

Please ask for: Mrs. W. Rowe
Extension No: 4584
E-Mail: wendyrowe@cannockchasedc.gov.uk

8 April 2022

Dear Councillor,

Planning Control Committee
3:00pm, Wednesday 20 April 2022
Council Chamber, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

The meeting will commence at 3.00pm or at the conclusion of the site visits, whichever is the later. Members are requested to note that the following site visits have been arranged:-

Application Number	Application Location and Description	Start Time
CH/21/0023	<p>Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX</p> <p>Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access.</p> <p><i>(There will be a comfort break for Members at the conclusion of this site visit.)</i></p>	11:30am
CH/22/0089	<p>The Kings View, Stokes Lane, Cannock, WS12 3JB</p> <p>Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12.</p>	12:45pm

Application Number	Application Location and Description	Start Time
CH/20/381	Land used as a Pony Paddock, field to north of Rawnsley Road, Cannock Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure.	1:25pm
CH/21/0434	'Parcel I' - land to the west of Pye Green, land west of Pye Green Road, Cannock Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale.	2:40pm

Members wishing to attend the site visit are requested to meet at the car park entrance at the Castle Inn, 141 Main Road, Brereton, WS15 1DX at 11:30am, as indicated on the enclosed plan

Yours sincerely,



Tim Clegg
Chief Executive

To: Councillors

Startin, P. (Chairman)
Muckley, A. (Vice-Chairman)

Allen, F.W.C.	Kruskonjic, P.
Beach, A.	Smith, C.D.
Cartwright, Mrs. S.M.	Sutton, Mrs. H.M.
Fisher, P.A.	Thompson, Mrs. S.L.
Fitzgerald, Mrs. A.A.	Wilson, Mrs. L.J.
Hoare, M.W.A.	Witton, P.T.
Jones, Mrs. V.	

Agenda

Part 1

1. Apologies

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

To declare any personal, pecuniary, or disclosable pecuniary interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

3. Disclosure of details of lobbying of Members

4. Minutes

To approve the Minutes of the meeting held on 6 April 2022 (enclosed).

5. Members' Requests for Site Visits

6. Report of the Development Control Manager

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

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

Site Visit Applications

	Application Number	Application Location and Description	Item Number
1.	CH/21/0023	Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access.	6.1 - 6.45
2.	CH/22/0089	The Kings View, Stokes Lane, Cannock, WS12 3JB Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility	6.46 - 6.62

Application Number	Application Location and Description	Item Number
	buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12.	
3. CH/20/381	Land used as a Pony Paddock, field to north of Rawnsley Road, Cannock Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure.	6.63 - 6.180
4. CH/21/0434	'Parcel I' - land to the west of Pye Green, land west of Pye Green Road, Cannock Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale.	6.181 - 6.247

Planning Applications

Application Number	Application Location and Description	Item Number
5. CH/21/0402	Cannock Chase Forest Centre, Birches Valley, Rugeley, WS15 2UP Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing.	6.248 - 6.294
6. CH/22/0009	32 Attlee Crescent, Rugeley, WS15 1BP Proposed detached double garage/access.	6.295 - 6.308
7. CH/22/0038	7 The Pingle, Slitting Mill, Rugeley, WS15 2UR Rear ground floor extension.	6.309 - 6.320

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

Held on Wednesday 6 April 2022 at 3:00pm
in the Council Chamber, Civic Centre, Cannock

Part 1

Present:
Councillors

Startin, P. (Chairman)
Muckley, A. (Vice-Chairman)

Beach, A.	Kruskonjic, P
Cartwright, Mrs. S.M.	Sutton, Mrs. H.M.
Fisher, P.A.	Thompson, Mrs. S.L.
Fitzgerald, Mrs. A.A.	Wilson, Mrs. L.J.
Jones, Mrs. V.	Witton, P.T.

(The Chairman advised that he had agreed that the order of the agenda would be amended and Application CH/22/0078 would be considered as the first item in order to accommodate one of the speakers).

111. Apologies

Apologies for absence were received from Councillors F.W.C. Allen, M.W.A. Hoare and C.D. Smith.

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

Member	Interest	Type
Wilson, Mrs. L.J.	<i>Application CH/22/0052 - Silver Trees Caravan and Chalet Park, Stafford Brook Road, Rugeley, WS15 2TX -</i> <i>The re-layout of Silver Trees Holiday Park to accommodate 103 static caravans instead of 100 static caravans in lieu of 40 touring caravans (retrospective) and an extension to the park to accommodate a further 12 static holiday caravans -</i> <i>Member owns a caravan on the site that is for her/her family's personal use.</i>	Personal and Pecuniary (Member would leave the meeting after making her representations as a member of the public)

113. Disclosure of details of lobbying by Members

All Members present, except for Councillor Mrs. V. Jones, declared they had been lobbied in respect of Application CH/21/0434.

Councillors A. Beach, Mrs. L. Wilson, Mrs. S.M. Thompson, P.A. Fisher and Mrs. V. Jones declared they had been lobbied in respect of Application CH/22/0052.

Councillor Mrs. H. Sutton declared she had been lobbied in respect of Application CH/22/0078.

114. Minutes

Resolved:

That the Minutes of the meeting held on 16 March 2022 be approved as a correct record.

115. Members requests for Site Visits

None.

116. Application CH/22/0078 - 1-7 Park Road, Cannock WS11 1JN - Installation of external air conditioning units (re-submission of CH/21/0407)

Consideration was given to the report of the Development Control Manager (Item 6.155 – 6.171).

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

The Development Control Manager provided an update to the Committee as detailed in Annex A attached to the minutes. The update had been circulated in advance of the meeting.

Prior to consideration of the application, representations were made by Stephen Humphries, an objector, speaking against the application, and Gurdeep Chahal, speaking in support of the application.

The Committee expressed concern regarding the noise from the units and the visual amenity to neighbouring residents. It was considered that further information was required from the applicant to demonstrate that the suggested mitigation measures would be possible and could be achieved within the timescales outlined.

Resolved:

- (A) That the application be deferred to enable the applicant to submit a proposal for the design and fitting of the acoustic enclosures and to demonstrate that the mitigation measures would be possible and could be achieved within the suggested timescales.

(B) That the application be brought back to the Planning Control Committee on 11 May 2022 and, if the applicant had not submitted the scheme and timeframe, the application would be determined on its merits.

(At this point, the Committee adjourned for a 5 minute comfort break).

117. Application CH22/0012 - West Midland Designer Outlet, Mill Green, Eastern Way, Cannock, WS11 7JU - Application Under Section 73 of the 1990 Town and Country Planning Act to vary Conditions 36 and 41 of Planning Permission CH/21/0197 to allow an increase in Class A3 hours, transfer of 938 sq m of NSA from Phase I to Phase II and increase height of Phase II (Revised plans A-00-301 rev H, A-90-102-rev E,

Consideration was given to the report of the Development Control Manager (Item 6.1 – 6.45).

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

The Development Control Manager provided an update to the Committee as outlined in Annex A attached to the minutes. The update had been circulated in advance of the meeting.

Resolved:

That the application be approved subject to the completion of a further deed of variation to the Section 106 Agreement dated 29 June 2018 and to the conditions contained in the report for the reasons stated therein and to the amendments outlined in the officer update (see Annex A below).

118. Application CH/21/0434 - 'Parcel I'- Land to the West of Pye Green, Land West of Pye Green Road, Cannock - Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

The Development Control Manager referred to the update circulated in advance of the meeting advising the following: -

“Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues”.

Resolved:

That the application be deferred to allow the applicant time to resolve the highway issues.

(Councillor P.A. Fisher left the meeting at this point and was not present for the consideration and determination of the following application).

119. Application CH/22/0052 - Silver Trees Caravan and Chalet Park, Stafford Brook Road, Rugeley WS15 2TX - The re-layout of Silver Trees Holiday Park to accommodate 103 static caravans instead of 100 static caravans in lieu of 40 touring caravans (retrospective) and an extension to the park to accommodate a further 12 static holiday caravans

Having declared a personal and pecuniary interest in this item Councillor Mrs. L. Wilson withdrew to the public gallery. She had registered to speak as a member of the public and would therefore make her representations and then leave the meeting during the discussion and determination of the application.

Consideration was given to the report of the Development Control Manager (Item 6.113 – 6.154).

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

The Development Control Manager provided an update to the Committee as outlined in Annex A attached to the minutes. The update had been circulated in advance of the meeting.

Prior to consideration of the application, Councillor L. Wilson, made representations in support of the application. She then left the meeting whilst the application was determined. Further representations were made by Trevor Barber, the applicant, speaking in support of the application.

The Development Control Manager reminded Members that, should they be minded to approve the application, they should outline clear reasons as to why they were against officers recommendation to refuse, and demonstrate that very special circumstances existed to allow development in the Green Belt.

Resolved:

(A) That the application, which was recommended for refusal, be approved, as the Committee considered that the benefits to the rural economy, improved mental health, sustainability and biodiversity, clearly outweighed the harm to the Green Belt such that very special circumstances existed which justified approval of the application.

(B) That the approval be subject to the conditions and reasons outlined by the Development Control Manager at the meeting, as detailed below:-

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

Reason

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

2. The development hereby permitted shall not be brought into use until the approved drainage scheme shown in the following documents has been

implemented:

- 13608 - FRA & Drainage Strategy-02 - Flood Risk Assessment and Drainage Strategy (March 2021)

Thereafter, the drainage scheme shall be retained and maintained in accordance with the submitted management and maintenance plan as shown in 'Appendix J' of the Flood Risk Assessment and Drainage Strategy.

Reason

To reduce the risk of surface Water flooding to the development and properties downstream for the lifetime of the development.

3. No tree or hedge shown as retained, 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 tree or hedge 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.

4. The approved landscape works indicated on plan Drg No.002D shall be carried out in the first planting and seeding season following the occupation of any caravans or the completion of the development whichever is the sooner.

Reason

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

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

Reason

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

5. Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained tree and hedge, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing.

Within the enclosed area known as the Tree Protection Zone, no work will be permitted without the written consent of the Local Planning Authority. No storage of material, equipment or vehicles will be permitted within this zone. Service routes will not be permitted to cross the Tree Protection Zones unless written

consent of the Local Planning Authority is obtained. The Tree Protection Zone will be maintained intact and the vegetation within maintained until the cessation of all construction works or until the Local Planning Authority gives written consent for variation.

Reason

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

6. The installation of soakaway drainage works within the root protection zones of T28, T33, T36 and T37 shall be undertaken in accordance with the Arboricultural Impact Assessment (as amended June 2021).

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.

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

Drg No.s:

Location/layout plan

001A - Existing site layout

002D - Proposed site plan

Arboricultural impact assessment (Amended June 21)

Ecological survey

Planning, Design & Access Statement

Visual Appraisal & Landscape Strategy

Flood Risk Assessment (March 2021)

Tourism Need & Economic Impact Statement

Reason

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

8. No more than 115 static caravans shall be kept on site at any time and no touring caravans shall be kept on site at all. The caravans must be located on the pitches shown on the approved plan Drg No.002D - proposed site plan.

Reason

To define the permission and to protect the adjacent Site of Special Scientific Interest, in accordance with Local Plan Policy CP13 and the NPPF.

9. No static caravan on the site shall be occupied except between the 1st march in any year and 15th January in the following year.

Reason

The use of the site is only acceptable for recreational or holiday purposes and not for permanent residential accommodation, in accordance with Local Plan Policy CP13 and the NPPF.

10. No caravans shall be used except for holiday accommodation.

Reason

The use of the site is only acceptable for recreational or holiday purposes and not for permanent residential accommodation, in accordance with Local Plan Policy CP13 and the NPPF.

11. No person shall reside on the site for more than three months at any time.

Reason

The use of the site is only acceptable for recreational or holiday purposes and not for permanent residential accommodation, in accordance with Local Plan Policy CP13 and the NPPF.

12. The park operator shall at all times maintain a full register of caravans together with the full names and addresses of all the occupiers of caravans on the park. The register shall be available for inspection to Officers of the Local Planning Authority.

Reason

The use of the site is only acceptable for recreational or holiday purposes and not for permanent residential accommodation, in accordance with Local Plan Policy CP13 and the NPPF.

The meeting closed at 6.03pm

Chairman

Officer Update Sheet

Application CH/22/0078, 1-7 Park Road, Cannock, WS11 1JN, Installation of external air conditioning units (re-submission of CH/21/0407)

Following completion of the report, officers received the following comments from the applicant in relation to the siting of the air conditioning units: -

- “Relocating the units to the back wall will result in them being immediately below one of the flats above the retail unit- this will breach Cannock Council's policy.
- Relocating the units to the back wall will also result in them being near the block of flats across the road with immediate complaints likely from all the residents from these flats.
- A trellis can be fitted above the dividing fence between our property and 9 Park Road, thereby no visibility of the units from the adjacent property.

Note, the first two of the above points were already considered prior to fitting the units at the present location”.

In response, officers would advise that the Council can only consider the location of the units as they are shown in this application. Relocating the units to the rear elevation would require a new application which would need to be assessed separately on its own merits.

Officers would also add that details and specification of such a trellis has not been provided, however, a condition requiring details of the trellising to be provided and erected as such could also be included on the decision notice should the committee be minded to grant permission.

The following wording is therefore recommended for the condition: -

Within 21 days of the date of this permission, details of a trellis to be fitted above the fence on the shared south-eastern boundary with No. 9 and 9A Park Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the trellis shall be retained as such for the life of the development.

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

The applicant also provided the several photographs showing the site which have been included in the presentation.

Application CH/22/0012 - West Midland Designer Outlet, Application Under Section 73 of the 1990 Town and Country Planning Act to vary Conditions 36 & 41 of Planning Permission CH/21/0197 to allow an increase in Class A3 hours, transfer of 938 sq m of NSA from Phase I to Phase II and increase height of Phase II. (Revised plans A-00-301 rev H, A-90-102-rev E

Recommendations:

The recommendation should be amended to read: -

'Approve subject to the completion of a further deed of variation to the Section 106 Agreement dated 29 June 2018 and the conditions contained in the report for the reasons stated therein.'

Planning History

The Section on Planning History should be amended to read: -

“was subsequently approved by Planning Control Committee and issued on 11 October 2017 following completion of a Supplemental Agreement under Section 111 of the Local Government Act 1972 which required the completion of an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) when the applicant acquired the freehold in the application site from the Council. That Section 106 Agreement was completed on 29 June 2018 [officer emphasis].”

The original Section 106 has subsequently been subject to a Deed of Variation (DOV), dated 2 February 2021 (relating to CH/20/435) and a second DOV dated 16 June 2021 (that amended provisions in the S106 relating to the Chase Heritage Trail.)

Consultee Responses

Following the completion of the agenda the following consultation response has been received

Economic Development Officer

Further to the additional information that I am now in receipt of and with the benefit of reviewing the Alder King Retail Impact Assessment please remove the objection from Economic Development.

Errata

Condition 43 should read as follows: -

Phase 2 (as shown on Drawing A-00-301 H Phase 2 External Elevations and A-90-102 E Phase 2 Parameters Pan of the development hereby permitted shall not be commenced (other than Enabling Works) until approval of the details for appearance, landscaping, layout and scale ('the reserved matters') has been obtained from the Local Planning Authority.

Paragraph 4.5 is amended to read: -

4.5 The proposal as three distinct elements, namely: -

- (i) an increase in Class A3 hours; and
- (ii) to transfer of 938 sq m of Net Sales Area (NSA) from Phase I of the development to Phase II of the development; and
- (iii) to increase in height of one unit of the eastern block of Phase II from the consented 15m height up to 20m. All other heights across Phase II will remain as consented (15m);

as shown in revised plans A-00-301 rev H and A-90-102-RevE

Application CH/21/0434 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock, Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale

Officers report that the highway issues that were envisaged to be resolved in time for the meeting of Planning Control Committee today, have not been resolved. That being the case Officers recommend that the application be deferred to allow the applicant time to resolve the highway issues.

Application CH/22/0052 - Silver Trees Caravan And Chalet Park, Stafford Brook Road, Rugeley, WS15 2TX, The re-layout of Silver Trees Holiday Park to accommodate 103 static caravans instead of 100 static caravans in lieu of 40 touring caravans (retrospective) and an extension to the park to accommodate a further 12 static holiday caravans

Following compilation of the report for the Committee agenda, the following additional representation was received from Salop Leisure:

'We write in support of the above planning application at Silver Trees Holiday Park which has been in operation since 1949 and witnessed how much customer expectations and demands have grown and risen especially in recent years with a huge requirement for staycations rather than the uncertainty of foreign travel.

The Holiday Home and campsite industry in the UK supports Over 170,000 Jobs, generating £9.3 Bn in visitor expenditure, equivalent to £5.3Bn GVA. *

A park (as with Silver Trees) supports their local communities through:

- Expenditure – Capital expenditure, Operating expenditure, Wages, and salaries, with shops, pubs, restaurants often relying on the rural spend supporting the wider community
- Local Community Engagement - Hosting events, fund raising
- Environmental Activities – including support for wildlife, recycling and conservation, and participation in conservation David Bellamy Awards
- Health and Wellbeing - Including, cycling, walking and encouragement of outdoor activity

As one of the largest holiday home retailers in the UK we constantly monitor consumer behaviour.

The Holiday Park industry has changed dramatically over the last 10 years, with consumer demand for bigger and better, behaviour has seen an increase in demand for larger more luxury Holiday homes, and simultaneously the decline in demand for smaller pitches and units. There has been an 80% reduction in the manufacture of shorter holiday homes in the last decade. It is vital for the applicant to stay in line with consumer demand, which is to provide a larger, better-quality offer to meet the expectations of a higher socio-economic group and retain a 5-star level on park by having big enough pitches to accommodate new larger caravans.

We are seeing that one of the changes from the Covid-19 Pandemic is the desire for additional space, for both larger Holiday homes and space around the unit.

As an industry we continue to believe and see that domestic tourism is an important tool to re start the economy as customers continue to decide on holidays in the UK.'

Officer Response

The information provided does not alter the officer's view and recommendation to refuse.

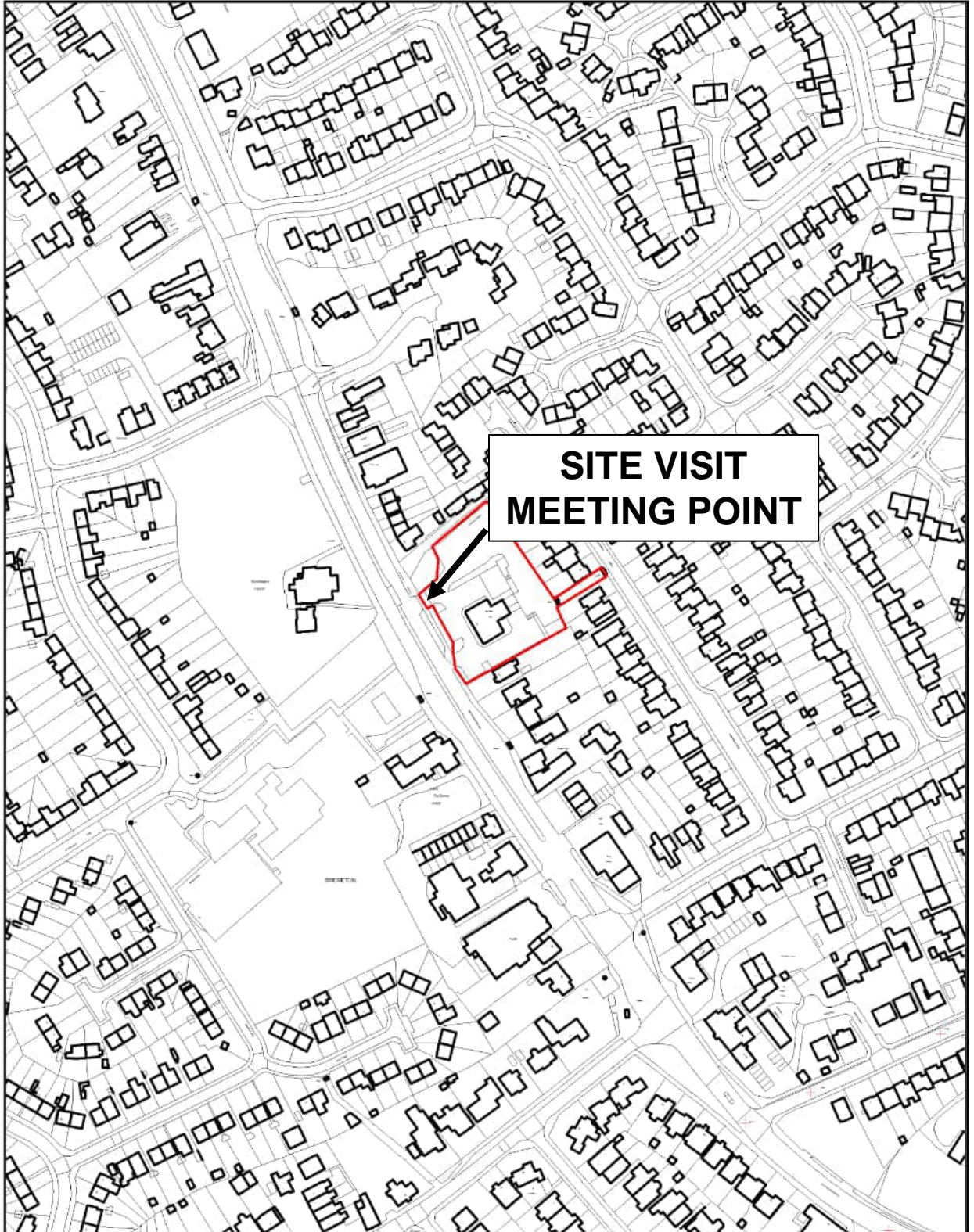
A further update was received from the applicant, and this was circulated in advance of the meeting. It showed photographs of caravans at the site along with information about sales and fees charged which the applicant would refer to when making his representations. The information was reviewed by Officers who confirmed that it did not alter their recommendation.



Application No: CH/21/0023

Location: Castle Inn, 141 , Main Road, Brereton, Rugeley, WS15 1DX

Proposal: Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access

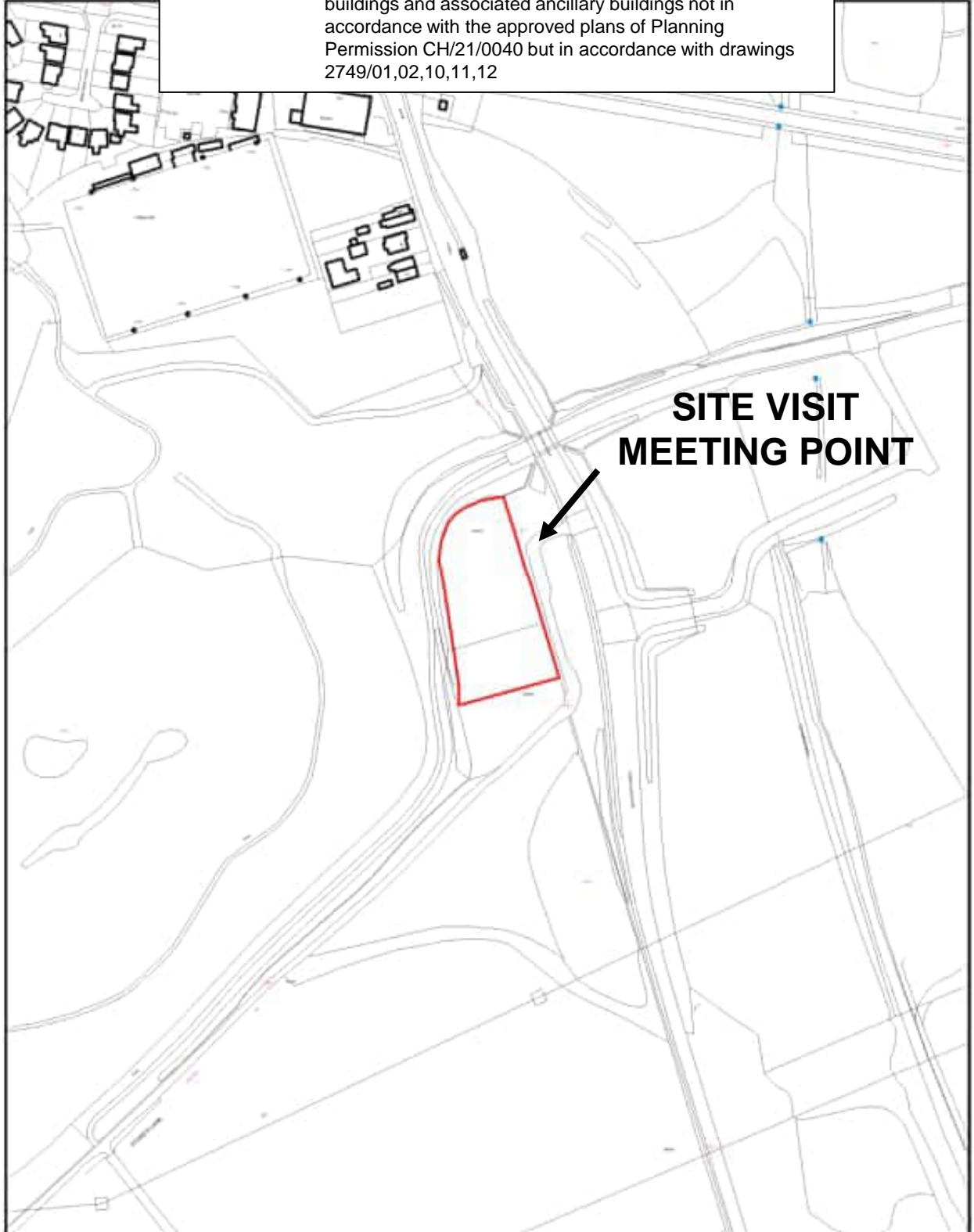




Application No: CH/22/0089

Location: The Kings View, Stokes Lane, Cannock, WS12 3JB

Proposal: Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01,02,10,11,12

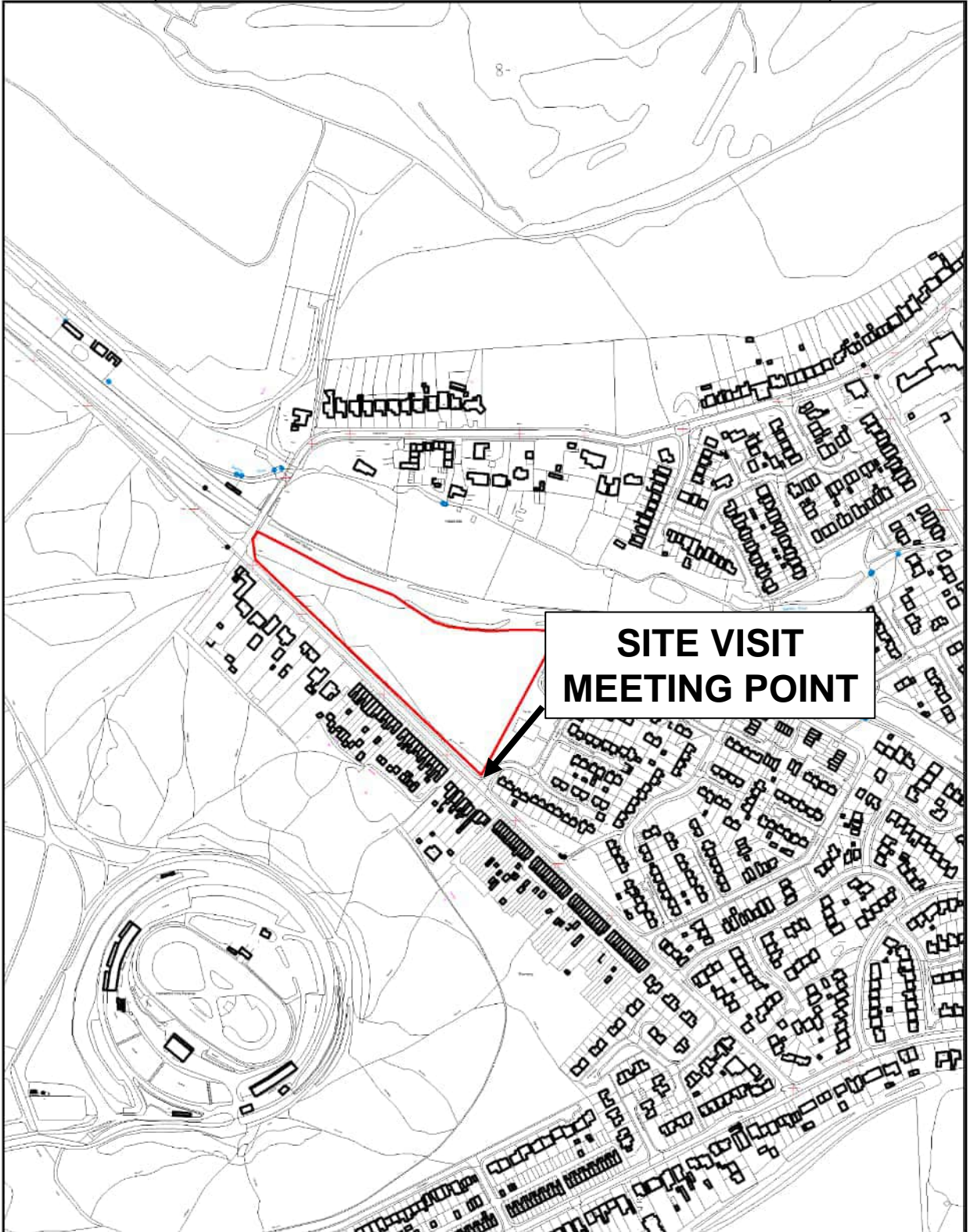




Application No: CH/20/381

Location: Land used as a pony paddock, field to the north of, Rawnsley Road, Cannock

Proposal: Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure

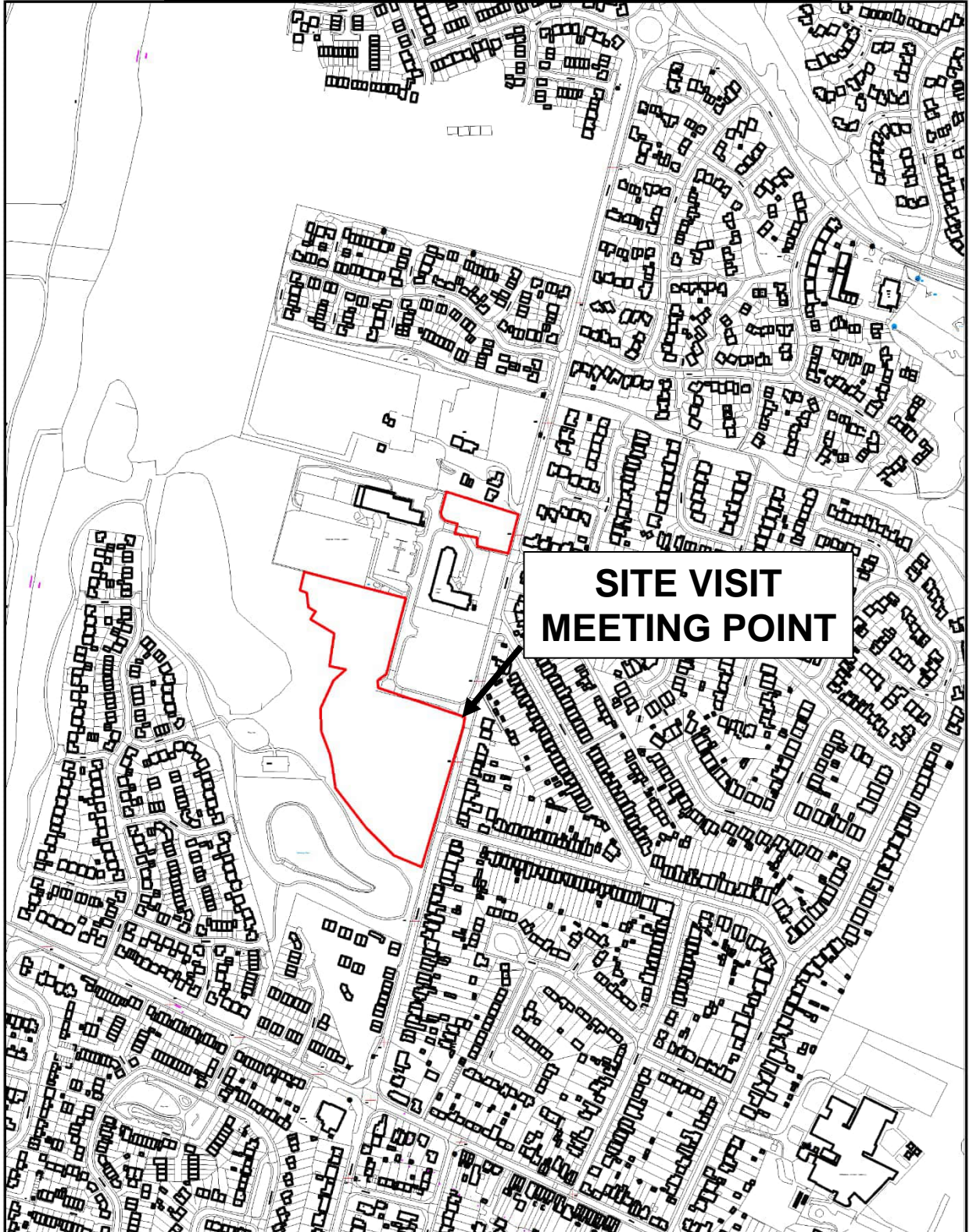




Application No: CH/21/0434

Location: 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock

Proposal: Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale



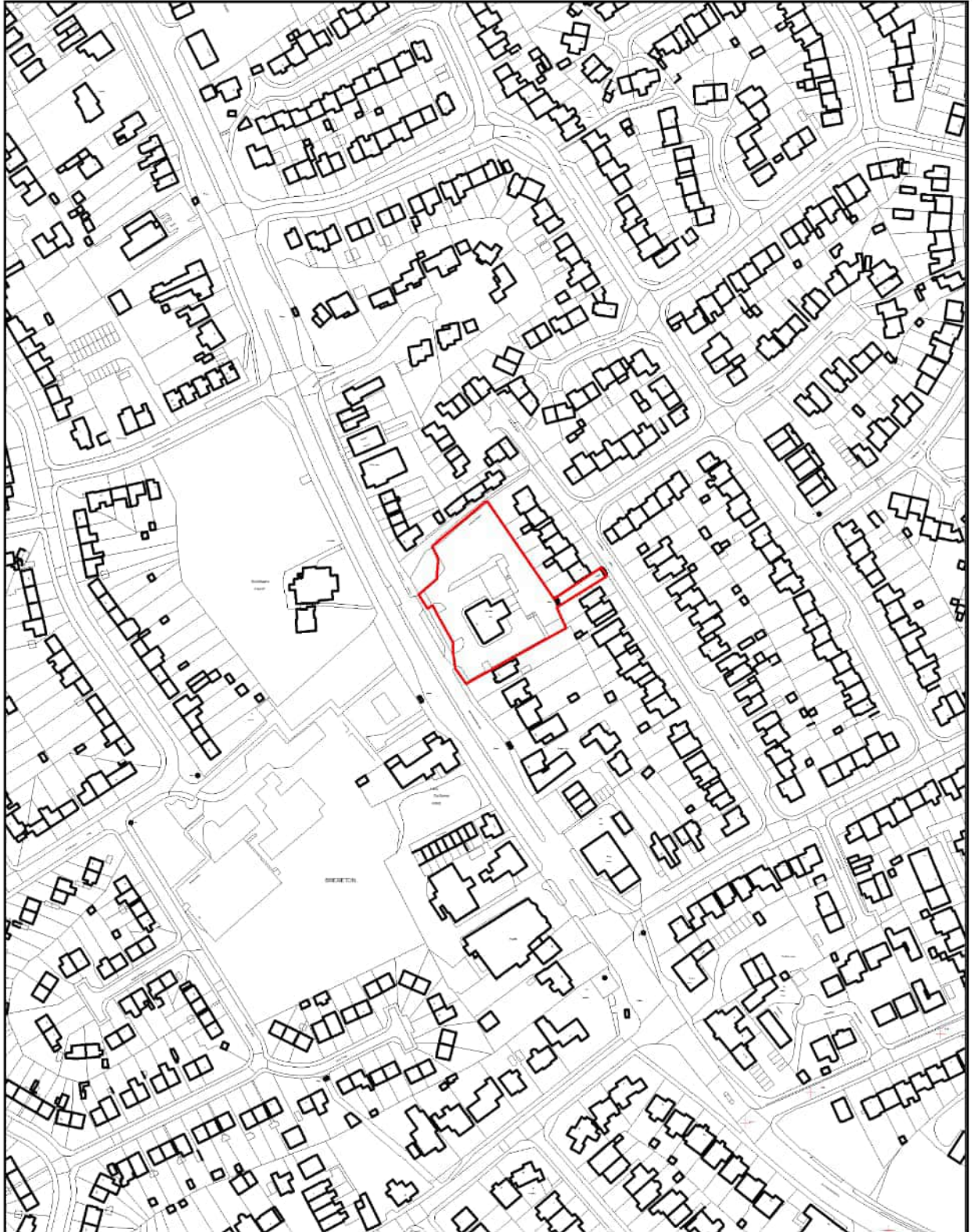


Application No: CH/21/0023

Location: Castle Inn, 141 , Main Road, Brereton, Rugeley, WS15 1DX

Proposal: Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access

Item No. 6.1



Location and Site Plans



- Assumed new GAB supply route
- Assumed new Everts supply route
- Assumed new Water supply route
- Assumed new DTJ network supply route

GLOBE HOMES LTD RESIDENTIAL DEVELOPMENT CASTLE INN RUGLEVY		Job No: 2302 SITE & LOCATION PLAN	
Planning A1	Date: 1.2018	Preliminary Date: 20.08.2020	Drawing No: 30
Scale: 1:200		Date: 20.08.2020	
Copyright © 2018 J Mason Associates. All rights reserved. This drawing is the property of J Mason Associates and is not to be used, copied, reproduced, or otherwise disseminated without the prior written consent of J Mason Associates.			

Floor Plans



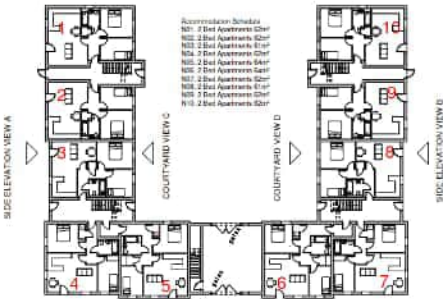
FIRST FLOOR PLAN



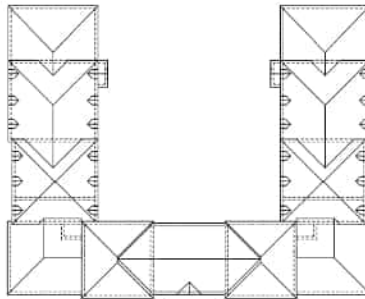
SECOND FLOOR PLAN



Adviser: MVR Mechanical Ventilation with Heat Recovery (MVR) - N1210 Adviser is made made by Vent-A-Rex (with acoustic relation) shown in apartment resulting acoustic measures indicated in Table 2 of noise report by Hagerwerke Acoustic.



