

**Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form**



Making a representation: We cannot accept anonymous representations. You must provide your contact details but only your name and comments will be published on the website. Your personal data will be held securely and processed in line with our privacy notice [www.cannockchasedc.gov.uk/privacynotices](http://www.cannockchasedc.gov.uk/privacynotices). Once the plan is submitted your comments will be shared with the Planning Inspectorate and an independent inspector will review representations. You have the right to withdraw your representation and your data will be destroyed. Data will only be held until adoption of the Cannock Chase Local Plan.

**Part B: Representation Form**

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**. We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

**Part B: Representation**

Name and Organisation:	Mr Chris Lane of RCA Regeneration on behalf of Mr John Deans.
------------------------	---

**Q1. To which document does this representation relate?** (Please tick one box)

- Cannock Chase Local Plan 2018-2040
- Sustainability Appraisal of the Cannock Chase Local Plan 2018-2040
- Habitats Regulations Assessment of the Cannock Chase Local Plan 2018-2040

**Q2. To which part of the document does this representation relate?**

Para-graph:		Policy:	SO1.1, SO1.2, SO2.1, SO2.3, SO3.1, SO3.2, SO3.3, SO7.4, SO7.7, SO8.5, SO8.6	Site:	Coppice Colliery Football Ground (formerly Heath Hayes FC).  Please see submitted representation.	Policies Map:	
-------------	--	---------	---	-------	---	---------------	--

**Q3. Do you consider the Cannock Chase Local Plan is:**

Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form



A. Legally compliant Yes:  No:

B. Sound Yes:  No:

C. Compliant with the Duty to Co-operate Yes:  No:   
*(Please tick as appropriate).*

For office use	Part B reference	
----------------	------------------	--

**Q4. Please give details of why you consider the Cannock Chase Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.**

If you wish to support the legal compliance or soundness of the Cannock Chase Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see submitted representation.

Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form



*(Please continue on a separate sheet if necessary)*

**Q5. Please set out the modification(s) you consider necessary to make the Cannock Chase Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.**

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Cannock Chase Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see submitted representation.

Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form



(Please continue on a separate sheet if necessary)

**Please note:** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.**

**Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Cannock Chase Local Plan, do you consider it necessary to participate in examination hearing session(s)?**

*Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

*(Please tick one box)*

**Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

To discuss the release of Coppice Colliery Football Ground (formerly Heath Hayes FC) from Green Belt land to meet the needs of CCDC and the Greater Birmingham HMA.

(Please continue on a separate sheet if necessary)

Cannock Chase Council:  
Cannock Chase Local Plan  
Representation Form



**Please note:** *The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

Signature:	[Redacted]	Date:	15/03/2024
------------	------------	-------	------------



# REPRESENTATION

in respect of  
Cannock Chase District Local Plan Review - Regulation  
19 Consultation

on behalf of  
Mr J.Deans, D.Weldon, and K.Weldon

15 March 2024

Client Reference: RCA001009a

Last User: CL

# QMS

<b>DATE</b>	15/03/2024 12:38:48
<b>FILE LOCATION</b>	C:\Users\ChrisLane\RCA Regeneration\RCA Share - General\Jobs\J - L\John Deans (RCA001009)\Heath Hayes Football Club (01009a-P)

<b>AUTHOR</b>	CL
<b>CHECKED BY</b>	SG

<b>VERSION ISSUED TO</b>	<input type="checkbox"/> Client	<input type="checkbox"/> LPA	<input checked="" type="checkbox"/> Other
--------------------------	---------------------------------	------------------------------	---

<b>VERSION FOR</b>	<input type="checkbox"/> Checking	<input checked="" type="checkbox"/> Submission	<input type="checkbox"/> Client
--------------------	-----------------------------------	--	---------------------------------



