will be some overlooking from the rear outlook of the new dwellings to the front elevation of No.13, this is not considered to be significant and would be towards the front elevation only wherein some degree of overlooking is expected in relation to existing back land development.
- 4.4.6 Neighbour concerns in respect of loss of outlook are noted. However, the applicant has sufficiently demonstrated that the proposal complies with the 45-degree sightline as set out within Appendix B of the Council's Design SPD and so is acceptable in this respect.
- 4.4.7 Given the above, the scheme complies with the requirements as set out within the Councils Design SPD and Local Plan Policy CP3. Therefore, the proposed dwelling would not result in any significant adverse impact to the amenity, privacy or daylight of the existing occupiers.

#### 4.5 Impact on Highway Safety

- 4.5.1 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.
- 4.5.2 The application is for the erection of 2no detached four-bedroom dwellings, with separate accesses taken from Post Office Lane. Each dwelling will be provided

with 3no off road parking spaces at their frontage, which meets Cannock District Council's parking standards for this type of dwelling.

- 4.5.3 The SCC Highway Officers have, as already alluded to within the Principle chapter of the report, assessed the proposal and objected to the unsustainable location of the application site. No further objections / concerns have been raised by the Highway Authority.
- 4.5.4 A neighbour objection received raising concerns in respect of vehicles reversing from the site into traffic and potential displaced vehicles from on-road parking are noted, however the SCC Highway Authority, as a statutory consultee, has assessed the proposals and conclude that they are acceptable on the grounds of highway access and parking provision.
- 4.5.5 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.

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

- 4.6.1 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. There is a net increase in dwellings of 1no such that SAC mitigation contributions are required. Such contributions will be secured via a S.111 agreement.
- 4.6.2 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.

*Biodiversity Net Gain (BNG)*

- 4.6.3 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the biodiversity gain condition that development may not begin unless:
- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Due to the scheme being a self-build development, the proposal does not require the approval of a Biodiversity Gain Plan before development is begun, as this is one of the exceptions set out. As such, BNG is not relevant to this planning application.

#### Landscaping

- 4.6.4 The application site comprises four trees covered by TPO 1997/07, as well as two trees that overhang the site, covered by TPO 2015/08. The Landscape Officer objected to the scheme due to the potential pressure the development will have on the existing trees to improve light levels to the individual plots. This objection was acknowledged by the applicant who submitted an evidence based formal daylighting assessment which adheres to BRE Guidance. The assessment confirms that given that there is compliance with the BRE Guidance, the proposed development provides good levels of sunlight to each proposed garden. The Councils Tree Officer has not responded to this additional information. In light of the additional information being BRE compliant, and in the absence of any contrary advice from our officers, the finding of the lighting assessment has been accepted by Officers.
- 4.6.5 Paragraph 130 of the NPPF states “when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards). In this instance, the applicant has submitted evidence that

demonstrates acceptable living standards that would not give rise to future pressure(s) to remove protected trees.

- 4.6.6 Notwithstanding, the applicant has provided evidence that tree T1 (Silver Birch), of which is protected by virtue of a TPO, is of category C with a lifespan of less than 10 years. The Councils Tree Officer did not dispute this categorisation. As such, it is anticipated that T1 will be lost early on in the lifetime of the development however compensatory planting has been proposed by the applicant, with 2no new trees at the frontage as well as new hedgerow planting at the front and rear site boundary. This would be secured by the recommended condition.
- 4.6.7 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

#### **4.7 Drainage and Flood Risk**

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

#### **4.8 Mineral Safeguarding**

- 4.8.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.
- 4.8.2 The application site is located within a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the

Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application. As such, the proposal would not prejudice the aims of the Minerals Local Plan.

#### **4.9 Waste and Recycling Facilities**

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

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

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

#### **4.11 Planning Balance and Weighting Exercise**

- 4.11.1 Your Officers confirm that the proposal is for the replacement of an existing dwelling with 2no new dwellings within a residential location in a defined settlement boundary.
- 4.11.2 The proposal would not result in any significant adverse impact to the neighbouring occupiers in terms of overbearing, privacy or to space about

dwellings and complies with the Councils Design SPD and as such, Officers afford this matter sizeable weight.

4.11.3 Your Officers confirm that whilst the Highway Authority view the proposal to not be in a sustainable location, your officers consider the situation to be no different to the existing dwelling or the neighbouring properties and the NNPF at para 109 recognises that transport solutions will vary between urban and rural areas. As such, there will be a planning judgment between the desirability of supporting rural development and maximising sustainable transport opportunities. As such, substantial weight is afforded this matter in the planning balance.

4.11.4 Notwithstanding the above, it is acknowledged that the Landscape Officer has objected to the scheme on the grounds that the scheme proposal would cause pressure to fell protected trees located to the rear of the site, due to overshadowing onto the rear amenity spaces of the new dwellings. Whilst noted, the applicant has submitted a significant level of daylight and shading information which adheres to BRE Guidance and of which the Tree Officer has been invited to comment on and has not done so to date. Tree T1 is of poor quality, with a relatively low life expectancy. The applicant has provided additional and complimentary planting and in respect of the above, great weight is afforded these matters in the planning balance given that The Councils tree Officer has not based their objection on the latest information submitted by the applicant.

4.11.5 Given the above, the benefit of the scheme being 1no additional dwelling within a settlement boundary on a site currently in residential use, the replacement of the dilapidated pre-fabricated dwelling with two contemporary designed dwellings and no significant impact upon the amenity of neighbouring occupiers, would weigh significantly in favour of the proposed development.