GROUND FLOOR PLAN



ROOF PLAN

J Mason Associates

Project:	RESIDENTIAL DEVELOPMENT CASTLE INN BUGELEY	Sheet:	SKETCH PROPOSAL FLOOR PLANS
Planning:	Preliminary	Scale:	A1 1:200
Date:	23/08/2023	Author:	J

23/08/2023 32

Soft Landscape Plan

























The Caple Inn, 141 Main Road, Breton, Rugeley
Detailed Soft Landscape Proposals
 Drawing P16-0116-01-1
 Date: 05/11/2020
 Drawn by: P16/01
 Scale: 1:500

Pegasus Group

Boundary Treatments and Hard Landscape Plan



- | | |
|--|--|
|  Cubic wooden bike shelter
Timber clad steel (G10) shelter with mesh gates, as supplied by Turco Substruc Limited or similar approved. |  KEY
Site boundary |
|  Maintenance access gate
3.0m wide x 1.8m high double leaf galvanneal steel vertical bar gate with painted, hoop storm door by existing gate mechanism any lock and handle to be approved, RFL, black, as supplied by An Fencing or similar approved. |  Existing brick wall with railing (0.85m high) |
|  Courtyard access gate
Double leaf entrance gate MCGD with chainlink covered by concrete, galvanneal, RFL, black, as supplied by Midland Control Systems or similar approved. |  Existing retaining wall |
|  1.00m high stone wall with traditional style railing
1.00m high combined stone wall (0.25m high, with coping stone of locally sourced stone) with traditional vertical bar top railing (1.00m high), galvanneal steel, powder coated RFL, black, stone open to feature at end of walk and any entrance points. |  Existing close board fence (1.5m high) |
| |  Existing close board fence (1.8m high) |
| |  Existing rendered retaining wall with close board fence (1.5m high) |
| |  Existing brick retaining wall with close board fence (1.8m high) |
| |  Existing concrete panel (1.7m high) |
| |  Tarmacadam |
| |  Parking bay white lining |
| |  Bin bay screening
Formaldehyde free top coating, 1800mm high, colour: Char Black, as supplied by Onward Ltd or similar approved. |
| |  Hooped top railing
1.8m high, galvanneal steel, galvanneal steel, RFL, black, as supplied by An Fencing or similar approved. |
| |  Paving slabs
Slip resistant paving, 200mm x 400mm x 20mm, colour: silver, as supplied by Tolerstone or similar approved. |
| |  Pedestrian security gate
1.2m wide x 1.8m high single leaf galvanneal steel vertical bar gate with carbon fibre reinforced by stainless steel face and handle to be approved, RFL, black, as supplied by An Fencing or similar approved. |
| |  Permeable block paving
Hydroguard Perfora Block paving, 200mm x 100mm x 80mm, colour: charcoal, as supplied by Tolerstone or similar approved. |
| |  Block paving
Permeable block paving, 200mm x 100mm x 80mm, colour: charcoal, as supplied by Tolerstone or similar approved. |
| |  Paving slabs to seating area
Circular tegula Setra Block paving, 75mm x 40mm x 50mm, colour: golden, as supplied by Tolerstone or similar approved. |
| |  Vertical bar railing
1.8m high, Formex vertical bar railing, galvanneal, RFL, black, as supplied by An Fencing or similar approved. |
- Existing boundary treatments based on Survey Solutions drawing ref: 2390cv-01



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The Castle Inn, 141 Main Road Brereton, Rugeley
Boundary Treatments & Hard Landscape Zoning Plan

Drawing Ref: P19-2114_82 H
 Client: Giose Homes Ltd.

Date: 01/09/2020
 Drawn by: NF
 Checked by: AP
 Scale: 1:250 @ A2



Contact Officer:	Audrey Lewis
Telephone No:	01543 464 528

<p>Planning Control Committee</p> <p>20 April 2022</p>
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Application No:	CH/21/0023
Received:	12-Jan-2021
Location:	Castle Inn, 141 , Main Road, Brereton, Rugeley, WS15 1DX
Parish:	Brereton and Ravenhill
Ward:	Brereton and Ravenhill Ward
Description:	Demolition of existing building and the erection of an apartment building and associated landscaping, parking and access
Application Type:	Full Planning Application Major

Recommendation:

That the application be approved subject to no objections being received from the Strategic Housing Officer, the attached schedule of conditions and the completion of a S106 in respect to the provision of affordable housing provision.

Reason(s) for Recommendation:

In accordance with paragraphs (186-187) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and/or the National Planning Policy Framework.

Conditions (and Reasons for Conditions):

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

Reason

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

2. No part of the development hereby approved shall be commenced until details of the materials to be used for the external surfaces have been submitted to and approved by 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.

3. The development hereby permitted shall not be occupied until the scheme for adequate acoustic performance and ventilation for the development has been carried out in full. The scheme shall thereafter be retained for the lifetime of the development.

Reason

In order to enable the development to provide appropriate noise attenuation to protect the residential amenity of its occupiers and to ensure compliance with Local Plan Policy CP3 and the NPPF.

4. The development hereby approved shall not be commenced until:
 - i) A Phase 1 Contamination Report (desktop study) has been prepared and submitted to the Planning Authority for approval. This shall document the previous history of the site and surroundings, identifying the potential sources of contamination and the impacts on land and/or controlled waters relevant to the site. A Conceptual Site Model shall be produced for the site which shall identify all plausible pollutant linkages.
 - ii) Where the phase 1 report has identified potential contamination, an intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, water and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS/MCERTS accredited methods. The details of this investigation (including all technical data) shall be submitted to the Planning Authority, as a phase 2 report, for approval prior to any site demolition, remediation or construction works.
 - iii) In those cases where the phase 2 report has confirmed the presence of contamination, a Remediation Method Statement shall be submitted to this Department (for approval prior to works) detailing the exact manner in which mitigation works are to be carried out. The Statement shall also include details of validation testing that will be carried out once works have been completed.
 - iv) If during remediation works, any contamination is identified that has not been considered within the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to this Department for written approval. Any approved proposals shall thereafter, form part of the Remediation Method Statement.
 - v) The development shall not be occupied until a validation/ phase 3 report has been submitted to and approved in writing by the Local Planning Authority. A Validation Report shall confirm that all remedial works have been completed and validated in accordance with the approved Remediation Method Statement.

Reason

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

5. No development shall commence until a Construction Vehicle Management Plan (CVMP) including details of site compound, types of vehicles, provision for parking of vehicles for site operatives and visitors, loading and unloading of plant and materials, and storage of plant and materials used in constructing the development has been submitted to and approved in writing by the Local Planning Authority. The approved CVMP shall thereafter be implemented during the demolition and construction phase of the development.

Reason

In the interests of highway safety, in accordance with Local Plan Policy CP3 and paragraph 111 of the NPPF.

6. The approved landscape works shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

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

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

Reason

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

8. The development hereby permitted shall not be brought into use until the access road, parking, servicing and turning areas have been provided in accordance with the approved plans.

Reason

In the interest of highway safety. To comply with the principles set out in the National Planning Policy Framework.

9. The development hereby permitted shall not be brought into use until the existing access and egress to the site within the limits of the public highway has been reconstructed and completed.

Reason

In the interest of highway safety. To comply with the principles set out in the National Planning Policy Framework.

10. The SUDS scheme shall be implemented and maintained in accordance with the approved details prior to first use of the proposed development.

Reason

In the interest of highway safety.

11. The drainage scheme for satisfactory foul and surface water disposal shall be implemented in accordance with the approved details before the development is first brought into use.

Reason

To ensure the development is provided with a satisfactory means of drainage and to prevent flooding, in accordance with Local Plan policy CP16.

12. The development hereby approved shall not be occupied until the scheme for secure cycle storage and electric vehicle charging points has been implemented in full. Thereafter the secure cycle storage and electric charging points shall be retained and maintained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of protecting the air environment in accordance with paragraph 152 of the National Planning Policy Framework.

13. The development hereby permitted shall not be occupied until the bathroom windows indicated on the approved plan as obscure glazed are fitted with obscure glazing. The windows shall be non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed.

Thereafter the windows will be retained and maintained as such for the life of the development.

Reason

To ensure that the development does not give rise to overlooking of adjoining property injurious to the reasonable privacy of the occupiers and to ensure compliance with Local Plan Policies CP3 Chase Shaping - Design, and the NPPF.

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

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.

15. The scheme for the provision of bat & bird boxes shall be implemented in accordance with the approved plans. No dwelling hereby approved shall be occupied until the works comprising the approved scheme, in so as far as they relate to that dwelling, have been implemented.

Reason

In the interests of enhancing bird/bat breeding habitat in accordance with Policy CP12 of the Local Plan and paragraphs 174 of the NPPF.

16. Following completion of landscape establishment, a Landscape Management Plan shall be submitted to and approved by the Local Planning Authority. Thereafter the external landscape environment shall be managed in accordance with the approved Landscape Management, unless otherwise agreed in writing by the Local Planning Authority.

Reason

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

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

Drg No. 32 (Sketch proposal floor plans)
Drg No. 31 Rev F (Sketch proposals elevations)
Drg No. 30 Rev J (Site & location plan)
Drg No. P19-3114 01-J (Detailed soft landscape plan)
Drg No. P19-3114-02-F
Drg No. P19-3114 04 – B (Typical tree pit)

Maintenance gate

Courtyard gates

Cycle store

Bin bay screening

Bat report

Bat survey

Flood Risk Assessment

Drainage Operation Manual

Planning & Heritage Assessment

Fast Charging Twin Charger details

Lo-carbon Sentinel details

Kinetic Advance details

Asbestos report

BRE report

Reason

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

Notes to the Developer:

Informative for Decision Notice.

The existing dropped crossings to the site shall be reconstructed. Please note that prior to the reconstruction works taking place you require a Permit to Dig. Please contact Staffordshire County Council, Network Management Unit, Staffordshire Place 1, Tipping Street, Stafford. ST16 2DH. (or email to nmu@staffordshire.gov.uk)

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

Consultations and Publicity

Internal Consultations

Development Plans and Policy Unit

The existing vacant public house is situated within a large car park on the Main Road through Brereton and is surrounded on three sides by residential premises. It is not protected for a specific use on the Local Plan Policies Map, but the Conservation Area boundary abuts the Main Road frontage and the side of the car park facing the Railway Cottages.

Policy CP1 in the Cannock Chase Local Plan (Part 1) 2014 states that there will be a presumption in favour of sustainable development and that development should secure economic, social and environmental improvements where possible. Planning permission can be granted, unless material considerations such as any adverse impacts of granting permission or specific policies in the National Planning Policy Framework (NPPF) indicate development should be restricted.

Policy CP3 defines the high design standards that will need to be addressed in relation to the development proposal including the expectation that buildings will reflect local identity and enhance the character of the local area. It also aims to protect the amenity of existing properties including supporting mixed uses whilst avoiding incompatible ones. The Design SPD provides additional guidance.

Policy CP5 supports the provision of infrastructure for social inclusion and healthy living, including that the presumption against the loss of community buildings unless they are surplus and clearly no longer required to meet demand. This includes providing or improving, local shops and buildings for community use such as pubs. The National Planning Policy Framework (NPPF) 2019, paragraph 92 sets out that planning decisions should service community needs by planning positively for the provision and use of public houses and guard against the unnecessary loss of valued facilities where it would reduce the community's ability to meet everyday needs.

Policy CP15 aims to protect the special character and setting of conservation areas by requiring new development to be of the highest standard.

The Cannock Chase Local Plan (Part 1) 2014 was adopted more than five years ago; it is therefore the subject of a review. This review is at an early stage in the process with consultation on 'Issues and Options' being undertaken recently (May-July 2019).

Therefore limited weight can be afforded to it. The starting point for the determination of planning applications remains the adopted development plan (Local Plan (Part 1)).

If it is a market housing residential development scheme the proposal may be CIL liable. Given that a net increase in dwellings is proposed the development also needs to mitigate its impacts upon the Cannock Chase SAC (Local Plan Part 1 Policy CP13). Should the development be liable to pay CIL charges then this will satisfy the mitigation requirements, as per Local Plan Part 1 Policy CP13, the Developer Contributions SPD (2015) and the Council's Guidance to Mitigate Impacts upon Cannock Chase SAC (2017). However, should full exemption from CIL be sought then a Unilateral Undertaking may be required to address impacts upon the Cannock Chase SAC in accordance with the Council's policy/guidance. Any site specific requirements may be addressed via a Section 106/278 if required, in accordance with the Developer Contributions and Housing Choices SPD (2015) and the Council's most up to CIL Infrastructure list.

It should be noted that the site is located within the Brereton and Ravenhill Neighbourhood Area and the Parish Council is currently writing a Neighbourhood Plan for the area.

In summary there is no objection to the principle of residential development on the site, as the site is already adjacent to existing residential areas, subject to consideration of appropriate design considerations given the setting of the adjacent Conservation Area. It is noted that there are alternative accessible public houses within Brereton and Rugeley, with the closest being less than half a mile away from the site. However, the viability of the current public house should be considered and justified, prior to demolition. According to our Business Rates records it has been vacant for over 2 years, since 4th February 2019.

Conservation Officer

The site lies within the setting of Brereton Conservation Area and St Michaels Church, which is a Grade II* listed building, both of which constitute designated heritage assets.

As such the proposal engages the duty under S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that: -

'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

The proposal also engages Policy CP15 'Historic Environment' of the Local Plan which states the District's Historic Environment will be protected and enhanced via [amongst other things and of relevance in respect to the current application]

- the safeguarding of all historic sites, buildings, areas, archaeological remains, their settings and their historic landscape and townscape context according to their national or local status from developments harmful to their significance in order to sustain character, local distinctiveness and sense of place;
- supporting and promoting development proposals that are sensitive to and inspired by their context and add value to the existing historic environment,

landscape and townscape character by virtue of their use, layout, scale, appearance, landscaping and materials to ensure that the historic environment acts as a stimulus to high quality design based upon guidance set out in the Design SPD; planning standards may be applied in a flexible manner to maintain continuity within historic townscapes. Opportunities for new development within conservation areas and within the setting of heritage assets to enhance or better reveal their significance will be considered;

- maintaining an appropriate balance between conservation, re-use, sympathetic adaptation and new development via recourse to national policy in order to promote the sustainable management of the historic environment, mixed sustainable land use patterns and promote the historic environment as a catalyst for the regeneration of the District;
- focussing development and regeneration around existing historic urban areas to maximise potential for investment

National policy in respect to conserving and enhancing the historic environment is provided by Section 16 of the NPPF. In this case relevant paragraphs include 194, 195, 197, 199-201.

Paragraph 194 of the NPPF sets out the general requirements of what applicants should provide when submitting application that affect the historic environment and which states:

-

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

Paragraph 195 of the NPPF goes on to set out the responsibilities of local planning authorities stating:

'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

Paragraph 197 goes on to state: -

'In determining applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- (c) the desirability of new development making a positive contribution to local character and distinctiveness.'

Paragraph 199 adds that

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

Paragraphs 200 to 202 set out the approaches that local planning authorities should take should they determine that an application proposal would cause harm to a designated heritage asset, depending whether the harm would be total loss, substantial or less than substantial. Paragraph sets out the requirements in circumstances where the harm is substantial stating: -

'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional'.

Paragraph 201 sets out the requirements in circumstances where harm to a designated heritage asset would be substantial and states: -

'Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

- (c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- (d) the harm or loss is outweighed by the benefit of bringing the site back into use.'

Finally, paragraph 202 states: -

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

In accordance with the requirements of paragraph 195 of the NPPF the applicant has submitted a Heritage Statement and more importantly an Addendum to that Statement which contains a series of historic maps through which the development of the conservation area and setting of St Michaels Church can be assessed

The earliest map provided is the 1841 Rugeley Tithe Map which shows the site predominantly lying across three linear fields, and across smaller paddock areas fronting the Main Road with a tramway, immediately to the north of the site. The surrounding area is also comprised of a series of fields. The church at that time appears to be relatively isolated. The parish church designed by T Trubshaw had been built (or rebuilt) in 1837. It should also be noted that by this time the following listed buildings within what is the conservation area were probably already in existence

The Cedar Tree, Main Road, Brereton. Date: 18th/19thC. three storey building

Brereton House, Main Road, Brereton. Date 18th C. three storey red brick house

179 & 181 Main Road, Brereton. Date: 17th/18th C. building,

The 1884 OS Map indicates that the development site appears to have changed little by the late-19th century, although some small-scale development is represented within the south-west of the site, and a structure is recorded to the immediate west of the site, fronting Main Road. The parish church of St Michaels had been enlarged in 1878 by Sir George Gilbert Scott, with the tower remodelled 1887 by his son John Oldrid Scott. This had been 'mainly in the Early English style' but combined 'early and high Victorian phases which has produced 'an ensemble of considerable architectural interest'.

The 1902 OS Map shows that by the early-20th century the tramway which formerly lay to the north of the site had been re-routed across the northern edge of the site, with a tunnel recorded as running beneath the Main Road. A mound is also recorded to the south of this, within the north-east of the site which may have been formed from arisings associated with the tunnel or the tramway which is recorded as lying in a reduced area of ground within the site. Otherwise, the site appears to have changed little, and remained largely unchanged through the early-20th century. However, by 1902 the frontage along Main Road had become to be more developed.

The 1961 OS Map shows that by the mid-20th century, the former tramway is no longer extant, however a subway is recorded to the west of the site, in the location of the former tram tunnel. It appears as though some levelling has occurred within the site at this time,

with no mounds or depressions represented on OS maps. A small structure in the south-west of the site is recorded as The Castle public house at this time. However, the 1961 Map shows that there had been recent urban expansion around the site and St Michaels Church by 1961. What had been open land in 1902 is by 1961 occupied by residential estates with typical mid C20th layouts. By this time the original rural setting of the St Michaels Church had largely been lost.

Having had regard to the above it is clear that at the time of St Michaels Church being built in 1837 and modified in 1887 the setting of the church would have been characterised by rural open countryside within which and fronting onto Main Road were several 3 storey buildings. The smaller building that seem to have been developed since that period are relatively modern additions which collectively have massively eroded the original rural setting. The site in its current layout, design and materials is a modern addition which detracts from the character of the adjacent conservation area and from the setting of St Michaels Church.

The Heritage Statement states that the settings of the Conservation Area are [now] largely urban, being surrounded to the west, north, and east by built form within Brereton, although the settings are more rural to the south-east, where agricultural land extends to the south, and east. This is wholly accepted by Officers.

The Heritage Statement goes on to state that

The proposed development will be set back from Main Road, similar to other more recent developments, but will have a far stronger relationship with the road, and will provide a more uniform, continuous frontage that will be more in keeping with the overall street scene. Although of a larger scale than the adjacent properties, the scale of the building is not out of place in the Conservation Area, with other buildings such as the Grade II* Listed Brereton Hall, and Grade II Listed Brereton House further to the south, also being large and imposing buildings. Following comments from the Development Control Manager, and advice from built heritage specialists, several amendments have been made to the design proposals. These have taken into account the local vernacular, and in particular architectural detailing and materials used in the aforementioned properties, in particular Brereton House. Changes to the design include:

- Removal of the Juliette style balconies and doors opening up on to the front;
- Alterations to ensure that one material (brick) was used on the frontage, with architectural detailing to break up the mass (guided by detailing at Brereton House), with articulation provided by detailing such as in window headers and cills;
- Alterations to hierarchy of the fenestration – larger windows on ground floor and Reduction in size of the large, central gated access;
- Detailing of the door cases and doors;
- Chimneys added to break up the roof mass; and,
- Addition of a stone wall with traditional railings to the front boundary.

It is also note that the applicant has also submitted elevation drawings which also include cross sections along the streetscene and across the Main Road so that a comparison of

the heights of the proposed building and that of St Michaels Church can be seen, at a distance of 35m from the application site.

The comments of the parish council in respect to the proposed building being over dominant with St Michaels Church are noted. Although this may have been the case if they were on the same ground level in reality any impact is mitigated by the fact that the church is on higher ground and the intervening distance. In addition, it should be borne in mind that at the time the church was built it was contemporary with several the three storey buildings with in its vicinity and which now are considered to have importance in their own right (being listed) and that they make a positive contribution to the character of the conservation area.

It is therefore considered that the application proposal, by virtue of its size, scale mass, architectural detailing and layout does provide appropriate homage to the character of the conservation area and its historic environment and in this respect would not harm the setting of the conservation area or the setting of St Michaels Church.

As such the proposal would be in accordance with Policy CP15 of the Local Plan and Section 12 of the NPPF.

Ecological Officer

No comments received.

Parks And Open Spaces (29.3.21)

I have the following comments:-

Changes to the layout of parking, boundary treatment and landscaping to the north west boundary resolves the previous issues noted.

Amendments to gates and locations acceptable as is the design of the maintenance gate. Dwg P19-3114-02-F acceptable.

Access way from the building front through to the courtyard is to have metal gates – design is acceptable however worth noting that this open design will likely result in a wind tunnel effect that would impact on and discourage use of the courtyard area.

Cycle storage – The proposed Turvec Cubic Wooden bike shelters are ideal.

Bin stores – The use of recycled plastic fencing is good although the feature is open topped but should be ok. Planting has been indicated surrounding the structure which would help soften their appearance. Dark green would be preferable to black.

Bird and bat boxes – as noted previously their inclusion and retention for the life of the development needs to be conditioned.

Soft landscaping –

- Revised and additional details generally acceptable.
- Trees – still no details on form ie container grown or bare root, former recommended. To confirm.

As noted previously - Maintenance – basic details for 12 months indicated but need long term management & maintenance plan. This can be conditioned.

Who is to maintain the external environment?

No service details have been provided so unable to confirm if proposed tree planting can be achieved.

EVC points – No update - are these indicated by the car/plug symbol? Details should be required.

As noted in the pre application consultation there are two areas of grass (verge) to the left and centre of the site frontage (former subway access) possibly still in SCC ownership. Incorporation of tree planting on these would benefit the scheme and also the whole locality and help with climate change adaptation. Has any discussion been had with SCC?

Summary

- Tree planting form to confirm
- Service details required
- EVC details required or could be conditioned.
- Other info/details to condition as noted

Parks & Landscaping Re-consultation response (3.12.21)

The proposed revisions relate to the building elevations and treatment of the site frontage boundary. The latter relates to replacement of the existing low wall with a stone wall and railing including entrance pillars. Overall this would enhance the street scene view.

As noted previously, there are two areas of grass (verge) to the left and centre of the site frontage (former subway access) within the SCC ownership. Incorporation of tree planting with the approval of SCC would greatly benefit the scheme and also the whole locality and help with climate change adaptation.

In relation to the above, it is noted that the existing wall to the left (NW) of the site of the site does not appear to be within the ownership boundary of the site (potentially SCC) so how can this be rebuilt as proposed without the consent of SCC?

Summary - No objection to the revised details.

Travel Management and Safety

No objections subject to the imposition of conditions.

Environmental Services

No comments received

CIL Officer

In respect of the above planning application, based on the additional information form submitted, the chargeable amount for this development would be £69,512.79. The applicant has indicated that they wish to apply for social housing relief, however, as they have not submitted the appropriate forms for this to be granted I have not included the relief in the figure above.

I will contact the agent/applicant for the appropriate forms.

An officer update will be provided prior to Committee on whether there is any social housing relief being granted.

Environmental Protection Officer (March 2021)

The applicant has provided a noise assessment (P21-033-R01v01, February 2021). The report provides an acoustic mitigation scheme comprising of upgraded glazing and ventilation for living rooms and bedrooms on the frontage and side elevations of apartments closest to the main road.

However, I have concerns about the proposals in that:

The mitigation proposals are based on closed windows. Without mechanical ventilation to allow temperature control, residents can not avoid overheating scenarios without opening windows. Overheating within properties may therefore lead to the properties failing the Housing Health & Safety Standards. This is overseen by my colleagues in the Private Sector Housing Section (PSH), who are copied in for awareness. Partially opened windows by offer a 15 dB attenuation, which would then provide inadequate acoustic attenuation.

Daytime noise recordings. Tabulated recorded data is provided for daytime hours between 13:30 and 16:00. The recorded values average at 64 dBA. Given the attenuation provided by partially opened windows, this would cause exceedance of WHO standards as follows:

- Dining rooms +9dB exceedance
- Living & bedrooms: +14dB exceedance

Night time noise. A chart is provided. The recorded average values equate to 57dBA. Given attenuation from partially opened windows, this would cause exceedance in bedrooms by 12 dB.

Night-time noise. The range of values for maximum noise levels range between 40 and 79 dBA. Given 15 dB attenuation from partially opened windows, this would cause levels in road fronting bedrooms of 25 to 64 dBA. The acceptable standards in bedrooms at night are no more than 10 episodes exceeding 45 dBA. The report does not quantify the number of events above this value, although from the chart it would appear that maximum values show regular and consistent exceedance of this value, above the permitted 10 episodes.

I can not currently recommend acceptance of the proposals, and would recommend that the applicant addresses the matters listed above and also provide an overheating assessment to satisfy PSH. Alternatively, rooms may be re-orientated to place less

sensitive rooms on the protected side of the building or provision of mechanical ventilation to ensure thermal comfort whilst acoustically attenuated windows remain shut. Given that the report currently applies closed window attenuation conditions to all apartments, I would request that the whole building is re-evaluated.

Environmental Protection Officer (May 2021)

The developer proposes to install mechanical ventilation and upgrade acoustic vents for rooms that require acoustic glazing. The mechanical ventilation consists of a Lo-Carbon Sentinel Kinetic Advance.

I see from the technical specification that the mechanical unit can maintain internal temperatures to 21C. On this basis the noise mitigation can be provided without compromising other issues.

Private Sector Housing

No objections.

Waste and Engineering Services

Cannock Chase Council does not routinely allow its refuse collection vehicles to travel on private roads / property in order to access waste containers.

All waste collection points must therefore be positioned within 10m of an adopted metalled highway and at the same level.

If the roadway is to be un-adopted the bin collection points will be required adjacent to the metalled (adopted) highway; in accordance with the above requirement.

Bin collection points should be within 25m of the property they are designed to serve which may not be achievable for some parts of this development.

Bin collection / storage points should also be designed and designated for the minimum number of bins required for the number of properties. The proposed development requires a minimum of 12no. 1100 litre euro style commercial bins.

Bin collection and storage points should be constructed to a sufficient size and quality for the number of bins required and consideration given to their proper environmental screening.

In addition bin storage /collection point should allow the safe and adequate removal and replacement of individual bins without the need to shuffle other bins around the storage area.

There must be a minimum clear space of 150mm between individual containers and between containers and surrounding walls (BS5906:2005).

Bins should not have to be moved to access other containers; should not be over filled; or cause a hazard to collection crews.

Bin stores should be located at ground/vehicle access level with adequate access.

Sufficient consideration must be given to lighting, ventilation, fire safety and vermin control.

The security of the bin store is the responsibility of the landlord; where locks are fitted, bin stores should be opened prior to the scheduled collection or keys/access codes made available to the Council.

Communal bin stores should be positioned so as to allow unobstructed access (free from parked cars etc.) and have a safe working area of 3.5m width and 4m length, with no change in level to the loading point, including the provision of dropped kerbs edgings as required.

Strategic Housing

No comments received, Members will be provided with an officer update sheet prior to Committee with regards to S106 affordable housing contribution commitments.

Economic Development

Economic Development are happy to support the application. It is recommended that at a build phase, consideration is made to the implementation of high speed broadband as well as high speed EV charge points.

External Consultations

Natural England

No objection - subject to appropriate mitigation being secured

As submitted the application would have an adverse effect on the integrity of Cannock Chase Special Area of Conservation.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

A suitable developer contribution should be secured, consistent with adopted local plan policy CP13 - Cannock Chase SAC and the Council's supporting document 'Cannock Chase SAC – Guidance to mitigate the impact of residential development'. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Landor Society

No comments received.

School Organisation

No comments received.

LLFA – SUDS

No comments received.

South Staffs Water

I have viewed the application and from our existing asset records we appear to have a water mains asset affected by this scheme, this would need engagement by the

developer with ourselves to look to divert/protect this asset if it is affected by construction works.

Additionally we would look to install any new water assets to supply the development through the normal application for new connections process.

Please note that we do not keep records of individual water services so this site may well require the existing water service to be disconnected prior to the development being undertaken.

Severn Trent Water

No comments received.

Environment Agency

No comments received.

Brereton and Ravenhill Parish Council (8.2.21)

The Parish Council strongly object to this planning application on the following grounds:-

- The proposed building is too massive and too high.
- The proposed development would cause substantial harm to a designated heritage asset, ie St Michaels Church [listed] which is relatively small and low in height for a church building.
- The development would create an eyesore totally out of scale with the surrounding area.
- It would harm the Conservation Area and tower over the adjacent Railway Cottages, which are just single storey but a very important heritage asset.
- The development would also be out of scale to the single storey alms houses.

In summary, the development would have a substantial impact and cause great harm to St Michaels Church, the Railway Cottages and the Conservation Area as a whole. It would have a negative impact on the central part of the historic village of Brereton and cause great harm to the street scene.

We recognise it is not a planning issue and is not part of our objection but it would have been nice for the developers to recognise the loss of car parking spaces at the Railway Cottages.

Brereton and Ravenhill Parish Council (10.12.21)

That the Council confirm its original objections to the application and concern be expressed that the revised elevation drawings give an incorrect impression relating to the location of Brereton House and the size of the rear façade of St Michael's Church which is opposite the proposed development and in order to appreciate the height and mass of the proposed development in relation to existing buildings the Planning Committee should undertake a site visit before determining the application

Wildlife Trust

No comments received

Network Rail

No comments received

Status Bus Group

We would welcome discussions with officers of the council regarding the development to confirm if the developer could fund taster bus tickets to try the local bus service.

Crime Prevention Officer

I have taken the opportunity to examine the above planning application with reference to the Association of Chief Police Officer's Secured by Design Criteria and the Principles of Crime Prevention Through Environmental Design.

Whilst I have no objections this Application, it is important that I take this opportunity to provide the following guidance and recommendations aimed at reducing opportunities for crime and ensuring that a high level of physical security is incorporated in this development.

1. Design Concerns.

It is important that a high level of physical security is incorporated in these proposals, and that this development conforms to the minimum standard of security outlined within these recommendations.

Whilst I appreciate that the proposed access from Seabrooke Road is intended to be controlled through use of coded fobs, because of the potential for misuse and unwanted access to the side and rear of property, I recommend that this route be reconsidered, and that this area be adopted by neighbouring properties.

1.1 Boundaries (Design guidance).

I support the intention to provide access controlled 1.8m high galvanised steel gates to restrict access to shared areas. To remove opportunities for unobserved access, the proposed gate to the rear and North of the building should be recessed no more than 600mm from the open side elevation of this building. These gates must include closing mechanisms.

I support the intention to erect 1800mm high vertical bar Railings to the Amenity Space, as this will help to remove opportunities for misuse of this area.

Secured By Design. Homes 2019; -

Side and rear boundaries.

Section 10.5 Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. Trellis topped fencing can be useful in such circumstances.

10.6.6 Fence heights should be of a minimum 1.8m overall and be capable of raking/ stepping to maintain height over different terrain.

1.2 Design Features and Climbing Aids (where applicable).

Design features that may create climbing and access to potential open windows etc. should be avoided. Boundary walls, bins and bin stores and any low roofs should be designed so as not to provide climbing aids to gain access into the property.

Note: To avoid creating climbing points etc. particular attention must be paid to the junction of existing and proposed Boundaries.

1.3 Car Parking and Vehicle Security (Guidance).

Section 55.2 Lighting must be at the levels recommended by BS 5489-1:2013.

Secured By Design. Homes 2019.

Section 8. Layout of roads and footpaths.

Section 8.1 Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space of neighbourhoods.

(Defensive Space) Design features can help to identify the acceptable routes through a development, thereby encouraging their use, and in doing so enhance the feeling of safety. Where it is desirable to limit access/use to residents and their legitimate visitors, features such as rumble strips, change of road surface (by colour or texture), pillars, brick piers or narrowing of the carriageway may be used. This helps to define the defensible space, psychologically giving the impression that the area beyond is private.

Section 8.2 Defensible space has the simple aim of designing the physical environment in a way which enables the resident to control the areas around their home. This is achieved by organising all space in such a way that residents may exercise a degree of control over the activities that take place there.

I recommend that a change in road surface or traffic calming feature is used at the vehicle entrances to the site to help to define this area as private and to promote a sense of ownership for residents.

Secured By Design. Homes 2019:-

Section 55. Car parking.

Communal car parking areas.

Section 55.1 Where communal car parking areas are necessary they should be in small groups, close and adjacent to homes and must be within view of the active rooms within these homes (Note 55.1).

It may be necessary to provide additional windows to facilitate overlooking of the parking facility.

Note 55.1: (Explanation of Active Room) The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.

To help reduce opportunities for conflict and so that it does not highlight that a property is vacant, I recommend that spaces are lettered or numbered but not with apartment numbers. In addition, appropriate signage can help to remove opportunities for misuse.

Landscaping Adjacent to Parking Bays.

I recommend that any planting adjacent to parking bays should preferably be berberis or thorny and should have a mature or maintained growth height of 500mm to help prevent people from hiding in those areas.

Secured By Design. Homes 2019.

Section 16. Vehicle Parking.

Section 16.6 Where parking is designed to be adjacent to or between units, a gable end window should be considered to allow residents an unrestricted view over their vehicles.

Lighting To Parking Areas and Facilities:-

Secured By Design. Homes 2019.

Section 55. Car Parking.

Section 55.2 Lighting must be at the levels recommended by BS 5489-1:2013.

Section 16. Vehicle Parking.

Section 16.7 Communal parking facilities must be lit to the relevant levels as recommended by BS 5489-1:2013.

Section 16.9 Lighting is required to meet 'Street Lighting' standards.

Luminaires should be vandal resistant and not mounted below 2.5 metres from the ground and out of reach for those wishing to cause interference.

Bollard lighting is not appropriate as it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

1.4 Planting and landscaping

Landscaping must not impeded natural surveillance and must not create potential hiding places for intruders, especially where it may obscure views of and from doors and windows. This is valuable in helping to maintain a clear field of vision around a site, and in reducing fear of crime and opportunities for crime

Secured By Design. Homes 2019.

Section 17. Planting in new developments.

Section 17.1 The planting of trees and shrubs in new developments to create attractive residential environments will be supported provided that:

17.1.1 The layout provides sufficient space to accommodate specimens once they have reached maturity, clear of access routes and required circulation areas;

17.1.2 Future maintenance requirements and budgets are considered at the planting design stage and management programmes are put in place to ensure the landscape fulfils the aims of the original design;

17.1.3 The planting design takes full account of all other opportunities for crime.

1.5 Dwelling Lighting.

Secured By Design. Homes 2019.

Section 59. Private External lighting and dwelling lighting.

Private external lighting to common areas.

Section 59.1 Where possible the lighting requirements within BS 5489-1:2013 should be applied.

Section 59.2 SBD requires that only luminaires with suitable photometry serving to reduce light spill and light pollution may be used. Reducing light spill from inefficient luminaires into areas where lighting is not required is extremely important

Section 59.3 External public lighting must be switched using a photo electric cell (dusk to dawn).

Dwelling lighting.

Section 59.4 Lighting is required to illuminate all elevations containing a doorset, car parking and garage areas and footpaths leading to dwellings and blocks of flats.

Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

1.6 Access to Utility Meters and Post Boxes.

Note: The overall intention is to reduce the opportunities for theft by bogus officials. As such, this requirement includes 'Smart Meters', as the service providers will require open access to meters.

Mailboxes and Meters should be located within secure 'Lobby' areas, mounted externally or mail boxes can be mounted through the building fabric. Where they are to be within 'Lobby' areas, a second door should be used to create an 'air lock' system to remove opportunities for access to Apartment front doors.

Secured By Design. Homes 2019.

Section 26. Utility meters.

Section 26.1 Utility meters should be located outside the dwelling at the front or as close to the front of the building line as possible (to ensure they are visible in order to deter vandalism). If located to the side of the dwelling they must be as near to the front of the building line as possible and to the front on any fencing or gates (care should be taken not to provide a climbing aid).

Note: Intercom systems and access control must not include a 'trade access' period and therefore opportunities for 'bogus official' and opportunistic crime.

1.7 Access Control.

Whilst I appreciate that the proposed access from Seabrooke Road is intended to be controlled through use of coded fobs, because of the potential for misuse and unwanted access to the side and rear of property, I recommend that this route be reconsidered, and that this area be adopted by neighbouring properties.

The double gates to the front of the Building must be included in the Access Control System and should include closing mechanisms.

Secured By Design. Homes 2019. (Secured By Design minimum guidance.)

Developments with more than 25 flats, apartments, bedsits or bedrooms.

Section 27.24 Larger developments containing more than 25 flats, apartments, bedsits or bedrooms shall have a visitor door entry system and access control system. The technology by which the access control system operates is outlined within UL 293, however it must provide the following attributes:

- Access to the building via the use of a security encrypted electronic key (e.g. fob, card, mobile device, key etc.);
- Vandal resistant external door entry panel with a linked camera;
- Ability to release the primary entrance doorset from the dwelling or bedroom (in the case of student accommodation or House in Multiple Occupation);
- Live audio/visual communication between the occupant and the visitor;
- Ability to recover from power failure instantaneously;
- Unrestricted egress from the building in the event of an emergency or power failure;
- Capture (record) images in colour of people using the door entry panel and store for those for at least 30 days. If the visitor door entry system is not capable of capturing images, then it should be linked to a CCTV system or a dedicated CCTV camera should be installed for this purpose. This information should be made available to police within 3 days upon request;

- All visitor and resident activity on the visitor door entry system should be recorded and stored for at least 30 days. This information should be made available to police within 3 days upon request.
- Systems must comply with General Data Protection Regulations (GDPR).

Section 27.25 SBD recommends the use of colour monitors to enable the occupier of the dwelling or bedroom with the identification of visitors or to assist the occupier to accurately describe the colour of clothing to the police of the perpetrators of antisocial behaviour or those otherwise misusing the system.

Section 27.26 Specifiers are reminded that the installed electronic release hardware must form part of the certificated doorset range (for Secured By Design Accreditation).

Section 27.28 Tradesperson release mechanisms are not permitted as they have been proven to be the cause of anti-social behaviour and unlawful access to communal developments.

Security compartmentalisation of developments incorporating 25 or more flats, apartments, bedsits or bedrooms.

Section 27.29 Developments of over 25 flats, apartments, bedsits or bedrooms can suffer adversely from anti-social behaviour due to unrestricted access to all areas and floors of the building. SBD therefore seeks to prevent unlawful free movement throughout the building through the use of an access control system. How this is achieved is a matter for the specifier...