## CONTENTS

<b>1. INTRODUCTION</b>	<b>4</b>
<b>2. REPRESENTATION</b>	<b>5</b>
Strategic Objective 1: Delivering High Quality Development that is distinctive, attractive, and safe	5
Policy S01.1: Protecting, Conserving and Enhancing the Distinctive Local Historic Environment	5
Policy S01.2: Enhancing the Quality of the Built Environment	5
Strategic Objective 2: To create community infrastructure and healthy living opportunities	6
Policy SO2.1: Safeguarding the provision of community facilities	6
Policy S02.3: Provision of open space, sports, and recreational buildings and land, including playing fields	6
Strategic Objective 3: To deliver a sufficient supply of homes to provide for housing choice and ensure all people are able to live in a decent home which meets their needs	6
Policy SO3.1: Provision for new homes	6
Policy S03.2: Housing Choice	7
Policy S03.3: Delivering high quality housing	7
Policy SO7.4: Protecting, conserving and enhancing landscape	7
Policy S07.7: Amendments to the green belt	8
Policy S08.5: Avoiding air, water, noise, or light pollution and soil contamination	8
Policy S08.6: Brownfield and despoiled land and under-utilised buildings	8
<b>3. THE SITE AND PROPOSALS</b>	<b>9</b>



# 1. INTRODUCTION

- 1.1. This representation is made by RCA Regeneration Ltd on behalf of Mr J, Deans, D, Weldon, and K, Weldon to the Cannock Chase District Local Plan Review (CCDLPR) Regulation 19 Draft Local Plan Consultation, which is running from the 5<sup>th</sup> February until 18<sup>th</sup> March 2024.
- 1.2. The Regulation 19 Consultation is the last stage of public engagement before the Plan is submitted for formal examination by the Government's Planning Inspectorate. The Regulation 19 Plan represents what the Council considers to be the final version of the Plan.
- 1.3. The Planning Practice Guidance (PPG) and SEA Directive<sup>1</sup> requires a clear and transparent process of identifying, describing, and evaluating reasonable alternatives in both policy and site allocation terms. There is often a direct conflict between the imperative to deliver new homes and enough jobs to support the local economy, whilst continuing to offer sufficient protection to the environment.
- 1.4. We do not respond to all sections of the Draft Plan, only those which we currently consider relevant to our client's site they are promoting and the areas within which that site is located.
- 1.5. These views are without prejudice to future submissions or hearing statements, which may be made in advance of the Examination.

---

<sup>1</sup> <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

## 2. REPRESENTATION

- 2.1. This section provides our comments on a number of elements of the draft Plan as follows:

### **Strategic Objective 1: Delivering High Quality Development that is distinctive, attractive, and safe**

- 2.2. The Council confirms that to deliver high quality development that protects the historic environment and is appropriate, distinctive, attractive and safe by:
- Protecting, conserving and enhancing the District's historic environment, and sustaining local character and distinctiveness by managing designated and non designated heritage assets and their townscape and landscape settings
  - Retaining and enhancing the distinct and separate character of the District's settlements and protecting and enhancing the quality of the built environment by ensuring that new development is designed to provide the highest quality of built form and public realm which will enhance the District's distinctive heritage and natural assets; and
  - Creating places that are safe, inclusive and accessible which deter crime and reduce the fear of crime.
- 2.3. The Spatial Strategy states that development will be located in the most sustainable locations, be focussed on the existing urban areas, and will protect and enhance Green Belt land and the National Landscape. The Spatial Strategy also proposes that "*Green Belt release in order to provide sufficient land to meet Cannock Chase District's housing need with an element of flexibility*". This is on the basis that the Council propose a minimum 5,808 dwellings will be delivered to meet the district's housing need between 2018 and 2040 at an average rate of 264 dwellings per annum. We support Green Belt release where appropriate to meet this minimum requirement.

### **Policy S01.1: Protecting, Conserving and Enhancing the Distinctive Local Historic Environment**

- 2.4. We are generally supportive of the general approach of this objective. The policy seeks to ensure public benefits and a desirability to mitigate harm. In general terms and subject to the caveats set out above the approach taken in the local plan is supported.

### **Policy S01.2: Enhancing the Quality of the Built Environment**

- 2.5. Policy S01.2 relates to enhancing the quality of the built environment. It refers to the need to retain and enhance the distinct and separate character of each of the District's settlements.
- 2.6. Whilst we are overall, in support of this policy, we have concerns that the policy is trying to achieve too much and therefore lacks some focus. It may benefit from either being split into more focussed policies, or be made more overarching and be supported by a SPD.

## **Strategic Objective 2: To create community infrastructure and healthy living opportunities**

- 2.7. We consider that this objective should be refined to make a distinction between the loss of existing community facilities and those elements dealing with the provision of new community facilities associated with development proposals.
- 2.8. The objective should make reference to how major development can contribute to providing new community infrastructure. In addition, the policy should recognise how major development can provide new facilities to help meet the needs of existing and future residents.