4.11.6 The concerns raised in respect of the unsustainable location do not outweigh the benefits of the proposal and as such, on balance, approval is recommended.

## 5.0 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.

## **6.0 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/25/0235

Item No.6.48

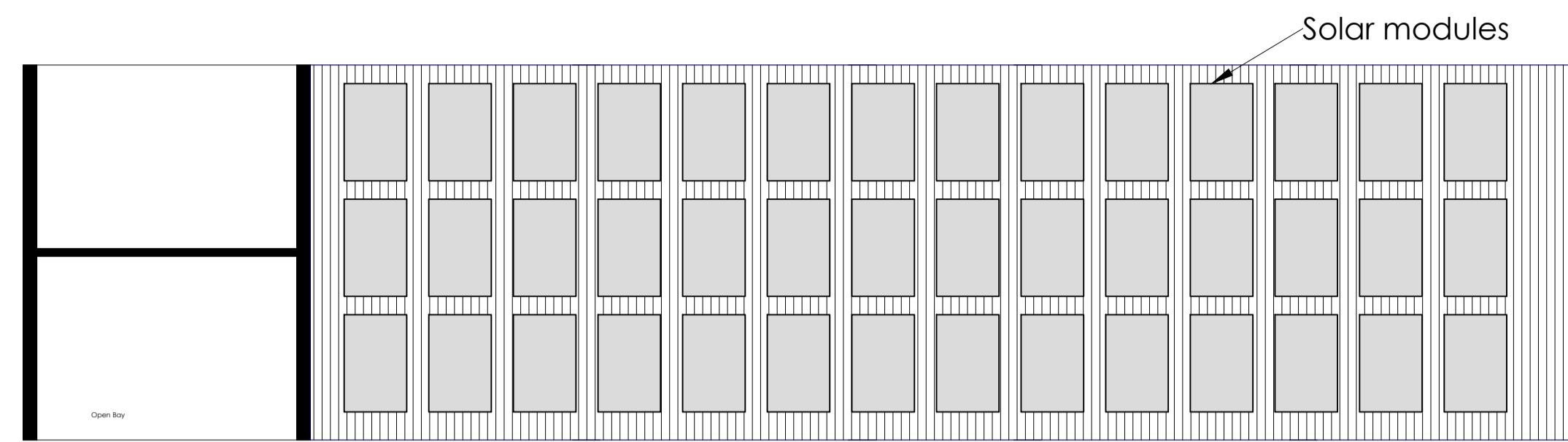
**Location:** The Former Globe Inn, The Globe Site, East Cannock  
Road, Hednesford, Cannock, WS12 1LZ

**Proposal:** Change of use of land and erection of a 5 bay self service car  
wash with ancillary equipment





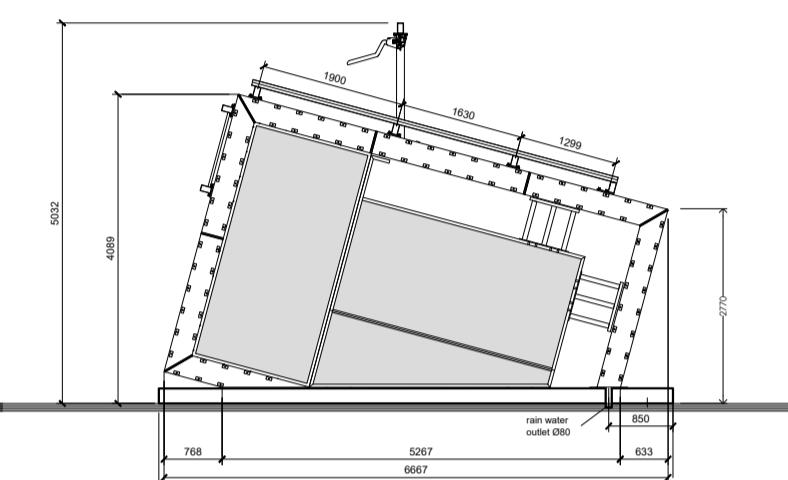
NOTE  
DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS RELATING TO SUB-CONTRACTORS OR  
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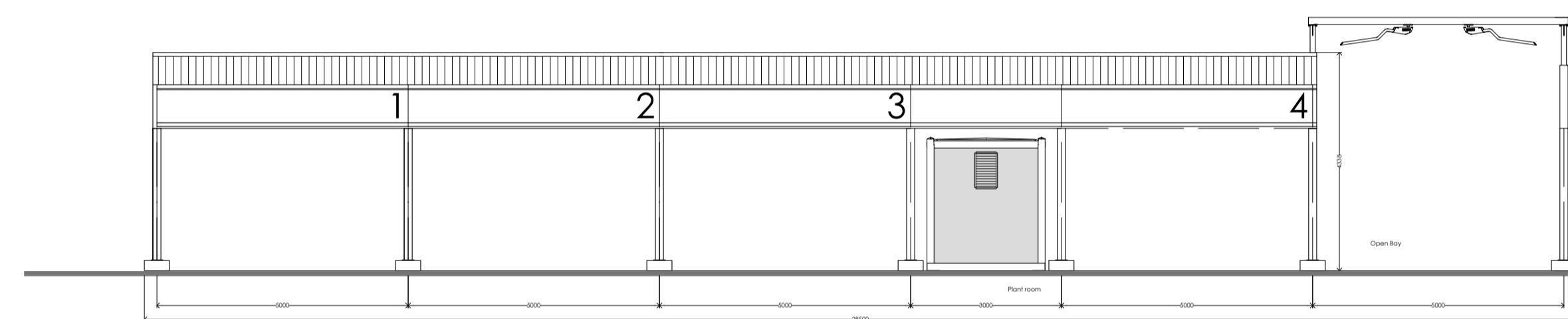
ROOF PLAN