Section 27.33 It is imperative that the fire service should have unrestricted access to all floors in the event of an emergency. (See Sections 27.33.1 to 27.33.3).

1.8 Emergency escape doors (guidance).

Where emergency escape doors are intended as escape doors only, to prevent misuse a 'break glass' or 'break tag' mechanism should be used. They should have no external furniture.

Emergency Escape Doors (Recommended Minimum Security Requirements).

Secured By Design. Homes 2019.

Section 27. Access control and additional security requirements for buildings containing multiple dwellings of bedrooms.

Emergency door release devices.

Section 27.34 Break glass emergency door exit release devices (often green in colour) on communal external doors that provide an important aid to egress in the event of an emergency have proven to be abused rendering some buildings insecure for long periods of time. SBD recommends vandal resistant stainless steel self-resetting emergency exit systems are installed as an alternative. The installation and system type must be in full compliance with the Building Regulations and achieve final 'signoff' by local Building Control or Approved Inspector.

Section 31. Doorsets providing alternative access to communal areas other than the primary shared or communal access doorset (including emergency egress doorsets)

Section 28.1 Alternative access doorsets, emergency egress and fire doorsets that may be used by residents to access communal parts of the building are also required to be 'secure doorsets', see Approved Document Q, Section 1, paragraph 1.1.

Doorsets shall meet the requirements within paragraphs 21.1 to 21.17, and 21.19 to 21.22.:

- PAS 24:2016 (Note 21.1b); or
- STS 201 Issue 7:2015 (Note 21.1c); or
- LPS 1175 Issue 7.2:2014 Security Rating 2+ (Note 21.1d); or
- LPS 1175 Issue 8:2018 B3 Security Rating 2+
- STS 202 Issue 6:2015 Burglary Rating 2 (Note 21.1d); or
- LPS 2081 Issue 1.1:2016 Security Rating B (Note 21.1e)

Note 21.1a: Easily accessible is defined within Approved Document Q Appendix A.

2. Further Information and Guidance.

Further help and information can be gained from the following web sites:

- www.securedbydesign.com (The official Police Security Initiative and Police Preferred Specified security product scheme).
- www.bsi-global.com (Standards, Training, Testing, Assessment and Certification).
- www.bregroup.com (Offer quality of performance and protection certification for fire, security and environmental products and services).

Crime prevention design advice is given free without the intention of creating a contract. The Police Service and the Home Office does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

Response to Publicity

The application has been advertised by site notice and neighbour letter. Seven letters of representation have been received on the following grounds:

- The proposal would be detrimental to highway and pedestrian safety.
- Increased traffic and pollution would be detrimental to health.

- Increased parking/ vehicular movements at all hours would be detrimental to the residential amenity of the occupiers at the cottages nearby.
- Overlooking of private garden areas and windows of surrounding residents.
- Proposed fencing to be erected at boundary adjacent to cottages is too high at 2m, it should be reduced to 1.2m high.
- Height and mass of the proposed apartment block would not be in keeping with the character of the conservation area and nearby listed buildings.
- Inaccurate representation of building relative to surrounding buildings.
- Loss of light.
- Family houses or bungalows should be built instead of apartments.

Relevant Planning History

No recent relevant planning history.

1 Site and Surroundings

- 1.1 The application site comprises a former public house The Castle Inn, which is sited within a large car park on Main Road, Brereton, Rugeley. It is surrounded on 3 sides by residential properties. It has been vacant for approximately 3 years and is now falling into a state of disrepair.
- 1.2 The ground levels slope down from the front to the rear of the northern boundary side of the site adjacent to the nearest residential properties - the Railway Cottages.
- 1.3 The application site is undesignated, however, the Conservation Area boundary abuts the Main Road frontage and the side of the carpark facing the Railway Cottages. St Michaels's church, Grade II* Brereton Hall and Grade II listed Brereton House are located near the site. The site is located within a Mineral SafeGuarding Area, Coal Authority Low Risk Boundary and Landmark Contaminated Land Boundary. There is a draft Neighbourhood Area Plan being prepared for the area.

2 Proposal

- 2.1 The applicant is seeking consent for demolition of existing building and the erection of an apartment building and associated landscaping, parking and access. The scheme would provide 26 No. x two bedroom and 1 No. one bedroom apartments.
- 2.2 The proposal would comprise a part two/ three storey building of brick and tile construction with pitched roof. Stone detailing, cills and headers to the sash style windows would be detailed. A communal rear courtyard landscaped garden and a front stone wall with railings would be provided.

- 2.3 The scheme would incorporate PV panels to the rear roof plans and rapid charge points would be provided.
- 2.4 The scheme has been amended since submission to provide:
- Revised red line application site boundary to include front boundary wall.
 - Revised hard/soft landscaping scheme, including removal of proposed 2m high fencing.
 - Revised design of windows & building materials.
 - Removal of Juliet balconies.
 - Provision of heritage statement addendum.
 - Streetscene elevations relative to St Michaels Church.
 - BRE assessment for light/sunlight impacts on surrounding buildings.

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 draft Neighbourhood Plan and the Minerals Local Plan for Staffordshire (2015 – 2030).

Cannock Chase Local Plan Part 1

Relevant policies within the Local Plan include: -

- CP1: - Strategy – the Strategic Approach
- CP3: - Chase Shaping – Design
- CP5: - Social Inclusion and Healthy Living
- CP6:- Housing Land
- CP7 - Housing Choice
- CP10: – Sustainable Transport
- CP12: - Biodiversity and Geodiversity
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- CP15: - Historic Environment
- CP16: - Climate Change and Sustainable Resource Use

Minerals Local Plan for Staffordshire

Relevant Policies within the Minerals Plan Include:

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

There are no policies relevant to the proposal within the Minerals Plan.

Draft Neighbourhood Plan

The Brereton and Ravenhill Parish is a designated Neighbourhood area but no formal stages have yet been reached in the preparation of a Neighbourhood Plan. As per para 48 of the NPPF no weight can yet be accorded to the Neighbourhood Plan.

3.3 National Planning Policy Framework

3.4 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.

3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.6 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
64:	Affordable housing
111:	Highway Safety and Capacity
126, 130, 132, 134:	Achieving Well-Designed Places
218, 219	Implementation

3.7 Other relevant documents include: -

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

4 Determining Issues

4.1 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
- vi) Drainage and flood risk
- vii) Mineral safeguarding
- x) Crime and the fear of crime
- xi) Waste and recycling facilities

4.2 Principle of the Development

4.2.1 Both paragraph 11 of the NPPF (2021) and Cannock Chase Local Plan 2014 Policy CP1 state that there should be a presumption in favour of sustainable development. The site does not fall within any designated areas shown on the Local Plan Policies Map.

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

‘For decision taking this means:

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

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

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

- 4.2.4 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 With that in mind it is noted that the application site is not designated as Green Belt, AONB or as a SSSI or SAC, nor does it contain a listed building or conservation area nor is it located with flood zones 2 or 3. However, the proposal affects the setting of the Brereton Conservation Area and St Michael’ Church a Grade II* listed building designated heritage asset and therefore Therefore, the proposal does engage policies in the Framework that protect the setting of designated heritage assets. This issue will be addressed later in this report.
- 4.2.6 In other respects the site is located within an existing urban area in Brereton, wherein Policy CP6 identifies that there is an allowance for windfall housing sites to contribute to the District’s housing requirements and positive consideration will be given to those which accord with sustainable development principles identified in the NPPF and the strategic approach identified in Policy CP1 and other Local Plan policies as appropriate.
- 4.2.7 In respect to the loss of a community facility as a result of the proposal, there are several public houses in the local area to provide the local community with a choice of options and the current building has been out of use as a public house for over 3 years. The site is surrounded by residential uses and is well served by bus routes giving access to public transport, walking and cycling to a range of goods and services to serve the day to day needs of the occupiers of the proposed development.
- 4.2.8 The proposal would demolish a decaying building of no architectural merit, with a viable robust residential use that would also increase housing supply and choice. As such, it would comply with the thrust of policy requirements in respect to the broad location of developments. The proposal is therefore considered acceptable in principle subject to compliance with policy in respect to the impact on the setting of designated heritage assets.
- 4.2.9 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.
- 4.3 Design and the Impact on the Character and Form of the Area**
- 4.3.1 In respect to the impact on character of the area, the comments of the Parish and neighbouring occupiers are noted.

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

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

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132, 134. Paragraph 126 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.3 Paragraph 130 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.4 Finally Paragraph 134 states

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

- 4.3.5 The issues in respect to design and the impact on the character and form of the area are intrinsically linked to the impacts on the setting of the nearby Grade II* listed St Michaels Church and the Brereton Conservation Area. In this respect the proposal engages the the duty under S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that 'In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'
- 4.3.6 The proposal also engages Policy CP15 'Historic Environment' of the Local Plan and paragraphs 194, 195, 197, 199-201 of the NPPF. These are given in full in the Conservation Officers comments and therefore are not repeated here.
- 4.3.7 In accordance with the requirements of paragraph 195 of the NPPF the applicant has submitted a Heritage Statement and more importantly an Addendum to that Statement which contains a series of historic maps through which the development of the conservation area and setting of St Michaels Church can be assessed
- 4.3.8 The Conservation Officer has given an analysis of the historical development of the area through the aid of map regression and informed by the Brereton Conservation Area Appraisal and elevation drawings showing cross sections of the streetscene.
- 4.3.9 The Conservation Officer has also note that has a result of his earlier comments the applicant has accommodated several changes to the design including
- Removal of the Juliette style balconies and doors opening up on to the front;
 - Alterations to ensure that one material (brick) was used on the frontage, with architectural detailing to break up the mass (guided by detailing at Brereton House), with articulation provided by detailing such as in window headers and cills;
 - Alterations to hierarchy of the fenestration – larger windows on ground floor and Reduction in size of the large, central gated access;
 - Detailing of the door cases and doors;
 - Chimneys added to break up the roof mass; and,
 - Addition of a stone wall with traditional railings to the front boundary.
- 4.3.10 Finally the Conservation Officer has stated 'the application proposal, by virtue of its size, scale mass, architectural detailing and layout does provide appropriate homage to the character of the conservation area and its historic environment and in this respect would not harm the setting of the conservation area or the setting of St Michaels Church' adding 'As such the proposal would be in accordance with Policy CP15 of the Local Plan and Section 12 of the NPPF.'
- 4.3.11 In addition to the above Officer note that the Character Area Descriptions identifies key local design principles and/or design principles that new development should

consider to preserve and enhance and existing characteristic density, height and scale of the area is respected including:

‘in appropriate locations e.g. in/close to Breton Conservation Area well designed 3 storey buildings may be acceptable, elsewhere generally 2 storey appropriate.’

‘Recognise scope for variety of good quality design and materials in modern areas with preference for red brick and re/blue tiles/slate in historic areas, using render sparingly where appropriate.’

4.3.12 Appendix B of the Design SPD sets out clear expectations and guidance in respect to space about dwellings. Having taken all of the above into account it is considered that the main issues in respect to design and the impact on the character and form of the area are: -

- (i) Overall layout
- (ii) Density
- (iii) Materials, scale and external appearance of the apartments
- (iv) Impact on trees

4.3.13 The layout plan demonstrates how the proposed apartment building would be set well back (22m) from the road, with provision of enhanced frontage hard and soft landscaping and rear courtyard landscaped amenity space to the rear. Parking provision would be sited in rows around the periphery of the site.

4.3.14 The apartments would replace a disused one/two storey flat roofed public house. They would be set back from dwellings fronting Main Road, arranged in a two/three storey U-shaped block behind generous frontages.

4.3.15 There are several 3 storey buildings located to the southern side of the site nearby fronting Main Road, the Cedar Tree Hotel, Brereton House and No.s 7-15 Main Road, that are not typical of the established urban grain pattern for the immediate area. It is therefore considered that, on balance, the proposal would not result in a dominant presence within the street scene or be detrimental to the Brereton Conservation Area character and appearance of its location.

4.3.16 The proposed apartments would be of traditional construction and finished with facing brickwork on the front elevation, with minimal render sections on the rear/side elevations under a tiled roof. The street scene comprises of a variety of finishes, including facing brickwork however there are a number of properties within the immediate locale that are finished in render. A such the proposed apartments would easily assimilate into the already varied street scene.

4.3.17 Therefore, having had regard to Policies CP3 and CP15 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.

4.4 Impact on Residential Amenity

- 4.4.1 In respect to the impact on amenity, the comments of the neighbouring occupiers are noted. Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.4.2 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 In general the Design SPD sets out guidance for space about dwellings, stating that for normal two storey to two storey relationships there should be a minimum distance of 21.3m between principal elevations (front to front and rear to rear) and 12m between principal elevations and side elevations. Furthermore, the Design SPD sets out minimum rear garden areas, recommending 30sqm of communal garden for each apartment.
- 4.4.4 However, it should always be taken into account that these distances and areas are in the nature of guidance. When applying such guidance consideration should be given to the angle of views, off-sets and changes in levels as well as the character of the area.
- 4.4.5 The main issues in this case are the potential for overlooking and loss of light to neighbouring dwellings and whether the proposal would appear overbearing.
- 4.4.6 The apartments would comply with facing distance requirements of the Design SPD for 2/3 storey buildings. In addition, the proposal would comply with the Council's 45/25 standard policy. Furthermore, a BRE report assessment has been submitted to demonstrate that there would be sufficient sunlight to the rear courtyard area and it also demonstrates there would be no significant overshadowing of neighbouring dwellings for majority of the day.
- 4.4.7 Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment and should (amongst others) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.
- 4.4.8 In this respect the applicant has submitted a noise survey with which to inform the application. The survey concludes that acoustic protection measures will be required and mechanical ventilation to prevent overheating for the potential occupiers of the apartments. The report provides detail of the acoustic and mechanical ventilation measures, which should be undertaken in full and confirmed in writing.
- 4.4.9 Environmental Health Officers were consulted on the application and raised no objections to the proposal.

4.4.10 In conclusion, the separation distances to neighbouring properties are appropriate for the proposal and over and above the requirement of those set out within the Council's Design SPD.

4.4.11 With regard to the proposed development, this would facilitate 27 No. 1 and two bedroom dwellings with communal amenity space and parking. The Design SPD requires an area of 30m² amenity space per dwelling. In this instance, over 810m² would be provided which exceeds the requirement of the SPD.

4.4.12 As such, it is considered that the proposal would provide a high quality of amenity for occupiers of existing dwellings as well as for the future occupiers of the proposed dwelling in accordance with the Design SPD and Local Plan Policy CP3

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 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 from neighbours in this respect are noted. However, Staffordshire County Highways Department was consulted on the proposal and raised no objections to the proposal in terms of highway safety.

4.5.3 It is noted that the proposed development would provide adequate parking spaces (40 spaces) within the site.

4.5.4 As such, it is considered that there would be no adverse impact upon highway safety and the proposal would be in accordance with the Parking SPD and paragraph 111 of the NPPF

4.6 Impact on Nature Conservation Interests

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

4.6.2 Policy CP12 of the Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced via 'the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national and local status. Development will not be permitted where significant harm from development cannot be avoided, adequately mitigated or compensated for;

- support for the protection, conservation and enhancement of existing green infrastructure to facilitate robust wildlife habitats and corridors at a local and regional scale (particularly to complement Policy CP16);
- supporting and promoting initiatives for the restoration and creation of priority habitats and recovery of priority species and the provision of new spaces and networks to extend existing green infrastructure;

- supporting development proposals that assist the delivery of national, regional and local Biodiversity and geodiversity Action plan (LBAP/GAP) targets by the appropriate protection, incorporation and management of natural features and priority species;
- the promotion of effective stewardship and management across the district to contribute to ecological and geological enhancements.'

4.6.3 Paragraph 174 of the NPPF states [amongst other things] that 'Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;'

4.6.4 Paragraph 180 goes on to state 'when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

4.7 Cannock Chase SAC

4.7.1 Under Policy CP13 development will not be permitted where it would be likely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network and the effects cannot be mitigated. Furthermore, in order to retain the integrity of the Cannock Chase Special Area of Conservation (SAC) all

development within Cannock Chase District that leads to a net increase in dwellings will be required to mitigate adverse impacts. In this instance, the proposed development would be CIL liable given the subsequent net increase in dwellings although the applicant has indicated that they will seek exemption for the affordable housing units. Notwithstanding this it is considered that sufficient CIL monies will be raised to enable it to be top sliced to provide the SAC contribution.

On Site Impacts

- 4.7.2 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.7.3 The applicant has submitted a bat survey with which to inform the application. The bat survey concluded that there was very little potential for bat roosts within the building and only one bat was observed within the site (outside of the building).
- 4.7.4 In order to enhance the nature conservation opportunities for the site, it is recommended that any permission is subject to a condition requiring the incorporation of bat and bird boxes in the construction of the apartments. This would enable a degree of biodiversity enhancement proportionate to the development proposed.
- 4.7.5 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. With the recommendation to include bat and bird boxes, the proposal would provide opportunities to enhance nature conservation. In this respect the proposal would comply with Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

4.8 Drainage and Flood Risk

- 4.8.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps.
- 4.8.2 Policy in respect to drainage and flood risk is provided by 159-169 of the NPPF. Of particular note is paragraph 167 which states

'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) any residual risk can be safely managed; and
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'

4.8.3 The application site is located in a Flood Zone 1 which is at least threat from flooding. The applicant has indicated the means of drainage and it is noted that the site immediately abuts a main road and is on the edge of a predominantly built-up area. As such it is in close proximity to drainage infrastructure that serves the surrounding area and is considered acceptable.

4.8.4 The LLFA, Severn Trent & Souths Staffs Water was consulted on the application and have no objections. It is therefore concluded that the proposal is acceptable from a drainage and flood risk perspective and in accordance with paragraphs 159-169 of the NPPF.

4.9 Mineral Safeguarding

4.9.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 209, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.9.2 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.

4.9.3 The application site is located within a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.

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

4.10 Waste and Recycling Facilities

4.10.1 Policy CP16(1) (e) 'Climate Change and Sustainable Resource Use' of the Cannock Chase Local Plan states that development should contribute to national and local waste reduction and recycling targets according to the waste hierarchy'. One of the ways of achieving this is by ensuring development can be adequately

serviced by waste collection services and that appropriate facilities are incorporated for bin collection points (where required).

4.10.2 In this respect, it is noted that the proposed apartments would be sited with sufficient space for bin collection facilities within the site and within a residential location where bins are already collected by the Local Authority.

4.11 **Ground Conditions and Contamination**

4.11.1 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.

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

4.12 **Affordable Housing/CIL**

4.12.1 Under Policy CP2 the proposal would be required to provide CIL and a contribution towards affordable housing.

4.12.2 The Council's Housing Officer and CIL officer have been re-consulted on the scheme to provide up-to-date information with regards to these requirements and Members will be updated with an Officer Update Sheet prior to the Committee meeting regarding this issue.

4.13 **Objections raised not already covered above**

4.13.1 The red line has been revised to accommodate the new front wall and railings proposed and clarifies that it is not within the ownership of County Highways.

4.13.2 Parking for the existing cottages cannot be accommodated within the scheme, as that parking previously occurred on the application site private land that is not associated with the cottages.

4.13.3 An objector has stated that there was a discrepancy between the relationship with surrounding buildings and the proposed scheme. An amended plan has been supplied to address this point raised.

5 Human Rights Act 1998 and Equalities 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.

Equalities 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 no objections being received from the Strategic Housing Officer, the attached schedule of conditions and to completion of a S106 in respect to the provision of affordable housing provision.



Application No: CH/22/0089

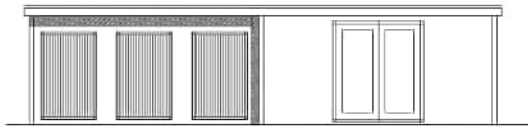
Location: The Kings View, Stokes Lane, Cannock, WS12 3JB

Proposal: Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01,02,10,11,12

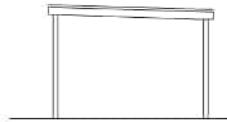
Item No. 6.46



Kennel Block Plans



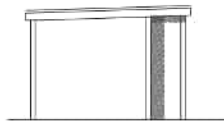
Front Elevation



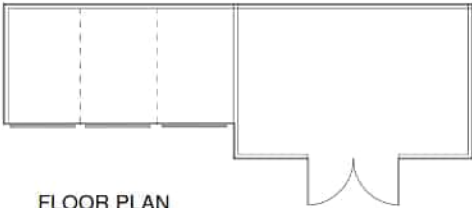
Side Elevation



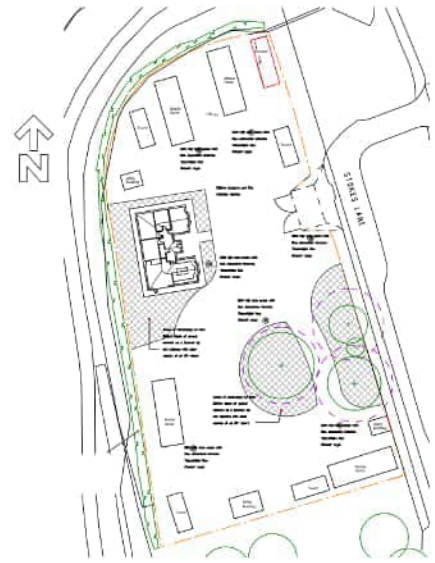
Rear Elevation



Side Elevation



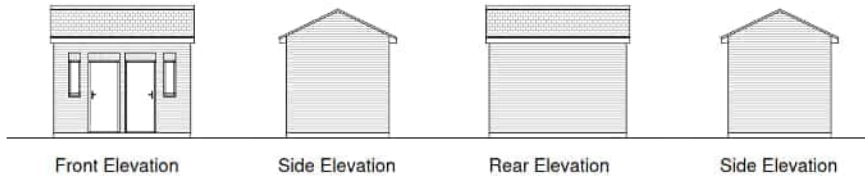
FLOOR PLAN



Site Plan NTS

Client	Mr Tyson Lee	File	Details	Dr 124	Draw
Project	3 The Kings View Stokes Lane Heath Hayes WS12 3JB	J Mason Associates <small>121, 123 & 125, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 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Toilet/Utility Block Plans

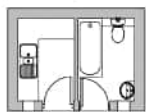


Front Elevation

Side Elevation

Rear Elevation

Side Elevation



FLOOR PLAN

TOILET/ UTILITY BLOCK



Site Plan NTS

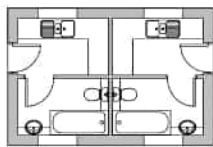


Front Elevation

Side Elevation

Side Elevation

Rear Elevation

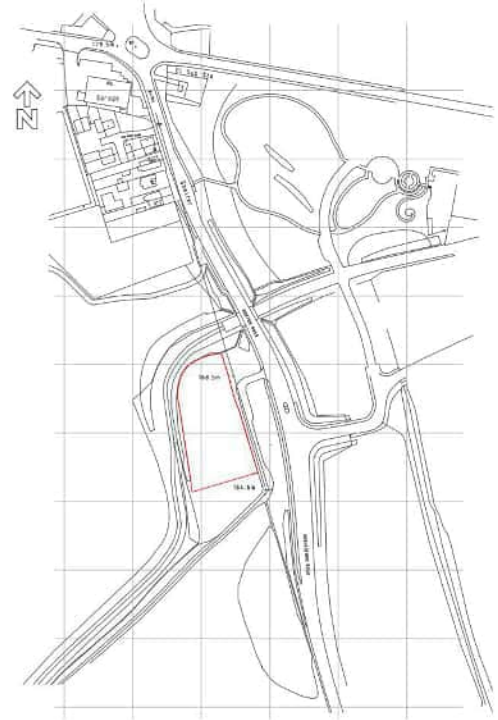
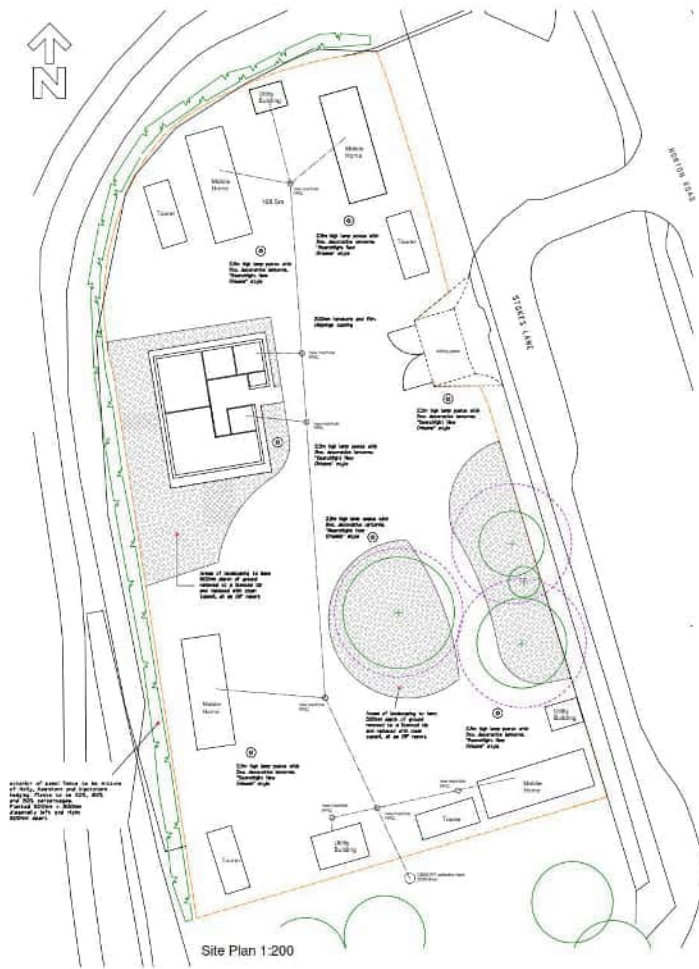


High level shower High level shower

FLOOR PLAN

Client Mr Tyson Lee		Rev	Details	W/ Date	Date
Project 3 The Kings View Stokes Lane Heath Hayes WS12 3JB					
Stage Planning	Drawn PRELIMINARY	Job Number 2749			
Drawn By A3	Scale 1:100	Date 07.02.2022	Drawing Title TOILET/ UTILITY BLOCK		
HES NUMBER: This document is intended to be a conceptual design document and does not constitute a contract. It is subject to change without notice. It is not to be used for construction purposes. It is not to be used for any other purpose. It is not to be used for any other purpose. It is not to be used for any other purpose.			Drawing Number 2749.10	Revision	
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DO NOT SCALE OFF THIS DRAWING FOR CONSTRUCTION PURPOSES. IF IN DOUBT ASK.					

Approved Scheme Plans



Location Plan 1:1250
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Mr Tyson Lee		J Mason Associates	
3 The Ridge View 18888 Lane Heath Hayes WD12 3JG			
Phase	PRELIMINARY	Scale	2706
Ref	1-350	Date	07.02.2022
Approved Scheme		2706.01	

Contact Officer:	Richard Sunter
Telephone No:	01543 464 481

Planning Control Committee

20 April 2022

Application No:	CH/22/0089
Received:	03-Mar-2022
Location:	The Kings View, Stokes Lane, Cannock, WS12 3JB
Parish:	Heath Hayes and Wimblebury CP
Ward:	Heath Hayes East and Wimblebury
Description:	Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12
Application Type:	Full Planning Application

Recommendation:

Approve, subject to conditions.

Reason(s) for Recommendation:

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which although not in accordance with the Local Plan and the National Planning Policy Framework the applicant has demonstrated that very special circumstances exist which outweigh the harm to the Green Belt and any other harm.

Conditions (and Reasons for Conditions):

1. The occupation of the 4 residential pitches shown on the approved site layout plans shall be carried out only by the following persons and their resident dependents: John and Marie Lee, Tyson and Kizzy Lee, Monty and Mary Lee and Drewy and Kylie Lee.

Reason

The granting of this planning permission is based on, at least in part, on the personal circumstances of the Lee family.

2. There shall be no more than 4 permanent residential pitches, as shown on the approved Site Layout Plan. On each of those pitches there shall be no more than 2 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 stationed at any time and no more than 1 caravan on each of those pitches shall be a static caravan.

Reason

For the avoidance of doubt as to what hereby has been permitted.

3. No commercial activities shall take place on the land, including the storage of commercial materials.

Reason

In the interest of protecting the character and form of this rural location in accordance with Policy CP3 of the Cannock Chase Local Plan.

4. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.

Reason

In the interest of protecting the character and form of this rural location in accordance with Policy CP3 of the Cannock Chase Local Plan.

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

2749/ 02	Proposed Location/ Site Plan
2749/ 10	Toilet/ Utility Block
2749/ 11	Day Room
2749/12	Kennel Block

Reason

For the avoidance of doubt as to what hereby has been permitted.

6. The use of the day room hereby approved shall be restricted to purposes ancillary to the use of the wider site as a gypsy residential site by the Lee family as defined in condition 1. It shall not be rented out, or used as a separate dwelling at any time.

Reason

The granting of this planning permission is based on, at least in part, on the personal circumstances of the Lee family.

Notes to the Developer:

The Coal Authority notes that “The report advises that based on the nature of the proposal, the risk posed by possible unrecorded shallow coal mining activity should be mitigated through the use of an appropriate foundation design”. The Coal Authority therefore considers that the services of a suitably qualified structural engineer should be engaged in this regard.

The applicant is advised that the occupier(s) of the land will be required to obtain a Caravan Site Licence for Touring and Permanent residential under the provisions of the Caravan Sites and Control of Development Act 1960.

The applicant’s attention is drawn to the comments from Staffordshire Police in respect to crime prevention and security.

The applicant’s attention is drawn to the comments from Staffordshire Fire and Rescue Service’s regarding sprinklers.

In the interest of preventing deaths and injuries from fires within domestic dwellings Staffordshire Fire and Rescue Service strongly recommend the provision of a sprinkler system to a relevant standard.

Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing fire deaths and injuries in domestic premises and financial implications for all stakeholders.

Further information can be found at www.bafsa.org.uk - the website of the British Automatic Fire Sprinklers Association Ltd.

The applicant’s attention is drawn to the comments made by South Staffordshire Water Plc in respect to new water assets.

Consultations and Publicity

Internal Consultations*Development Plans and Policy Unit*

I can advise that the site lies within the adopted Green Belt adjacent to the proposed recreational footpath/cycle route as shown on the policies map and within the area of influence of the Cannock Chase SAC. It lies at the edge of the Area of Search for gypsies, travellers and traveling showpeople accommodation as shown on the key diagram on page 7 of the adopted local plan. The site does not fall within any designated neighbourhood plan area.

The principle for development for the use of the site has already been established by planning permission CH/20/198, which included the provision of a day room on the site and planning permission CH/21/0040 which gave planning permission for a larger amenity block. This application seeks permission for a kennels and further amendment to the amenity block.

National Planning Policy Framework (NPPF) and the presumption in favour of development

In terms of national guidance, the NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies that there are three overarching objectives – economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.

The NPPF at paragraph 11 includes a presumption in favour of sustainable development. For decision taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay.
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless policies in the Framework that protect areas or assets of particular importance (e.g., Green Belt, AONB, habitats sites) provide a clear reason for refusing the development proposed; or
 - 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.

National planning policy in relation to Green Belts is set out within the NPPF. The NPPF advises that the government attaches great importance to Green Belts and their fundamental aim is to prevent urban sprawl by keeping land permanently open; their essential characteristics are their openness and their permanence. The NPPF sets out the 5 purposes that Green Belt serves in para 138.

The NPPF at para 147-149 considers proposals affecting the Green Belt. It states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. It further advises that when considering planning applications local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.'

The proposal involves the construction of new buildings, paragraph 149 of the NPPF states that the construction of new buildings should be regarded as inappropriate development. It does list a number of exceptions to this.

Development Plan

The development plan for Cannock Chase District consists of the Local Plan (Part 1) and the Staffordshire County Council Waste and Minerals Local Plans. These policy comments are restricted to matters concerning the Local Plan (Part 1).

CP1- Strategy and CP 14 - Landscape Character and Cannock Chase AONB - set out the local policy in relation to landscape character and development in the Green Belt and do not override national policy.

The Design SPD provides guidance on the design of new traveller sites (page 27-28). The approach to be taken to each site depends upon its size and intended occupants; however, there are common features across all sites to be considered too e.g., provision of appropriate utility buildings and space around the caravans.

Conclusion

The principle of the use of the site has already been established by planning permissions CH/20/198 and CH/21/376. The proposal would constitute inappropriate development within the Green Belt and is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. As such it is left to the judgement of the planning officer to consider if the proposal would result in harm to the Green Belt.

Environmental Health

I wish to confirm that I have no adverse comments.

External Consultations

Norton Canes Parish Council

The planning committee have considered the above application and whilst it is acknowledged that this refers to a departure from the development plan, we feel we must reiterate our original comments for CH/21/0040 that we would strongly oppose this being a residential site.

Response to Publicity

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

Relevant Planning History	
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CH/21/0367:	Non-material Amendment pursuant to Planning Permission No. CH/21/0040 to combine 2 No. proposed utility buildings into 1. No building. Approved 10/13/2021.
CH/21/0040/A:	Application to discharge Condition 7 (gas membrane) Pursuant to CH/21/0040.
CH/21/0040:	Application under Section 73 of the 1990 Town & Country Planning Act to develop the land not in accordance with approved plans but in accordance with plan JMD-60-07. (Larger amenity block). Pursuant to CH/20/198. Full - Approval with Conditions 03/24/2021.
CH/20/198/A:	Application to discharge conditions 6 (Scheme), 7 (Ground investigation Report) Withdrawn 10/05/2021.
CH/20/198:	Change of use of land to use as a residential caravan site for 4 gypsy families. Full - Approval with Conditions 09/03/2020.
CH/19/093:	Proposed Change of Use of land for the keeping/stabling of horses. Full - Approval with Conditions 08/21/2019.

- CH/19/093/A: Discharge of Conditions (2,3,4,5,6,11) layout/landscaping/no dig/ external light. Discharge of Conditions - Full Approval 01/14/2020.
- CH/89/0503: Opencast coal and clay extraction, restoration to woodland. Full - Approval 06/13/1990.
- CH/97/0254: Proposed modifications to working and restoration. County Reg 3 - No Objections 09/24/1997.

1 Site and Surroundings

- 1.1 The application site is Kings View comprising a residential caravan site for 4 gypsy families, including a communal 'day room'/ amenity block. The site currently comprises 4 pitches, each pitch with a static caravan and tourer caravan. The pitches in the south-west corner, south-east corner and north east corner have been developed. The pitch in the north-west corner is so far undeveloped.
- 1.2 The site also contains an amenity block (referred to in the submitted drawings as a 'day room' built of brick under a tiled roof.
- 1.3 In addition to the above there is a kennel block in the pitch at the north-east corner and further kennel/ livestock shed outside of but abutting the south-west corner of the compound.
- 1.4 The whole compound is surrounded by 2.0m high wooden fencing
- 1.5 The site is located off Stokes Lane near its junction with B1454 Hednesford Road, between Heath Hayes and Norton Canes. It is surrounded, in part by semi-mature woodland which helps to screen the site although not entirely.
- 1.3 The site is located within the West Midlands Green Belt, the Forest of Mercia, a Mineral Safeguarding Area, Coal Authority Low Risk Boundary, Coal Authority High Risk Boundary, near to Env Agency Historic Landfill Boundary, a Landmark Contaminated Land Boundary.
- 1.3 The site is located in the parish of Heath Hayes and Wimblebury but on its boundary with Norton Canes.

2 Proposal

- 2.1 The Applicant is seeking consent under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12.
- 2.2. The existing kennel/ livestock building currently occupying a location abutting the south-west corner of the site is proposed to be removed from the site and therefore the applicant is not requesting retention of this structure. However, the applicant will require time to relocate the animals currently housed within the building.

- 2.3 It should be noted that the site is still under construction with utility blocks still to be provided and internal works still to be undertaken to the day room. At the time of the officer site visit heras fencing around part of the day room was still in place. Hence the caravans at the northern part of the site were not within the locations shown. The applicant has stated that these would be moved once the construction phase of the development has been completed.

3 Planning Policy

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan, unless material considerations indicate otherwise.

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

Cannock Chase Local Plan Part 1

- 3.3 Relevant policies within the Local Plan include: -

CP3: - Chase Shaping – Design

Minerals Local Plan for Staffordshire

- 3.4 Relevant Policies within the Minerals Plan Include:

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

Neighbourhood Plan

The Area is not covered by an adopted Neighbourhood Plan

- 3.5 *National Planning Policy Framework*

- 3.6 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.

- 3.7 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

- 3.8 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

111:	Highway Safety and Capacity
126, 130, 132, 134:	Achieving Well-Designed Places
137, 138, 147-150:	Green Belts
167:	Planning and Flood Risk
174, 178:	Habitats and Biodiversity

3.9 Other relevant documents include: -

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

4 Determining Issues

4.1.1 When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements. However, new issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are not fundamental or substantial, but still material in nature, a developer may seek to obtain approval for the changes through the provision of Section 73 of the 1990 Town and Country Planning Act.

4.1.2 An application can be made under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions associated with a planning permission. One of the uses of a Section 73 application is to seek a minor material amendment, where there is a relevant condition that can be varied (Paragraph: reference ID: 17a—013-20140306 of the Planning Practice Guidance).

4.1.3 Section 73(2) of the 1990 Act states: —

On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—

- (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and
- (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

4.1.4 Although often referred as “variation of condition” applications, an approval of an application submitted under Section 73 results in the granting of a new permission which would sit side by side with the original consent. As such it is pertinent to ensure that an appropriate schedule of conditions and the appropriate obligations are attached to any permission granted. The starting point for the drafting of the new schedule of conditions is the original schedule but this would need amending to reflect that part of the conditions which have already been discharged (that is

the required schemes have been submitted and approved and, or the works pursuant to those approved schemes have been implemented.

- 4.1.5 In this case the material minor amendment sought relates to a change in the design of the approved amenity block and changes to the layout of the site to including the retention of a kennel block in the north-east corner of the site. This would be brought about by amending condition 8 on the approval which lists the approved plans so that the new permission refers to the plans which have been submitted under the current application. Therefore, the only substantive issues in the determination of this application are whether the difference in design of the amenity block is acceptable and whether any changes in circumstances would necessitate the redrafting of any of the other conditions or other obligations attached to the original permission.
- 4.1.6 For the purposes of clarity the principle of a gypsy site including 4 pitches, utility blocks and an amenity block/day room has been firmly established under planning permissions CH/20/198 and CH/21/0040. Furthermore, the principle of an amenity block of approximate size to the one that has been built has also been firmly established planning permission CH/21/0040.
- 4.2 A comparison of the overall size of the consented Day Room and the Day Room as built is provided below: -

	Day room As Approved	Day Room As Built
Width	15.5m	14.9m
Depth	10.3m	10.1m*
Height to Ridge	5m	4.9m

* This includes the bay window.

- 4.3 Other differences in the design are as follows:

South Elevation:

Additional window added.

North Elevation:

2 small windows removed and window relocated slightly.

Front Elevation:

2 bay windows added to replace 3 windows in the gable elevations.