### **Policy SO2.1: Safeguarding the provision of community facilities**

- 2.9. The policy should make reference to the viability of existing community infrastructure where facilities are no longer viable for their existing use. The policy should allow for alternative uses to come forward on a site that is no longer viable for its existing use.

### **Policy SO2.3: Provision of open space, sports, and recreational buildings and land, including playing fields**

- 2.10. The policy should make reference to the viability of existing community infrastructure. The policy should allow for alternative uses to come forward on a site that is no longer viable.

## **Strategic Objective 3: To deliver a sufficient supply of homes to provide for housing choice and ensure all people are able to live in a decent home which meets their needs**

- 2.11. The objective seeks to deliver a sufficient supply of homes to provide for housing choice and ensure all people are able to live in a decent home which meets their needs.
- 2.12. The objective set out does not reflect the Government's overall objective for housing which is to significantly boost the supply of homes. This should be reflected in the overall wording of the Strategic Objective 3.

### **Policy SO3.1: Provision for new homes**

- 2.13. We are generally supportive of the overall approach to the identification of land to meet the local needs of the District based on the standard method.
- 2.14. We support the additional 500 dwellings proposed to meet the needs of Greater Birmingham and Black Country Housing Market Area (GBBCHMA) but believe this contribution should be far greater to meet the unmet need emanating from the GBBCHMA.
- 2.15. We note that the Local Plan Review refers to South Staffordshire proposal to an additional provision of 4,500 dwellings to assist the wider Greater Birmingham and Black Country HMA. However, at this time, South Staffordshire has only consulted on proposals for 'up to 4,000 dwellings' (as set out at paragraph 5.12 of the South Staffordshire Council Local Plan Review – Publication Plan).
- 2.16. It is therefore incorrect for the Council to suggest that other areas are taking more of the housing shortfall than what has been formally consulted on in their own plans up to this point. The implication here is that the Council is assuming more of the unmet need is being catered for elsewhere than is actually the case. Consequently, the Council should

reconsider the need for additional housing land from the GBBCHMA shortfall to be accommodated in Cannock Chase.

- 2.17. The level of contribution towards meeting the undersupply in the wider housing market area of 500 dwellings is considered insufficient in the context of neighbouring authorities, the sustainability of the District and in particular some of the settlements within it and the need to meet that unmet housing need as close as possible to where the need is being generated, i.e. the West Midlands conurbation. Cannock Chase District is located immediately adjacent to the conurbation, is relatively sustainable with good transport links into the conurbation and could meet a higher proportion of the unmet need in a manner which would be more sustainable than it being met in further distant locations.

### **Policy S03.2: Housing Choice**

- 2.18. We are largely supportive of this policy but would welcome specific reference to the requirement for most new dwellings to meet the requirements of Building Regulations Part M4(2).
- 2.19. The policy on housing is overly prescriptive and inappropriate. The Council should focus on ensuring that there are appropriate sites allocated to meet the needs of specifically identified groups of households rather than prescribing specific housing mixes for individual sites. The Local Plan should ensure that suitable sites are available for a wide range of different types of development across a wide choice of appropriate locations. The Council should consider allocating sites for older persons and other specialist housing subject to criteria such as public transport access, local amenities, health services and retail.

### **Policy S03.3: Delivering high quality housing**

- 2.20. If the Council wishes to apply the optional NDSS to new homes, then this should only be done in accordance with the 2023 NPPF (para 135f & Footnote 52). Footnote 52 states that *“Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.”*
- 2.21. The Council should recognise that people have different budgets and aspirations. NDSS for all new homes may lead to customers purchasing larger homes in floorspace terms but with bedrooms less suited to their housing needs causing the unintended consequence of potentially increasing overcrowding and reducing the quality of their living environment. Smaller dwellings may be required to ensure that those on lower incomes can afford a property, which meets their bedroom requirements.
- 2.22. An inflexible policy approach to NDSS for new homes may also impact on affordability and effect customer choice for affordable homeownership products, which may affect delivery rates of sites included in the housing trajectory.

### **Policy SO7.4: Protecting, conserving and enhancing landscape**

- 2.23. We support the general principles set out in Policy SO7.4. However, requiring a landscape and visual impact assessment for all major development cannot be justified, especially when considering proposals within an entirely urban context.