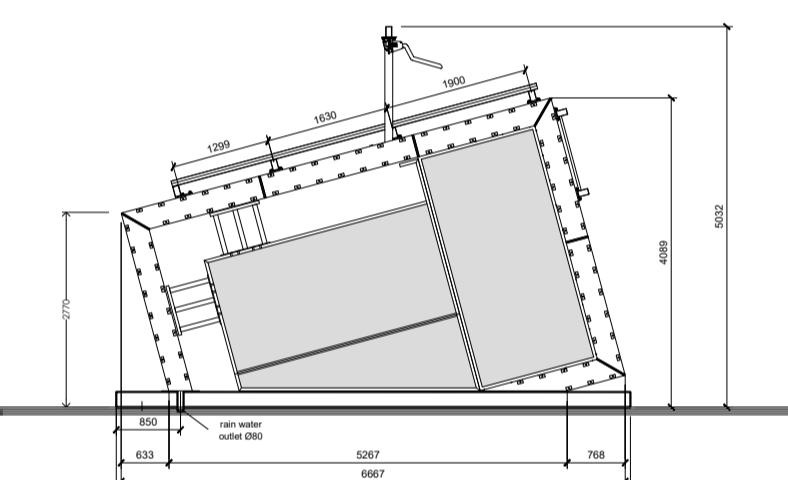
EAST ELEVATION



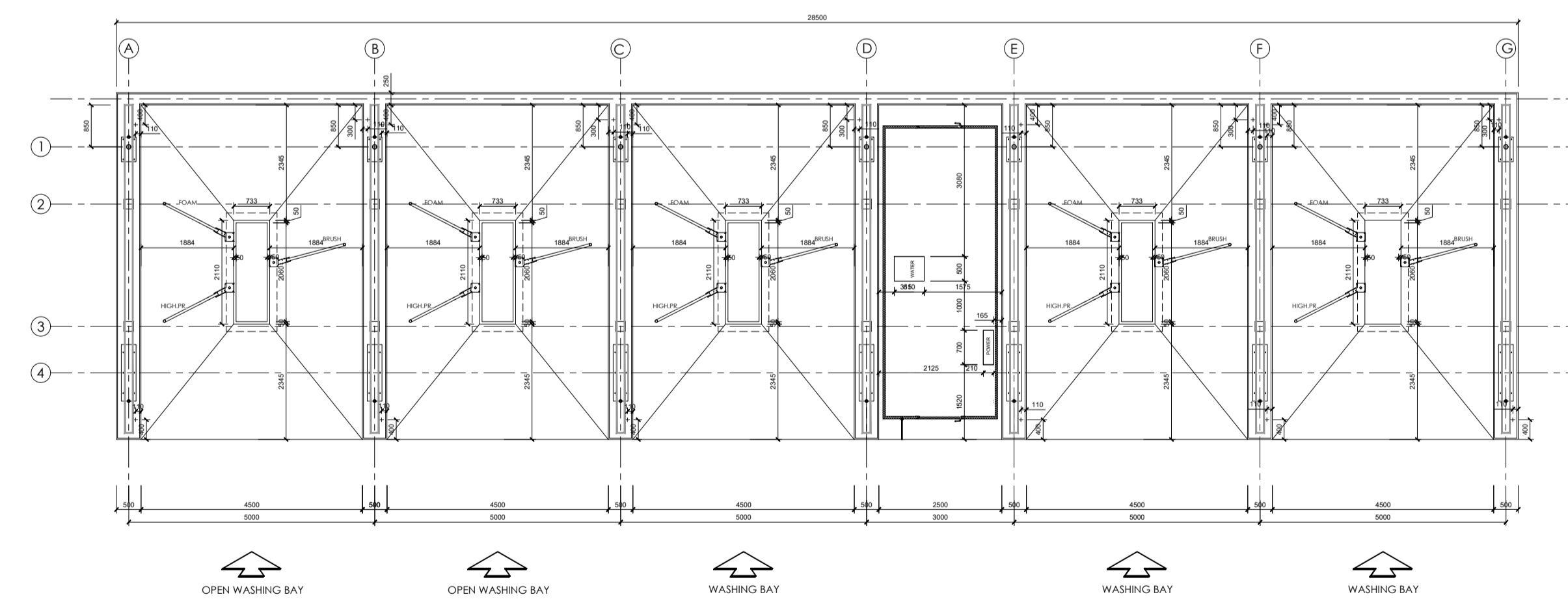
NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