Rear Elevation:

2 sets of patio doors replaced by 1x 3 pane window and 1x 5 pane window; 4 skylights added into the roof.

Chimney added.

Internal layout modified.

- 4.4 It is clear from the above that the day room/amenity block 'as built' is not larger than the building which has been consented and in actuality the footprint and general height to eaves would be slightly smaller. The only increase in height would be due to the inclusion of a chimney. Overall, the changes to the size of the building have not had any material impact on the openness of the Green Belt or the purposes for including land within it.
- 4.5 The changes to the fenestration details have not had any significant impact on overlooking or the standard of residential amenity given that the building would serve as an ancillary building to an extended family.
- 4.6 The addition of decorative soldier courses, chimney and bay windows add interest to the building and have not had a significant harmful impact on the character of the area.
- 4.7 The existing kennel building in the north-east corner of the site is proposed to be situated between a static caravan and the 2m high boundary fence that delineates the compound. In this respect it would be surrounded by structures and is not considered to significantly detract from the openness of the Green Belt or the character of the area.
- 4.8 In addition to the above it is considered that the changes sought, by virtue of their nature and location would not impact on highway safety, drainage, ecology or mineral conservation. Furthermore, the applicant has previously mitigated impacts on Cannock Chase SAC and therefore is not required to do so again in respect to this application.
- 4.9 Issues in respect to protection of the day room have been dealt with under Discharge of Conditions Application Ref No CH/21/0040/A where it has been verified that the appropriate measures, comprising the fitting of a gas membrane, have been implemented. Therefore, there is no reason to carry the condition for this requirement into any new consent granted.
- 4.10 Further to the above application, received on 13th April 2021, I can confirm that the details received on 25 June 2021 verifying the installation of the gas membrane is acceptable and that condition 7 has been discharged in so far as it relates to the amenity building.
- 4.11 It is therefore considered that having had regard to the policies outlined in Section 3.0 of this report the proposal would be acceptable and that planning consent should be granted subject to the attached conditions.

5 Human Rights Act 1998 and Equalities Act 2010

Human Rights Act 1998

- 5.1 The proposals set out in this report are compatible with the Human Rights Act 1998. The recommendation to refuse accords with the policies of the adopted Local Plan and the applicant has the right of appeal against this decision.

Equalities 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 Applicant is seeking consent for Application under Section 73 of the 1990 Town & Country Planning Act to develop the land as a residential caravan site for 4 gypsy families each with 2 caravans (1 static) layout of hardstanding, erection of a dayroom, 4 no utility buildings and associated ancillary buildings not in accordance with the approved plans of Planning Permission CH/21/0040 but in accordance with drawings 2749/01, 02, 10, 11 and 12.
- 6.2 The changes sought, by virtue of their nature and location would not impact on the openness of the Green Belt, highway safety, drainage, ecology or mineral conservation. Furthermore, the applicant has previously mitigated impacts on Cannock Chase SAC and therefore is not required to do so again in respect to this application.
- 6.3 It is therefore considered that having had regard to the policies outlined in Section 3.0 of this report the proposal would be acceptable and that planning consent should be granted subject to the attached revised schedule of conditions

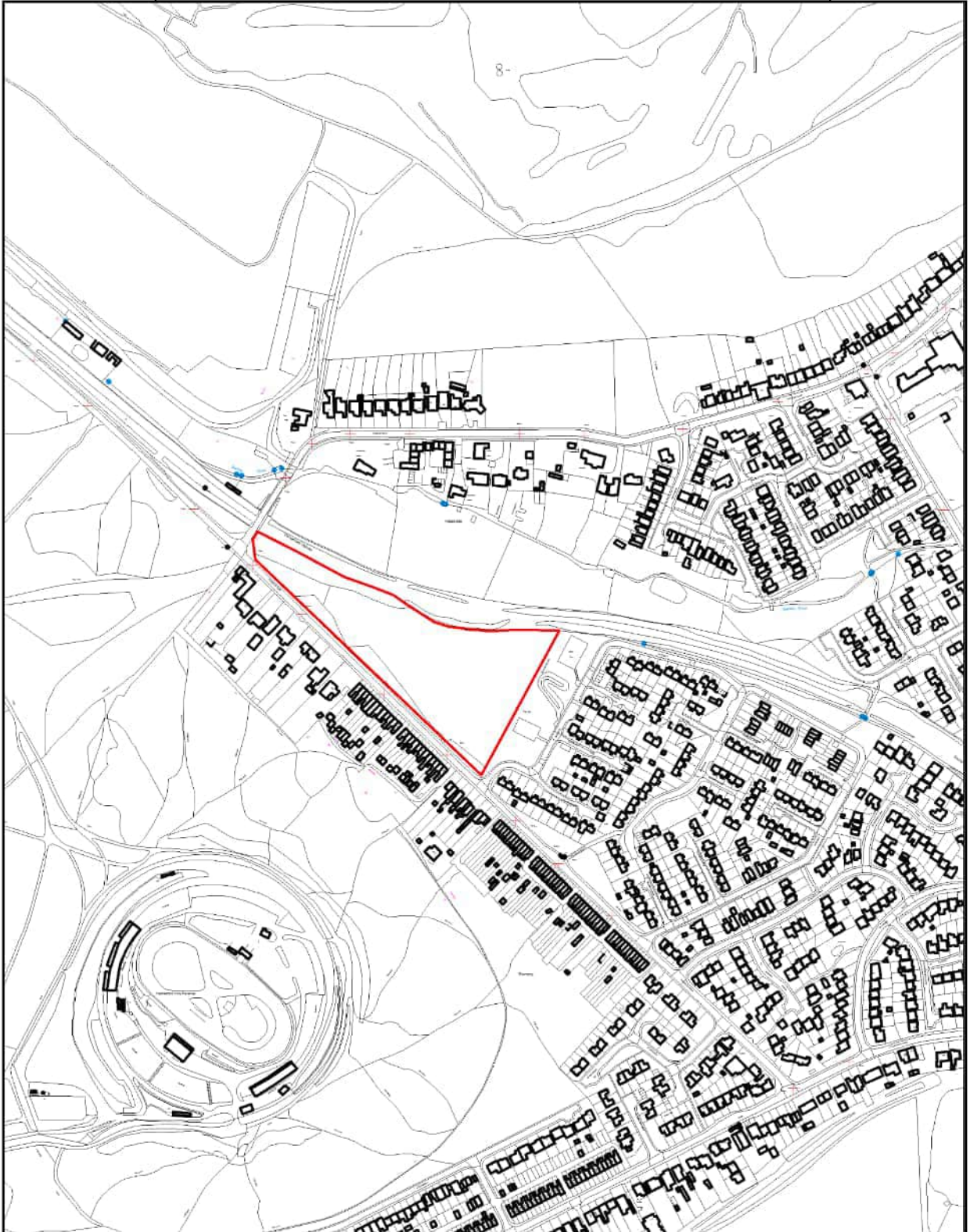


Application No: CH/20/381

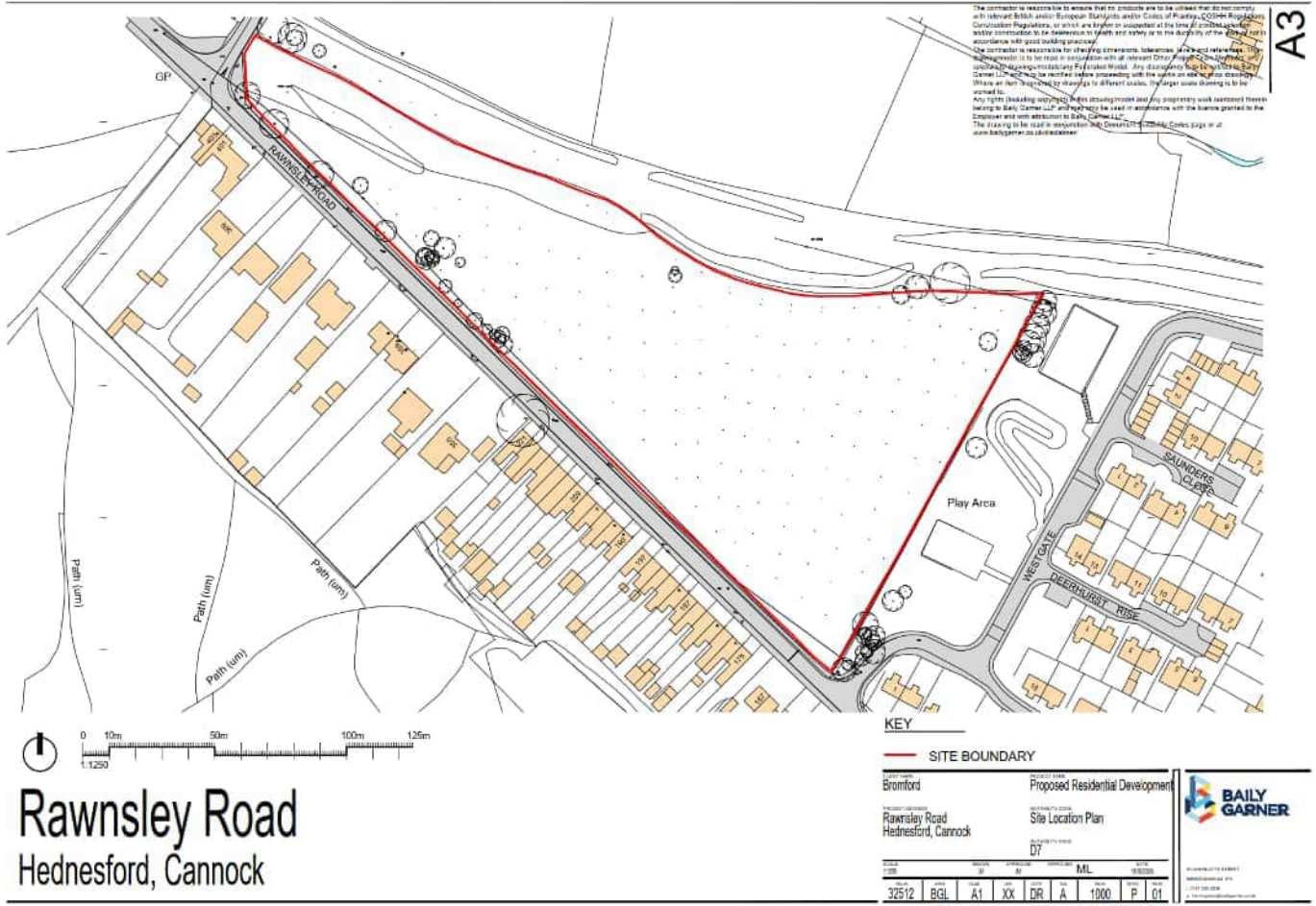
Item No. 6.63

Location: Land used as a pony paddock, field to the north of, Rawnsley Road, Cannock

Proposal: Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure



Location Plan



A3

Rawnsley Road
Hednesford, Cannock



Site Plan



Plans and Elevations

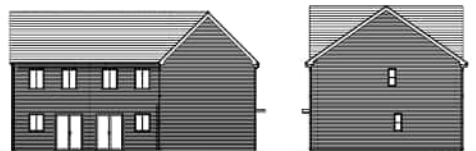
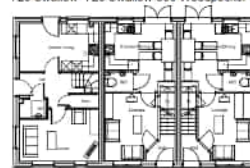
House Type A
Plots 1-2, 6-7, 10-11, 26-27, 46-47, 51-52
723 Swallow- 723 Swallow



House Type B
Plots 28-29, 30-31, 53-54, 55-56
723 Swallow- 723 Swallow (stepped)



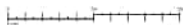
House Type C
Plots 3-5
723 Swallow- 723 Swallow-800 Woodpecker



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A1

Rawnsley Road
Cannock



<p>Drawn by: Reviewed by: Approved by:</p>	<p>Residential Development of 60 Units House Types A B & C Proposed house types D1</p>	
<p>0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100</p>	<p>0 5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100</p>	

Plans and Elevations

House Type D
Plots 5-9
513 Wren - 513 Wren



House Type E
Plots 12-13
861 Thrush- 973 Swift

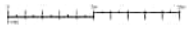


House Type F
Plots 14-15, 22-23, 44-45, 57-58
973 Swift- 861 Thrush



A1

Rawnsley Road
Cannock



Drawn by: Approved by: Date:	Residential Development of 60 Units Proposed House Types House Types D, E & F D1	
2024 1 25 15 27 06 1 1 1901 1 1 21	Approved by: Date:	

Plans and Elevations

House Type G
Plots 16-17, 18-19, 24-25, 32-33
861 Thrush- 861 Thrush



House Type H
Plots 20-21
861 Thrush-800 Woodpecker



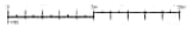
House Type I
Plots 34-35
723 Swallow-800 Woodpecker



A1

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Rawnsley Road
Cannock



PE1

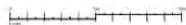
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Drawn by:	Residential Development of GWS
Reviewed by:	Proposed House Types House Types G, H & I
Checked by:	DP
Date:	2024-11-25
Scale:	1:100
Sheet:	06 1 002 1 11



Plans and Elevations

House Type J
Plots 36-38
513 Wren-513 Wren-723 Swallow



House Type K
Plots 39-40, 59-60
1072 Chaffinch-1072 Chaffinch



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A1

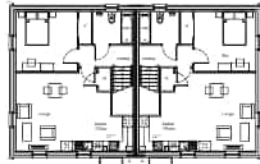
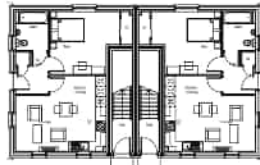
Rawnsley Road
Cannock

Project: Rawnsley Road Cannock, Staffordshire	Residential Development of 60 units Proposed House Types House Types J & K 07
Date: 09/11/18	Scale: 1:50
No: 11/18/000	Rev: 1



Plans and Elevations

House Type L
Plots 40-43
513 Wren- 513 Wren- 513 Wren- 513 Wren



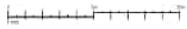
House Type M
Plots 50
801 Thrush



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A1

Rawnsley Road
Cannock



<p>Project: Rawnsley Road Cannock</p> <p>Client: Residential Development of 60 Units Proposed House Types House Types L & M DX Planning</p>	<p>Scale: 1:500</p> <p>Date: 15/11/2022</p> <p>Drawn by: 17/10/2022</p>	
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Contact Officer:	Richard Sunter
Telephone No:	01543 464 481

<p>Planning Control Committee</p> <p>20 April 2022</p>
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Application No:	CH/20/381
Received:	26-Oct-2020
Location:	Land used as a pony paddock, field to the north of, Rawnsley Road, Cannock
Parish:	Non-Parish Area
Description:	Residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure.
Application Type:	Full Planning Application Major

Recommendation:

It is recommended that the application be Approved subject to the conditions and informatives set out below and the completion of a Section 106 agreement to secure:

- (i) A contribution towards the mitigation of recreational pressures on Cannock Chase.
- (ii) A contribution of £20,000 towards "Local Nature/ Recreation Projects in mitigation of impacts on Hednesford Hills SSSI
- (iii) To hold the approved units and to offer them on social rent and shared ownership basis and not to allow any of the units to be sold on the open market.
- (iv) Not to allow or permit occupation of all or any of the approved units other than to a person in Need of Housing with a local connection together with his/ her dependants.
- (v) To liaise with the Council and agree a lettings plan.
- (vi) An obligation to provide each households annual membership to the Cannock Chase Birch Valley Forest Centre (at a total cost of £3600 for the 60 homes).

Reason(s) for Recommendation:

In accordance with paragraphs (186-187) of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive

manner to approve the proposed development, which accords with the Local Plan and/or the National Planning Policy Framework.

Conditions (and Reasons for Conditions)

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

Reason

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

2. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period. The Construction Management Plan shall include:

- Details of construction access
- Arrangements for the parking of site operatives and visitors
- Location of the contractors' compounds, cabins, and materials storage areas
- Construction and delivery hours
- Recorded daily inspections of the private road/ adopted highway leading to the site access
- Measures to remove mud or debris carried onto the private road/ adopted highway.
- The method of piling should piling be considered necessary on site.
- A Soil Management Plan setting out how better-quality soil will be identified, moved, stored, and reinstated within the Site.
- A strategy for dealing with the removal and disposal of Japanese Knotweed.
- Methods for the mitigation and prevention of impacts arising from noise, dust, and vibration.

Reason

In the interests of highway safety and to protect the amenity of the occupiers of the nearby residential properties in accordance with paragraphs 111, 130(f) and 174 of the National Planning Policy Framework.

3. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until details of a Traffic Regulation Order to restrict parking at the site access and for the first 30m of the site access road, broadly in accordance with approved Plan 'PL22008 001 Site Access Arrangements', have first been submitted to and approved in writing by the Local Planning Authority.

Reason

To control parking at and on the approach to the proposed site access to avoid hazards to other road users in accordance with paragraph 111 of the National Planning Policy Framework.

4. The proposed site access from Rawnsley Road shall be completed within the limits of the public highway broadly in accordance with approved Plan 'PL22008 001 Site Access Arrangements'. The visibility splays shall be kept free of all obstructions to visibility with nothing placed or allowed to remain forward of the visibility splays over a height of 0.6m above the adjacent carriageway level. The access and visibility splays are then to be retained for the life of the development.

Reason

To control parking at and on the approach to the proposed site access to avoid hazards to other road users in accordance with paragraph 111 of the National Planning Policy Framework.

5. Prior to the development being brought into use, the access road, parking, and manoeuvring areas broadly indicated on the submitted Plan '32512-BGL-A1-XX-DR-A-1100-P-15 Proposed Site Plan', shall be completed and surfaced in a porous bound material which shall thereafter be retained for the life of the development.

Reason

In the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

6. Prior to the development being brought into use, details of the proposed off-site highway works comprised the new pedestrian crossing with dropped kerbs and tactile paving on Rawnsley Road, broadly indicated on approved Plan PL22008 001 Site Access Arrangements', shall be submitted to, and approved in writing by the Local Planning Authority. The works shall thereafter be provided in accordance with the approved details prior to first use of the development hereby permitted.

Reason

In the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

6. The development hereby permitted shall not be brought into use until the existing historic access made redundant as a consequence of the development hereby permitted, has been permanently closed with the access crossing reinstated as footway/ verge with full height kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

7. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided

across the site access immediately to the rear of the carriageway on Rawnsley Road unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water onto the highway in the interest of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

8. The development hereby approved shall not be occupied until a scheme for the provision of electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority implemented in full. Thereafter, no dwelling shall be occupied until the works, comprising the provision of electric vehicle charging points, to that dwelling have been completed in full. Thereafter the electric vehicle charging points shall be retained and maintained for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason

In the interests of protecting the air environment in accordance with paragraph 152 of the National Planning Policy Framework

9. Notwithstanding the details of the approved plans no dwelling shall be occupied until a scheme for boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the passage of hedgehogs throughout the site. No dwelling shall be occupied until the works comprising the approved scheme have been implemented. Within 12 months of the date of the last occupation of the dwellings all boundary treatments on the site shall be completed.

Reason

In the interest of protecting the amenity and character of the area in accordance with Policy CP3 and the National Planning Policy Framework.

10. No dwelling shall be occupied until a scheme for the provision of 20 integral bird nesting boxes and 3 artificial bat roosts has been submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for the nesting of swift, house martin, starling, and houses sparrow. No dwelling shown to house a bird nesting box shall be occupied until the works comprising the approved scheme in respect to that dwelling has been completed. Thereafter the bird boxes shall be retained for the lifetime of the development

Reason

In the interests of enhancing bird and bat breeding habitat in accordance with Policy CP12 of the Local Plan and paragraphs 174 of the National Planning Policy Framework.

11. No services, including electricity, gas and water shall be provided to any dwelling until a scheme for servicing the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter service provision to the dwellings shall only be provided in accordance with the approved scheme

Reason

In the interests of reducing conflict between the provision of services and the landscaping within the site in accordance with CP3 of the Cannock Chase Local Plan.

12. No dwelling shall be occupied until a scheme for the erection and management of dog fouling bins, including the emptying and disposal of waste has been submitted to and approved in writing by the Local Planning Authority and the works comprising the erection of the bins has been implemented. Thereafter the bins shall be managed in accordance with the approved management scheme.

Reason

In order to protect Hednesford Hills Site of Special Scientific Interest from eutrophication from dog fouling in accordance with Policy CP12 of the Local plan and paragraphs 174 and 180 of the National Planning Policy Framework.

13. The dwellings shall be constructed of Caldera Red Multi Brick and Russell Grampian Slate Grey tiles.

Reason

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

14. All dwellings shall be constructed to ground gas protection to CS2. This equates to a protection score of 4.5 comprising of a gas membrane which is fully sealed at joints and service penetrations and with block and beam floors in accordance with British Standards BS8485:2015 unless otherwise approved in writing by the Local Planning Authority. Notwithstanding this no construction of a dwelling shall be begun until additional monitoring has been completed and the results and confirmation of the design of the ground gas membrane has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall thereafter be built in accordance with the approved design details. No dwelling shall be occupied until a verification report for that dwelling has been submitted to and approved in writing by the Local Planning Authority.

Reason

To protect the occupiers from ground gas.

15. The development hereby approved shall not be commenced until:
 - i) A Phase 1 Contamination Report (desktop study) has been prepared and submitted to the Planning Authority for approval. This shall document the previous history of the site and surroundings, identifying the potential sources of contamination and the impacts on land and/or controlled waters relevant to the site. A Conceptual Site Model shall be produced for the site which shall identify all plausible pollutant linkages.
 - ii) Where the phase 1 report has identified potential contamination, an intrusive site investigation shall be carried out to establish the full extent, depth and cross-section, nature, and composition of the contamination. Ground gas,

water, and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS/MCERTS accredited methods. The details of this investigation (including all technical data) shall be submitted to the Planning Authority, as a phase 2 report, for approval prior to any site demolition, remediation or construction works.

- iii) In those cases where the phase 2 report has confirmed the presence of contamination, a Remediation Method Statement shall be submitted to this Department (for approval prior to works) detailing the exact manner in which mitigation works are to be carried out. The Statement shall also include details of validation testing that will be carried out once works have been completed.
- iv) If during remediation works, any contamination is identified that has not been considered within the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to this Department for written approval. Any approved proposals shall thereafter, form part of the Remediation Method Statement.
- v) The development shall not be occupied until a validation/ phase 3 report has been submitted to and approved in writing by the Local Planning Authority. A Validation Report shall confirm that all remedial works have been completed and validated in accordance with the approved Remediation Method Statement.

Reason

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

- 16. Any waste materials leaving site shall be stockpiled, covered, and tested prior to disposal to a registered facility. No dwelling shall be occupied until a verification report has been provided to demonstrate that waste has been appropriately disposed of.

Reason

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

- 17. Any material imported for landscaping purposes, shall be chemically validated for suitability and a validation certificate shall be submitted to and approved in writing by the Local Planning Authority before it is used on site.

Reason

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

- 18. No development shall be commenced until a Reptile Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall

include methods for the protection of the Common Lizard on site during the construction phase, the creation of habitat including a hibernaculum and the monitoring of the population of Common Lizard on the site for five years, or other such timescale agreed with the Local Planning Authority, following the completion of the development. all

Reason

In the interest of protecting the population of common Lizard on the site in accordance with Policy CP12: of the Cannock Chase Local Plan and paragraph 174 of the National Planning Policy Framework.

19. No external illumination shall be employed until a scheme for external illumination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include dark areas and avoid light spill over any potential foraging, roosting, and commuting features, including all boundary habitats. Any light outputs shall aim for a maximum of 1lux (comparable to twilight conditions) and directed away from boundary hedgerows, and tree lines. No means of external illumination shall be employed other than in accordance with the approved scheme.

Reason

In the interests of avoiding disturbance to commuting and foraging bats and to avoid light pollution to the wider area and Area of Outstanding Natural Beauty in accordance with Policies CP3 and CP12 of the Cannock Chase Local Plan.

20. The approved landscape works as shown in drawings Detailed Planting Plan - Drawing Ref: 12440_P07f* and Landscape Strategy – Ref: 12440_P06e* shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

In the interest of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

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

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

22. No part of the development hereby approved shall commence or any actions likely to interfere with the biological function of the retained trees and hedges shall take place, until details for tree and hedge protection have been submitted to and approved by the Local Planning Authority. Details shall include the position and construction of all fencing and the care & maintenance of the trees & hedges within.

Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the

approved Tree & Hedge Protection layout drawing above shall be erected to the approved layout).

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.

23. Prior to the occupation/use of any dwelling or building, a Landscape Management Plan, which shall incorporate a Landscape and Ecology Management Plan (LEMP) including monitoring of species and who shall be responsible for carrying out the management of the site, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall stipulate the future management and maintenance of the proposed and existing landscape features including all trees and hedges within and overhanging the site.

The site landscape, following completion of establishment, shall be managed in accordance with the approved Management, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of visual amenity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

24. Prior to any works affecting the existing pond draw down method statement shall be submitted to and approved in writing by the Local Planning Authority.

The method statement shall include the timing of works, the role of Ecological Clerk of Works, details of construction, and detailed planting plans and management and maintenance. Job Ref: PE0132 33 September 2020

Reason

In the interests of visual amenity and promoting biodiversity of the area. In accordance with Local Plan Policies CP3, CP12, CP14 and the National Planning Policy Framework.

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

Site Location Plan – Ref: 32512-BGL-A1-XX-DR-A-1000-P-01-D7

Proposed Site Plan – Ref: 32512-BGL-A1-XX-DR-A-1100-P-15-D7

House Types DEF – Ref: 32512-BGL-A1-XX-DR-A-1201-P-02-D7

House Types GH – Ref: 32512-BGL-A1-XX-DR-A-1202-P-02-D7

House Types JK – Ref: 32512-BGL-A1-XX-DR-A-1203-P-02-D7

House Types LM – Ref: 32512-BGL-A1-ZZ-DR-A-1204-P-02-D7

Proposed Material Plan – Ref: 32512-BGL-A1-XX-DR-A-1300-P-02-D7

Proposed Highway Ownership Plan – Ref: 32512-BGL-A1-XX-DR-A-1600-P-02-D7

Detailed Planting Plan - Drawing Ref: 12440_P07f*

Landscape Strategy – Ref: 12440_P06e*

LVA Addendum – Ref: 12440_R03a

FRA & Drainage Strategy (dated 4th Feb 2022) which includes a Levels & Drainage Concept - Drawing Ref: AAC5537_RPS_XX_XX_DR_C_601 P09.

Site Access Arrangements – Drawing Ref: PL 22008-001

Lighting Assessment – Ref: 26757-040ELIA-01

New Access Road Section. Drawing: AAC5537-RPS-XX-XX-DR-C-602-02 S5 REV PO2

Development layout visibility splays PL 22008-002

Development Layout Vehicle Swept Path RCV Sheet 1. Drawing PL22008-003

Development Layout Vehicle S. pt. Path RCV Sheet 2. Drawing PL22008-00. Stage 1 Road Safety Audit March 2022

* The use of *Lonicera nitida* is not permitted. Any reference to *Lonicera nitida* shall be replaced with the native species of honeysuckle *Lonicera periclymenum*. Birdsfoot trefoil (referred to on plans as *Salix alba*) shall refer to *Lotus corniculatus*.

Reason

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

- 26 The development shall be carried out in accordance with the Flood Risk Assessment and Drainage Strategy Ref AAC5537 - Rev 2 (30/10/2020). Thereafter, the drainage scheme shall be retained and maintained in accordance with section 7.7 of the Flood Risk Assessment and Drainage Strategy (Maintenance and Adoption) by RPS group.

Reason

To ensure the development is provided with a satisfactory means of drainage and to prevent flooding, in accordance with Local Plan policy CP16.

- 27 The development hereby approved shall comprise of no fewer than 60 affordable housing units comprising the following tenure mix:

15 shared ownership units.

45 social rents

The distribution of the tenure mix shall be in accordance with Plot numbers and the schedule on approved drawing Proposed Site Plan – Ref: 32512-BGL-A1-XX-DR-A-1100-P-15-D7

Reason

The proposal would result in harm to the setting of the Cannock Chase AONB and is only acceptable, on balance, on the basis that the approved development provides 100% affordable housing.

28. No dwelling shall be occupied until a scheme for the provision of Household Welcome Packs and the erection of information boards has been submitted to and approved in writing by the Local Planning Authority. The Household Welcome Pack shall 'signpost' households to other local recreation destinations. The information boards shall provide educational awareness on ecology and the protection of the Hednesford Hills SSSI, the Cannock Chase Code10 and information on the green spaces within the Site and also details on the location of, and safe routes to, alternative green spaces. No dwelling shall be occupied until the works comprising the approved scheme has been implemented.

Reason

To ensure that any potential impacts on the Hednesford hills SSSSI and the role it plays in supporting Cannock Chase SAC protection of the existing vegetation which makes an important contribution to the visual amenity of the area. In accordance with Local Plan Policies CP3, and CP12 and the National Planning Policy Framework.

Notes to the Developer:

Cadent

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

Staffordshire County Council Highway Authority

The proposed site access works and off-site pedestrian crossing facilities shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please

complete and send to the address indicated on the application form or email to road.adoptions@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place to meet any potential timescales.

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

The works required for the proposed internal road network which are to be put forward for highway adoption require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

The works required for the proposed internal road network which are to remain private will also require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary for maintenance/management arrangements for the private internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

This Form X has been issued on the assumption that the developer secures a Traffic Regulation Order to control parking at the site access and along the first 30m of the site access road to the residential development to avoid hazards. The applicant is advised to contact Staffordshire County Council (clear.streets@staffordshire.gov.uk) to discuss the options available for adoption and enforcement of Traffic Regulation Orders associated with parking and waiting restrictions.

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

Avoiding Impact on Breeding Birds

It is an offence to disturb any breeding bird or to take, damage or destroy the egg of any wild bird or to damage, take or destroy the nest of any wild bird while it is in use under the 1981 Wildlife and Countryside Act 1981 (as amended). The proposal will result in the loss of scattered trees and scrub and a small section of hedgerow to facilitate access. Without mitigation loss of vegetation could affect nesting birds. A precautionary approach is advised in that suitable vegetation should be removed outside the nesting bird season (nesting season runs March-August, inclusive) where practicable. Should these works be scheduled during the nesting bird season they should be checked by a suitably experienced ecologist immediately beforehand. In order to prevent disturbance or harm to individuals, work should not be carried out within a minimum of 5m of any in use nest, although this distance could be more depending on the sensitivity of the species.

Avoiding Impacts on Roosting Bats

It is an offence to disturb any species of native British bat or to damage any refugia taken, under the 1981 Wildlife and Countryside Act 1981 (as amended). As a precautionary measure, it is advised that all sub-mature trees - i.e., trees with a Diameter at Breast Height (DBH) of >300mm - are felled in a sensitive manner. The trees should be sawn in sections and workers should avoid sawing through any observable potential roosting features (such as lifted bark, knot holes, splits, and crevices). Each section should then be carefully lowered to the ground with any potential roosting features left on the uppermost surface. The sawn sections should then remain on the ground for a period of 24 hours to allow any bats to leave overnight before they are removed from site.

Avoiding Impacts on Badgers

Badgers are a protected species. Although no badgers were recorded during surveys, badgers are highly mobile and can establish setts at any time. As a precautionary measure a pre-construction badger survey should be undertaken by an experienced ecologist. Should badgers be found appropriate mitigation measures should be put in place prior to works recommencing. Deep excavations should be completely covered overnight unless completely fenced off. Any unfenced/uncovered shallow excavations should have scaffold boards or equivalent placed in them to act as a ramp to allow any badgers to exit, should they fall in.

Consultations and Publicity

External Consultations***Natural England***

Thank you for your consultation on the above dated and received by Natural England on 08 February 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Cannock Chase Special Area of Conservation (SAC) - No objection - Subject to appropriate mitigation being secured Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Chasewater and The Southern Staffordshire Coalfield Heaths Site of Special Scientific Interest (SSSI) - No objection - Subject to appropriate mitigation being secured The proposal site is within close proximity to the SSSI. We consider that without appropriate

mitigation the application would damage or destroy the interest features for which Chasewater and The Southern Staffordshire Coalfield Heaths SSSI has been notified. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Measures proposed by the Applicant to mitigate recreational impacts.
- A Construction Environmental Management Plan detailing how construction works will avoid damage to the SSSI and its notified species should be provided.
- Dog waste bins should be installed on the proposal site (including at least one at the exit of the development closest to the SSSI) and ideally on the SSSI at easily accessible and maintainable locations on the SSSI.

We advise that an appropriate planning conditions or obligations is attached to any planning permission to secure these measures.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Cannock Chase Area of Outstanding Natural Beauty (AONB)

The proposed development is for a site within or close to a nationally designated landscape namely Cannock Chase AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice

Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

We would be pleased to provide advice on the discharge of planning conditions or obligations attached to any planning permission to address the issues above.

Should the proposal change, please consult us again.

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact

Assessment for further guidance.

Soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy.

There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found here.

Natural England does not routinely hold species data, such data should be collected

when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

1 <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

2 <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and

180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's Biodiversity Metric 3.0 may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 3.0 and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g., by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g., coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 3.0 and is available as a beta test version.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land, Coastal access, and National Trails

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer.

Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making.

Conserving biodiversity can also include restoration or enhancement to a population or habitat

County Flood Risk Management (SUDS)

We are now satisfied with the submitted proposals and have no objection to the granting of full planning permission.

Staffordshire County Council Highways

Background:

The application site is located to the north-east of Rawnsley Road (road number ZU5033) and south-east of Rugeley Road (road number C0130) in the Rawnsley area of Cannock. The site is largely comprised of an open field used for grazing ponies with an area of trees in the north-western part of the site. A hedgerow and trees delineate the south-western boundary next to Rawnsley Road (ZU5033) and the eastern boundary, which is adjacent to a play area, including basketball court. The play area is accessed from Westgate (road number ZU5080) which runs parallel to the eastern site boundary. Residential properties are located on Rawnsley Road (ZU5033) opposite the application site. The northern site boundary is delineated by trees and a dismantled railway line.

There are currently no vehicular accesses to the site, although there is evidence of an historical access off Rawnsley Road (ZU5033), approximately 60m to the north-west of the junction with Westgate (ZU5080).

Rawnsley Road (ZU5033) within the vicinity of the application site is a two-way single lane carriageway. It is lit with a footway on the north-eastern side of the carriageway.

The gradient of the carriageway along the site frontage is on a noticeable incline from north-west to south-east. There are parking restrictions, denoted by double yellow line marking in proximity to its junction with Westgate (ZU5080), which forms a priority T-junction with Rawnsley Road (ZU5033) to the south-east of the application site. Measures to reduce vehicular speeds in proximity to the site frontage on Rawnsley Road (ZU5033) include a SLOW road marking on red high-friction road surfacing and a speed camera sign highlighting the 30mph speed limit.

Rawnsley Road (ZU5033) to the south-east continues to form a priority T-junction with Littleworth Road (road number ZU5034). To the north-west and west of the application site, Rawnsley Road is a C Class road (road number C0130) and provides connectivity with the A460 Rugeley Road (signalised junction).

All carriageways in proximity to the application site are subject to a 30mph speed limit.

The closest bus stops to the site are located on Rawnsley Road (ZU5033), approximately 40m south-east of the junction with Rugeley Road (C0130). These stops are served by Chaserider service number 62 and provide connectivity between Lichfield City Centre and Cannock Town Centre, via Burntwood, Prospect Village and Hednesford. The bus stop Cannock-bound is denoted by a flag and schedule on a post; and the Lichfield-bound bus stop is unmarked.

There are local amenities and facilities located within walking and cycling distance of the application site. A day nursey, convenience store and take-away are located approximately 600m from the application site on Littleworth Road (ZU5034). Hazel Slade Primary Academy and a public house are located approximately 900m from the application site on Rugeley Road (C0130). The application site is surrounded by various local nature reserves and areas of employment with Hednesford town centre located approximately 2.4km from the application site.

Personal Injury Collisions:

Current records show that there were three personal injury collisions (PICs) recorded along the site frontage on Rawnsley Road (ZU5033) for the previous five-year period. Two PICs were recorded at the junction with Rugeley Road (ZU5033) and one approximately 65m north-west of the junction with Westgate (ZU5080). Although all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.

Proposed Development:

This application is for full planning permission for up to 60 residential dwellings with car parking, a new estate road, public open space (POS) and associated infrastructure. Vehicular access to the application site is proposed to be via a new bell-mouth junction from Rawnsley Road. The site access is proposed to be located approximately mid-way along the site frontage with Rawnsley Road and comprise a 5.5m wide carriageway with 6m kerb radii and 2m wide footways on either side. The footways will also follow the alignment of the bell-mouth kerb radii. Dropped kerb crossings with tactile paving are proposed to aid crossing of the site access and Rawnsley Road. A pedestrian link from the application site to the existing play area located to the south-east of the site is proposed.

The proposed development is anticipated to comprise 8No. one-bedroom apartments, 28No. two-bedroom houses, 20No. three-bedroom houses and 4No. four-bedroom houses.

Review of Planning Application Documents:

The planning application has been supported by a suite of documents including site layout plans, a Transport Statement and Design and Access Statement. An initial review of the planning application documents raised several queries and further details were requested to address the concerns raised. Amended and additional information has subsequently been received from the applicant to address these concerns which have been discussed in turn below.

Site access – the submitted application documents did not provide sufficient information on the proposed permanent site access arrangements, how visibility splays would be kept clear of overgrown vegetation along the site access and how on-street car parking would be managed within proximity to the new site access junction to avoid parked cars close to the junction creating a hazard to other road users. Details of the form of the permanent site access were unclear as the site plans were illustrating a temporary site access. It was also unclear how the level differences between the application site and Rawnsley Road, namely in proximity to the site access and along the site access road, were going to be addressed. A Stage 1 Road safety Audit was requested, to determine whether the proposed site access arrangements, were in principle, acceptable from a highway safety perspective.

A revised plan was submitted providing details of the proposed permanent site access arrangements (Drawing No. PL22008 001). The site access is proposed to form a bell-mouth junction with Rawnsley Road and comprise a 5.5m wide carriageway and 6m kerb radii. A raised table will be provided approximately 15m from the site access along the access road to reduce vehicular speeds at the site access. The plan also demonstrated the required visibility splays from the site access along Rawnsley Road and measures to maintain the visibility splays, including widening of the footways and cutting back of hedgerows along the site frontage in line with the visibility splays. A Traffic Regulation Order (TRO) to restrict on-street car parking at and within 30m of the site access junction will also be provided. The proposed TRO is welcomed by the Highway Authority as it is not uncommon for households to own more than two cars, and where tandem parking is provided, residents sometimes park one car on the drive and one on the highway for ease of access. The TRO would help alleviate on-street parking at least in proximity to the site access.

A sections drawing was provided indicating how the level differences between the application site and Rawnsley Road would be addressed (Drawing No. AAC5537-RPS-XX-XX-DR-C-601-02 P02). This would be subject to further checks as part of the technical approvals process.