### **Policy S07.7: Amendments to the green belt**

- 2.24. The policy indicates that further amendments to the Green Belt could be required in the future and this would be achieved through another review of the Local Plan. We support the view that there is a clear need to amend the adopted Green Belt boundary in order to deliver the required growth not only for the District but to also accommodate the need for additional housing for the GBBCHMA.
- 2.25. We note that the Green Belt Study 2016 found that that virtually all of the District that is not already developed is designated as Green Belt, so additional development outside of existing urban areas would require the release of Green Belt land. The study also found that the District's identified supply of brownfield land and other land outside the Green Belt is currently maximised as far as possible..." (paragraph 1.12).
- 2.26. We strongly believe that additional Green Belt boundary amendments are required to meet the additional demand from the GBBCHMA. Our client's site at Coppice Colliery Football Ground (previously known as Heath Hayes Football Club) is an appropriate site for development for the reasons set out later in this document and especially because Wolverhampton and Dudley have decided not to release green belt land. We hope that Cannock are objecting to Wolverhampton and Dudley's approach to resist green belt land release.

### **Policy S08.5: Avoiding air, water, noise, or light pollution and soil contamination**

- 2.27. The policy refers to development proposals which will cause unacceptable on-site or off-site risk or harm to human health or the natural environment, not being permitted. This requirement is not workable. Any type of proposal can have some impact on the environment and the scale of this impact should be assessed rather than a blanket requirement that states any unacceptable impact will result in a refusal.
- 2.28. There should be some acknowledgement that planning conditions and obligations have the potential to mitigate or offset harmful impact.

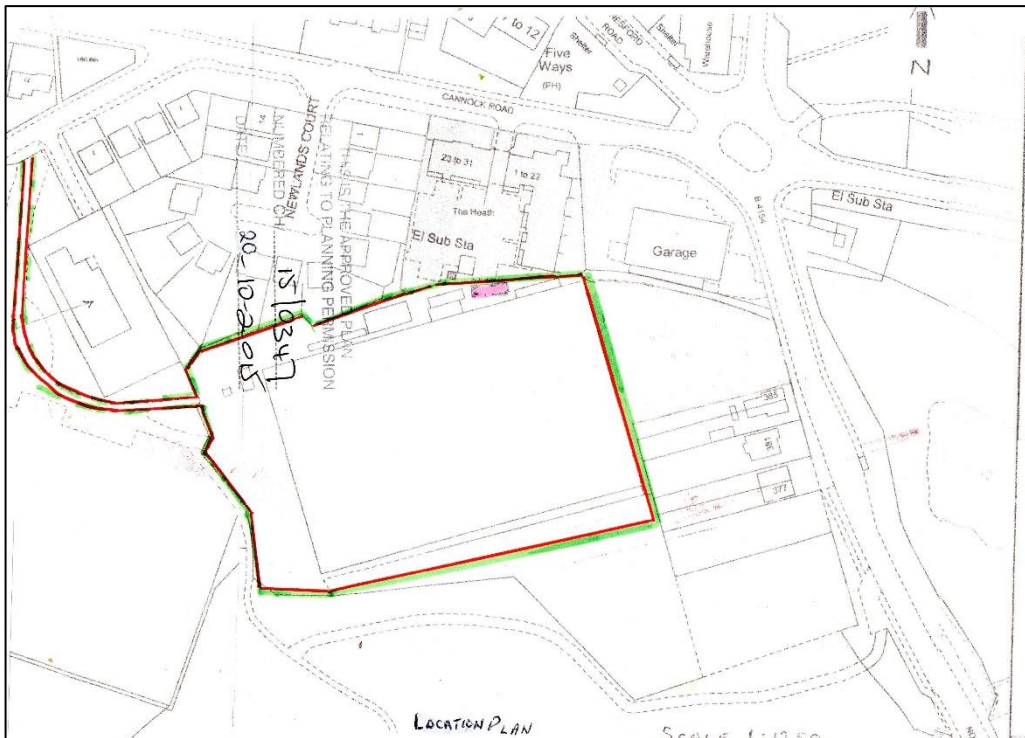
### **Policy S08.6: Brownfield and despoiled land and under-utilised buildings**

- 2.29. We support this policy, however, whilst we support the principle of brownfield development and re use of under utilised buildings, the council must acknowledge that the viability of such sites will be very limited. Indeed, many will not deliver the level of affordable housing or other community benefits expected.