VALET BAY PLAN

1:100 Scale Bar (Metres)  
0 1 2 3 4 5 10

PLANNING

~ 04/06/25 JM Drawing created.			
rev	date	by	description
<b>CLIENT</b>  <b>Carbana Limited</b> 114a Cromwell Road London, SW7 4AG			
<b>PROJECT LOCATION</b> <b>Eco Car Wash Facility</b> <b>The Former Globe Inn</b> <b>East Cannock Road, Cannock, WS12 1LZ</b>			
<b>DRAWING</b> <b>Proposed Jetwash Plans &amp; Elevations</b>			
<b>FROWSBURY DESIGN</b> 5 Tarragon Avenue, Oving, Chichester, West Sussex, PO20 2NQ, United Kingdom Email: <a href="mailto:enquiries@frowsbury.com">enquiries@frowsbury.com</a> © This drawing is the copyright of FROWSBURY DESIGN LIMITED			
Date: June 2025	Draw By: JM	A1	
Scale: 1:100	Dwg No: FRO-CAR-006-P-08	Rev:	~

Item No.6.51



**Planning Control Committee****14<sup>th</sup> January 2026**

<b>Application No:</b>	CH/25/0235
<b>Received:</b>	30 <sup>th</sup> July 2025
<b>Location:</b>	The Former Globe Inn, The Globe Site, East Cannock Road, Hednesford, Cannock, WS12 1LZ
<b>Parish:</b>	Hednesford CP
<b>Ward:</b>	Hednesford Hills and Rawnsley
<b>Description:</b>	Change of use of land and erection of a 5 bay self-service car wash with ancillary equipment
<b>Application Type:</b>	Full Planning Application

**The application is being presented to Members due to it being called in to Planning Control Committee by Cllr Fitzgerald on the grounds of environmental concerns, surface water run-off, highway safety and potential issues relating to Japanese Knotweed.**

**Recommendation**

Approve, subject to conditions.

**Reason for Recommendation**

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

**Conditions (and Reasons for Conditions):****STATUTORY PRE-COMMENCEMENT CONDITION**

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

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

This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits, in that order of priority.

Based on the information available this permission is considered to be one which WILL require the approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions are considered to apply.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission is Cannock Chase Council. The Biodiversity Gain Plan should be submitted as an 'application for approval of details reserved by condition following grant of planning permission' via the Planning Portal. When submitting an application to discharge the biodiversity gain condition the LPA requests that the applicant uses the standard national templates for a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan. Submit a biodiversity gain plan - GOV.UK ([www.gov.uk](http://www.gov.uk)) The biodiversity gain condition cannot be removed or varied.

## **PRIOR TO COMMENCEMENT**

1. Before the commencement of any works other than demolition, including works and deliveries associated with construction, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include:
  - Construction and delivery hours (to avoid school opening and closing times)
  - Arrangements for the parking of site operatives

- Storage of plant and materials used in constructing the development.
- Measures to remove mud or debris carried onto the adopted highway.

Reason

In the interest of highway safety.

2. Prior to the commencement of any construction or site preparation works, approved protective fencing shall be erected in the positions shown on the approved Tree Protection Plan ref 1808-TPP Rev 3. 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.

**PRIOR TO FIRST USE**

3. The development hereby permitted shall not be first occupied until the approved drainage details, as shown on the following plans, have been implemented in full. The details shall be maintained for the lifetime of the development:

250426-SUB-XX-XX-DR-C-02400-S2-P01

250426-SUB-XX-XX-DR-C-02300-S2-P02

250426-SUB-XX-XX-DR-C-02402-S2-P03

250426-SUB-XX-XX-DR-C-02401-S2-P02

S250426-SUB-XX-XX-RP-D-001\_DRAINAGE STRATEGY MAINTENANCE  
SCHEDULE\_R02

Reason

This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

4. Means of illumination of the site shall be completed in full accordance with the approved scheme as detailed within document ref. Lighting Assessment P189-900 prior to the first use of the development hereby approved. The details shall be implemented prior to first occupation and shall be retained for the lifetime of the development.

Reason

In the interests of protecting the amenity of neighbouring occupiers from light pollution.

5. The development hereby permitted shall not be brought into use until the access and parking areas have been provided in accordance with Drawing No. CANN-FRO-CAR-006-P-04G Proposed Site Plan and CANN-FRO-CAR-006-P-09D Finishes Plan and shall thereafter be retained for the lifetime of the development.

Reason

In the interest of highway safety.

## **ALL OTHER PLANNING CONDITIONS**

6. No materials shall be used for the external surfaces of the development other than those specified on the application, except with the written approval of the Local Planning Authority.

## Reason

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

7. No trees or hedges shown as retained on Dwg No.FRO-CAR-006-P-04 Rev G shall be cut down, topped, lopped, uprooted or removed without the prior written permission of the Local Planning Authority nor shall they be wilfully damaged or destroyed. Any trees or hedges which, within a period of 5 years from completion of the development are cut down, topped, lopped or uprooted without permission of the Local Planning Authority or become seriously damaged or diseased or die shall be replaced in the next planting season with similar size and species unless the Local Planning Authority gives written consent to any variation.

## Reason

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

8. The site shall not be open for business outside the hours of 08:00hrs to 22:00hrs, daily.

## Reason

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

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

CANN-FRO-CAR-006-P-01F\_Block\_and\_Location\_Plan

CANN-FRO-CAR-006-P-04G\_Proposed\_Site\_Plan

CANN-FRO-CAR-006-P-09D\_Finishes\_Plan

CANN-FRO-CAR-006-P-12A\_Existing\_and\_Proposed\_Site\_Sections

1808TPP\_rev3

CANN-FRO-CAR-006-P-11B\_Existing\_and\_Proposed\_Site\_Levels

Lighting\_assessment\_P189-900\_Carbana\_Cannock

CANN-FRO-CAR-006-P-08 Proposed Valet Centre Plan and Elevations

Reason

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

## **Consultations and Publicity**

### **Statutory Consultations**

SCC Highways - Objection. Insufficient information has been provided in respect of parking arrangements for staff members.