A Stage 1 Road Safety Audit of the proposed site access arrangements and internal layout was undertaken which was supported by a Designer's Response. The responses provided by the applicant to the Stage 1 Road Safety Audit were considered acceptable.

Car parking close to the site access – there was concern that car parking spaces located within 30m of the site access were unsafe, especially where they did not provide turning facilities to enable access and egress in a forward gear. The proposed site layout plan (Drawing No. 32512-BGL-A1-XX-DR-A-1100-P-15) has been revised to demonstrate

that no driveways are proposed within 15m of the site access junction. The implementation of the raised table would help to slow vehicles at the approach to the junction with the TRO implementing parking restrictions to keep the site access road clear of parked vehicles on the carriageway for at least the first 30m.

Car parking dimensions – the length of tandem car parking spaces were considered inadequate with insufficient space allowed for two vehicles to park without over-hanging the adjacent footway/ carriageway. Some driveways were also considered to be sub-standard, especially where one or both sides were hard bound, for example, where they were located between two dwellings. It was suggested a minimum length of 11m should be provided for driveways where the car parking was proposed to be in tandem and driveways between hard boundaries were at least 3.2m wide if serving a single dwelling or at least 5m wide if serving two dwellings. These dimensions would help provide sufficient space to open car doors.

The applicant submitted a supporting statement (dated 16/03/2022) confirming that all tandem parking spaces had been redrawn so that they were 11m in length and singular private driveways fronting the adoptable highway were 3.2m wide.

Private drives and aisle widths – the private drives at the eastern end of the site were considered sub-standard with entry widths of 3.8m to 4.0m proposed. These were required to be at least 4.2m wide (ideally 4.8m wide) to allow two cars to safely pass. The proposed location of a tree opposite Plot 48 further reduced the private drive width available.

The proposed site layout plan (Drawing No. 32512-BGL-A1-XX-DR-A-1100-P-15) has been revised to demonstrate all private drives are at least 4.2m wide which is considered acceptable.

Proposed adoptable areas – insufficient information had been provided indicating the extent of the areas proposed for adoption by the Highway Authority with sections of the internal road layout not provided in line with adoptable standards. The proposed site layout plan (Drawing No. 32512-BGL-A1-XX-DR-A-1100-P-15) has been revised to demonstrate that the internal road layout, apart from private drives, are now in line with adoptable standards with a 5.5m wide carriageway and 2m wide footways provided. Where residential dwellings are not provided on both sides of the carriageway a 2m wide footway is provided adjacent to the dwellings with a 2m wide service strip on the opposite side of the carriageway. Demarcation of the end of the proposed adoptable highway has also now been provided. A plan indicating the extent of the areas proposed for adoption has also been provided (Drawing No. 32512-BGL-A1-XX-DR-A-1600-P-02).

Vehicle tracking – Drawing No. T19091 SK04 B showed refuse vehicle tracking over-running the footway in proximity to Plots 36 and 37. This was not considered acceptable from a highway safety perspective as refuse vehicles routing over the footway would result in damage to the footway and kerbs and potentially conflicts with pedestrians. Revised plans were submitted with the vehicle tracking redrawn showing the proposed site layout could accommodate a large refuse vehicle up to 11.2m in length (Drawing Nos. PL22008 003 and PL22008 001).

Pedestrian routes – insufficient details of safe pedestrian routes and crossing points had been provided at the site access and within the site. No details were provided of pedestrian access from the site to the adjacent play area.

Subsequently, the proposed site layout plan (Drawing No. 32512-BGL-A1-XX-DR-A-1100-P-15) has been revised indicating locations for pedestrian crossing facilities, in the form of dropped kerb crossings with tactile paving, at the site access and at various points within the internal layout. Pedestrian routes within the site have also been updated, namely in proximity to the visitor car parking spaces. The proposed site layout plan also shows a pedestrian link from the application site leading to the adjacent play area, within the extent of the red line boundary.

Drawing No. PL22008001 provides details of the two pedestrian crossings proposed at the site access, one to aid crossing of the site access road and one to aid crossing of Rawnsley Road. The locations of the pedestrian crossings within the site do not appear to be provided on desire lines; however, the final pedestrian crossing locations would be determined at detailed design and subject to the technical review process.

Dedicated or demarcated pedestrian routes were requested to be provided within the private drives; however, the applicant has stated that as the private drives would operate as shared space, there is no requirement for a dedicated pedestrian route. The proposed layout would be subject to further checks as part of the technical approvals process.

Cycle routes – some preliminary details were provided regarding the proposed upgrade of the dismantled railway to a cycle route on the National Cycle Network; however, no details have been provided as to how the proposed cycle route would link to the application site, especially given the level differences between the application site and dismantled railway. In the supporting statement (dated 16/03/2022) the applicant confirmed that no cycle link to the site was being proposed between the application site and the dismantled railway. However, the sum of £20,000 was proposed to be paid to Cannock Chase District Council through a S106 agreement for local nature/ recreation projects and this sum could be used towards financing an improved cycleway.

Drainage – the possibility of a storm water outfall below Rugeley Road to the Bentley Brook was discussed and considered unacceptable due to the potential adverse impact this could result in on highway assets. The applicant has subsequently revised the drainage strategy and it is not clear whether colleagues within Staffordshire County Council's the Flood Risk Team have been consulted and have agreed the proposed drainage strategy. The drainage strategy would be finalised at detailed design and subject to the technical review process.

House types – Plots 40/41 were shown as house type L which comprises of three residential units; however, only two plots were shown on the proposed site plan. Subsequently the layout drawing for house type L (Drawing No. 32512-BGL-A1-ZZ-DR-A-1204-P-02) was amended and aligned with the proposed site layout plan (Drawing No. 32512-BGL-A1-XX-DR-A-1100-P-15). However, house type M, which previously comprised two one-bedroom apartments and a three-bedroom house, appears to have been replaced by a three-bedroom house only. Looking at Plots 49 and 50 on the proposed site layout plan (Drawing No. 32512-BGL-A1-XX-DR-A-1100-P-15), it appears that this change has been made inadvertently. Notwithstanding this, the proposed car parking provision would be sufficient for either proposal.

Following the reviewing of the initially submitted application documents, amended plans and additional information, it is not considered that the development proposals would have an adverse impact on the surrounding highway network or on highway safety.

Recommendation:

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:

1. No phase of the development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period. The Construction Management Plan shall include:
 - Details of construction access
 - Arrangements for the parking of site operatives and visitors
 - Location of the contractors' compounds, cabins, and materials storage areas
 - Construction and delivery hours
 - Recorded daily inspections of the private road/ adopted highway leading to the site access
 - Measures to remove mud or debris carried onto the private road/ adopted highway.
2. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until details of a Traffic Regulation Order to restrict parking at the site access and for the first 30m of the site access road, broadly in accordance with approved Plan 'PL22008 001 Site Access Arrangements', have first been submitted to and approved in writing by the Local Planning Authority.
3. The proposed site access from Rawnsley Road shall be completed within the limits of the public highway broadly in accordance with approved Plan 'PL22008 001 Site Access Arrangements'. The visibility splays shall be kept free of all obstructions to visibility with nothing placed or allowed to remain forward of the visibility splays over a height of 0.6m above the adjacent carriageway level. The access and visibility splays are then to be retained for the life of the development.
4. Prior to the development being brought into use, the access road, parking, and manoeuvring areas broadly indicated on the submitted Plan '32512-BGL-A1-XX-DR-A-1100-P-15 Proposed Site Plan', shall be completed and surfaced in a porous bound material which shall thereafter be retained for the life of the development.
5. Prior to the development being brought into use, details of the proposed off-site highway works comprised the new pedestrian crossing with dropped kerbs and tactile paving on Rawnsley Road, broadly indicated on approved Plan PL22008 001 Site Access Arrangements', shall be submitted to, and approved in writing by the Local Planning Authority. The works shall thereafter be provided in accordance with the approved details prior to first use of the development hereby permitted.
6. The development hereby permitted shall not be brought into use until the existing historic access made redundant as a consequence of the development hereby permitted, has been permanently closed with the access crossing reinstated as footway/ verge with full height kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

7. The development hereby permitted shall not be brought into use until a surface water drainage interceptor, connected to a surface water outfall, has been provided across the site access immediately to the rear of the carriageway on Rawnsley Road unless otherwise agreed in writing by the Local Planning Authority.

Informatives to be Included on the Decision Notice:

The proposed site access works and off-site pedestrian crossing facilities shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to road.adoptions@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place to meet any potential timescales.

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

The works required for the proposed internal road network which are to be put forward for highway adoption require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

The works required for the proposed internal road network which are to remain private will also require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary for maintenance/management arrangements for the private internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

This Form X has been issued on the assumption that the developer secures a Traffic Regulation Order to control parking at the site access and along the first 30m of the site access road to the residential development to avoid hazards. The applicant is advised to contact Staffordshire County Council (clear.streets@staffordshire.gov.uk) to discuss the options available for adoption and enforcement of Traffic Regulation Orders associated with parking and waiting restrictions.

Notes to the Planning Officer:

Condition 2 is requested to control parking at and on the approach to the proposed site access to avoid hazards to other road users.

Condition 7 is requested to ensure satisfactory access into the site and avoid carriage of extraneous material or surface water onto the highway.

It is recommended that dedicated or demarcated pedestrian routes are provided within the shared drives as the footways within the area to be adopted abruptly end. The pedestrian crossing locations within the site do not appear to be on desire lines; however, this would be addressed through the technical approvals process.

It is recommended that all new dwellings are provided with Electric Vehicle Charging Points or, as a minimum, the electrical cabling to allow future installation of such facilities.

This Form X supersedes the previous Form X dated 24/01/2022.

Cannock Chase AONB Unit

Response 29-11.2021

Objection.

The AONB raised concerns regarding this application in the responses dated 16th November 2020 and 27th May 2021. The amended application and covering letter are noted. There have been some minor amendments to proposed planting, however, there appears to have been no significant change in the proposal in relation to landscape impact or mitigation and issues raised previously have not been addressed, hence the objection.

AONB Issues: The main issues for the AONB remain:

- The impact of the proposed development on the landscape and scenic beauty of the AONB
- The impact of the proposed development on Cannock Chase SAC.
- Detrimental impact on the setting of the AONB.

National Planning Policy Framework Paragraph 174 requires that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity, Paragraph 176 states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues, and that development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Policy CP14 of the Cannock Chase Local Plan (Part 1) states that “.....Development of adjacent land forming the setting of the AONB will be expected to avoid an adverse impact on the landscape and scenic beauty of the area”.

I have been unable to find any difference between the Landscape and Visual Appraisal (Addendum) upload date 9th November 2021 and that uploaded 20th May 2021, both appear to be dated 18th May 2021 and marked Rev A. The concerns raised in the AONB response dated 27th May 2021 therefore remain unchanged. This proposal to infill green space remains a fundamental concern as it would adversely affect the character, quality, and openness of the setting of the AONB and give rise to adverse impacts on the AONB.

The suggestions in the covering letter regarding biodiversity offsetting and mitigation for recreational impact are noted. Rawnsley Hills is an SBI and promoting this area as an alternative recreation destination is not supported. Interim works to improve access on the old mineral railway line adjacent to the site boundary could be a benefit if a) it does not require removal of vegetation adjacent to or close to the site boundary that as a result would reduce screening of the proposed development, and b) it facilitated access to informal, seminatural open space as a similar alternative to Cannock Chase SAC and

Hednesford Hills SSSI. There may be an opportunity to identify a potential site for biodiversity offsetting on open space outside the AONB and Hednesford Hills SSSI, but this is uncertain.

The revised Detailed Planting Proposals 12440_P07 Revision E proposes some ecological enhancements in response to comments from Natural England and others, however small areas of habitat mitigation alongside numerous non-natives across the site still represents a detrimental effect on habitat connectivity between Cannock Chase SAC, Hednesford Hills SSSI and other local designated sites. *Lonicera nitida* is not Honeysuckle as suggested on Drawing 12440_P06 Revision E, and not native.

The Lighting Assessment demonstrates that the proposals would introduce new street lighting with effects directly adjacent to the AONB boundary, and potential impact on bats is not considered. Lighting proposals are noted in the assessment's conclusion as not significant, but they would nevertheless be a detrimental impact on the AONB.

The AONB still considers the proposal would be locally detrimental to the character of the AONB by increasing the urban dominance in the setting of the AONB without very limited landscape mitigation offered by the landscape proposals, and with detrimental impact on habitat connectivity between designated areas.

Response Received 01-06-2021

This proposal to infill green space remains a fundamental concern as it would adversely affect the character, quality, and openness of the setting of the AONB and give rise to adverse impacts on the AONB, and the amended proposals do not address these concerns, hence the objection."

Based on the information provided by the applicant, I consider that locally the development would dominate this part of the valley, resulting in local moderate adverse effects on the setting of the AONB. These effects would be long term.

Response Received 27-05-2021

Objection

Thank you for consulting the AONB on the above application. I wish to make the following comments on behalf of the Cannock Chase Area of Outstanding Natural Beauty (AONB) Joint Committee. The status of the AONB in relation to the national legislation and guidance and the local planning and decision-making context is set out in the annexe.

My response dated 20th November 2020 outlined the proposed site and development and AONB concerns. The additional and amended information, where directly relevant to the AONB, includes Landscape and Visual Appraisal Addendum including photomontages and sections and amended planting details.

AONB Issues:

The main issues for the AONB remain:

- The impact of the proposed development on the landscape and scenic beauty of the AONB

- The impact of the proposed development on Cannock Chase SAC.
- Detrimental impact on the setting of the AONB.

Policy CP14 of the Cannock Chase Local Plan (Part 1) states that “.....Development of adjacent land forming the setting of the AONB will be expected to avoid an adverse impact on the landscape and scenic beauty of the area”. This is reinforced in AONB Management Plan Policy LCP8: Development and land management proposals in the area, which by virtue of their nature, size, scale, siting, materials, or design can be considered to have a negative impact on the natural beauty and special qualities of Cannock Chase AONB, should be resisted. This proposal to infill green space remains a fundamental concern as it would adversely affect the character, quality, and openness of the setting of the AONB and give rise to adverse impacts on the AONB, and the amended proposals do not address these concerns, hence the objection.

The original Landscape and Visual Appraisal (LVA) argued that development of the site would be seen in the context of existing housing and if well designed would have localised impacts. It suggested there were opportunities to ensure development would not be prominent.

I previously commented that the proposed elevation of the building platform would potentially be prominent with rooflines seen above existing off-site vegetation. The photomontages and sections now submitted generally confirm this. It is acknowledged that from some viewpoints the photomontages indicate development there would be limited effects. However, other photomontages confirm the development would be dominant in the landscape. I note there is no assessment of potential impacts of lighting associated with the development.

Summarising the viewpoint photomontages:

Viewpoint 01

Year 1: Proposed housing on Rawnsley Road is elevated and prominent. Removal of middle ground vegetation for construction of the attenuation pond does not appear to have been considered, so proposed housing may be more visually prominent than shown.

Year 15: Minor filtering of views on Rawnsley Road due to 4 small trees planted on the frontage

Viewpoint 02

Year 1: roofscapes visible above off-site vegetation, lower elevations filtered by vegetation.

Year 15: No discernible benefit from planting proposals.

Viewpoint 03

Year 1: Elevated development dominates the landscape in the middle ground with loss of rural character in AONB setting. Development obscures existing housing on Rawnsley Road and mid elevations of Hednesford Hills.

Year 15: Some fencing is filtered by hedge planting but no significant enhanced assimilation of the development into the landscape over time. Development remains dominant.

Viewpoint 04

Development does not change the character of the view

Viewpoint 05

Year 1: Development of the field increases dominance of urban character and detracts from the view from Hednesford Hills.

Year 15: No discernible enhancement of assimilation into the landscape over time.

Cross Sections indicate the development platform intruding into the valley adjacent to the AONB boundary. The proposal does not respond to local landform.

Regarding the planting proposals, the LVA (2.4) suggests the amended planting scheme incorporates additional tree planting that would ensure softening of views if off site vegetation were cut/removed: the extent of planting proposed (14 small trees and some short sections of hedgerow) is inadequate for this, particularly in view of the elevated development platform. It is noted that the engineered embankment is given as a constraint to tree planting. This is understood, however mature surrounding vegetation should not be relied upon to assimilate the development into the landscape, and the planting scheme proposed does not achieve any significant contribution to assimilation, visual mitigation, or enhanced habitat connectivity.

The AONB Views and Setting Guide advises avoiding the introduction of development which would exacerbate the stark urban edges of Hazelslade and Hednesford and recommends softening delineation between the settlement edge and the AONB using native woodland or heathland habitats. The revised planting scheme and the evidence on the photomontages indicates that overall, the proposal would increase the urban dominance in the setting of the AONB changing the character to predominantly urban, where the development would be prominent due to density, relative elevation and very limited mitigation provided by the landscape proposals.

Finally, paragraph 2.5 suggests all planting is consistent with the local context and ecologically appropriate. This is not the case; the Native hedge planting mix proposed contains *Lonicera nitida*, a native to China and not an appropriate component of UK native hedgerow planting; and *Viburnum opulus* - not normally found on the acid soils of the Chase.

Original Response

Objects.

Proposed site and development

The site lies adjacent to the AONB boundary at a gateway into the AONB (Rugeley Road) and within the setting of the AONB. The AONB boundary includes the settlement of Hazelslade, and the fields alongside Bentley Brook, extending to the dismantled mineral railway line on the site's northern boundary. The site contributes to the rural scene between residential ribbon development on Rawnsley Road and Rugeley Road.

The site is located approximately 1.7km from the Cannock Chase SAC and 400m from Hazelslade SBI.

The site has an undulating topography, falling generally from approximately 198m AOD on Rawsley Road towards the northern boundary. A pond in the western corner of the site lies at approximately 177m AOD.

There are limited views from Rights of Way in the AONB towards the site due to intervening landform and coniferous plantation, and the site is seen in the context of existing development on Rawsley Road. Some glimpsed views are afforded from informal paths through plantation north of Rugeley Road. Hednesford Hills forms an important backdrop to views from the AONB. Rights of Way on the Hednesford Hills are likely to afford open views towards the AONB, across the site.

The proposal is for residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure. The Levels and Drainage Concept plan indicates the development platform at between approximately 195 -189m AOD on Rawsley Road, falling to between 190 -188.4m AOD on the northern edge of the platform. According to the plan, existing vegetation on the site's northern boundary (that could offer potential filtering of view of the site from the AONB) lies at 184 -181m AOD, 6 – 7 metres below the proposed development platform. The platform will result in steep embankments on the north edge of the site, and to west the development platform would stand approximately 10m above the proposed SUDS feature.

AONB Issues: The main issues for the AONB is:

- The impact of the proposed development on the landscape and scenic beauty of the AONB
- The impact of the proposed development on Cannock Chase SAC.
- Potential detrimental impact on the setting of the AONB.

It is important that inappropriate development does not erode the character and setting of the AONB or give rise to impacts on the AONB itself. The proposal to infill green space is a fundamental concern as this would adversely affect the character, quality, and openness of the setting of the AONB, if it were to be permitted. Cannock Chase AONB Management Plan Policy LCP8, states that 'Development and land management proposals in the area, which by virtue of their nature, size, scale, siting, materials or design can be considered to have a negative impact on the natural beauty and special qualities of Cannock Chase AONB, should be resisted.' The AONB is also concerned regarding impacts on the SAC from development of 60 dwellings which requires adequate mitigation.

The Landscape and Visual Appraisal (LVA) argues that development of the site would be seen in the context of existing housing and if well designed would have localised impacts. It suggests there are opportunities for development to: retain views towards the AONB; respect and respond to views; and ensure development would not be prominent. There appear to be inconsistencies between submitted documents and the LVA does not refer to proposed site levels, so it is not clear if this has been properly assessed, and the development has potential to be prominent in the landscape, hence the objection.

The Levels and Drainage Concept Plan submitted indicates a platform created with extensive parts of the site raised above existing levels. The LVA does not refer to proposed site levels, so it is not clear if this has been properly assessed, nor does it consider the impacts of lighting. Additionally, the Landscape Strategy Plan and Detailed Planting Plan do not accord with the Levels and Drainage Concept Plan. The proposed changes to site elevations mean that development is likely to be locally prominent with rooflines seen above existing off-site vegetation. This should be examined more fully to ensure a fully informed judgement on the application.

The density of the proposed layout allows no space for structural landscape such as tree planting interspersed between the housing plots or belts of woodland planting around the site perimeter to aid screening and breaking up the rooflines and assimilate the development into the landscape, as suggested in the LVA. The plans mainly rely on off-site vegetation outside the applicant's control, without which the site would be open to views and dominate the landscape. Proposed tree planting species (Detailed Planting Plan) are neither ecologically appropriate or could develop the stature to deliver longer term landscape and visual mitigation or habitat enhancement.

Cannock Chase AONB has recently published two documents offering advice to developers and decisionmakers. The Cannock Chase AONB Design Guide describes the character and issues encountered at Hazelslade. The Guide advises that new development should be avoided on rising landform as it could result in impacts on scenic quality. The Guide identifies that views of Rawnsley effect scenic quality of Hazelslade, and this should be key consideration in the acceptability of the proposal. The guide also provides advice regarding good design in terms of site layout, incorporating characteristic features and delivering on nature, along with advice on detailed domestic design and responding sympathetically to local character. The AONB requests this is taken into consideration due to the intervisibility of the site with Hazelslade.

The AONB Views and Setting Guide Viewpoints 12 and 13 are relevant to this application. The guide advises to avoid the introduction of proposed development which would exacerbate the stark urban edges of Hazelslade and Hednesford, and to soften delineation between the settlement edge and the AONB using native woodland or heathland habitats. The potential impact of light pollution on the AONB should also be carefully considered.

School Organisation

I would advise that the above planning application would not result in an education contribution and is therefore acceptable from an education perspective.

The response is based on the information contained within the planning application and should the number and/or mix of dwellings change we would wish to be consulted so that a revised contribution can be calculated.

The majority of Staffordshire schools include residence in the school's catchment area as a high priority within their admission arrangements. Even where this is not the case schools still give high priority to children who live in the local area.

The location of a housing development in relation to schools in the local area is taken into consideration when assessing the mitigation required for education provision.

Based on the location of the proposed development we have considered the impact on school places at the following school(s):

Hazel Slade Primary Academy

Kingsmead School

To understand the impact of this development on education infrastructure analysis has been undertaken using:

- Pupil Number on Roll;
- Net capacity/funding agreement of the schools;
- Pupil projections which include committed developments

In determining whether there is a need for the developer to mitigate the impact of this development it was calculated that 52 dwellings would require 11 primary school places and that 15 dwellings would require 2 secondary place. These are based on a pupil product ratio (PPR) 0.03 per dwelling per year group. Using 7 year groups for Primary, 5 for secondary and 1 for Post 16 places. Where appropriate all 1 bedroom dwellings have been deducted from the dwellings numbers and at secondary level only, all RSL dwellings have also been deducted in line with our Education Planning Obligations Policy.

There are projected to be a sufficient number of school places to mitigate the impact of this development at both primary and secondary phases of education.

Please note that we reserve the right to amend this response should circumstances materially change from this analysis to the point that education contributions are finalised within the S106 Agreement.

Crime Prevention Officer

The proposal has been reviewed with particular reference to Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention Through Environmental Design.

The following comments should be considered in the light of the following:

- Under the heading Promoting Safe and Healthy Communities, Para 91(b) of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion."
- Under the heading Achieving Well-Designed Places, Para 127(f) of the NPPF states "Planning policies and decisions should ensure that developments create places that are safe ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."
- Under the heading Planning Should Address Crime Prevention, Design Para 10 of the NPPG states "Designing out crime and designing in community safety should be central to the planning and delivery of new development";

- The statutory obligation placed on local authorities to do all they reasonably can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998;
- (*Where these proposals require a Design And Access Statement to accompany the application*) The 2006 CABE document entitled 'Design and Access Statements: How to Write, Read and Use Them', which states "Statements should demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime."

Whilst I have no objections this to Application, it is important that I take this opportunity to provide the following guidance and recommendations aimed at reducing opportunities for crime and ensuring that high level of physical security is incorporated in this development.

Attention must be paid to reducing opportunities for unwanted access to the rear of Plots and 'Bogus Official' crime through appropriate location of gates and meters between and to the side of dwellings.

Note: The majority of the following guidance was provided on the 16th of November 2020 in response to this application.

Design Concerns.

It is important that a high level of physical security is incorporated in these proposals, and that this development conforms to the minimum standard of security outlined within these recommendations.

Access to Utility Meters.

The overall intention is to reduce the opportunities for theft by bogus officials. As such, this requirement includes 'Smart Meters', as the service providers will require open access to meters.

The intention is to prevent the need for an official to enter the building or access gates to read a meter.

Secured By Design. Homes 2019.

Section 26. Utility meters.

Section 26.1 Utility meters should be located outside the dwelling at the front or as close to the front of the building line as possible (to ensure they are visible in order to deter vandalism). If located to the side of the dwelling they must be as near to the front of the building line as possible and to the front on any fencing or gates (care should be taken not to provide a climbing aid).

Boundaries (Minimum design guidance).

Particular attention should be paid to ensuring that side and rear boundaries that are easily accessible include trellis topping or include planting of thorny shrubs to dissuade intruders.

Secured By Design. Homes 2019.

Section 10. Dwelling Boundaries.

Front boundaries.

Section 10.1 It is important that the boundary between public and private areas is clearly indicated. For the majority of housing developments, it will be desirable for dwelling frontages to be open to view, so walls, fences and hedges will need to be kept low or alternatively feature a combination of wall (maximum height 1 metre) and railings or timber picket fence if a more substantial front boundary is required.

Section 10.2 Front garden planting of feature shrubs and suitable trees (e.g., open branched or light foliage or columnar fastigiated habit, etc.) will also be acceptable provided they are set back from paths and placed to avoid obstructing visibility of doors, windows, and access gates to the rear of the property. Similarly, planting which allows a clear line of sight to the pavement and road is preferable.

Section 10.3 Plant specimens may be used to discourage access to specific areas of the house frontage. For example, a specimen with thorns may be used to deter access to the base of a window.

Secured By Design. Homes 2019.

Access gates to rear gardens.

Section 10.4 Gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed, be the same height as the fence (minimum height 1.8m) and be capable of being locked (operable by key from both sides of the gate). Such gates must be located on or as near to the front of the building line as possible.

Section 13. Rear access footpaths.

Section 13.1 Research studying the distribution of burglary in terraced housing with open rear access footpaths has shown that up to *85% of entries occurred at the back of the house.*

Section 13.2 It is preferable that footpaths are not placed to the back of properties. If they are essential to give access to the rear of properties, they must be gated. The gates must be placed at the entrance to the footpath, as near to the front building line as possible, so that attempts to climb them will be in full view of the street.

Where possible the street lighting scheme should be designed to ensure that the gates are well illuminated. The gates must have a key operated lock. The gates must not be easy to climb or remove from their hinges and serve the minimum number of homes, usually four or less.

Section 13.3 Gates will generally be constructed of timber when allowing access to the rear of a small number of dwellings. However in larger developments where the rear footpath provides access to a large number of properties then a gate constructed of steel may be required by the DOCO. Substantial purpose made gates meeting LPS 1175 SR 1 or Sold Secure Silver (minimum) standard are available and may be required by the DOCO. Any gate providing access to the rear of dwellings must be designed to resist

climbing, forced entry, and allow a high degree of surveillance of the footpath from the street.

Note: With this guidance in mind, I recommend that hedgerows and landscaping between dwelling boundaries and footpath links are low enough to provide natural surveillance and flow of light from the adjacent dwelling frontages and street lighting. A landscape maintenance programme should be agreed.

Note: Where the proposed pedestrian links may create problems relating to off road motorcycles, then suitable motorcycle barriers should be installed at junctions to footpaths/cycle paths.

Note: Where there is access proposed to the rear of 1 or more dwellings, then an initial lockable gate should be erected as described above. The location of boundaries and gates between dwellings must be considered alongside the location of services, to ensure that gates are recessed no more than 600mm and that services are to the front of dwellings and easily overlooked.

This is necessary to reduce the opportunities for theft by bogus officials and unwanted (unobserved) access to property.

In addition, this reduces the opportunity and need for an official to enter the building or access gates to read a meter.

Examples of areas requiring attention include:

- Between the existing Site Boundary and the Dwelling to Plot 1, where the rear access gate should be erected no more than 600mm from the front elevation of this Dwelling. Meters should be forward of the gate, preferably to the front elevation of this Dwelling.
- Between the Dwellings to Plots 2 and 3, where a gate should be erected no more than 600mm from the front elevation of these Dwellings. This gate should be openable by key from both sides and include a closing mechanism. Meters should be forward of the gate, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 6 and the Boundary to the rear of Plot 4, where the proposed gate should be erected no more than 600mm from the front elevation of this Dwelling. Meters should be forward of the gate, preferably to the front elevation of this Dwelling.
- Between the Dwelling to Plot 7 and the Boundary to the rear of Plot 11, where the proposed gate should be erected no more than 600mm from the front elevation of this Dwelling. Meters should be forward of the gate, preferably to the front elevation of this Dwelling.
- Between the Dwellings to Plots 17 and 18, where a gate should be erected no more than 600mm from the front elevation of these Dwellings. This gate should be openable by key from both sides and include a closing mechanism. Meters should be forward of the gate, preferably to the front elevation of these Dwellings.
- Between the Dwellings to Plots 25 and 26, where a gate should be erected no more than 600mm from the front elevation of these Dwellings. This gate should be openable by key from both sides and include a closing mechanism. Meters should be forward of the gate, preferably to the front elevation of these Dwellings.

- Between the Dwellings to Plots 29 and 30, where a gate should be erected no more than 600mm from the front elevation of these Dwellings. This gate should be openable by key from both sides and include a closing mechanism. Meters should be forward of the gate, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 52 and the Boundary to the rear of Plot 36/37, where this gate should be erected no more than 600mm from the front elevation of this Dwelling or flush with the boundary to the rear of the parking bay. Meters should be forward of the gate, preferably to the front elevation of this Dwelling.
- Between the Dwellings to Plots 54 and 55, where a gate should be erected no more than 600mm from the front elevation of these Dwellings. This gate should be openable by key from both sides and include a closing mechanism. Meters should be forward of the gate, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 56 and the Boundary to the rear of Plot 57, where this gate should be erected no more than 600mm from the front elevation of this Dwelling. Meters should be forward of the gate, preferably to the front elevation of this Dwelling.
- Between the Site Boundary and the Dwelling to Plot 60, where the rear access gate should be erected no more than 600mm from the front elevation of this Dwelling. Meters should be forward of the gate, preferably to the front elevation of this Dwelling.

Secured By Design. Homes 2019.

Side and rear boundaries.

Section 10.5 Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. *Trellis topped fencing can be useful in such circumstances.*

Additional deterrent features such as increasing the height of fencing or planting thorny shrubs may be considered as an alternative. A wide range of specimens can be planted along the boundary of a property, which offer attractive planting characteristics of colour and form, whilst containing sharp thorns to dissuade intruders. Many species are available which may be trained to any shape, size, or height.

From within a garden, specimens such as Hawthorn may be trained to provide an additional physical barrier above the height of the fence with minimal impact on the garden below. Alternatively, ornamental specimens such as rose may be attached to a fence to deter climbing.

Section 10.6 It is expected that developers will install fencing to a high standard to ensure the security and longevity of the boundary.

10.6.5 Fencing panels or railings mounted on a wall should be located as close to the outer (external) face of the wall as possible to eliminate climbing opportunities or use as informal seating.

10.6.6 Fence heights should be of a minimum 1.8m overall and be capable of raking/stepping to maintain height over different terrain.

10.6.7 Pedestrian gates should be of a framed design and employ galvanised adjustable hinges and fixings mounted behind the attack face. On outward opening gates, where the hinges/brace is mounted on the attack face, fixings should be of a galvanised coach bolt design. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the fence post or wall. Gates should be capable of being locked (operable by key from both sides of the gate). The gate construction should have the same design and construction attributes as the fence.

10.6.8 Where entrance/driveway gates are required they should ideally be inward opening, of substantial framed construction and employ galvanised adjustable hinges and fixings mounted behind the attack face. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the adjoining fence post or wall. Gates should be fitted with a galvanised drop bolts and facility for dedicated gate locking systems, padlocking (manual gates) or electro-mechanical locking (automated gates) and employ mechanical/electromechanical devices as applicable to hold gate leaves in the open position.

10.6.9 The gate construction should have the same design and construction attributes as the fence.

Note: Particular attention should be paid to ensuring that the rear and side boundaries backing onto open and accessible land and footpaths are secure. Please consider using trellis topping to bring these boundaries to 2m in height.

Refuse Collection.

I support the intention to provide refuse collection points.

Recent developments provided with rear access routes to store and move bins for collection have resulted in these bins being left constantly to the front of dwellings. These bins are often misused including use as climbing aids. I recommend accessible bin stores, or a dedicated store area be

Car Parking (Minimum design guidance).

In-curtilage car parking arrangements are preferred. Where it is not possible to park within an owner's direct view, this can lead to obstruction of footpaths and highways and damage to landscaping etc.

I support the intention to provide a change in road surface and road markings at the entrance to the site from Rawnsley Road. This will help to help to define the area as private and create a sense of ownership for residents.

Secured By Design. Homes 2019.

Section 55. Car parking.

Communal car parking areas.

Section 55.1 Where communal car parking areas are necessary, they should be in small groups, close and adjacent to homes and must be within view of the active rooms within these homes (*Note 55.1*).

It may be necessary to provide additional windows to facilitate overlooking of the parking facility.

Note 55.1: The word 'active' in this sense means rooms in building elevations from which there is direct and regular visual connection between the room and the street or parking court. Such visual connection can be expected from rooms such as kitchens and living rooms, but not from more private rooms, such as bedrooms and bathrooms.

Section 55.2 Lighting must be at the levels recommended by BS 5489-1:2013.

Secured By Design. Homes 2019.

Section 8. Layout of roads and footpaths.

Section 8.1 Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space of neighbourhoods.

Design features can help to identify the acceptable routes through a development, thereby encouraging their use, and in doing so enhance the feeling of safety. Where it is desirable to limit access/use to residents and their legitimate visitors, features such as rumble strips, change of road surface (by colour or texture), pillars, brick piers or narrowing of the carriageway may be used. This helps to define the defensible space, psychologically giving the impression that the area beyond is private.

Section 8.2 Defensible space has the simple aim of designing the physical environment in a way which enables the resident to control the areas around their home. This is achieved by organising all space in such a way that residents may exercise a degree of control over the activities that take place there.

Landscaping Adjacent to Parking Bays.

I recommend that any planting adjacent to parking bays should preferably be berberis or thorny and should have a mature or maintained growth height of 500mm to help prevent people from hiding in those areas.

Secured By Design. Homes 2019.

Section 16. Vehicle Parking.

Section 16.5 Where dedicated garages are provided within the curtilage of the dwelling the entrance should be easily observed from the street and neighbouring dwellings.

Section 16.6 Where parking is designed to be adjacent to or between units, a gable end window should be considered to allow residents an unrestricted view over their vehicles.

Lighting To Parking Areas and Facilities.

Secured By Design. Homes 2019.

Section 55. Car Parking.

Section 55.2 Lighting must be at the levels recommended by BS 5489-1:2013.

Section 16. Vehicle Parking.

Section 16.7 Communal parking facilities must be lit to the relevant levels as recommended by BS 5489-1:2013.

Section 16.9 Lighting is required to meet 'Street Lighting' standards.

Luminaires should be vandal resistant and not mounted below 2.5 metres from the ground and out of reach for those wishing to cause interference.

Bollard lighting is not appropriate as it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Street Lighting.

Street lighting should be carefully designed to cover all vulnerable areas without creating shadows. This can significantly reduce potential danger spots and reduce the fear of crime. Landscaping, tree planting and lighting schemes must not be in conflict with each other.

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Section 18. Street lighting.

Section 18.1 All street lighting for adopted highways and footpaths, private estate roads and footpaths and car parks must comply with BS 5489-1:2013.

Section 18.3 *Bollard lighting is purely for wayfinding* and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.

Section 18.4 Trees may restrict the performance of street lighting by blocking light or causing damage through collision with branches and should not be located within 5 metres of a lighting source.

Section 18.6 Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources.

Moreover, the Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of fluorescent lighting which is environmentally unsustainable for a variety of reasons

Secured By Design. Homes 2019.

Section 59. Private External lighting and dwelling lighting.

Private external lighting to common areas.

Section 59.1 Where possible the lighting requirements within BS 5489-1:2013 should be applied.

Section 59.2 SBD requires that only luminaires with suitable photometry serving to reduce light spill and light pollution may be used. Reducing light spill from inefficient luminaires into areas where lighting is not required is extremely important

Section 59.3 External public lighting must be switched using a photo electric cell (dusk to dawn).

Dwelling lighting.

Section 59.4 Lighting is required to illuminate all elevations containing a doorset, car parking and garage areas and footpaths leading to dwellings and blocks of flats.

Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

Planting and Landscaping.

Landscaping must not impede natural surveillance and must not create potential hiding places for intruders, especially where it is adjacent to footpaths, public open space, or where it may obscure views of and from doors and windows. This is valuable in helping to maintain a clear field of vision around a site, and in reducing fear of crime and opportunities for crime

Secured By Design. Homes 2019.

Section 17. Planting in new developments.

Section 17.1 The planting of trees and shrubs in new developments to create attractive residential environments will be supported provided that:

17.1.1 The layout provides sufficient space to accommodate specimens once they have reached maturity, clear of access routes and required circulation areas;

17.1.2 Future maintenance requirements and budgets are considered at the planting design stage and management programmes are put in place to ensure the landscape fulfils the aims of the original design;

17.1.3 The planting design takes full account of all other opportunities for crime.

Design of Public Open Space.

Note: Where the intention is to install any play equipment etc. within the Public Open Space areas, the design, provision, and location of equipment in recent residential development has shown that the process can benefit from being delayed until a high percentage of dwellings are occupied, and the residents can be included in the consultation process. This helps to ensure that any equipment meets the requirements of the appropriate age group.

Particular attention must be paid to promoting natural surveillance over the Public Open Space area.

Secured By Design. Homes 2019.

Communal Areas and Play Space.

Section 9.1 Communal areas, such as playgrounds, toddler play areas, seating facilities have the potential to generate crime, the fear of crime and anti-social behaviour.

These may often be referred to as:

- Local Areas of Play (LAP) – primarily for the under 6 year olds;
- Local Equipped Area for Play (LEAP) – primarily for children who are starting to play independently;
- Neighbourhood Equipped Area of Play (NEAP) – primarily for older children;
- Multi-Use Games Areas (MUGA) – primarily for older children.

Section 9.2 They should be designed to allow natural surveillance from nearby dwellings with safe and accessible routes for users to come and go. Boundaries between public and private space should be clearly defined and open spaces must have features which prevent unauthorised vehicular access. Communal spaces as described above should not immediately abut residential buildings.