### 3. THE SITE AND PROPOSALS

- 3.1. This representation has been made on behalf of Mr J, Deans, D, Weldon, and K, Weldon who are promoting the site at Coppice Colliery Football Ground (formerly Heath Hayes FC).
- 3.2. The football club no longer exists ( see appendix 1). Plans are afoot to reform club which would move to Heath Hayes Park- 400metres away- where CCDC are planning new enhanced facilities, including a 3G pitch and new changing facilities under proposals to regenerate the area to be funded under government “Leveling Up” scheme.
- 3.3. We feel that the site should be included in the CCDLPR as it would make a valuable contribution towards meeting the district housing target of **at least** 6308 additional new dwellings over the period from 2018-2040, in a highly sustainable location.
- 3.4. The site extends to around 1.1 ha and is located off Newlands Lane, Heath Hayes. The site is located adjacent to the built area of Heath Hayes adjacent an existing residential area. The site is located within the Green Belt.
- 3.5. The site is considered to be part previously developed land.
- 3.6. The site is in flood zone 1.
- 3.7. The site comprises football club facilities.
- 3.8. Vehicular and pedestrian access is from Newlands Lane, which is a cul-de-sac off the south side of the A5190 Cannock Road Heath Hayes, serving 16 dwellings.
- 3.9. The site is adjoined to the north by the “ATS” building and 3 storey flats on Cannock Road, together with 2 storey detached houses in Newlands Court. To the west off Newlands Lane next to the access to the site is the two storey BT telephone exchange. Further west beyond the access is the derelict former plant nursery on the south side of Newlands Lane. To the east of the site is an area of woodland fronting Norton Road B4154 and a group of 5 dwellings. To the south is the Council operated football pitch and country park laid out in the 1990s on formerly derelict colliery land.

3.10. The image below shows the site context:



- 3.11. The site is well contained due to existing residential development located to the north and west, with substantial screening to the southern and eastern boundaries.
- 3.12. We would like to highlight the following points about the site, particularly as the site could deliver around 45 new affordable homes.
- 3.13. The site presents an opportunity to deliver much needed new affordable housing within Cannock Chase District area. The site is clearly within safe and easy walking distance to services and facilities.
- 3.14. Indeed, the site is more sustainable than most of the proposed new residential allocations included in the Draft Plan.
- 3.15. We note that the Council have allocated sites within the Green Belt for development. It is acknowledged that development on this site would result in the loss of some of the Green Belt, however, the provision of 45 affordable homes on site along with appropriate landscaping would clearly outweigh the harm.
- 3.16. Secondly, the development of the site would not harm the desire to maintain separation between built up areas merging.
- 3.17. The Coppice Colliery Ground is no longer fit for purpose. See Cannock Chase Playing Pitch Strategy Assessment Report pages 19 & 63. A supporting letter detailing background to HHFC and current position accompanies this submission (appendix 1)
- 3.18. The site was assessed within the Green Belt Review (WI 18). The assessment confirmed the following:
- Overall the area makes a moderate contribution to checking the sprawl of the large built up area.