Hednesford Town Council - No comments received.

Lead Local Flood Authority - No comment.

### **Non-Statutory Consultations**

Ecology Officer - No objection. This application is subject to the mandatory requirement to deliver at least a 10% net gain for biodiversity. A Biodiversity Gain Plan (and relevant accompanying information) must be submitted to, and approved by, the LPA prior to commencement of the development.

Environmental Health - No objection to the submitted lighting assessment (11<sup>th</sup> November 2025). No comments received in respect of Amended Noise Response Letter received 3<sup>rd</sup> September 2025.

Landscape Officer - No objection.

Economic Development - No objection.

Staffordshire Police - Noise abatement measures are acceptable.

Planning Policy - No objection. The proposal will provide a local service and jobs on part of an unattractive long term vacant brownfield site, which the applicant notes has been vacant for around 13 years. The proposed use will also not prevent future re-development of the site.

Waste and Engineering Services - No comments received.

### **Response to Publicity**

The application has been advertised by neighbour letter.

5no letters of representation (objections) have been received, of which are summarised as follows:

#### Material Considerations

- Concerns raised in relation to the volume of traffic on East Cannock Road.
- Increased levels of noise, the premises will be operating 7 days a week from 6am to 11pm.
- The site will be raised, causing flooding and privacy issues.
- The scheme is a low-cost development and does not improve the street scene or the area.
- The scheme will create noxious fumes and will increase water pollution.
- There will be light pollution into nearby homes and gardens.

#### Non-Material Considerations

- The scheme will only provide low skill and low paid employment opportunities.

### **Relevant Planning History**

CH/14/0022

Demolition of the existing public house and erection of a two storey care home and erection of a two storey building with retail (A1) on the ground floor and 5 flats on the first floor. Approved.

CH/18/366

Proposed Car Wash on Former Public House Car Park. Refused on the following grounds:

1. *The introduction of a car wash facility on the vacant site in an already busy location with an entrance to a hot food take-away opposite would lead to an intensification of vehicle movements within the immediate vicinity to the detriment of the highway safety of existing and future users of the highway network. As such, the residual cumulative impacts arising from the proposal on the local highway network would be severe contrary to paragraph 109 of the National Planning Policy Framework.*
2. *Although the application site is situated on the edge of an industrial area the streetscene along the A460 Old Hednesford Road in the vicinity of the site, and particularly on the north side of the road, is characterised by semi-mature green frontages with trees and shrubs which has ensured that industrial buildings have integrated well with their surroundings.*

*The proposed car wash, associated structures and machinery would, by virtue of their stark, functional design, layout and appearance and lack of landscaping together with the associated temporary structures would contrast sharply with the character of the streetscene resulting in a detrimental impact on the visual amenity of this location contrary to Policy CP3 of the Cannock Chase Local Plan and paragraph 127 (a) and (b) of the National Planning Policy Framework. Given the above it is clear that the proposal comprises poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions and as such is inappropriate and fails to comply with paragraph 130 of the National Planning Policy Framework.*

3. *The proposed change of use of the site from vacant land to a car wash facility would increase water run off onto the adjacent highway and as such would exacerbate the existing flooding problems already experienced on the A460 under the railway bridge*

*to the south of the application site. As such, the proposal would be contrary to paragraph 127 (a) and 160 (b) of the National Planning Policy Framework.*

## **1 Site and Surroundings**

- 1.1 The application relates to part of the parking area associated with the former Globe Public House, located on Cannock East Road.
- 1.2 The application site is broadly rectangular shaped and lies between the pub and the car park of the adjacent health and fitness centre.
- 1.3 To the east of the site is land which previously accommodated the Globe Public House.
- 1.4 There is a row of two storey residential properties to the north in Swallowfields Drive that abut the rear boundary of the site. These dwellings back onto the application site at 16m and are separated from the application site by private gardens and a band of semi-mature willow and silver birch trees. To the west the site abuts the car park for a health centre which is sited on lower ground than the application site and separated by a semi-mature landscape buffer. Across the road to the south opposite the site is a fast-food restaurant and an industrial estate which is described in the Hednesford Neighbourhood Plan as having an unattractive frontage where there is potential for environmental improvement.
- 1.5 The streetscene primarily comprises of commercial properties except for the two dwellings to the east of the site, separated by the land which formerly accommodated the Globe Public House building. The properties in the locale are a mix of single and two storey buildings. East Cannock Road rises in level from west to east, giving the site a levels difference of 2.4m from the western boundary to the eastern boundary.
- 1.6 Five of the trees located between the application site and the properties within Swallowfields Drive are covered by a Tree Preservation Order (TPO).

- 1.7 The application site is located within a minerals safeguarding area and considered to be an area of low-risk development by the Coal Authority. The application site is covered by Hednesford Neighbourhood Plan.