Section 9.3 The provision of inclusively designed public open amenity space, as an integral part of residential developments, should make a valuable contribution towards the quality of the development and the character of the neighbourhood.

In order to do this, it must be carefully located to suit its intended purpose – mere residual space unwanted by the developer is very unlikely to be acceptable.

9.3.1 The open space must be inclusively designed with due regard for wayfinding and natural surveillance, and; 9.3.2 Adequate mechanisms and resources must be put in place to ensure its satisfactory future management and maintenance, and;

9.3.3 Care should be taken to ensure that a lone dwelling will not be adversely affected by the location of the amenity space, and;

9.3.4 It should be noted that positioning amenity/play space to the rear of dwellings can increase the potential for crime and complaints arising from increased noise and nuisance.

Section 9.4 Play areas should ideally be designed so that they can be secured at night. This is to reduce the amount of damage and graffiti that occurs after dark. The type of fencing and security measures will need to vary to suit the particular area. However, consideration should be given to a single dedicated entry and exit point to enable parental/guardian control and supervision. Fencing at a minimum height of 1200mm can often discourage casual entry, provide a safe clean play area, and reduce damage to the equipment. The specific requirements such as child safeguarding, preventing dogs entering, etc. should be discussed with the DOCO.

Section 9.5 Consideration should be given to the provision of informal association spaces for members of the community, particularly young people. These must be subject to surveillance but sited so that local residents will not suffer from possible noise pollution. In addition, they should be sited in such a way that those using adjacent foot and cycle paths will not be subject to harassment or otherwise be put in fear.

Section 9.6 External communal drying spaces should be enclosed and have secured access via a locked gate so that they are only accessible to residents. The DOCO will provide advice in respect to fencing, gate construction and locking.

Dwelling Gable Ends.

The Proposed House Type Portfolio shows that the intention is to provide a large amount of natural surveillance from the majority of housing types.

Additional glazing providing unobscured natural surveillance is necessary where a gable is easily accessed (end of Block etc.), and where adjacent in-curtilage garages, parked vehicles, and rear access (gates and boundaries) are not immediately overlooked by properties to either side.

'Handing' of the proposed dwellings may be necessary, so that unobscured glazing to staircases, or landings and hallways can be provided. Where privacy distance restrictions apply, then obscured glazing will still help to reduce misuse of gables and provide some natural surveillance.

Secured By Design. Homes 2019.

Section 12. Gable end walls.

Section 12.1 It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces; this type of elevation, commonly at the end of a terrace, tends to attract graffiti, inappropriate loitering, and ball games.

The provision of at least one window above ground floor level, where possible, will offer additional surveillance over the public area.

Section 12.2 Where blank gable walls are unavoidable, one of the following methods should be used to protect them;

12.2.1 Provide a 1m buffer zone using either a 1.2 – 1.4m railing (with an access gate) or a 1m mature height hedge with high thorn content. Hedging will have to be protected with a fence until it becomes established.

The hedge shall be contained within the boundary of the adjacent building to increase the likelihood that it will be maintained.

12.2.2 Where there is insufficient room to create defensible space between public and private space, an appropriate (non-destructive) climbing plant should be planted adjacent to the wall, or a finish applied to the wall that will allow easy removal of graffiti.

Climbing Aids.

Secured By Design. Homes 2019.

Section 15. Climbing aids.

Section 15.1 Boundary walls, bins and fuel stores, street furniture, trees, low flat roofs, car ports or balconies should be designed to remove climbing aids to gain access into the property.

2. Further Information and Guidance.

Further help and information can be gained from the following web sites:

- <http://www.securedbydesign.com>

(The official Police Security Initiative and Police Preferred Specified security product scheme).

- www.bsi-global.com

(Standards, Training, Testing, Assessment and Certification).

- www.bregroup.com

(Offer quality of performance and protection certification for fire, security and environmental products and services).

Severn Trent Water Ltd

Response Received 15-06-2021

As proposals have not changed, our comments remain the same:

I have viewed the drainage plan online and can advise we have no objections with the proposals; the drainage plan shows all foul sewage to discharge to the public combined sewer at manhole 6706, and surface water is shown to discharge to an onsite pond.

Original Comments

Site specific comments: I have viewed the drainage plan online and can advise we have no objections with the proposals; the drainage plan shows all foul sewage to discharge to the public combined sewer at manhole 6706, and surface water is shown to discharge to the onsite pond.

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website (www.stwater.co.uk) or by contact our Development Services Team (Tel: 0800 707 6600).

Environment Agency

No comments received.

South Staffordshire Water Plc

I have viewed the application and from our existing asset records we appear to have no water mains assets affected by this scheme so would look to install new water assets to supply the development through the normal application for new connections process.

Please note that we do not keep records of individual water services so this site may well require the existing water service to be disconnected prior to the development being undertaken.

Staffordshire County Council Planning (Minerals)

16th November 2021

The views of the County Council as Minerals and Waste Authority remain unchanged.

6th November 2020

The site falls within a Mineral Safeguarding Area (MSA) for Coal and Fireclay and for Bedrock Sand, as defined in the Minerals Local Plan for Staffordshire (2015 - 2030), though I note the statement on page 11 of the Design and Access Statement omits to mention the Coal and Fireclay.

Paragraph 206, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 - 2030) aim to protect mineral resources from sterilisation by other forms of development. Specifically,

Policy 3.2 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.

Furthermore, Policy 3.3 states:

Within a Mineral Safeguarding Area, where important mineral resources do exist, except for those types of development set out in appendix 6, non-mineral development should not be permitted unless it has been demonstrated that

- a) the non-mineral development is temporary and does not permanently sterilise the mineral; or,
- b) the material planning benefits of the non-mineral development would outweigh the material planning benefits of the underlying or adjacent mineral; or,
- c) it is not practicable or environmentally acceptable in the foreseeable future to extract the mineral.

Exemptions apply in cases of small-scale development within the boundary of urban areas, but the scale of this application is too great, and the minerals involve coal and fireclay, so none of the exemptions would apply. However, the location of the site and the proximity of existing residential development means that it is unlikely to be practicable or environmentally acceptable to extract any underlying mineral in the foreseeable future.

Coal Authority mapping shows Probable Shallow Coal Mine Workings immediately to the east of the site, with Coal Outcrops within the same area, though I note that the Coal Mining Risk Assessment submitted with the application records the nearest outcrop to be some 300m from the site. The Ground Investigation Report records that none of the boreholes or trial pits showed any indication of the presence of coal. However, the applicant should be reminded that in the event of coal being encountered during the proposed levelling operations, and needing to be removed for ground stability, then the consent of the Minerals Planning Authority would be required for its removal from the site, if for sale.

Conclusions

Having regard to the policies, guidance and observations referred to above, it is reasonable to conclude that the proposed development would not lead to the permanent sterilisation of significant mineral resources.

Cadent

An assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus. Please note it does not cover the items listed in the section "Your Responsibilities and Obligations", including gas service pipes and related apparatus.

For details of Network areas please see the Cadent website (<http://cadentgas.com/Digging-safely/Dial-before-you-dig>) or the enclosed documentation.

Are My Works Affected?

Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified.

Can you please inform Plant Protection, as soon as possible, the decision your authority is likely to make regarding this application.

If the application is refused for any other reason than the presence of apparatus, we will not take any further action. Please let us know whether Plant Protection can provide you with technical or other information that may be of assistance to you in the determination of the application.

Staffordshire Wildlife Trust

Staffordshire Wildlife Trust objects to the proposals, due to impacts to an ecological corridor between statutory designated sites, impacts to a potential Local Wildlife Site, net loss of biodiversity and insufficient species surveys.

Required:

- Local Wildlife Site assessment including further surveys for birds, invertebrates, and fungi
- If habitats are not irreplaceable and compensation is acceptable, Biodiversity Impact Assessment with Defra metric 2.0
- Sufficient onsite or off-site compensation as appropriate

Designated Wildlife Sites

Hednesford Hills Common LNR and SSSI, Hazelslade LNR

Hednesford Hills Common is part of the Chasewater and The Southern Staffordshire Coalfield Heaths SSSI. It is linked to similar habitat in the wider area, notably Hazelslade LNR, by habitat corridors including the Bentley Brook and the disused railway line. The proposal site lies in between the two statutory designated sites and is part of this habitat corridor. As such it forms an important link and buffer for species moving between

heathland habitats in the local network. This gives the site a greater role in the ecological network than if it were isolated. While these designated sites would not be directly impacted, the function of habitat corridors and the overall loss of habitat would impact indirectly on their overall resilience.

Local Wildlife Sites (LWS)

The site, or at least part of it, would appear likely to meet Local Wildlife Site criteria, given the presence of lowland heathland, diverse acidic grassland, scattered scrub, semi-improved grassland, and a pond. 18 scoring grassland species were also recorded on the site. Although the botanical survey has identified some priority habitats, it did not use appropriate methods to assess the habitat for LWS status, and was significantly constrained by site conditions. The grassland condition assessment survey as laid out in Natural England (2010) Higher Level Stewardship Farm Environment Plan (FEP) Manual is not appropriate for a development site and does not give the right information to assess the site's value with regard to planning. This was used because much of the vegetation on the site was dead at the time of survey, which, the report states, 'is a major limitation to the survey' and 'represents a major limitation on the usefulness of this method'. The site has not been adequately assessed in terms of its value in a local/district context.

The presence of a Local Wildlife Site is a material consideration. Impacts to such sites are covered under local plan Policy CP12 - Biodiversity and Geodiversity, which states:

Planning permission will be refused for developments resulting in the loss of or adverse effects upon a locally designated site, ancient woodland, veteran trees, or priority biodiversity habitat unless:

- *there is no alternative suitable site for the proposal and;*
- *the need for and the wider sustainability benefits of the proposal outweigh its adverse impacts taking into account the value of the site and;*
- *appropriate mitigation measures or new benefits can be provided to compensate for the loss*

It is therefore necessary to determine the status and value of the site, to then consider alternatives, whether need outweighs adverse impacts and if appropriate, compensation. It may not be appropriate to develop the site at all if habitats are of high value or hard to recreate.

An assessment is required using the Guidelines for the selection of Local Wildlife Sites Dec 2017. Surveys must be carried out at appropriate times during the flowering season (ideally May and another visit in June/July) when vegetation has been allowed to grow untreated or cut for some months. Grassland fungi should be investigated in autumn. Appropriate survey for invertebrates should also be included, alongside consideration of herpetiles records and bird species.

Habitats

Irreplaceable habitats

Areas of lowland heathland and possible lowland acidic grassland have been identified on the site, as well as marshy areas and a pond. Previous habitat data for the area

indicates that unimproved acidic grassland was previously present, and two scarce plant species.

The NPPF states:

development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons, and a suitable compensation strategy exists

For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.

Some grassland and wetland habitats may be considered irreplaceable if they have been undisturbed for many years and managed in a particular way, or have sensitive or rare species associated with them. This will influence whether any impact is acceptable and whether compensation would be possible. Consideration should be given to whether the habitats meet the definition in the NPPF- *Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.*

Biodiversity Net Gain

The proposals would develop the majority of the site, with insufficient green space remaining to fully compensate for habitat loss. It is very likely that a net loss of biodiversity would occur, which would be contrary to local plan Policy CP12 which seeks to protect, conserve, and enhance biodiversity assets.

Depending on the outcome of the LWS assessment and consideration of, it may be possible to develop a smaller part of the site, or offset the impacts in the form of a biodiversity offset on nearby land that will contribute to the local ecological network. In order to determine the net impact to habitats and any deficit in biodiversity units, a Biodiversity Impact Assessment should be carried out using Defra metric 2.0.

Regarding the proposed landscaping, it would not be appropriate to use a commercial seed mix on a site near to a SSSI and where diverse habitats are already present. Likewise it is not best practice to direct drainage into an existing natural pond unless it can be shown to benefit the habitat long term.

Species

Bats

The site is used by foraging bats, and two trees were identified as having roost potential but are outside of the development footprint. The proposals could impact on the dark corridor if lighting is not avoided.

Herpetiles (amphibians and reptiles)

Three Common Lizards were found on site during the surveys. Grass snake, Common Toad and a newt species have been recorded on the site by local residents.

The site has potential importance for herpetiles, and the open grassland and wetland is a key linking habitat in the wider ecological network. Further housing could threaten these species through increased disturbance and presence of domestic cats and dogs.

Birds

No records of birds were made during the surveys- priority species are likely to be present. A Breeding birds survey should be undertaken.

Invertebrates

The PEA survey states that habitats were assessed for their potential to support a diverse assemblage of priority invertebrates, however no results or discussion are included. We consider that due to the habitats present and the south facing slopes on the site, it is likely that priority invertebrates will be present.

Plants and fungi

Water purslane and early hair-grass (respectively rare and uncommon in Staffordshire) have been recorded on the site previously – the botanical survey does not appear to have determined whether these are still present. Grassland and other fungi are potentially present given the age and type of the grassland but have also not been considered in the surveys.

Subject to accurate assessments being provided, we would be pleased to review our comments.

Internal Consultations

Development Plans and Policy Unit

Response 23-02-2022: Update on Housing Supply

The Council's Strategic Housing Land Availability Assessment 2021 (SHLAA) is a position statement which provides an updated summary of the Council's five year land supply for the period 1st April 2021-31st March 2026. It identifies that the Council currently has a housing land supply of 4.3 years and thus does not have a 5 years supply of housing land. The shortfall is 194 dwellings which is 0.7 years supply.

Response Received 19-11-2021

Thank you for consulting Planning Policy on the amended details received. The original comments to the application were made on 05.11.2020 and provide the policy context for the site.

As an update to the original comments:

The National Planning Policy Framework was updated on 20.07.2021 and page references to policy areas may have changed.

The application site was included within the Local Plan - Preferred Options Consultation that took place from Friday 19th March until Friday 30th April 2021, where it was listed as a Residential Site Allocation reference H30. This is a draft document that will be subject to further consultation in 2021.

It is noted that the applicant has been in correspondence with Natural England on measures to manage any recreational impacts on Cannock Chase SAC and regarding the Local Plan scheme to potentially implement the proposed footpath/cycleway that directly abuts the application site.

Response Received 01-06-2021

We have no comments to make on the additional information provided and refer you to the original comments made to the application on 5th November 2020.

It should also be noted that the Local Plan Review Preferred Options consultation took place in March/April 2021, when the site was identified as a Preferred Option for a Residential Site Option under draft Policy S03.1. As the document is still in production limited weight can be afforded to it and the starting point for the determination of planning applications remains the adopted Local Plan (Part 1) 2014.

Original Response

The National Planning Policy Framework (NPPF, Para 11) sets out that development proposals that accord with an up-to-date development plan should be approved without delay. Where there are no relevant plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted, unless policies in the Framework that protect areas or assets of particular importance (e.g. Green Belt, AONB, Habitats sites) provides a clear reason for refusal, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

The Rawnsley Road site contains no designations on the Local Plan Policies Map, but the northern border of the site is adjacent to a disused railway/tram line that is protected for a proposed Cycleway and footpath route. The former railway line is also part of the Green Space Network. The land beyond the former railway corridor contains designated Green Belt and is part of the Cannock Chase Area of Outstanding Natural Beauty.

The site has been promoted as both a potential residential site through the SHLAA (Strategic Housing Land Availability Assessment) 2018 evidence base document, site reference C64, and has also been promoted through the Local Plan Review process as a possible candidate for a Local Green Space (LGS) designation by a community organisation. The SHLAA listed the site as restricted for development in March 2018 due to the alternative LGS submission being a possible constraint, while paragraphs 47 – 50 of the NPPF (2019)* set out the weight to be given to emerging new Local Plans in the decision-making process. No decision has been made on either option put forward as both submissions are under consideration as part of the separate Local Plan Review process.

The Local Plan (Part 1) was adopted more than five years ago; it is now subject of a review. This review is at an early stage in the process with consultation on 'Issues and Options' being undertaken in May-July 2019. Therefore limited weight can be afforded to it. The starting point for the determination of planning applications remains the adopted Local Plan (Part 1) 2014.

Policy CP14 of the Local Plan sets out that landscape character will be considered in all development proposals in order to protect and conserve locally distinctive qualities, rural openness and sense of place. It is also considered that development proposals, including

those for appropriate development within the Green Belt, and land management practices within the AONB, must be sensitive to the distinctive landscape character and ensure they do not have an adverse impact upon their setting through design, layout, or intensity. Local Plan Policy CP3 requires high standards of design of buildings and spaces that successfully integrate with the extant environment and demonstrates appropriate designs that preserve and enhance the landscape, scenic beauty, and character of the AONB and Green Belt. With regards to the detailed design of the scheme, regard should also be paid to Policy CP16 and the Design SPD. While the site is not within these designated areas, it should take into account the setting and landscape character of the adjacent designated areas.

If it is a market housing residential development scheme the proposal may be CIL liable. Given that a net increase in dwellings is proposed the development may need to mitigate its impacts upon the Cannock Chase SAC (Local Plan Part 1 Policy CP13). Should the development be liable to pay CIL charges then this will satisfy the mitigation requirements, as per Local Plan Part 1 Policy CP13, the Developer Contributions SPD (2015) and the Council's Guidance to Mitigate Impacts upon Cannock Chase SAC (2017). However, should full exemption from CIL be sought then a Unilateral Undertaking would be required to address impacts upon the Cannock Chase SAC in accordance with the Council's policy/guidance. Any site-specific requirements may be addressed via a Section 106/278 if required, in accordance with the Developer Contributions and Housing Choices SPD (2015) and the Council's most up to date CIL Infrastructure list. Advice on liability should be sought from the Planning Obligations Officer.

In conclusion the site is not designated for a specific use, but careful consideration should be taken of any relevant impact relating to the design of the proposed development on the surrounding landscape in any decisions made.

[Officer Note: Members are advised that due to revision of the NPPF, this reference should be read as 'paragraphs 47 – 50 of the NPPF (2021)']

CIL Officer

In respect of the above application, based on the CIL additional information form submitted, the chargeable amount for this development would be £223,465.19. The applicant has indicated they wish to apply for social housing relief and the development is 100% affordable housing, if this is granted the chargeable amount will be £0.00. I have contacted the agent to request the appropriate forms in order for this to be granted.

If this development is granted social housing relief, they will still need to mitigate the impacts on the Cannock Chase Special Area of Conservation via a S106 agreement. The mitigation fee for this would be £13,260.00.

Strategic Housing

The Local Housing Needs Assessment 2019 identifies an affordable housing need of 110 units per annum. This 60 dwelling site will make a significant contribution to meeting that need. Rented family homes are in high demand throughout the District. The proposed development which contains a mix of 1 bed apartments and 2 and 3 bed houses will meet a variety of household needs.

Affordable homes for rent are in high demand in the District and there are currently approximately 600 households on the Council's housing waiting list. Evidence from the

Housing Needs Assessment 2019 identified a need for 110 additional affordable homes per annum. The Council has a service aim to increase affordable housing choice which forms part of the “Supporting Economic Recovery” Priority Delivery Plan 2021-24

Examples of recent interest in properties is below:

Expressions of interest (EOI's) for a 1 bed property at Hawks Green Depot ranged from between 17 and 68. A 3 bed house generated 58 EOI's and a 2 bed 50.

Properties that have recently been advertised in Rawnsley resulted in 35 EOI's for a 1 bed flat, 38 for a 3 bed house and 35 for a 2 bed bungalow.

Environmental Health

The applicant has provided a site investigation. The following matters are of note:

- Pile design - Certain areas of the site are identified as requiring piling. I would request that a CEMP addresses the noise and vibration impact by use of low noise techniques.
- Ground gas – Ground gas monitoring has yet to be completed. However, results so far show that gas protection to CS2 will be required. This equates to a protection score of 4.5 comprising of gas membrane (fully sealed at joints and service penetrations) and block and beam floor is required. The following should be undertaken to the standards of BS8485:2015 and CIRIA 735:
 - o Upon completion of the additional monitoring, results and confirmation of design should be submitted to the planning authority for agreement. A verification report should be approved by the planning authority prior to occupation of properties.
- Ground contamination – investigations remain to be completed in certain areas. However, current results suggest that ground contamination will not require remediation measures. This is agreed for the areas so far investigated. Further results should be submitted to the planning authority for consideration when available.
- Waste materials – Current results suggest that wastes will not be considered as hazardous. Never-the-less, as recommended in the report, any waste materials leaving site should be stockpiled and tested prior to disposal to a registered facility, and a verification report provided. This is accordance with CL:AIRE Definition of Waste CoP. The contents and information contained in this message, and any attachments, may be confidential and legally privileged, and are sent for the personal attention of the addressee(s). If you are not the intended addressee, any use, disclosure or copying of this document is unauthorised. If you have received this memo in error please return it to the sender, named above or notify the sender and destroy the document immediately.
- Should soil be imported for landscaping purposes, then that too should be chemically validated for suitability, and demonstrated to the planning authority.
- The report states that a Japanese knotweed investigation requires completion. This is essential to ensure that JKW is adequately treated prior to commencement.

Environmental Health (Housing)

No objections.

Parks and Open Spaces

I have the following comments: -

The Landscape & Visual Assessment analyses the site correctly and appropriately. It states that the development will not result in significant landscape & visual effects although there are local sensitivities that have been addressed within the proposals. The development will give rise to only limited & local impact, where local residents will experience a change of view and amenity within close proximity although it will not introduce any incongruous features. In general, this would be appropriate. There are however issues with the proposals that need to be addressed.

The Earthworks specification and associated plans produce a highly engineered landform and one that does not correspond to that indicated on the proposed site plan. The latter has a slightly more naturalised approach but still results in creating highly steep slopes that are unusable in terms of Public Open Space. The SUDs pond has been amended slightly to be less engineered but needs to be far more natural in appearance both in the vertical and horizontal profiles so as to create a more naturalistic feature and thus enhance the landscape character.

It is unclear how existing and proposed levels work in various places given the above and revised site plan. One single updated plan needs to be produced to assess and confirm as well as picking up on other points noted below.

The arboricultural impact assessment contains several drawings including a Tree protection plan - Rev A, together with examples of suitable fencing and ground protection.

Overall, in terms of the proposed site plan the information appears to be appropriate however without clear levels information as noted above, it is not possible to confirm if acceptable or achievable.

It is unclear how regrading works are to work between the hedge on Rawnsley Road and plots 1,6 ,7 ,13, 14 & 31 and thus protection of the retained hedge is achieved.

An arboricultural method statement should be produced covering the tree protection methods and in relation to the works programme for the site. It should also pick up on any necessary works to retained trees, no information is provided on this. This should also pick up on maintenance requirements in terms of all retained vegetation during the construction.

The site provides no usable recreational open space or facilities, which for a development of 60 units consisting of solely social housing where the need is greatest, is unacceptable. The proposal would appear to rely on those located to the east of the site on Westgate. These facilities (links issue) are in need of improvement and updating. An appropriate contribution to fund this is therefore required.

The Fieldfare Trust standards require that when such facilities are constructed, they should be a minimum of 30m away from property boundaries. Likewise any new housing proposals should meet the same standard. This is to reduce issues of noise etc. from

use of the play facility. The proposed layout does not meet this requirement and being set above the play facilities, the noise effect will be increased.

An access route from an adoptable highway is indicated to the adjacent facilities consisting of steps down a steep embankment and ending in an area of hedge and established shrub planting that would aid screening of the facilities. The stepped access does not promote easy and safe access by all, especially parents with toddlers or prams. Its location and form is not acceptable. Any such access needs to consist of an accessible graded and tarmacked path.

Given the nature of the proposed site, direct access will be impractical, and a suitable access route would need to be created e.g., via a path to the north east corner of the site which would link to the mineral line route and Westgate. (See below)

The site lies adjacent to a proposed recreational footpath/cycle route (Policy CP10). This route had an enacted planning consent covering the section from Hednesford through to the east of Rawnsley.

The policy notes that developments will be expected to support sustainable transport and also developer contributions will be sought for such proposals from relevant developments. This proposal is by its nature and location fully relevant and thus a contribution is required.

The proposed connection indicated is inappropriate and unworkable given that it crosses what would be private land, the frontages to plots 42 & 3 and their relevant parking spaces. It would thus likely impact on the privacy and enjoyment of those residents. Additionally the connection ends at the top of the steep embankment to the mineral line either necessitating use of steps which does not promote accessibility nor use of cycles. It would also require the loss of a large area of heathland vegetation growing on the cutting side. This would result in loss of a scarce habitat which is not acceptable.

Connections need to be made towards the western end of the site adjacent the SUDS pond and also to the Northeast corner of the site. The latter would also serve as a suitable access to the adjacent play facilities. All such paths/connections need to be accessible.

The hedge row along Rawnsley Road is in general well maintained and a key feature of the street scene, its retention is essential. There is approximately a 35Lm gap where the land rises above the road and which partial coincides with the new site entrance.

Where visibility splays impact the hedge should firstly be cut back so as to be behind the splay and only where the splay cuts through the main stems of the hedge should the latter be removed.

Council's Ecologist

National and international sites

All previous comments made in relation to the impact of development proposal on Hednesford Hills and the Chasewater and Southern Staffordshire Coalfield Heaths Site of Special Scientific Interest remain unaltered and should be taken into consideration when determining the application.

The applicant has now stated that they consider adequate mitigation can be achieved by means of a financial contribution to a proposed cycle path running along the sites

northern boundary thereby providing access to a small open space and the villages of Hazelslade and Rawnsley. This is not considered to represent adequate mitigation for the following reasons:

The cycle path would run in both directions and the section to the Northwest would run close to and parallel to the SSSI boundary for a considerable distance thereby potentially improving access to this site.

Whilst some residents may choose to walk in the direction of Hazelslade the improved access would conversely make Hednesford Hills more accessible for existing residents of this far larger settlement thereby neutralising any benefits and potentially exacerbating the problem.

Construction would be on land owned by a third party and given that wording suggests only a partial contribution to the works it is implied that completion would require not only consent from the third party concerned but also a financial commitment, making it impossible to guarantee delivery.

There is no actual link to the proposed cycle path shown on submitted plans and appears to require the negotiation of very steep gradients.

The argument that residents would be from the existing catchment of the SSSI and thereby suggesting that there would be no increase in usage is not accepted. 60 new dwellings are 60 new dwellings regardless of where the occupants may originate from.

Ecological impact on the application area

The status of the grassland with regards to qualification for Local Wildlife Site designation has been raised by Staffordshire Wildlife Trust. Additional information has now been submitted by the applicant that had been obtained in May 2020 and a site visit was made by me on June 16th, 2021, to confirm the findings. Clearly there had been some changes in the intervening twelve months with a notable closure of the grassland sward following the herbicide spraying that had taken place prior to the 2020 survey.

The applicant has confirmed that the field was sprayed with herbicide three times prior to the application being submitted and this has clearly reduced botanical diversity. However, the finding is that when the field is taken as a whole which would be the usual method deployed when selecting Local Wildlife Sites, the area gains sufficient points to achieve Biodiversity Alert Site status. This is the lower of the two LWS designations used in Staffordshire. It is normal practice when making assessments of such potential sites to draw boundaries to recognisable landscape features or distinct vegetation boundaries which in this case would be the field boundary.

The assessment has been made using the latest published guidelines which is Guidelines for the Selection of Local Wildlife Sites in Staffordshire Version 6 (December 2017). All Local Wildlife Sites in Staffordshire are selected using these same criteria.

For grassland sites a scoring system is used and an overall score of 17 has been achieved. This is at the lower end of the potential score (reflecting damage caused by herbicide spraying) but is none the less sufficient to narrowly qualify the site for LWS designation.

Scores are as set out below and abundance estimates are an average across the entire field.

Meadow buttercup, occasional = 1

Ribwort plantain, frequent = 1

Birds-foot trefoil, abundant = 2

Autumn hawkbit, abundant = 2

Common sorrel, occasional = 1

Sheep sorrel, locally abundant = 2

Red clover, frequent = 1

Field woodrush occasional = 1

Selfheal, occasional = 1

Crested dogs-tail-grass, locally frequent = 1

Sweet vernal grass, occasional = 2

An additional 2 points are gained due to the presence of bare ground.

Total score is 17 points, the minimum score for Local Wildlife Site status is 15 points. It should be noted that a number of species that were recorded in ecological surveys submitted by the applicant which would have substantially increased this score now appear to be absent.

The field is described in the submitted ecological survey as being semi-improved which is essentially correct, but it is at the more floristically diverse end of that description.

Given the remaining botanical interest on the site and the assessment that it still narrowly meets the criteria necessary for Local Wildlife site designation the habitat compensation falls well short of that which may be expected. The addition of a few short sections of hedgerow would not compensate for the loss of an extensive area of flower rich grassland.

Invertebrates

A full invertebrate survey was requested but this has been refused by the applicant. However, whilst undertaking the botanical assessment on 16th June 2021 dingy skipper butterflies were recorded in two separate locations within the field. Although only three individuals were noted this was at the very end of the flight period for this species and colony size could not be reliably determined. However, the presence of three individuals would indicate breeding on the site rather than butterflies wandering from other locations.

The presence of the dingy skipper butterfly will be of significance when determining the application in that this is a priority species as referred to in Cannock Chase Local

Plan policy CP12. This policy states:

“The Districts biodiversity and geodiversity assets will be protected, conserved, and enhanced via:

the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national, and local status. Development will not be permitted where significant harm from development cannot be avoided, adequately mitigated, or compensated for". (my emphasis)

The applicant is not currently offering any mitigation or compensation for the impact on this species as required by CP12. It should be noted that if invertebrate surveys had been carried out as requested the presence of this species would almost certainly have been picked up earlier. The full impact of the development proposal and the extent to which mitigation and compensation may be required cannot now be ascertained until the next flight period for this species in May 2022. In habitat terms the whole of the field would appear to be suitable with an abundance of the food plant throughout along with suitable areas of bare ground for basking.

Reptiles and amphibians.

The findings of an additional amphibian survey carried out in May 2021 which indicates that amphibians are absent from the pond is surprising but accepted. Therefore, no specific mitigation will be required.

Conclusions

This development does not accord with paragraph 174 of the National Planning Policy Statement or Policy CP12 of The Cannock Chase Local Plan with regards to its impact on the Chasewater and Southern Staffordshire Coalfield Heaths Site of Special Scientific Interest.

There is insufficient information available to fully and correctly determine the impact of the development on priority species as required by CP12.

It is considered that insufficient compensation is being offered for the loss of grassland habitat.

In view of the above I maintain my objection.

Waste and Engineering Services

Bin collection points should be constructed to a sufficient size and quality for the number of bins required and consideration given to their proper environmental screening.

On a fortnightly basis there can be up to two bins per property presented at the same time; therefore, bin collection points should be constructed to accommodate this number, as a minimum.

The 3no. proposed bin collection points shown on drawing no. 1100-07 (1no. Northwest; 1no. East; 1no. Southeast) should be positioned as close as possible (adjacent) to the adopted metalled highway.

Response to Publicity

The application has been advertised by site notice, neighbour letter and newspaper notice 343 letters of objection/ comment have been received raising the following issues

which have been (as far as it is practicable) arranged under discrete headings for ease of reference: -

Impact on and Capacity of Local Services

We already have two large estates on Rawsley Road to have another one would be a burden on facilities such as schools and doctors' surgeries which are already overflowing. Car parking at the surgery already overflow onto the nearby streets.

It is often impossible to get a doctor's appointment without having to wait 2 weeks and there is no room for the surgery to extend.

The local primary school is already over capacity. The school does not have funding available to increase its size and to try and squeeze more children in would have a detrimental effect on children that are currently at the school.

Hazelslade has always been prone to electric power cuts, will the new estate have its own power generator to ensure it does not impact existing housing?

The community park is already run down, and I have noted a footpath from the proposed estate to this area. Money needs to be spent on the existing recreational area as it stands now. The development will only increase the areas use when it's already in need of safety improvements.

There is also a limited bus service to the area therefore new residents could face difficulties getting to places of work.

The proposal would reduce water pressure on existing houses.

Public transport is poor with buses running approximately every 90 minutes in the daytime to Cannock, there is no direct route to Lichfield and nothing at night or on Sundays.

I do have concerns about the capacity of local schools and doctor's surgery. I think the Planning Committee should hear evidence from them to assess this issue and what the developer may do to mitigate this.

The area is built up enough.

Water to our houses in our 2 blocks travels up the hill. Will this affect our lifestyle. We have no pressure now so with extra housing this will make it worse again, can they guarantee our water supply.

Drainage and Flood Risk

Rugeley Road floods on a regular basis. Excessive development of this sort can only make matters worse.

I would refer to the site-specific comment referred to within the statutory consultation regarding the foul water system from the site. It is proposed that all foul water from the site discharge into the combined public sewer adjacent manhole 6706. I believe however that it is yet to be evaluated by the relevant authority whether the combined sewer has the capacity to accommodate the additional flow that would arise from the proposed 60 dwellings.

The proposed plot acts as a flood plan for the area.

We would refer to the statutory consultation reply from the Severn Trent contained within the above application. They say that they have no objection to the foul water from the proposed development being discharged into the existing combined public sewer at manhole 6706.

However, this response from ST might well be construed by the planning committee members and other interested parties, that there are no existing problems with respect to the capacity of the existing public foul water and public combined sewer adjacent MH 6706.

Severn Trent are and have been aware since October 2020 of intermittent surcharging of foul effluent from manhole 7701.

This is described in detail in our letter to the ST planning team dated 18.11.2020 a copy of which is in your possession. Receipt of this letter was confirmed to us on 19.11.2020.

In conclusion, we are disappointed that in their statutory consultation reply ST did not disclose within that reply, the problems of which they are aware with regard to known local conditions of foul water surcharge. It could have been more appropriate for ST to have made their approval conditional subject to further investigations.

The site is liable to flood because it is a flood plain.

Some ecological value was attached to the natural state and accompanying ecosystem of the existing pool at the junction of Rawsley Road and Rugeley Road by the Council, and those organisations charged with protecting the ecosystem contained in it. The pool is present all year round, sometimes to road level, drying out only during the most severe drought. The supposed rapid dissipation of storm water from the pool will have a direct effect on the existing pool that is immediately adjacent to it. The question is how robust is the ecosystem when it is subject to rapid and frequent changes in saturation.

The reality is that the water in this new pool will not dissipate quickly at all. As stated above water lies in the existing pool all year round. No amount of permeability testing will change the fact that this location is the gathering point for all surface water. Water in this location will dissipate slowly. More importantly the critical test for what is proposed will be when we have two or more high intensity summer storms in quick succession. Water will discharge into a lagoon that is already full and probably overtop it. There is only one thing worse than a drainage system that cannot accommodate the water that is discharged to it and that is a drainage system that does not go anywhere. If that isn't a big enough challenge, keeping your children away from the body of water that remains would be a challenge that most parents would regard as unreasonable and stressful.

The situation reading the intermittent surcharge off foul water from manhole 7701 on to my field adjacent to they propose development remains resolved.

With regards the drainage issue, it is encouraging to see that the developer has reviewed the drainage proposals. There is now recognition that whilst the retention of all storms on site would be desirable, it will not be practicable to do so in the long term, given the changing weather patterns. The new proposal outfall to Bentley Brook will carry forward attenuated flows from the development. Presumably the current flooding problem at the racing stables alongside the Bentley Brook (close to the bend in Rawsley Road) will not

be exacerbated as a result. I understand that Cannock Council and the County Council flood risk team are involved in attempting to resolve this

Land Scape and Visual Impact and the AONB

A housing estate would have an unacceptable visual impact on the area. At the moment, its elevated position means that it acts as a green barrier at the end of the valley and a buffer zone next to the Area of Outstanding Natural Beauty which runs alongside.

The residents of the terraced houses in Rawnsley Road have a clear vista across the valley into the AONB from their first-floor windows. These are properties built for our long-gone mining community that have largely been modernised, and populated by families that generally commute to their places of employment. Why take from them a feature that all of the residents' value so highly. (CP3) What is the point of attempting to demonstrate limited visual impact by showing images of the land as it is now from a variety of angles when in fact it is the images of what it will look like when it is completed and what is denied on completion that matters.

Unfortunately, there is also a conflict with the visibility of the development from within the AONB. The former mineral line on which the cycleway/walkway would be routed is overgrown by self-set trees to the extent that it is hardly a passable footpath. In order to make the cycleway wide enough for pedestrians and cyclist it would require very significant tree clearance to make the route safe and accessible. In doing so the new development would be even more exposed from within the AONB as it will be from Hednesford Hills.

Whilst the developer has made an attempt to address important planning considerations, they are not complete answers. For example, the relationship of the development to the AONB and Hednesford Gills SSSI cannot be overstated. It will be devastating (CP16). The developer has not attempted to superimpose images of the effect the development on the submitted photographs in the way the residents did 20 years ago.

The finished floor levels of units 44 and 4/5 shown on the proposed site layout appear to be set some 7 metres to 6 metres above the existing level of the disused mineral line presently used for horse riding and walking. As a consequence of this the roof line of the proposed units 44-5 will be some 14 metres above the existing level of the disused mineral line.

The document submitted by the applicant are without cross section drawings through the proposed buildings that run north to south. These drawings should illustrate the height of the roof lines and embankments relative to the disused mineral line. Cross sections should be provided through units 44-56, 42-32, 22-31, 21-14 and 8/9 -13 to help members of the public to visualise the impact of that this scheme might have on the AONB.

I think it would be prudent if the developer considers lowering the levels of the proposed platform area by several; metres to reduce visual impact of the proposed 60 units.

The applicant should have provided at least four if not six site sections showing the proposed and existing development plot in context to its surroundings including existing domestic dwellings opposite on Rawnsley Road, Westgate and Hazelslade. I therefore really do strongly object to the Local Authority deeming this as a valid planning application without the inclusion of vital site sections this is listed as your own criteria

within your document "Cannock Chase District Council Validation of planning applications Guide to National and Local requirements dated March 2008" wording of page 11 from this document on your website.

It is ridiculous to import the amount of infill to make the development site flat in an already elevated position.

Existing and Proposed Site Sections and Finished Floor and Site Levels

Such plans drawn at a scale of 1:50 or 1:100 should show a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.

Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings.

In the case of householder development, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified. Levels should also be taken into account in the formulation of design and access statements." I attach a copy of your document in case you can't find it!

These site sections should include sight lines from primary windows facing the development at ground and first floor along with acoustic lines to the primary rooms to see if any mitigation measures are required for adjacent residents.

I would also expect detailed street scenes within the development along with aerial and house type images / CGI's including aerial shots. The Council should not have validated this planning application without them, and the application should be withdrawn until these vital pieces of information are provided.

The photographic evidence included by the applicants in the landscape proposals purporting to show line of sight are biased having being taken from behind buildings and at selective angles towards the site. An accurate view of line of site would be to stand on the top of the site and realise that you can see, and be seen, for miles even at ground level. Is there to be a site visit? If not what are the alternatives for familiarising the committee with the area

The proposal is contrary to the Colchester Declaration signed in 2019 by the National Association of Areas of Outstanding Natural Beauty.