- Overall the area makes a moderate contribution to preventing the merging of neighbouring towns.
  - Overall the area makes a relatively weak contribution to safeguarding the countryside from encroachment
  - The parcel does not contribute to the setting or special character of any historic towns.
- 3.19. The report concluded that *“Parcel W118 makes a moderate contribution to checking the unrestricted sprawl of the large built-up area of Cannock and to preventing neighbouring towns merging into one another and preventing encroachment on the countryside. The additional impact of its release on the adjacent Green Belt would be minor. Therefore the harm resulting from its release, as an expansion of Wimblebury and Heath Hayes would be moderate.”*
- 3.20. The report also concluded that *“Harm could potentially be reduced by the introduction of new woodland belts and/or small woodlands within W118 to the south to form strong Green Belt boundaries and help reduce the urbanising visual influence of development. These measures would also help enhance the planned coalfield farmlands landscape character, in accordance with landscape strategies set out in the Landscape Character Assessment for Cannock Chase (2016) and the AONB Landscape Character Framework (2017)”*.
- 3.21. The Council's Playing Pitch Strategy Assessment Report confirmed that the current football pitch has a “standard” quality rating. The report also confirmed that no clubs in Cannock Chase reported any unmet demand. The report confirms that the ground is no longer fit for purpose for the level at which the club play.
- 3.22. The report also stated that *“The South East Analysis Area has the largest amount of actual spare capacity (four match equivalent sessions), whilst both the Central/West and North East analysis areas have 2.5 match equivalent sessions of actual spare capacity respectively”*. This confirms that there would still be capacity should the site be released for housing.
- 3.23. Given the above, it is considered that the site could positively contribute to the social role of sustainable development. The site could accommodate up to 45 new affordable homes and is considered to be a sustainable location for growth due to its proximity to existing services which are accessible by a range of sustainable transport opportunities.
- 3.24. This site could deliver housing quickly, without the need for major infrastructure investment and without the need to phase delivery.
- 3.25. There are no ecological designations that would prevent development of the site.
- 3.26. We consider the plan now lacks aspiration, particularly in making a real difference to affordable housing supply in the area and meeting the housing needs of the GBBCHMA. Our client's site is available now and could go some way in meeting the unmet housing need in the early stages (first 5 years) of the plan period.
- 3.27. For the reasons highlighted above, we urge the Council to give further consideration to the allocation of the site for housing within the Draft Plan.





## Background To Heath Hayes Football Club

Club was formed in 1964 when a group of friends broke away from local youth Club and formed their own club.

They leased the Coppice Colliery Football Ground – the colliery having closed - from National Coal Board. In the late 1980's the coal industry underwent massive reorganisation and British Coal was formed. They deemed the Football Ground surplus to requirements and offered it Football Club. The asking price was too much for the club to purchase.

The President, John Deans, and Chairman, John Weldon, offered to buy the ground, build new changing rooms, erect floodlights and bring facilities up to required standard for club to enter F.A. Non League Pyramid in return for them to become sole beneficiaries to ownership of ground.

An EGM was called and a resolution to accept the offer was unanimously passed and recorded in minute book.

To comply with FA rules a lease was drawn up and periodically reviewed. The lease contained a clause allowing for a rent to be charged. This was never charged.

The club flourished and became very successful, winning league titles and numerous cups along the way, and established a thriving youth section.

However in 2017 things began to change dramatically. Several senior committee personnel resigned on health grounds, some passed away, managers left and the club fell into disarray. The committee and volunteer force was down to the bare bones. Two people, neither of whom had had any previous connection with the club, offered to join committee and get the club back to its former glory. Before long they had taken over. One as Secretary the other as Chairman.

The lease in force at the time expired on 30<sup>th</sup> June 2017. At this point, due to the big change in ethos at the club, the owners asked for a very modest rent. This upset the committee who refused to discuss the matter with the owners but continued to use the ground. The owners threatened legal action but it made little difference. The Police would not intervene claiming it was a civil matter.

In Aug 2019, out of the blue and without warning the owners were served with a letter from Solicitors acting on the club's behalf claiming ownership of the ground. There then followed a long drawn out legal battle. The club without consulting or calling any meeting of members, set up the football club as a limited company. Eventually at the club's request the matter went to Mediation. After almost a full day of negotiation an agreement was reached which was satisfactory to both parties. Legal documents were drawn up but HHFC Ltd reneged on the deal.

The owners then had no alternative but to commence legal proceedings.

Jan 30<sup>th</sup> 2023 HHFC Ltd was dissolved by Companies House due to failure to submit proper accounts.

After three postponements the case finally was held at Birmingham County Court on April 24 2023.

Judge Rouine declared that " The unincorporated association known as Heath Hayes Football Club (or any other unincorporated association) has never held any legal or equitable interest in the property known as land lying West of Hednesford Road Heath Hayes, registered at HMLR under title number SF328470"

Meanwhile the club had tendered its resignation from The Midland Football League ( therefore losing its place in The National Non League System and therefore having to start from the very bottom if it reformed) and taken all club's assets ie Mowers, Strimmers, Ballstop netting, goalposts and anything else that they could remove to prevent any maintenance and upkeep and stopping club reforming and functioning in the short term.

As a consequence the club can no longer function effectively as the ground and facilities have been left to ruin. The sale of the ground would help to secure the rebirth of the club in its proposed new environment.