## **2      Proposal**

- 2.1 The application proposes the development for the erection and installation of a carwash facility and associated works on land off East Cannock Road, Cannock.
- 2.2 The proposal includes the installation of:
- four covered and one open wash bays with an associated plant/pump room;
  - four valeting bays equipped with 2-in-1 units for tyre inflation and vacuuming; and
  - Ancillary facilities to help the function of the site such as toilet, bin storage, and laundromat.
- 2.3 The existing Globe Inn site, now demolished is excluded from the application site with just its lower car park being utilised for the proposed development.
- 2.4 The wash bays will be enclosed within a canopy, with the valet stations will be external units to the rear of the site.
- 2.5 The existing surface beyond the highway threshold will be cleared, with new grease and dirt traps along with attenuation are to be installed to capture site runoff.
- 2.6 There will be a manoeuvring system in place with lanes into the site and markings for users to navigate to the bays. The site access will be unaltered from the existing arrangement. 2no parking spaces are to be provided on site, with 1no space to be dedicated for staff. There will be 1no staff member on site at any one time, with a visiting supervisor.

## **3      Planning Policy**

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.
- 3.2 The Development Plan currently comprises the Cannock Chase Local Plan Part 1 (2014), the Hednesford Neighbourhood Plan and the Minerals Local Plan for Staffordshire (2015 – 2030).

***The Development Plan***

3.3 Cannock Chase Local Plan Part 1

CP1 - Strategy – the Strategic Approach

CP2 - Developer Contributions for Infrastructure

CP3 - Chase Shaping – Design

CP4 - Neighbourhood-Led Planning

CP5 - Social Inclusion and Healthy Living

CP10 - Sustainable Transport

CP12 - Biodiversity and Geodiversity

CP13 - Cannock Chase Special Area of Conservation (SAC)

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

CP16 - Climate Change and Sustainable Resource Use

3.4 Minerals Local Plan for Staffordshire

- Policy 3.2: - Safeguarding Minerals of Local and National Importance and Important Infrastructure

***Other Material Considerations***

3.5 The National Planning Policy Framework (NPPF)

Relevant Paragraphs:

8:	Three Dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
48-51:	Determining Applications
115 d), 116:	Highway Safety
131-141:	Achieving Well-Designed and Beautiful Places
170-182:	Planning and Flood Risk
192-195:	Habitats and Biodiversity
196-201:	Ground conditions and Pollution
231-233:	Implementation

### 3.6 Other relevant documents

- Design Guide Supplementary Planning Document, April 2016.
- Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport, July 2005

## 4 Determining Issues

### 4.1 The determining issues for the proposed development include: -

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity
- iv) Impact on highway safety
- v) Mineral safeguarding
- vi) Planning Balance and Weighting Exercise

### 4.2 Principle of the Development

4.2.1 Both the NPPF and Cannock Chase Local Plan 2014 Policy CP1 advocate a presumption in favour of sustainable development unless material considerations indicate otherwise.

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

'For decision taking this means:

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

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

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

- 4.2.4 In this instance, the application site has been vacant for 13 years with the former pub building since demolished. The application site is situated on part of a former public house site and is surrounded by industrial, leisure, residential and commercial uses. site is a vacant plot in an established mixed-use location. The application site is located within the main urban area of Cannock and is not subject to any planning allocation or designation that would preclude the proposed use.

*Drainage and Flood Risk*

- 4.2.5 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps and therefore is in the zone of least risk from flooding.
- 4.2.6 In this respect it is noted that paragraph 170 of the NPPF states 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)' adding 'where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere'. Given that the site is located within Flood Zone 1 there is no need to apply a sequential test.
- 4.2.7 The comments of an objector are noted in respect that the wastewater from vehicle cleaning can contain detergents, oil and fuel, suspended solids, grease and antifreeze and that these must not be allowed to enter surface water drains, surface water or ground waters. In this instance, the applicant proposes a drainage channel to run along the western boundary of the application site (lowest level) that would filter and pump the water to existing drainage.
- 4.2.8 It is noted that the previous application for a car wash was refused (amongst others) due to the potential flood risk: -

*The proposed change of use of the site from vacant land to a car wash facility would increase water run off onto the adjacent highway and as such would exacerbate the existing flooding problems already experienced on the A460 under the railway bridge to the south of the application site. As such, the*

*proposal would be contrary to paragraph 127 (a) and 160 (b) of the National Planning Policy Framework.*

Notwithstanding, this reason for refusal was not supported by any evidence. In this instance, both the Lead Local Flood Authority (LLFA) and Severn Trent have been asked to comment on the application with the FFLA confirming that due to the small-scale nature of the proposal and the location being in Flood Zone 1 they had no comment to make. Severn Trent have made no comment to date. If comments are received Officers will provide an Officer update.

- 4.2.9 The applicant has provided drainage details to demonstrate how surface water and drainage would be addressed. Considering this and given the lack of objection from Statutory and non-statutory consultees, the location of the site within flood zone 1 and subject to the attached conditions it is considered that the proposal would be acceptable in respect of drainage and flood risk in accordance with paragraph 170 of the NPPF.
- 4.2.10 Therefore in principle, the proposal would be generally compatible with the surrounding uses. However, although a proposal may be considered to be acceptable in principle it is still required to meet the provisions within the development plan in respect to matters of detail. The next part of this report will go to consider the proposal in this respect in so much as these issues relate to scale and means of access.

#### **4.3 Scale and the Impact on the Character and Form of the Area**

- 4.3.1 The application site is devoid of any significant features. However, there is a row of trees, outside of the site but abutting the rear boundary of the site (west) comprising of two Birch trees and three Goat Willow trees all of which are covered by protection orders (TPO) and which help to screen the site in views from the adjacent residential properties. This strip of land also benefits from a thick, dense layer of laurel however this under-layer is not protected. The comments of an objector are noted in respect to the impact on the existing trees.
- 4.3.2 In this regard, the applicant has submitted a tree survey within which to inform the application. The tree report identifies the trees as being class C1 which means they are of low quality and value. Notwithstanding this, the trees are to

be retained with no works proposed to facilitate the proposal. The proposed facilities are shown on the submitted plan as being sited on the existing hardstanding and would not involve disturbance of the soil underneath the tarmac.