Impact on the views - whilst I appreciate that the amended plans attempt to demonstrate that the current views will not be impacted, I completely disagree, the views from Rugeley Road and Hazel Drive which overlook the site will now have a view of houses (which is actually partly supported their report). I have attached a picture from our back garden which the elevated site overlooks (and is a view from Rugeley Road that still has not been considered by the developers despite it being raised in the initial objection from me). The visual impacts detailed in the Landscape and Visual Appraisal Addendum (<http://193.25.117.54/AnitePublicDocs/00095792.pdf>) in my opinion are not

representative of the impact from our view and have been taken to deceive the visual impact by taking a picture in front of another building so that it makes the proposed development appear to just blend in. As the site is on an elevated position, I feel that no amount of tree planting will hide this large development and will affect the views which were also detailed in the objections from the AONB and Natural England.

No amount of tree planting will hide this development.

The two below pictures in the report indicate that the elevated site will be as high as the existing row of terraced houses on Rawnsley Road. Currently as shown in the third picture below, we can barely see with the current vegetation. The report seems to suggest that as there are existing houses there will be no visual impact, however the existing vegetation does not conceal the area of proposed development and so is incorrect in my opinion.

Whilst I appreciate that the amended plans attempt to demonstrate that the current views will not be impacted, I completely disagree, the views from Rugeley Road and Hazel Drive which overlook the site will now have a view of houses (which is partly supported by their report).

The visual impacts detailed in the Landscape and Visual Appraisal Addendum in my opinion are not representative and have been taken to deceive the visual impact by taking a picture in front of another building so that it makes the proposed development appear to just blend in.

As the site is on an elevated position, I feel that no amount of tree planting will hide this large development.

The long awaited sections are very limited in number, detail and quality. The sections are small in size, scale and are therefore meaningless.

The visual impact photo compositions have been conveniently produced once all the trees in the area are in leaf. This is only half the year and is therefore misleading. These should have been produced at the time of the original application and that would have been winter.

The land as I understand it is undesignated and should not be automatically considered for development. It should instead be protected. The land acts as a buffer zone at an elevated position to the neighbouring areas of Outstanding Natural Beauty. We should appreciate the land for what it is and represent it rather than sacrifice it for unneeded development. A development of this proposed construction would be a blight on the area.

The height of the finished floor levels of the proposed 60 dwellings remains unaltered. The finished floor levels of the outer buildings remain similar to the datum level of the centre line of the adjacent Rawnsley Road and are incongruous with the street scene.

A similar approach by the developer with regard to finished floor levels should be undertaken so that a result, consistent with that previously achieved by the local authority in its development of the housing estate situated between Westgate and Eastgate Road. The levels of these properties are sympathetic with the street scene situation that the developer should try to replicate in their application.

The lowering of the floor levels is a viable option and should be properly investigated by the developer in the long term interest of local residents and the aspirations of the Cannock Chase AONB Partnership.

The visual intrusion of the existing scheme into the AONB is highlighted by the proposed street scene superimposed on the photograph taken at location 3 of the plan included in the visual and landscape appraisal. This superimposed view alone, although not a planning consideration should be enough to warrant refusal.

The site is within an AONB and is Green Belt.

Bromford have attempted to demonstrate how the positioning of the development next to the AONB is not fundamentally different from what currently exists, through the imposition of new housing on existing photographic images. This attempt fails miserably. Whilst the high ridge that the houses will be sited on will be taken down by between 0.5 and 3 metres the houses will still be prominent from all points in the AONB as they stare down the valley from up to 18metres (Rugeley/ Rawnsley Road).

There is no mention at all made of the fact that the view of the AONB from at least 30m properties in Rawnsley Road will be blocked completely by the new housing.

We are disappointed to note that the substantive nature of what is proposed remains largely unaffected by the additions and changes that have been made. The visual impact remains as it was previously, and we remain unconvinced that softening the edges with landscaping will alter its overbearing and intrusive impact on our valley and more particularly on the AONB and on the western edge of Eastgate/ Westgate play area used by many children and families.

Pages 32 and 33 of the Landscape and Visual Appraisal Addendum show to me perfectly why this site should never be developed. The images are pretty much damning of development and clearly show what an adverse effect this development will have on the views of the AONB of Hednesford Hills.

Ecology and Impact on Hednesford Hills SSSI and Cannock Chase SAC

The site of Special Scientific Interest on Hednesford hills is close by, as is the Nature Reserve in Hazleslade. Reshaping the land, to allow building would destroy the whole landscape and its visual beauty.

The land has been established grassland for a long while and provides a wildlife corridor between the Hednesford Hills SSSI and Cannock Chase AONB.

This will cause a great inconvenience to, not only, the local area, but to the wildlife in this area.

There are several local species of mammals and lizards, and kestrels that might also be affected by yet another housing estate

The development would necessitate the removal of a substantial section of established hedgerow causing further habitat loss.

Increased light levels will affect wildlife.

There have been frequent sightings of foxes, pheasants, grouse and herds of deer.

The importance of the pools on the site.

Buzzards and Bats frequent the area

It also not clear how the amended plans will also address the other issues raised by Natural England stated as:

'The proposed development would lead to a significant recreational impact on Cannock Chase SAC and Hednesford Hills (Chasewater and Southern Staffordshire Coalfield Heaths SSSI which is part of the functional connectivity of Cannock Chase SAC), that would damage their interest features through:

Disturbance to wildlife;

Trampling, leading to path widening, vegetation wear, erosion & soil compaction;

Trampling of invertebrate nest sites;

Fragmentation of habitats from new desire lines & paths;

Damage to tree roots where paths pass close to veteran trees.

Increased risk of wildfire;

Eutrophication (dog fouling).

Spread of disease (Phytophthora).

Contamination (e.g. dogs in water courses, litter)

Vandalism '.

There are badgers, bats, foxes, newts and deer in this field.

I would like to know if a nature conservation impact assessment has been undertaken and what effect this will have on the diverse wildlife?

We are sceptical that the revised drainage arrangements will fulfil all of the ecological objectives that the proposal should meet.

Design and Standard of Residential Amenity

Are 60 properties really going to fit on the area or are they going to be like match boxes.

From the layout I can see that I would be facing a house quite close to the 1.8m high fence. It is quite difficult to envisage any clear guidance to the legal limit. I understand that the minimum distance between front facing windows of one property and two storey walls of another is 72.2 feet. A side window at ground level may be acceptable but upper floor windows of any proposal being considered must be part of a formal planning application or use obscure glass.

The proposal would require massive reshaping of the land.

There is much technical data but I can't see any information about the internal measurements of the proposed homes. Looking at the elevation plans, and supposing

they are to scale, they do seem to be rather small in relation to their proposed bed spaces. Will these measurements be provided to the planning committee in order to ascertain if they meet the governments nationally described space standards. An estate of "rabbit hutches" would soon become blighted.

My property will be opposite proposed housing which I feel will block natural light to the front of properties.

I note that there is not any local amenity space included the scheme, it seems obvious and unfair that the space is inferred by the footpath link. This facility is woefully inadequate in size for the number of extra new families proposed by this development.

Highway Safety and Capacity

Rawnsley Road is already recognised as a hot spot for both speeding and volume of traffic at rush hour. A traffic monitoring point, which has been in place for several years and is sued on a regular basis, is located almost directly opposite the entrance to the planned estate.

The houses already in existence have to park their cars on the road.

I have witnessed car accidents on the junction exiting Hazel Slade onto the Rawnsley Road the volume of traffic on Cannock Wood Street can also congested due to cars parked along the roadside near the local school at opening/ closing times causing problems turning in to the road off Rugeley Rd at peak times.

Rawnsley Road has become increasingly busy and is regularly used as a short cut for traffic from the Burntwood direction travelling to the Rugeley or Stafford areas. Exiting St George Drive is often difficult mainly because of the traffic backing up at the Rawnsley Road/ Littleworth Road junction. Similarly, there is often a long traffic queue stretching back to Rawnsley Road from the traffic lights at the bottom of the road.

On Rawnsley Road and directly opposite the planned development there is invariably a significant number of cars parked outside the terrace houses which line that part of the road. This causes considerable congestion. For traffic coming up and down the road.

Rawnsley Road is a dangerous road. The speed limit is 30mph but this is not that obvious to drivers who are unaware that roads with street lighting have a speed limit of 30mph. unless there are signs to the contrary. The average speed of cars using the road is in excess of 40mph with many drivers travelling at such higher speeds. Details of this will be available for the Community Speed Watch. Rawnsley Road is featured in Staffordshire's Speed Awareness Courses as a road which is not obviously one with a 30mph speed limit.

The TNT depot situated on Wimblebury Road use the road from 4am to start their various routes.

Cars frequently sound their horn in retaliation at one other adding to noise.

Traffic surveys taken between 14-20 August will give false indication to the severe traffic problems experienced on a daily basis as this time period was outside of term time and also readings would be lower than usual due to people travelling less due to covid.

The traffic is awful and my front wall has been knocked down twice over the last few months.

The developer has indicated that the cycle way to be constructed on the former mineral line will not be constructed concurrently with the new development. Essentially pedestrian access to facilities in Hazelslade will continue as they are now. Either through the Eastgate Westgate Estates or along Rawnsley Road. There is almost 150 metre of highway in Rugeley Road in this location that has no footway at all and pedestrians must walk in what is now a busy road. Surely the acquisition of land to construct the new footway and outfall sewer is required as an essential part of the development off-site supporting infrastructure.

Housing Need

The affordable houses issue rumbles on in Whitehall and is changing constantly. I understand that currently there is a target for Cannock Chase to provide over 100 affordable house per annum, and that this field could provide at least 50% of them. The extensive terraced housing in Rawnsley is over 100 years old and provides a mixture of privately rented and owner occupied properties already. Coupled with the former adjacent Council housing at Eastgate and Westgate I would question why it is necessary to impose an even greater concentration of smaller properties in such circumstances, given all the demands on essential services that will be services that are already at saturation level.

Crime and the Fear of Crime and Anti-social Behaviour

I am also concerned that affordable housing may bring more problems to the local area. There is already a problem in Hazelslade and Rawnsley with drugs, with drug dealing happening in broad day light. I fear for my kids' futures.

I know from experience that Bromford tenants do not look after their property. I am a private cleaner and clean for tenants privately, and the homes are disgusting both inside and out. These homes are mixed amongst privately owned houses and I really feel for them living next to the mess that the Bromford tenants leave their homes. Many leave the exterior of the property looking like a poor run-down area, and Bromford allow this.

A client of mine has a Bromford Tennant next door to her, and they are awful. She has complained numerous times to Bromford about the rubbish left outside, to the point its caused rats, and Bromford did nothing. She resulted in having to pay and take legal action against them to get the property cleared up.

With extra people in the area and 'social housing' will Bromford and the council put security cameras etc in place.

Ground Conditions

Mining under Cannock Chase and Hednesford Hills has left pockets of unstable ground. When the Eastgate/ Westgate estate was built I remember a whole row of newly built houses collapsing and disappearing into the ground and a house on Church Hill also sank at around the same time.

The proposal might have an impact on surrounding properties structurally.

There is a fault line in the field which was found many years ago which affected a few of the terraces. What will happen if this happens again. Will they ensure our houses before and during work.

Noise, Disturbance and Pollution

Noise pollution will be another concern.

Local residents will be severely impacted on during the construction phase.

There will be an increase in noise which will be considerable during construction.

There will be an increase in light pollution from the development site to the existing residents

Comments about the Consultation Period and Planning Process

[The application] is the culmination of well over a years work by a variety of consultants, designers and specialists. To limit residents to a few weeks to assimilate and respond to this phalanx of information is unfair and unreasonable.

The applicant's agent has not engaged with the local population, as he has failed to answer valid questions.

Attaching a couple of A4 pieces of paper with string on a lamp post is not acceptable. People should have got letters.

I strongly object to Councils handling of this application and that such important pieces of information are subject to very short public consultation process.

It is time the Planning Department to make a decision on the substantive issues and not the small amendments that are being drip fed to your department.

This is the 5th set of amendments . It is mental torture. The way we have been treated is disgusting.

Timing of the presentation to Planning Committee on 20th April

I have been informed that you possibly intend for the Planning Control Meeting for the Rawnsley Road site, application CH/20/381, to be held on the 20th April 2022. I would like to request that the meeting be postponed to a later date. I am aware that key speakers will be away on that date and I am also unavailable and won't be able to utilise my right to speak as Ward Councillor. Councillor Andrea Muckley who is the other member for Rawnsley Ward is Vice Chair of the Planning Committee and I would not be able to refer this to her. Given the level of public interest in this potential development and the long term impact it would have on residents it is imperative that this case is considered fully and I do not feel that would be possible on this chosen date.

Given the repeated submissions and consultation periods that followed on this case it has been in progress since around November 2020. I have since that time amassed a petition of around 500 signatures against this development. Please could you advise me if it is appropriate to submit this to the Planning Committee on the to-be-confirmed date or present it to the Full Council before my departure as I am not standing for re-election. It is highly important to me that this case is heard thoroughly and satisfactorily for the

residents that I have represented during my term, even if that means I will forgo my chance to speak.

I would much appreciate being kept informed of any firm decisions made around this matter.

Planning History of the Site

Planning permission has already been refused on this site 20 years ago, this should also be taken into consideration when considering the new application.

Councilman Dennis Dixon many years ago said this field could not be built on. What has changed.

Sustainability

The site itself is not a sustainable development. The evidence provided by Planit Planning and development Ltd in their Planning Support Statement is I believe scant and without proper foundation. Para 1.2 page 3 states 'The proposal is for a sustainable development and will place homes in a location which is accessible to public transport and to services and facilities within the local neighbourhood. Local people may well take the opposite view.

In the current climate where parliament are discussing a green environment, why should our local green belt be destroyed by more non-essential homes.

This flies in the face of the endeavours of other countries around the world, including the UK to reduce carbon emissions and green-house gases.

A social housing development that is focussed on family homes, where those families are less likely to have access to a car and therefore will be walking along Rawnsley Road into Hednesford and back is dangerous. There is a solution. The old mineral line runs alongside the proposed development and continues in one direction into Hednesford at the junction of the A460 and in the other direction to Littleworth Road. This could be made a footpath / cycle way as part of the development giving completely safe access into Hednesford and to Littleworth Road. The cost could be potentially be funded by CIL payments from the development or as a condition on the development. Part of the route is already well used informally. There is support for this in Cannock Chase District Council's CIL Infrastructure List November 2019. Indeed, planning permission for this route was previously granted by the Council (application CH/06/0030) although this has lapsed.

General Policy Issues

The land is undesignated so shouldn't automatically be considered for development.

It is well reported that such green spaces are vital for positive mental health and well-being.

It should be noted that the land has been requested to be included in the Local Plan as a protected part of the AONB and delays to its completion has meant that this has not been acknowledged.

The development is at odds with the very first sentence of the Local Plan CP1 Strategy:

-

'In Cannock Chase the focus of investment and regeneration will be existing settlements whilst conserving and enhancing the landscape of the AONB, Hednesford Hills, Green Belt and green infrastructure of the District'.

Nothing in the projections for further growth for and provision of additional housing convinces us that the council can be so desperate for housing land that it would choose to saturate a piece of land on the boundary of an AONB with a high density development.

All new developments are supposed to be of mixed social and new builds.

The preparation of the Local Plan has been delayed on several occasions. The fact that this 'windfall' application for development as pre-empted completion of the local plan is considered unreasonable and untimely and does not allow for the natural process of developing an acceptable planning framework.

Availability of Alternative Sites

There are a number of brown sites in Cannock are you could look into redeveloping which are unsightly, without destroying our green lands. We should be preserving these for our future generations not enlarging the urban sprawl unnecessarily into green land natural /nature sites.

It is unnecessary to develop this greenfield site when there are other brownfield sites more suited to a housing development of this size especially when considering Rugeley Power Station site.

We should be developing brownfield sites.

Miscellaneous Comments

It will not create local employment as the site staff will be either directly employed or self-employed under contract to companies outside of the area.

The proposed population density will have an adverse effect on village life of Hazelslade and Rawsley.

Reference to paragraphs 172 and 173 of the NPPF.

This land is currently in use for pony grazing, to replace it with bricks and mortar would take away the natural facility for our young people to learn from and enjoy interaction with animals.

There are two Grand National horses buried in the field.

In general terms I am in favour of this development. There is a need for affordable social housing in the area so that young people, in particular, can have a place to live. Market purchase and rental prices are too high for many young people and families to afford.

The site is private property to which the public currently have no access, there will therefore be no loss of amenity by the development taking place.

The proposal is affecting my ,mental health.

I have had a house built to the back of me that ruined that view, the houses to the front will ruin that view as well.

Children enjoy seeing the horses in the field and interacting with the horses. This has been an important aspect to the children as the pandemic has taken its toll on their mental health.

Non-Material Issues

The newbuilds in this application will mostly consist of social housing. The houses that are already on Rawnsley Road are private. Social housing will devalue all our houses.

It appears to be just a money making exercise on CCDC's side selling off land to developers without any consideration.

Having spoken to our house insurance company, our premiums will go up with a new housing estate opposite. Will Bromford pay for this.

Impact on houses prices, as the proposed development is all affordable housing, this will impact the value of the surrounding houses.

Relevant Planning History

CH/06/0030: Change of use to cycleway/footpath and associated engineering works.
Full - Approval with Conditions 04/19/2006

CH/98/0339: Residential development of 73 dwellings. Refused. 01/06/1999 for the following reasons:-

1. The proposal is contrary to Policy C8 of the Cannock Chase Local Plan in that the development would adversely affect the setting of the Cannock Chase Area of outstanding Natural Beauty and would be seriously detrimental to the areas' landscape qualities.
2. The development of this site is premature to the review of the Cannock Chase Local Plan and particularly the review of policies relating to housing land availability within the Plan.

1 Site and Surroundings

- 1.1 The application site comprises 2.3 Ha of grazing land which is roughly triangular in shape which fronts onto Rawnsley Road, on the edge of the settlement of Rawnsley. The site is mainly comprised of short turfed acidic grassland and is bound by hedgerows along Rawnsley Road and along the boundary shared with an equipped area of play to the south east of the site. Along the remaining boundary to the north of the site is the line of a disused railway which has subsequently developed into young woodland.
- 1.2 In the north west corner of the site is a small pond which has become overgrown by willow and is heavily shaded.

- 1.3 The site is on a valley side and so is subject to a significant drop in levels, with the higher point being adjacent to Rawnsley Road with the ground levels falling away towards the disused railway track and to the north west.
- 1.4 To the west -southwest of the site lies Rawnsley Road, beyond which is a row of terraced and detached properties after which the ground continues to steeply climb to the summit of Hednesford Hills which is a designated Site of Special Scientific Interest.
- 1.5 To the east is an area of recreational play space beyond which is a modern housing estate served by Westgate and Eastgate.
- 1.6 Along its northern boundary the site abuts a disused rail line and embankment dominated by scrub, trees and heathland vegetation. This disused railway line runs from Hednesford to Littleworth Road and beyond and is designated within the Local Plan as a "Proposed Recreational Footpath/ Cycle Route" subject to Policy CP10.
- 1.7 North of the disused railway the land continues to fall towards Bentley Brook after which it begins to rise again towards a strip of ribbon development comprising dwellings along Rugeley Road which connects Rawnsley with the settlement of Hazelslade. Beyond Rugeley Road the ground level continues its ascent through a densely wooded hillside to its crest beyond which is Beaudesert Golf Course.
- 1.8 The site is not designated in the Local Plan and falls within (albeit on the edge of) the main urban conglomeration of Cannock -Hednesford. The site also falls within the Forest of Mercia, a Mineral Safeguarding Area, a Coal Authority Low Risk Boundary, an Environment Agency Historic Landfill Boundary and a Landmark Contaminated Land Boundary.
- 1.9 The former railway line to the north of the site is part of the Green Space Network. The land beyond the former railway corridor contains designated Green Belt and is part of the Cannock Chase Area of Outstanding Natural Beauty.

2 Proposal

- 2.1 The Applicant is seeking consent for residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure.
- 2.2 The application site would be developed so that access to the new estate would be from a single vehicular access point off Rawnsley Road.
- 2.3 The site would also be subject to a significant degree of cut and fill to recontour the site the Applicant's Earthwork Specification (Project Ref: P9016), dated August 2020 states: -

"A significant cut and fill exercise is proposed for the site to create a level working platform, with some areas being uplifted by up to a maximum of approximately 4.70m. The earthworks exercise will result in 1 in 3 slopes being formed along the northern boundary of the site. The plans provided by the client (presented in Appendix A) show the following:

- The approximate amount of cut is anticipated to be 17,522m³.
 - The approximate amount of fill is anticipated to be 21,276m³.
- 2.4 The proposed dwellings would be, in the main, aligned so that they are 90 degrees to Rawnsley Road which ensures a degree of visual permeability when viewed from Rawnsley Road or from vantage point across the valley along Rawnsley Road.
- 2.5 The proposed dwellings would be 2 storey and of traditional design. External materials would comprise Caldera Red Multi bricks under a Russell Grampian Slate Grey tiled roof. It is proposed that all rear garden boundary treatments would be comprised of 1.8m high close boarded wooden fencing.
- 2.6 The proposal is for a 100% affordable housing scheme and would comprise the following break-down of dwellings: -

No	Type	%
8x	1 bedroomed	13%
28x	2 bedroomed	47%
20x	3 bedroomed	33%
4x	4 bedroomed	7%
Total: 60		100%

- 2.7 The proposal would have a net housing density of 37.7 dwellings per hectare and would be served by 120 parking spaces equating to an average of 2 car parking spaces per dwelling. In addition, it is proposed that each dwelling would have secure parking facilities within its curtilage and each dwelling would benefit for its own private garden space.
- 2.8 In order to inform the application the applicant has submitted the following documents: -

Location Plan

Block Plan.

Site Layout Plan

Site Drainage Plan

Landscape Strategy Plan

Detailed Planting Plan

Planning Statement

Design and Access Statement

Landscape and Visual Appraisal

Botanical Survey
Ecological Report
Slope Stability Assessment
Micro Drainage Calculations
Soakaway Results
Levels and Drainage Concept Plan
Flood Risk Assessment and Drainage Strategy
Earthworks Specification
Minerals Resource Assessment
Proposed Materials Plan
Boundary Treatment Plan
Ground Report and Gas Monitoring Addendum
Tree Survey and Arboricultural Impact Assessment
Tree Constraints Plan
Travel Plan
Transport Statement
Shadow Habitats Regulations Assessment

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).
- Cannock Chase Local Plan*
- 3.3 Relevant Policies within the Local Plan Include: -
- CP1: - Strategy
 - CP2: - Developer Contributions for Infrastructure
 - CP3: - Chase Shaping- Design
 - CP5: - Social Inclusion and Healthy Living

- CP6: - Housing Land
- CP7: - Housing Choice
- CP10: - Sustainable Transport
- CP12: - Biodiversity and Geodiversity
- CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty (AONB)
- CP16: - Climate Change and Sustainable Resource Use

Minerals Local Plan for Staffordshire

3.4 Policy 3- Mineral Safeguarding for Bedrock Sand.

3.5 *National Planning Policy Framework*

3.6 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social, and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.

3.7 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.8 Relevant paragraphs within the NPPF include paragraphs: -

- | | |
|--------------------------|--|
| 8: | Achieving Sustainable Development |
| 11-14: | The Presumption in favour of Sustainable Development |
| 47-50: | Determining Applications |
| 55, 56, 57 | Planning conditions and obligations |
| 60-65, 74-75 | Delivering a sufficient supply of homes |
| 92, 95, 97, 98, 100 | Promoting healthy and safe communities |
| 104, 110, 111, 112, 113: | Promoting Sustainable Transport |
| 119, 124, 125 | Making effective use of land |
| 126, 130, 131, 134: | Achieving Well-Designed Places |
| 152, 159, 160, 162, 167: | Meeting the challenge of climate change, flooding and coastal change |
| 174, 180, 181, 182: | Conserving and enhancing the natural environment |

174, 183, 184, 185: Ground conditions and 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 Management Plan (2019 – 2024).

Cannock Chase District Landscape Character Assessment, 2016

Council's Strategic Housing Land Availability Assessment 2021 (SHLAA)

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
- vi) Drainage and flood risk
- vii) Education
- viii) Mineral safeguarding
- ix) Crime and the fear of crime
- x) Waste and recycling facilities
- xi) Ground conditions and contamination
- xii) Affordable housing
- xiii) The planning balance
 - (a) Housing supply
 - (b) Need for affordable housing

4.2 **Principle of the Development**

4.2.1 Both the NPPF (2021) and Cannock Chase Local Plan 2014 Policy CP1 advocate a presumption in favour of sustainable development.

4.2.2 The NPPF at paragraph 11 sets out how the presumption in favour of sustainable development should be applied and states that for decision taking this means:

- (c) approving development proposals that accord with an up-to-date development plan without delay; or
- (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) the application of policies in this Framework that protect areas or assets of particular importance provides 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

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 particular case the site falls within, albeit on the edge of, the main urban area of Cannock-Hednesford as shown on the Local Plan Policies Map and does not benefit from any land use designation or allocation. As such the proposal is in broad compliance with the thrust of Policy CP1 of the Local Plan.

4.2.5 Other than CP1 the Local Plan is silent in respect of the approach to be taken in respect to wind fall sites falling within urban areas other than directing development [including housing development] to existing settlements.

4.2.6 However, it is still necessary to determine whether Policy CP1, in so far as it relates to housing development is ‘up to date’ for the purposes of implementing the ‘presumption in favour of sustainable development’. Footnote 8 of the NPPF relates to the issue of whether a policy is ‘out of date’ and states: -

‘This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer, as set out in [paragraph 74](#)); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous 3 years’

4.2.7 In order to determine whether it has a 5 year supply of housing land a local planning authority undertakes a Strategic Housing Land Availability Assessment (SHLAA). A SHLAA is an evidence base document with a key role in identifying sites that have the potential for housing, to assess their capacity and when they could potentially be developed.

- 4.2.8 The Council's Strategic Housing Land Availability Assessment 2021 (SHLAA) is a position statement which provides an updated summary of the Council's five year land supply for the period 1st April 2021-31st March 2026. It identifies that the Council currently has a housing land supply of 4.3 years and thus does not have a 5 year supply of housing land. The shortfall is 194 dwellings which is 0.7 years supply.
- 4.2.9 It is therefore clear that the housing policies within the Local Plan are out of date. As such the proposal engages subsections (i) and (ii) of subsection (d) above (see para 4.2.2 above).
- 4.2.10 In this respect it should be noted that the site is not designated as Green Belt, AONB, a habitats site (as defined in paragraph 181 of the NPPF) or SSSI, land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; or a designated heritage assets. Therefore, the proposal does not engage any policies in the NPPF that protect areas or assets of particular importance.
- 4.2.11 As such the presumption in favour of sustainable development states that the application should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole'.
- 4.2.12 The next part of this report will go on to consider whether any adverse impacts would arise from the proposal, the weight to attributed to that harm and then will go on to assess the benefits arising from the proposal and from there onto assess the planning balance.

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

- 4.3.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should be: -
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
 - (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.
- 4.3.2 In addition Policy CP14 'Landscape Character and Cannock Chase Area of Outstanding Natural Beauty (AONB) states the
- District's landscape character will be protected, conserved and enhanced via:
- The consideration of landscape character in all development proposals in order to protect and conserve locally distinctive qualities, rural openness and sense of place and maximise opportunities for restoring, strengthening and enhancing distinctive landscape features including trees, woodland, canal corridors, sensitive edges of the rural areas and creating green infrastructure links in conjunction with new development. The reuse and sympathetic adaptation of existing buildings which make a positive contribution to their

landscape setting will be supported (taking into account complementary Policies CP12 and CP15);

- Supporting development proposals within the AONB that are compatible with its management objectives, as set out in the AONB Management Plan. Unless, in exceptional circumstances, an overriding need that cannot be accommodated elsewhere can be demonstrated to be in the public interest and the sustainability benefits outweigh the detrimental effects, major developments will not be permitted. Good management of horse pasture will be encouraged in conjunction with landowners, including field boundary treatments and 'gapping up' of hedgerows to maintain habitats. Development of adjacent land forming the setting of the AONB will be expected to avoid an adverse impact on the landscape and scenic beauty of the area;
- Supporting development proposals across the rest of the District that help to facilitate the AONB Management Plan objectives, particularly the need to protect and enhance green infrastructure, including green roadsides, enhance green linkages and access where appropriate, ensure that tranquil areas (to be detailed in the District Design Guide SPD) retain this quality and ensuring mitigation of potential increased recreational pressures in accordance with Policy CP13. Proposals to enhance access to high quality open spaces, create missing links and connections to existing rights of way networks and 'quiet lanes' will be encouraged and initiatives pursued as resources permit;
- Seeking developer contributions where appropriate in support of the AONB and landscape character (as guided by the AONB Management Plan);
- Promote effective stewardship of key areas of green infrastructure, such as Local Green Space, and opportunities for enhancement in conjunction with landowners.

Development proposals, including those for appropriate development within the Green Belt, and land management practices within the AONB and on its fringes including the Hednesford Hills, must be sensitive to the distinctive landscape character and ensure they do not have an adverse impact upon their setting through design, layout, or intensity. Development proposals for extensions to and replacements of existing buildings within the Green Belt will be expected to demonstrate sympathy with their location through size, appearance and landscape impact mitigation. The ground floor area of any proposed extension or replacement building should not normally exceed that of the original property by more than 50%. Positive consideration will be given to developments which enhance their setting and character within these parameters.

The AONB Management Plan, Landscape Character, and Historic Environment Character Assessments (for both Cannock Chase District and Staffordshire County) provide an informed framework for the decision-making process, highlighting areas for conservation, strengthening and enhancements. The Cannock Chase-Sutton Park priority biodiversity and landscape area, the Forest of Mercia, cross-boundary measures to contribute to landscape enhancement of the River Trent corridor and local level initiatives associated with key delivery plans (e.g. Local Biodiversity Action Plan and specific local management plans) will assist in enhancing the landscape character and will be supported. Supplementary Planning Guidance will set out the information required from

development schemes to demonstrate how they have taken these issues into account, including the District Profile (policy CP3).

Consideration is being given to allocate land at Rawnsley Road/ Rugeley Road, Rawnsley as Local Green Space.'

4.3.3 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 131 and 134. Paragraph 126 makes it clear that the 'creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve' adding 'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'.

4.3.4 Paragraph 130 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

'Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;

4.3.5 In respect to trees paragraph 131 states: -

'Trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.'

4.3.6 Although the site is not located within the AONB it is located within the setting of the AONB. In this respect paragraph 177 of the NPPF states: -

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues'.

4.3.7 Finally paragraph 134 of the NPPF states: -

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes. Conversely, significant weight should be given to:

- (a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes; and/or
- (b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

4.3.8 In order to inform the application the applicant has submitted a Landscape & Visual Appraisal (LVIA), dated 9th October 2020 which has been augmented by a later Addendum and an External Lighting Impact Assessment (REPORT REF: 26757-04-ELIA-01) prepared by MEC and dated August 2021.

4.3.9 The above appraisal and Addendum contain many visual aids, photographs and cross sections and members are advised to look at these documents as such information is difficult to convey within the confines of an officer report.

4.3.10 The LVIA uses established methodology to objectively assess landscapes, their capacity to accommodate change and the impacts of the proposal on the surrounding landscape.

4.3.11 The LVIA notes that the Council's 2016 Landscape Character Assessment (LCA) identifies the site as falling within an urban area, with the Forest Heathlands Landscape Type surrounding the land to the north, west and south, including areas within the AONB and the Hednesford Hills. The LVIA goes on to state that

'this area is characterised by convex slopes and small incised valleys, areas of unenclosed land and woodland and conifer plantations. Urban development with abrupt edges facing the countryside are also identified.

The area within which the site is situated is identified as comprising heath and forestry plantations which has been subject to urban expansion on its fringes, affecting the unity of the landscape.

Recent developments in the landscape are identified as having a mainly insignificant, localised visual impact.

Locally, the Hednesford Hills and AONB are identified as valued recreational resources, although the overall visual sensitivity is assessed as being low due to the containment provided by woodlands in the area.

The vision statement for the area includes the taking of opportunities to improve linkages and access to the AONB from urban areas, conserve the heathland character and buffer edges of plantation woodland using broadleaved species.'

4.3.12 The LVIA then goes on to discuss the 'Extent of Visibility' illustrated by photo viewpoints taken from various locations and asserts that 'views of the site are limited to those within the local area, mainly from local roads and residential properties',

4.3.13 In conclusion the LVIA states

"This LVA has demonstrated that the proposed development will not result in significant landscape and visual effects. The site does not lie within a landscape that is designated at either a national or a local level for its landscape value or quality. However, as described within this report, it does have local sensitivities that have been considered and addressed within the final proposed scheme.

The Cannock Chase AONB to the north introduces its own sensitivities and requirements, all of which have been incorporated as mitigation in the layout, with development set backs and open space with new tree planting to soften the transition. The findings show a lack of intervisibility is possible with the site and publicly accessible areas of the AONB. If future glimpsed views were possible (as identified within the Cannock Felling Period Plan), at best the rooftops would be seen against the existing development along Rawnsley Road and Rugeley Road, maintaining the composition of views whilst not introducing incongruous features.

The design of the scheme and the proposals include measures that are effective in helping to assimilate the development into its surroundings, having regard to the layout, scale and height of the properties and the retention and enhancement of existing hedgerows and mature trees that bound the 3 edges of the site. The proposals provide connectivity to the existing area of play to the east, whilst providing additional publicly accessible green spaces with new tree and wildflower meadow planting.

Overall, the proposed development has been found to give rise to only limited and localised impacts, where local residents will experience a change in view and amenity within close proximity although will not introduce incongruous features.'

4.3.14 In addition to the above the External Lighting Impact Assessment concludes: -

- (i) With the proposed development in place, lighting from the site will not exceed the recommended ILP pre and post-curfew criteria.
- (ii) Lux levels along the woodland to the north of the development will be below 1 lux therefore lighting is not anticipated to have a significant impact on any light sensitive species using this space.
- (iii) The proposed lighting scheme will comply with all relevant British Standards and the Institution of Lighting Professionals lighting guidelines,

and will serve to ensure safety and security of all areas of the development can be effectively.

4.3.15 Concerns regarding the visual and landscape impacts of the proposal feature strongly in the objections received from members of the local community. Comments received include concerns that the proposal would have an unacceptable visual impact on the area as the site due to its elevated position acts as a green barrier and a buffer zone next to the Area of Outstanding Natural Beauty which lies adjacent to it; that the finished floor levels of units 44 and 4/5 appear to be set some 7 metres to 6 metres above the existing level of the disused mineral line; loss of views from dwellings especially those along Rawnsley Road; concerns regarding the quality and quantity of visual information (e.g. cross sections) in the submitted documents and an assertion that the proposal is contrary to the Colchester Declaration signed in 2019 by the National Association of Areas of Outstanding Natural Beauty.

4.3.16 The Landscape and Visual Assessment and supporting Addendum and information has been assessed by Natural England, the Parks and Open Spaces Team and the AONB Unit.

4.3.17 In respect to the overall methodology used in the LVIA Natural England, in their latest response have advised that as: -

‘The proposed development is for a site within or close to a nationally designated landscape namely Cannock Chase AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below’; adding

‘Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the ‘landscape and scenic beauty’ of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

‘Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.’

4.3.18 Natural England go on to advise that the Local Planning Authority should ‘consult the relevant AONB Partnership or Conservation Board’ and that ‘their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB’s statutory management plan, will be a valuable contribution to the planning decision’ adding ‘Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape’s sensitivity to this type of development and its capacity to accommodate the proposed development’.

4.3.19 Finally Natural England advises that ‘the statutory purpose of the AONB is to conserve and enhance the area’s natural beauty’ and accordingly the LPA ‘should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose’ adding that ‘Relevant to this is the duty on public bodies to ‘have regard’ for that statutory purpose in

carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

- 4.3.20 In accordance with Natural England's Advice, Officers have consulted the Parks and Open Spaces Team and the AONB Unit. The Parks and Open Spaces Team have commented that the LVIA analyses the site correctly and appropriately. Officers are therefore of the opinion that the methodology, quality and quantity of information provided in order to base an assessment on is acceptable and sufficient to enable a reasoned conclusion to be had as to the nature of the harm caused to the AONB and the severity of that harm.
- 4.3.21 However, notwithstanding the above the AONB Unit has reiterated that despite some amendments to the proposal, the main issues for the AONB are the impact of the proposed development on the landscape and scenic beauty of the AONB, on Cannock Chase SAC and that the proposal would have a detrimental impact on the setting of the AONB. The AONB Unit goes on to state that the infilling of the green space comprising the application site remains a fundamental concern as it would adversely affect the character, quality and openness of the setting of the AONB and give rise to adverse impacts on the AONB.
- 4.3.22 In respect to the latest Detailed Planting Proposals 12440_P07 Revision E the AONB Unit has noted that whilst it proposes some ecological enhancements in response to comments from Natural England and others, small areas of habitat mitigation alongside numerous non-natives across the site still represents a detrimental effect on habitat connectivity between Cannock Chase SAC, Hednesford Hills SSSI and other local designated sites. The AONB Unit have pointed out that *Lonicera nitida* is not Honeysuckle as suggested on Drawing 12440_P06 Revision E, and not native. Officers note that the proposed *Lonicera nitida* would be in the planting of a native hedgerow. As such *L. nitida*, not being native, would not be appropriate in a 'native' hedgerow. This could be readily resolved by the use of a condition to ensure that *Lonicera nitida* is replaced with the native species of honeysuckle *Lonicera periclymenum*.
- 4.3.23 Officers note that the applicant has proposed a planting mix for the front gardens and other species within the estate that otherwise gives homage to the acidic heathland found in the wider landscape. This includes the use of *Calluna vulgaris* (Ling or Heather), *Empetrum nigrum* (Black Crowberry), *Erica cinerea* (Bell Heather) *Vaccinium myrtillus* (Bilberry) and *Vaccinium vitis-idaea* (Lingonberry). All the above are native heathland plants. The submitted drawings also show the use of Daffodil *tete a tete*. Whilst these are cultivars it is considered that this small concession to the fact that they would be planted in garden areas is considered acceptable.
- 4.3.24 Officers have also spotted an error in the scientific name used for Birdsfoot trefoil (referred to on plans as *Salix alba*). The proper scientific name is *Lotus corniculatus*. Again, this can be readily addressed by condition.
- 4.3.25 In all other respects officer are not able to spot any other non-native species. The seed mixes for the green infrastructure would be locally brush harvested from acid grassland provided by Staffordshire Wildlife Trust.