- 4.3.3 The change of use of the site would involve the siting of a canopy housing jet wash bays and open service bays as well as a laundromat building all of which are single storey and functional in nature. In addition to the above the proposed structures would be seen from the highway within the context of the former Globe Pub site, the industrial estate, the leisure centre car park and the roofline of the adjacent residential dwellings interspersed by the trees. The site sits on a lower level from the adjacent highway and as such would easily absorb the structures. In this respect the proposed structures and buildings would reflect the modern, functional character of the surrounding sites along Hednesford Road. As seen from the dwellings along Swallowfields Drive the containers would not appear over-dominant due to their single storey nature and the impact would be further reduced (particularly in spring-summer) due to the screening provided by the intervening trees.
- 4.3.4 The previous planning application for a car wash facility on this site was refused due to the detrimental impact on the visual amenity of the location: -

*Although the application site is situated on the edge of an industrial area the streetscene along the A460 Old Hednesford Road in the vicinity of the site, and particularly on the north side of the road, is characterised by semi-mature green frontages with trees and shrubs which has ensured that industrial buildings have integrated well with their surroundings.*

*The proposed car wash, associated structures and machinery would, by virtue of their stark, functional design, layout and appearance and lack of landscaping together with the associated temporary structures would contrast sharply with the character of the streetscene resulting in a detrimental impact on the visual amenity of this location contrary to Policy CP3 of the Cannock Chase Local Plan and paragraph 127 (a) and (b) of the National Planning Policy Framework. Given the above it is clear that the proposal comprises poor design that fails to take the opportunities available for improving the character and quality of the*

*area and the way it functions and as such is inappropriate and fails to comply with paragraph 130 of the National Planning Policy Framework.*

- 4.3.5 Officers acknowledge that the current proposal would also be functional in design, layout and form and proposes no additional landscaping. However, your officers also note that the application site has been vacant for 13 years and as such is already detrimental of the location.
- 4.3.6 Officers consider the wider location to be industrial / commercial in nature, and the proposed car wash would not be so dissimilar to this to warrant refusal. It is therefore considered that, on balance, the proposal, would be a betterment to the existing situation, well-related to the existing buildings and their surroundings in the immediate and wider area and sympathetic to the local character of the area and would therefore comply with Policy CP3 of the Local Plan and the NPPF.

#### **4.4 Impact on Amenity**

- 4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high-quality design will need to be addressed in development proposals and goes onto include [amongst other things] the protection of the "amenity enjoyed by existing properties".
- 4.4.2 Although the Design SPD sets out guidance in respect to space about dwellings it does not contain guidance in respect to space about other uses. Of particular significance in this respect is the relationship between the application site and the residential properties to the rear. On the basis of the proposed layout the distance between the main washing / valeting areas of the site and the adjacent residential dwellinghouses would be approximately 28 metres. Furthermore, the proposed development would be screened to a degree by the existing landscaping and the siting of the facilities and canopy.
- 4.4.3 The comments from an objector are noted in respect to the potential nuisance to neighbouring occupiers.

#### **Noise**

- 4.4.4 In this instance, Environmental Health Officers were consulted on the application and requested the submission of a Noise Assessment. The applicant has provided a Noise Assessment and Environmental Health Officers were re-consulted, however no comments have been received in regard to the latest information submitted at the time of writing. The Noise Assessment concludes as follows:

*The results show that the rating level is between -11 and -1 dB below the background sound level during the early morning, daytime and evening. This is an indication that the likelihood of adverse impact is negligible in all cases. The sound levels during all periods are consistent with the No Observable Effect Level (NOEL). Based on the above assessment, we see no reason to refuse planning permission on noise grounds.*

- 4.4.5 Officers concur with this view and are satisfied that the development proposal will not cause undue levels of noise disturbance over and above the existing noise sources in the immediate area. Furthermore, the trees along the rear boundary of the site are considered to be of a sufficient density to act as a noise barrier to further reduce noise pollution. It is also noted that Noise wasn't a reason for refusal on the previous car wash application.

#### *Lighting*

- 4.4.6 Given the proximity to the residential properties to the rear, the applicant has submitted a Lighting Assessment of which has been reviewed and accepted by the EHO. The details contained within the assessment have been secured by planning condition.

- 4.4.7 The proposed operation hours are 06:00 to 23:00, daily. The Environmental Health Officer has suggested reduced hours of 08:00 to 22:00, daily, due to the proximity of residential properties on Swallowfields Drive to the rear of the site and the operational, outdoor nature of the proposed use. This is agreed by Officers, and the reduced operation hours have been imposed via planning condition.

- 4.4.8 Given the conclusions of the submitted Noise Report in that the sound levels during all operation periods are consistent with the "No Observable Effect

Level", the operation hours proposed and potential disturbance from the premises on adjoining occupiers is expected to be low.

4.4.9 As such it is concluded that the proposal would protect the "amenity enjoyed by existing properties" and maintain a high standard of amenity for existing and future users and therefore comply with Policy CP3 of the Local Plan and the NPPF.

#### 4.5 **Impact on Highway Safety**

4.5.1 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.

4.5.2 The comments of an objector are noted in terms of the potential highway implications.

4.5.3 It is noted that the previous planning application for a car wash facility on this site was refused due to (amongst other reasons) the potential for an intensification of vehicle movements:-

*The introduction of a car wash facility on the vacant site in an already busy location with an entrance to a hot food take-away opposite would lead to an intensification of vehicle movements within the immediate vicinity to the detriment of the highway safety of existing and future users of the highway network. As such, the residual cumulative impacts arising from the proposal on the local highway network would be severe contrary to paragraph 109 of the National Planning Policy Framework.*

4.5.4 The Highway Authority however, has no objections to the means of access and has expressed no concerns regarding the capacity of the wider network to accommodate the traffic generated by the proposal.

4.5.5 Notwithstanding the above, the Highway Authority has however expressed concern in respect of the lack of parking for staff within the site. The applicant has now provided a revised site layout plan clearly showing 2no parking spaces, with 1no space dedicated for staff parking. The applicant has confirmed

that 1no member of staff will be on site at any one time and will cover one daily shift normally between the hours of 9am and 6pm. As such, the parking provision demonstrated is sufficient for the level of expected activity within the site.

- 4.5.6 As such it is concluded that the proposal in respect to use, scale of the use and means of access would not have an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe. As such the proposal would not be contrary to paragraph 116 of the NPPF.

#### **4.6 Impacts of Nature Conservation**

- 4.6.1 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Given the size and nature of the proposal and its location in respect to Cannock Chase SAC, the connectivity of the wider highway network and particularly the fact that the proposal in itself would not generate traffic but cater for existing traffic, it is considered that the proposal would have no significant impacts, directly or indirectly on the SAC.

#### **Biodiversity Net Gain**

- 4.6.2 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that, subject to some exemptions, every grant of planning permission in England is deemed to have been granted subject to the biodiversity gain condition that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits, in that order of priority.
- 4.6.3 Based on the information available this permission is considered to be one which WILL require the approval of a Biodiversity Gain Plan before

development is begun because none of the statutory exemptions are considered to apply.

- 4.6.4 The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission is Cannock Chase Council. The Biodiversity Gain Plan should be submitted as an 'application for approval of details reserved by condition following grant of planning permission' via the Planning Portal. When submitting an application to discharge the biodiversity gain condition the LPA requests that the applicant uses the standard national templates for a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan. Submit a biodiversity gain plan - GOV.UK ([www.gov.uk](http://www.gov.uk)) The biodiversity gain condition cannot be removed or varied.
- 4.6.5 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.

#### 4.7 **Mineral Safeguarding**

- 4.7.1 The site falls within a Mineral Safeguarding Area (MSAs) for Brick Clay. Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.
- 4.7.2 Policy 3.2 of the new Minerals Local Plan states that: 'Within a Mineral Safeguarding Area, non-mineral development except for those types of development set out in Appendix 6, should not be permitted until the prospective developer has produced evidence prior to determination of the planning application to demonstrate: a) the existence, the quantity, the quality and the value of the underlying or adjacent mineral resource; and b) that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict the mineral operations.

4.7.3 The site is located within the site of a former public house and associated car park within an urban area of Cannock. As such the proposal would not prejudice the aims of the minerals plan to safe guard minerals.

#### 4.8 **Ground Conditions and Contamination**

4.8.1 The site is in a general area considered to be low risk for development by the Coal Authority.

4.8.2 It is noted that there are established stands of Japanese Knotweed growth within the curtilage of the site. It is likely that the Japanese knotweed will be disturbed during development. Waste containing Japanese knotweed is classified as controlled waste, however this is not a planning consideration and the EHO has not requested a planning condition to address this matter.

4.8.3 The applicant has submitted a ground contamination report and the EHO has confirmed that no further investigation is required. As such, the scheme is acceptable on these grounds and there are no outstanding concerns in respect of on site contamination.

#### 4.9 **Objections received not already covered above:-**

4.9.1 An objector states that the development proposal will set a precedent for similar schemes in the area. However, this is not a material consideration as each planning application is determined individually upon its own merit.

4.9.2 An objector states that the proposal will attract low skilled, low paid workers. However, this is not a material planning consideration for the determination of this application.

#### 4.10 **Planning Balance and the Weighing Exercise**

4.10.1 Your Officers confirm that the proposal for the creation of a car wash, with ancillary facilities would bring a currently redundant site back into use. The site has been vacant and has fallen into disrepair for 13 years which has resulted in an eyesore that is detrimental to the amenity of the location. Officers give this matter substantial weight.

4.10.2 The proposal would not result in any adverse impact to the neighbouring occupiers in terms of overbearing, privacy and nuisance as such, Officers afford this matter sizeable weight.

4.10.3 Your Officers confirm that there are no highway safety concerns in relation to the access to and from the proposed scheme or any concerns in regard to the impact on the wider highway network. As such, great weight is afforded this matter.

4.10.5 Given the above, the benefits of the scheme through bringing a disused site back in to use within a mixed use area, the employment opportunities (albeit limited), the development not resulting in a significant impact upon the amenity of neighbouring occupiers would, weigh significantly in favour of the proposed development.

4.10.6 The previous reasons for refusal were in part , not supported by evidence to demonstrate the harm or supported by Statutory consultees. The concerns raised in respect of on site parking provision for staff members and the potential harm to the immediate vicinity do not outweigh the benefits of the proposal and as such, on balance, approval is recommended.

## **5.0 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.