- 4.3.26 Officers are therefore of the opinion that in terms of providing a landscape scheme the applicants have done as much as reasonably possible to seek to integrate the development with existing trees; hedges and landscape features of amenity value and to employ measures to enhance biodiversity and green the built environment with new planting to reinforce local distinctiveness in accordance with Policy CP3 of the Local Plan. In addition, Officers note that the applicant has amended the layout of the site to increase its visual permeability across the valley.
- 4.3.27 In terms of the design of the dwellings, Officers can confirm that these would be of traditional design of brick construction under pitched tile roofs, with feature headers and sills to the windows and heights of around 8.0 to 8.5m. These are considered be of a high quality acceptable design.
- 4.3.28 In respect to boundary treatments it is noted that all boundaries shown are of 1.8m high close boarded timber construction. Whilst such fencing is acceptable for rear gardens it is not acceptable within a streetscene where boundaries abut the highway. This is readily remedied by not approving the submitted boundary plan and placing a suitably worded condition requiring a suitable scheme to be submitted and implemented before the development is occupied.
- 4.3.29 Notwithstanding all of the above, one cannot get away from the fact that the proposal would replace an open field with 60 dwellings on a valley side which would have an impact on its immediate and mid-range setting including some vantage points within the AONB, albeit these are currently limited
- 4.3.30 As such officers agree with the conclusion of the AONB Officer that locally the development would dominate this part of the valley, resulting in local moderate adverse effects on the setting of the AONB and that these effects would be long term.
- 4.3.31 Having had regard to the above it is considered that the proposal would be contrary to Policy CP14 which requires that developments should not have an adverse impact upon their setting through design, layout or intensity.
- 4.3.32 Given that the proposal conflicts in this respect with the provisions of the development plan it should be refused unless material considerations indicate otherwise. These considerations will be considered later this report.

4.4 Impact on Residential 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 on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.4.2 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 In general the Design SPD sets out guidance for space about dwellings, stating that for normal two storey to two storey relationships there should be a minimum distance of 21.3m between principal elevations (front to front and rear to rear) and

12m between principal elevations and side elevations. Furthermore, the Design SPD sets out minimum rear garden areas, recommending 40-44sqm for 1 or 2 bed dwellings, 65sqm for 3 bed dwellings and 80sqm for 4 bed dwellings.

- 4.4.4 However, it should always be taken into account that these distances are in the nature of guidance. When applying such guidance consideration should be given to the angle of views, off-sets, and changes in levels.
- 4.4.5 Given the above it is noted that in most respects the proposal meets and often exceeds the requirements of the guidance for space about dwellings. For example, most of the proposed units have gardens well above the minimum area set out in guidance. Examples include Plots 38 and 39 (both 4 bedroom units) which have garden areas of 120 and 130sqm and Plots 14 and 31 (3b and 2bed respectively) which have garden areas of 79sqm and 115sqm all of which compare favourably with the 40-44sqm and 65sqm set out in guidance.
- 4.4.6 Inevitably in all proposals of this size there are instances where the layout does not meet the guidance for space about dwellings. In this case Plot 12-13 are 19m front to front from Plots 14-15 which compares unfavourably with the minimum distance of 21.3m set out in the guidance. However, units 13 and 14 benefit from garden sizes of 78sqm and 79 sqm which are well over the minimum area of 80sqm set out in guidance.
- 4.4.7 Similarly, the distance between plots 28-31 and those across the street at plots 32-35 have a separation distance of between 17.5 and 19m which compares unfavourably with the 21.2m sets out in guidance. However, all these plots have rear garden amenity areas well in excess guidance (Plots 32 and 33 having 108 and 108 sqm rear gardens and a distance of 47m to the rear of the properties to the south east at Plots 59-60. In other cases such as Plots 35-36, these occupy corner plots and therefore have been designed with active frontages to the side as well as to the front and hence some windows are in the nature of secondary windows rather than true front primary windows.
- 4.4.8 It is note that all the dwellings would have timber shed within the garden which would enable the securing of a cycle.
- 4.4.9 Taken as a whole and on balance it is considered that the proposal would result in a high standard of residential amenity and therefore would accord with Policy CP3 of the Local Plan and 130(f) of the NPPF.

4.5 **Impact on Highway Safety**

- 4.5.1 The application proposes to develop 60 dwellings with its access onto Rawnsley Road and therefore has the potential to generate significant traffic generation onto local roads and need for people to get to and from the site by means other than by use of the private car. Concerns about the impacts of additional traffic on Rawnsley Road and Rugeley Road have been a significant theme in many of the letters of objection received from members of the local community, which have referenced that Rawnsley Road is already recognised as a hot spot for both speeding and volume of traffic at rush hour and parking in front of the terrace properties that front onto Rawnsley Road.

4.5.2 In this context it is note that Objective 5 of the Cannock Chase Local Plan is to 'encourage sustainable transport infrastructure'. Indeed, paragraph 4.65 of the Local Plan states: -

'It is necessary to manage demand and develop transport policies that are sustainable. Transport policies help deliver sustainable development but are also important in contributing to economic and social prosperity and health objectives, such as addressing respiratory diseases linked to air pollution. Local transport objectives must therefore be met within the overall principles of environmental sustainability. Reducing dependence on the car and promoting attractive and realistic alternatives, including public transport, walking and cycling are therefore priority objectives, together with the need to travel.

4.5.3 The above objective is supported by Policy CP10 'Sustainable Transport' of the Local Plan which states that

'Developments will be expected to promote sustainable transport and where appropriate, developer contributions will be sought to support sustainable transport solutions elaborated in a Supplementary Planning Document and a Community Infrastructure Levy (CIL) charging schedule. Transport Assessments, Transport Statements or Travel Plans, will be prepared in accordance with DfT and LTA guidance for all developments that are likely to generate significant amounts of movement, to determine the measures required on the surrounding highway network to ensure necessary access by all transport modes'.

4.5.4 It should be emphasised that the aim of these policies is not eliminate vehicular traffic nor is it to force people to use public transport. Rather it is to 'manage demand' and to reduce dependence on the car by promoting attractive and realistic alternatives.

4.5.5 National policy and guidance in respect to transport is provided by paragraphs 110, 111 and of the NPPF and the relevant sections of the Planning Practice Guidance.

4.5.6 Paragraph 110 of the NPPF states: -

'In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- (b) safe and suitable access to the site can be achieved for all users;
- (c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code ; and

- (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.5.7 Paragraph 111 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. Paragraph 112 continues, stating ‘Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

4.5.8 Finally paragraph requires that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport.’

Promotion of Sustainable Alternatives to the Private Car

4.5.9 In order to inform the application the applicant has submitted a Transport Statement and a Residential Travel Plan (RTP) which seeks to appraise the accessibility of the site by different modes of transport and promotes sustainable travel in the future. In respect to the local highway network the RTP notes that: -

- (i) ‘Rawnsley Road is a single carriageway route that is subject to a 30mph speed limit. It is a local distributor route that forms the link between Littleworth Road in the south-east and the A460 Rugeley Road in the north-west, on the north-eastern side of Cannock and provides access to existing residential property it serves at its northern and southern ends, either directly or via residential estate roads. The built up sections of the route have street lighting, whilst the middle section is unlit and bound to the south-west by Hednesford Hills and to the north-east is a sliver open space between Rawnsley Road and Bentley Brook. It has a gradual uphill incline from the A460 Rugeley Road and for the last kilometre from the Rugeley Road junction the alignment is relatively straight. Measures to discourage speeding include a SLOW road markings on a band of red road surfacing and mobile speed camera signs located on the straights and at the bends

at the northern end of the route. A footway is present for the entire length of the route on the eastern side of the carriageway, Enabling pedestrian connectivity between the residential areas and Hednesford town centre and a footway is introduced on the western side from the Rugeley Road junction southbound toward Littleworth Road. In the vicinity of the site access, Rawnsley Road has a carriageway width of approximately 5.8m and south of Rugeley it forms part of the number 62 bus route.

- (ii) A460 Rugeley Road is a distributor route that connects the A51 just north of Rugeley with A5 at the southern extents of Cannock. It is a single carriageway route with a generous width and is subject to the national speed limit of 60mph between built up areas, however as it enters the wider Cannock area at Hednesford the speed limit reduces to 30mph. Rugeley Road is a single carriageway route that combined with Colliery Road provides a direct connection between the site and Brereton area of Rugeley.
- (iii) Littleworth Road is a local distributor route spanning between Hill Street in the west and Cannock Wood Road in the east. It has a 30mph speed limit, street lighting and footways on both sides. It serves mainly residential property either directly or via side roads and it forms part of a local bus route with bus stop located at regular intervals along its length.'

4.5.10 In respect to accessibility by walking the RTP notes that guidance on walking distances to local amenities is provided in the Chartered Institution of Highways and Transportation (CIHT) document, "Providing for Journeys on Foot" (2000). The RTP continues adding 'Guidelines indicate that a walking distance of 400m is acceptable for trips within town centres and that a distance of 800m is acceptable elsewhere. The corresponding walking distances for commuting trips or to /from schools are given as 500m and 1km respectively. A "preferred maximum" walking distance of 2km is identified'.

4.5.11 Current guidance within the Manual for Streets (MfS) continues to adopt the above approach and states at Paragraph 4.4.1

"Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km."

4.5.12 On the basis of the above guidance the applicant's RTP asserts that

'These guideline distances remain in use by local authorities to determine access to facilities by walking. The CIHT Guidance advises that the 400m distance is equivalent to an approximate walking time of 5 minutes and this standard is typically adopted as the desirable maximum walking distance to local bus services. The corresponding walking distances of 1km and 2km are equivalent to approximately 12-minute and 25-minute walk times respectively.'

4.5.13 Having had regard to the above the RTP goes on to note that: -

The nearest bus stops on Rawnsley Road to the north lie within 150m of the centre of the site. To the south of the site access additional stops are available within 310m of the site's centre and that some facilities and amenities can be accessed within 400m walking distance of the site which include: -

- Bus stops on Rawnsley Road;
- Westgate play area and MUGA;
- Post office and convenience store;
- Post box on Brookhouse Lane;

and that additional local facilities and amenities can be accessed within a walking distance of 1km or less of the site centre, including

- Bus stops on Littleworth Road;
- St Thomas Drive play area;
- Hazelslade Nature Reserve;
- Convenience store
- Rawnsley Surgery
- Rawnsley Pharmacy
- Hazel Slade Primary Academy

4.5.14 In respect to cycling the RTP states that it is commonly accepted that cycling offers strong potential to replace car trips for many journeys under 5km, which is equivalent to a typical cycling time of 15-20 minutes. Furthermore, although the general topography of the surrounding area is generally hilly, particularly to the north and east, the gradients are gradual between the site and the centre of Hednesford, offering opportunities for trips from the development to be made by cycle.

4.5.15 In respect to public transport the applicant's RTP states that the centre of the site is located within approximately 150m of the nearest bus stop, which is located on Rawnsley Road, north of the site access and additional stops are located approximately 310m from the site centre on Rawnsley Road and the south-east bound stop has a shelter and a bus layby. Alternative, additional bus services can be accessed within 1.7km on the A460 Rugeley Road and Station Road to the north of the site. Furthermore, from the closest bus stops, the development would have access to one service (service 62) to Cannock town centre and bus station with a service frequency of 1 bus per 90 minutes Monday to Saturday. More frequent services are available within 1.7km (service 26 and service 63) with a combined frequency of 6 buses per hour, Monday to Saturday and serving Cannock town centre and Rugeley town centre. All three services pass close to Hednesford railway station enabling the possibility of a multi modal journey further afield

4.5.16 Officers would comment that although the location of the site is not optimum from the promotion of sustainable alternatives to the private car point of view, it does not constitute an unsustainable location and has a range of services that could be accessed other than by the private car. As such it is considered in broad conformity with Policy CP10 of the Local Plan and paragraph 110 of the NPPF.

Off Site Highway Safety

4.5.17 Concern about highway safety has comprised a substantial part of the objections received from the local community. Representations received from the community include the assertion that 'Rawnsley Road is already recognised as a hot spot for both speeding and volume of traffic at rush hour', accidents have been witnessed, and that 'the houses already in existence have to park their cars on the road' which cause congestion. Furthermore, representations have been received stating that the traffic surveys taken between 14-20 August will give false indication to the severe traffic problems experienced on a daily basis as this time period was outside of term time and also readings would be lower than usual due to people travelling less due to covid'.

4.5.18 The Highway Authority has assessed the application and has reported that: -

'Rawnsley Road (ZU5033) within the vicinity of the application site is a two-way single lane carriageway. It is lit with a footway on the north-eastern side of the carriageway. The gradient of the carriageway along the site frontage is on a noticeable incline from north-west to south-east. There are parking restrictions, denoted by double yellow line marking in proximity to its junction with Westgate (ZU5080), which forms a priority T-junction with Rawnsley Road (ZU5033) to the south-east of the application site. Measures to reduce vehicular speeds in proximity to the site frontage on Rawnsley Road (ZU5033) include a SLOW road marking on red high-friction road surfacing and a speed camera sign highlighting the 30mph speed limit.

Rawnsley Road (ZU5033) to the south-east continues to form a priority T-junction with Littleworth Road (road number ZU5034). To the north-west and west of the application site, Rawnsley Road is a C Class road (road number C0130) and provides connectivity with the A460 Rugeley Road (signalised junction).

All carriageways in proximity to the application site are subject to a 30mph speed limit.'

4.5.19 The Highway Authority has gone on to report that: -

'Current records show that there were three personal injury collisions (PICs) recorded along the site frontage on Rawnsley Road (ZU5033) for the previous five-year period. Two PICs were recorded at the junction with Rugeley Road (ZU5033) and one approximately 65m north-west of the junction with Westgate (ZU5080). Although all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.'

4.5.20 In respect to the proposal the Highway Authority has noted that: -

Vehicular access to the application site is proposed to be via a new bell-mouth junction from Rawnsley Road. The site access is proposed to be located approximately mid-way along the site frontage with Rawnsley Road and comprise a 5.5m wide carriageway with 6m kerb radii and 2m wide footways on either side. The footways will also follow the alignment of the bell-mouth kerb radii. Dropped kerb crossings with tactile paving are proposed to aid crossing of the site access and Rawnsley Road. A pedestrian link from the application site to the existing play area located to the south-east of the site is proposed.

- 4.5.21 Following the submission of a Stage 1 Road Safety Audit (to determine whether the proposed site access arrangements, were in principle, acceptable) and several revisions to the submitted plans the Highway Authority has confirmed that it has no objections to the site access onto Rawnsley Road subject to, amongst other things a Traffic Regulation Order (TRO) to restrict on-street car parking at and within 30m of the site access junction, to be secured by condition.
- 4.5.22 Having had regard to the above, Officers accept the recommendation of the Highway Authority, and consider that the proposed access would not lead to an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe.

On site Design, Parking Arrangements and Highway Safety

- 4.5.23 Following various revisions to car parking provision and the layout of private drives and aisle widths the Highway Authority is satisfied that subject to the attached conditions the parking arrangements and site design is acceptable from a highway safety perspective and has no objections to the proposal.
- 4.5.24 Having had regard to the comments made by the Highway Authority it is officer opinion that the proposal (i) would not lead to an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would not be severe and (ii) would be in a broadly sustainable location wherein there is a realistic prospect of promoting alternatives to the private car. As such it is concluded that the proposals are in broad compliance with the requirements of Policy CP10 and paragraph 110, 111 and 112 of the NPPF.
- 4.5.25 In the interest of promoting sustainability and combatting the causes of climate change it is recommended that any permission granted would be subject to a condition requiring the submission of a scheme showing all dwellings fitted with electric vehicle charging points.

4.6 Impact on Nature Conservation Interests

- 4.6.1 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 174, 180, 181 and 182 of the of the NPPF.
- 4.6.2 Policy CP12 of the Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved, and enhanced via

'the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to

their international, national, and local status. Development will not be permitted where significant harm from development cannot be avoided, adequately mitigated or compensated for;

- support for the protection, conservation and enhancement of existing green infrastructure to facilitate robust wildlife habitats and corridors at a local and regional scale (particularly to complement Policy CP16);
- supporting and promoting initiatives for the restoration and creation of priority habitats and recovery of priority species and the provision of new spaces and networks to extend existing green infrastructure;
- supporting development proposals that assist the delivery of national, regional and local Biodiversity and geodiversity Action plan (LBAP/GAP) targets by the appropriate protection, incorporation and management of natural features and priority species;
- the promotion of effective stewardship and management across the district to contribute to ecological and geological enhancements.'

4.6.3 Paragraph 174 of the NPPF states [amongst other things] that

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- (c) - [not relevant]
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- (e) -[not relevant]
- (f) -[not relevant]

4.6.4 Paragraph 180 goes on to state: -

'When determining planning applications, local planning authorities should apply the following principles:

- (a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- (b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either

individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.'

4.6.5 Finally, paragraph 182 of the NPPF states that 'the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site'.

4.6.6 This part of the report will go on to look at the site-specific impacts on ecology before moving on to impact on Hednesford Hills and Cannock Chase SAC

Site Specific Impacts on Ecology

4.6.7 The site is comprised of an area of grazed grassland with an area of wet woodland and pond with scattered trees and a boundary hedgerow along Rawnsley Road.

4.6.8 In order to inform the application the applicant has submitted an Extended Phase 1 Habitat Survey, followed by additional information, dated 4th November 2021, in response to the issues raised by the Council's Ecologist, along with a Landscape Strategy Plan and a Detailed Planting Plan.

4.6.9 The Extended Phase 1 Habitat Survey of the site was initially carried out in June 2020. In summary the survey concluded: -

'Chasewater and the Southern Staffordshire Coalfield Heaths SSSI which is considered to be functionally linked to the SAC could be adversely affected by the proposed development through additional recreation pressure, without mitigation.

The scheme has Public Open Space for new residents and additional mitigation could be secured via a CIL payment and secured via a Section 106 agreement.

The detailed botanic survey was undertaken of the grassland and pond. Only remnants of acid grassland and heathland were recorded.

The landscape strategy includes creation of acid grassland and heathland and with management and monitoring secured via a detailed strategy, could result in an enhancement of these habitats.

If vegetation removal is required recommendations have been made for nesting bird checks, as appropriate, ahead of site preparatory works.

A small population of common lizard was recorded on site. Prior to works commencing for any phase of development a Reptile Method Statement should be agreed with the LPA. The scheme includes habitat creation for the benefit of common lizards including a hibernacula.

The pond will require modification and should be undertaken under a method statement agreed with the LPA and should include measures to safeguard common amphibians.

Japanese knotweed infestations are present on site and treatment should be undertaken by an experienced contractor. No works should be undertaken within 7m of the identified infestation unless under an agreed method statement.

A detailed landscape schedule should be agreed with an ecologist and monitoring secured via planning condition. Mitigation and enhancement measures could be secured through planning condition and therefore the proposed development accords with biodiversity planning policy.'

4.6.10 The applicant's Phase 1 Habitats Survey Report was assessed by the Council's Ecologist who in respect to the grassland habitat on the site concluded that despite the recent application of herbicide the grassland qualified (albeit narrowly) as a Local Wildlife Site under the 'Guidelines for the Selection of Local Wildlife Sites in Staffordshire Version 6 (December 2017)'.

4.6.11 The Council's Ecologist also noted that although a full invertebrate survey was requested this had been refused by the applicant. However, whilst undertaking the botanical assessment on 16th June 2021 dingy skipper butterflies were recorded in two separate locations within the field. Although only three individuals were noted this was at the very end of the flight period for this species and colony size could not be reliably determined. However, the presence of three individuals would indicate breeding on the site rather than butterflies wandering from other locations. The presence of the dingy skipper butterfly will be of significance when determining the application in that this is a priority species as referred to in Cannock Chase Local

4.6.12 The Council's Ecologist went on to refer to Policy CP12 of the Local Plan and the requirement to safeguard from damaging development ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national, and local status and that development will not be permitted where significant harm from development cannot be avoided, adequately mitigated, or compensated for. The Council's Ecologist has gone on to state that at that point the applicant had not offered any mitigation or compensation for the impact on the Dingy Skipper as required by CP12.

4.6.13 Finally, the Council's Ecologist opined that the findings of an additional amphibian survey carried out in May 2021 which indicated that amphibians are absent from the pond was surprising but accepted and therefore no specific mitigation would be required.

4.6.14 In response to the Council's Ecologist's comments the applicants Ecologist has stated: -

As stated by Mr Barnes, the assessment of habitat value of the site was based on botanical data gathered in May 2020 to accompany the planning application. It was acknowledged by the Applicant through the specialist botanical report commissioned that the assessment of botanical value of the site at the time had been affected by herbicide spraying, undertaken to control the Injurious Weed² (as prescribed in the Weeds Act 1959) Common ragwort *Senecio jacobaea*, as the field is used for grazing ponies.

It is not unexpected that the grassland quality would have altered from May 2020 to when Mr Barnes visited the site on 16th June 2021, as the grassland recovers from herbicide spraying and the resulting closure of the sward is to be expected. Mr Barnes considered that the site could qualify as a Local Wildlife Site based on his survey in June 2021. To confirm the current status of the site in relation to Local Wildlife Site Criteria the Applicant instructed a second specialist independent botanist, Mr Philip Wilson, to carry out a repeat botanical survey in July 2021 (the previous botanist had ceased to trade as a consultant). A copy of this independent report is appended to this letter together with Mr Wilson's experience and qualifications.

In summary it concludes that "the site supports a mosaic of grassland types including MG1 *Arrhenatherum elatius* false-oat-grass grassland, U1e *Festuca ovina* sheep's fescue – *Agrostis capillaris* common bent – *Rumex acetosella* sheep's sorrel grassland, *Hypochaeris radicata* common cat's-ear grassland and MG6aiii *Lolium perenne* perennial rye-grass – *Cynosurus cristatus* crested dog's-tail grassland, typical subcommunity, *Deschampsia cespitosa* tufted hair-grass variant. There are also small areas of scrub, tallherb vegetation and vegetation dominated by *Pteridium aquilinum* bracken. The vegetation present in 2021 appeared to have recovered well from treatment of the site with herbicide in early 2020. It is possible that the high frequency of *Jacobaea vulgaris* and other short-lived perennials such as *Crepis capillaris* smooth hawksbeard and *Cerastium fontanum* mouse-eared chickweed in 2021 is a consequence of this herbicide treatment. Evaluation against the guidelines for the assessment of Local Wildlife Sites in Staffordshire suggests that the site fulfils the requirements for designation as a Local Wildlife Site as a result of the presence of areas of U1 and MG6aiii grassland in excess of threshold areas, the diversity of species exceeding a threshold score, and the presence of additional habitat features.

If the BEHTA guidelines are followed, the site contains approximately 0.8ha of Lowland Dry Acidic Grassland Priority Habitat and 0.45ha of good quality semi-improved grassland. There is an additional 0.49ha of species- poor semi-improved grassland and approximately 0.85ha of other habitats including tall-herb vegetation, scrub, and bracken. The site contains none

of the heathland or wetland habitats for which the nearby SSSIs are designated”.

The Detailed Planting Plan by Tyler Grange (Drawing number 12440_P07 Rev E dated 26.10.2020) submitted with the planning application has been revised following discussions with NE and Staffordshire Wildlife Trust (SWT) through the DAS consultation. The proposed habitats have been revised to include:

Agreement of species mixes to include local seed mixes SWT.

- Inclusion of food source habitat for dingy skipper
- Marginal planting and retention of pond for benefit of wildlife

This revised drawing (reference 12440_P07) is within Tyler Grange's Natural England Advice Note appended to this letter. We consider these changes to sufficiently address the points raised by Mr Barnes.

Loss of a potential LWS needs to be weighed against the other ecological benefits and the benefits of providing affordable housing.

Invertebrates

It is acknowledged that Mr Barnes recorded dingy skipper butterflies on site on 16th June 2021 and the survey has therefore confirmed the presence of a Priority Species and as such no further survey should be needed. Following receipt of this information a separate invertebrate survey was commissioned which when combined with the appended survey this provides sufficient data to confirm the presence of this species on site.

The landscape design has been amended to include habitat to continue to support this species on site including food plants such as bird's-foot trefoil and other yellow flowers including, horseshoe vetch, buttercup and hawkweed and management practices to retain bare ground/appropriate planting could be agreed through a Landscape and Ecology Management Plan (LEMP) which is common practice and could be secured via planning condition.

As such we feel that the scheme put forward can avoid 'significant harm' through mitigation and compensation as required by the Cannock Chase Local Plan policy CP12.'

- 4.6.15 Although no evidence of Badgers occupying the site was found during the survey work the applicant notes that badgers are mobile and therefore proposes precautionary mitigation measures to ensure that badgers are not harmed should they move onto the site in the intervening period between the grant of planning consent and the commencement of the development.
- 4.6.16 The surveys found that the site did contain a small number of trees which had low roosting potential for bats and that there was evidence that bats commute and forage across the site. However, the applicant proposes a package of measures including careful felling of trees, controls of external illumination across the site and the creation of bat roosts within the dwellings.

- 4.6.17 It is considered that subject to conditions to secure such measures that the proposal would not result in any significant adverse impact on bats or badgers.
- 4.6.18 No objections or challenges have been received from the Parks and Open Spaces Service to the evidence presented above. Officers can confirm that the evidence and statements provided by the applicant are reasonable and proportionate including the use of appropriate seed mixes to encourage the Dingy Skipper, and measures and habitats to retain the presence of Common Lizard on the site. Furthermore, the impact on the sites' ecology could be further mitigated and, to some extent, the biodiversity value can be enhanced by the inclusion of bird boxes and bat roosts within the dwellings, the inclusion of hedgehog friendly holes within boundary treatments that would allow hedgehogs free access throughout the gardens comprising the development, retention, and management of the existing pond and through suitable planting throughout the development to encourage biodiversity.
- 4.6.19 Subject to the above it is concluded that the significant harm resulting from the permanent loss of grassland habitats would be mitigated and compensated through a package of measures such that the proposal would not be contrary to Policy CP12 and paragraph 174(d), and 180 of the NPPF.

Impacts on Hednesford Hills and Cannock Chase Special Area of Conservation

- 4.6.20 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, 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. The proposal would lead to a net increase in dwellings and therefore is required to mitigate its adverse impact on the Cannock Chase SAC. This normally would be top sliced from monies gained via the Community Infrastructure Levy (CIL). However, in this instance given that the proposal is for 100% affordable housing, it is exempt from paying CIL. Therefore, the contribution towards mitigating impacts on the SAC would need to be controlled through a section 106 agreement or unilateral undertaking.
- 4.6.21 Further to the above, Hednesford Hills SSSI forms part of the Chasewater and the Southern Staffordshire Coalfield Heaths SSSI and plays an important role in supporting Cannock Chase SAC. These heathlands were once part of the former continuous tract of Cannock Chase stretching to Sutton Park (now SSSI and National Nature Reserve) in Birmingham. These are Gentleshaw Common SSSI, Hednesford Hills and Chasewater SSSIs along with Shoal Hill Common Local Wildlife Site and smaller areas of lowland heathland throughout the area. Although now discrete heathland areas, separated from the larger Cannock Chase SAC by forestry, intensive agriculture and peri-urban development, these heathlands provide a critical functional connection to Cannock Chase SAC therefore their continued conservation and enhancement is a priority as it supports the integrity of Cannock Chase SAC. This vital network of heathlands supports species which can disperse and range more widely such as birds and invertebrates, forming part of meta-populations that are important for genetic diversity and building resilience to cope with climate change. Restoring and/ or

creating new corridors of heathland/ complimentary heathland habitats (such as acid grassland, scrub and oakwoods (alderwoods in wet areas) between the surviving heathlands is critical to securing the integrity of the SAC into the future.

4.6.22 As such potential significant impacts on the role played by Hednesford Hills SSSI in supporting Cannock Chase SAC need to be considered in the Local Planning Authority's Habitats Regulations 'appropriate assessment'.

4.6.23 Officers have undertaken a Habitats Regulations appropriate assessment (based upon a shadow appropriate assessment provided by the applicant) which has been submitted to and approved by the Natural England. The appropriate assessment, in addition to dealing with direct visitor pressure on Cannock Chase SAC also went on to identify the following potential impacts on the wider Chasewater and the Southern Staffordshire Coalfield Heaths SSSI: -

- Habitat (& species) fragmentation and loss*
- Changes to hydrological regime/water quality*
- Pollution events (during construction)
- Disturbance (recreation)

*were subsequently screened out by the assessment as a cause of likely impact on the significance of the SSSI and hence the SAC

4.6.24 Habitat and species distribution fragmentation and loss was subsequently screened out the assessment as a cause of likely impact on the significance of the SSSI and hence the SAC on the grounds that the site does not support heathland communities. Similarly, Changes to hydrological regime/water quality were subsequently screened out by the assessment as a cause of likely impact on the significance of the SSSI and hence the SAC on the grounds that the ground levels and hence hydrology were at a much lower level than the SSSI

4.6.25 In order to mitigate against the impact of the proposal on the nearby Hednesford Hills SSSI the appropriate assessment has identified the following measures: -

1. To mitigate against potential pollution incidents
 - (i) A Construction and Environmental Management Plan (CEMP) setting out details of pollution prevention measures during construction including timing and appointment of an Environmental Clerk of Works at appropriate stages throughout the construction period.
2. To mitigate against potential impacts on Hednesford Hills SSSI through increased visitor pressure
 - (i) Household Welcome Packs. These will 'signpost' households to other local recreation destinations. The packs will include incentives for households to use alternative recreation destinations through an annual membership to the Cannock Chase Birch Valley Forest Centre (at a total cost of £3600 for the 60 homes).

- (ii) Information Boards. These will be displayed around the application site to provide educational awareness on ecology and the protection of the SSSI. The public information boards would include the Cannock Chase Code10 and would include information on the green spaces within the Site and also details on the location of, and safe routes to, alternative green spaces, such as the Hazleslade Nature Reserve together with an explanation of the issues facing these green spaces and how residents can help reduce any potential impacts.
- (iii) Financial Payment. The sum of £20,000 (twenty thousand pounds) would be paid to Cannock Chase Council towards “Local Nature/Recreation Projects”. This payment would be made through a S106 Agreement (or Unilateral Undertaking) and would be deposited with the Council for use on local projects at their discretion. The money could be used towards the costs of converting the former rail line into a cycle/ footpath route as discussed previously or it could be directed to other local facilities such as The Birches Valley Forest Centre, as mentioned above.

4.6.26 The above mitigation is considered by Officers to be reasonable, proportionate, and deliverable by the applicant. It was included within the Local Planning Authority’s appropriate assessment and has been accepted by Natural England. Officers would comment that the most appropriate recipient of the monies should be the adjacent recreation ground.

4.6.27 Subject to the delivery of the above mitigation the proposal would be in accordance with Policy CP12 of the Local plan and paragraphs 174 and 180 of the NPPF.

4.7 Drainage and Flood Risk

4.7.1 Drainage, flood risk and issues in respect to the capacity of the existing sewer system in the area to accommodate additional loads have been significant issues of concern raised by the local community, with a particular reference to local sewers surcharging foul water from some manholes, flooding on Rugeley Road and that the site is a flood plain. The full range of comments received are set out in the ‘Response to Publicity’ section above. These comments have been relayed to Severn Trent Water who have been asked to take note of them in their response.

4.7.2 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps, and therefore is in the zone at least risk from flooding. However, paragraph 167 of the NPPF goes on to state ‘When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment’

4.7.3 In addition to the above it is paragraph 165 of the NPPF states 'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards;
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development;

4.7.4 In order to inform the application the applicant has submitted a Site Drainage Plan, Micro Drainage Calculations, Soakaway Results, Levels and Drainage Concept Plan and a Flood Risk Assessment and Drainage Statement.

4.7.5 The Flood Risk Assessment confirms that this site is identified by the Environment Agency flood map as being located wholly within Flood Zone 1 and that this 'Flood Zone is assessed as having a less than 1 in 1000 annual probability of river or sea flooding'.

4.7.6 In respect to the proposed drainage strategy for the proposed development it goes on to state that: -

- Under the terms of Section H of the Building Regulations 2010, as soakaway drainage is considered suitable, surface water will be managed using infiltration techniques.
- The proposed on-site drainage solution will be suitable to attenuate flows up to and including the 1 in 100 year + 40% rainfall event.
- Prior to infiltration, surface water will be stored within individual plot soakaways and an infiltration basin.
- Foul water will connect into an existing public foul water sewer that transects the northwest corner of the site.
- The onsite sewers are likely to be adopted by Severn Trent Water.
- A foul water connection to the existing public sewerage system will be subject to Section 106 approval from Severn Trent Water.
- A specialist management company will be identified at the detailed design stage and appointed to maintain the SuDS features for the lifetime of the development.

4.7.7 Both Severn Trent Water and the Lead Local Flood Authority have appraised the information in the plans and supporting technical information and have stated that they have no objections to the proposals.

4.7.8 As such it is concluded that the proposal is acceptable in respect to flood risk and drainage subject to the attached conditions and is in accordance with the development plan and the above paragraphs of the National Planning Policy Framework.

4.8 Education

4.8.1 Policy CP2 states that all housing development will be required to contribute towards providing the infrastructure necessary for delivery of the Local Plan

informed by viability assessment. It goes on to state that contributions will be secured primarily via (i) rates set out in a community Infrastructure Levy (CIL) charging schedule and (ii) Section 106 planning obligations.

4.8.2 In addition to the above paragraph 95 of the NPPF states: -

'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning authorities should take a proactive, positive, and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- (a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and
- (b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before application are submitted.'

4.8.3 One of the issues raised by local people is whether local schools have the capacity to take the additional pupils that would be generated by the proposal. However, the Education Authority has advised that the proposal would not result in an education contributions there are projected to be a sufficient number of school places to mitigate the impact of the development at both primary and secondary phases of education. Despite the concerns of local people in respect to the capacity of local schools no substantive evidence has been produced to call into question the stance of the Education Authority.

4.8.4 Given the above, the comments of the Education Authority are accepted and it is considered that the proposal is acceptable from an education perspective and accords with Policy CP2 of the Local Plan and paragraph 95 of the National Planning Policy Framework.

4.9 Mineral Safeguarding

4.9.1 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.

4.9.2 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. '

4.9.3 In order to inform the application the applicant has submitted a Minerals Resource Assessment, prepared by GRM Development Solutions Limited. This states: -

‘Based on the above it is considered that the most likely mineral resources present within or close to the site would be Sand and Gravel resulting from the weathering of the Chester Formation strata, and potentially coal and fireclay associated with the Pennine Middle Coal Measures Formation strata.

A ground investigation was carried out by GRM in 2019, comprising 15 no. window sample boreholes to depths of up to 5.45m below ground level (bgl). The boreholes typically revealed a thin horizon of reworked topsoil (up to 0.2m thick) overlying a layer of Made Ground to depths of between 0.3m and 3.5m bgl (mean of 1.36m); this Made Ground was present in all but one borehole. It is estimated that Made Ground of 2m of greater thickness covers at least 30% of the site area. The underlying weathered Chester Formation strata generally comprised brown, loose becoming very dense sandy gravel and gravelly sand; the gravel content included sandstone, siltstone, and quartzite. The relative density of the strata was highly variable, with Standard Penetration Test (SPT) refusals occurring at depths ranging from 1m bgl to 5m bgl (refusals did not occur in 4 of the boreholes); SPT refusal depths were interpreted as being the depth of rockhead. Coal Measures strata were not encountered in any of the exploratory holes. Based on an estimated average depth to rockhead of 3m bgl, and an average Made Ground thickness of 1.36m it is estimated that very approximately 39,000m³ (c. 74,000 tonnes) of sand and gravel, of variable quality, is present within the site shallower than rockhead.’

4.9.4 The assessment goes on to conclude that there ‘are insufficient mineral reserves of sufficient quality to make their extraction economically viable’.

4.9.5 The County Council, in its capacity as the mineral planning authority has no objections to the proposal. Officers agree with the assessment provided by the applicant and consider it a proportionate and reasonable response given the size of the site and its proximity to surrounding dwellings and therefore accept the stance of the minerals Authority.

4.9.6 It is therefore concluded that the proposal would accord with Policy 3.2 of the Minerals Local Plan for Staffordshire and the NPPF and is therefore acceptable in respect to its impact on minerals.

4.10 **Crime and the Fear of Crime**

4.10.1 Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can do to prevent crime and disorder in its area to include anti-social behaviour, substance misuse and behaviour which adversely affects the environment'.

4.10.2 In addition to the above paragraph 130(f) of the NPPF states planning policies and decisions should ensure that development create places which [amongst other things] create places that are safe and where crime and disorder, and the fear of crime, do not undermine quality of life, social cohesion, and resilience.

4.10.3 Having had regard to the above the comments made by Staffordshire Police are noted. However, much of the comments constitute a regurgitation of guidance, are generic in nature, relate to issues that do not fall under the remit of planning (e.g. standards of locks, doors or windows or do not relate to the proposal which is under consideration (e.g. there is no proposal to provide an equipped area of play).

4.10.4 In respect to the position of gates and meters it is noted that the elevation drawings submitted show that gas and electricity meters are shown at the front of the properties or near the front on side elevations. In respect to the position of gates in respect to set back from the front elevation this could be picked up, as far as is practicably possible, in the condition requiring the submission of details in respect to boundary treatments.

4.10.5 Subject to the above condition it is considered that the proposal would not conflict with paragraph 130(f) of the NPPF.

4.11 **Waste and Recycling Facilities**

4.11.1 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).

4.11.2 The applicant has supplied showing the layout of roads within the site and where there are private drives the location of bin stores. The applicant has also satisfied the Highway Authority that the layout can be adequately served by refuse collection vehicles.

4.11.3 In this respect it is considered that the proposal would be in accordance with Policy CP16(1) (e) of the Local Plan.

4.12 **Ground Conditions and Contamination**

4.12.1 The site is located in a general area in which coal mining has been a significant factor and therefore there are potential issues in respect to land stability. The site is also near to an Historic Landfill Boundary and a Landmark Contaminated Land Boundary. Furthermore, representations have been received stating that:

- (i) Mining under Cannock Chase and Hednesford Hills has left pockets of unstable ground and that when the Eastgate/ Westgate estate was built a whole row of newly built houses collapsed and disappeared into the ground and a house on Church Hill also sank at around the same time.
- (ii) The proposal might have an impact on surrounding properties structurally.
- (iii) There is a fault line in the field which was found many years ago which affected a few of the terraces. What will happen if this happens again. Will they ensure our houses before and during work.

4.12.2 In this respect paragraph 174 of the NPPF states: -

“Planning policies and decisions should contribute to and enhance the natural and local environment by [amongst other things]:

- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

4.12.3 In addition to the above paragraph 183 of the NPPF states: -

“Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

4.12.4 Finally paragraph 184 of the NPPF makes it clear that where 'a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'.

4.12.5 In respect to the Coal Mining Low Risk Area the Coal Authority does not consult under its own standing advice but request that the LPA places on any decision notice an informative bringing the issue that the site is within a Coal Mining Low Risk Area to the attention of the developer. Therefore, subject to the attachment of an informative the issue of instability caused by former mine workings would be adequately addressed. It is recommended that any decision made is therefore subject to such an informative.

4.12.6 In respect to other issues arising from ground stability and ground contamination the applicant has provided a site investigation. The Environmental Health Officer has stated the following matters are of note:

- Pile design - Certain areas of the site are identified as requiring piling. I would request that a CEMP addresses the noise and vibration impact by use of low noise techniques.

- Ground gas – Ground gas monitoring has yet to be completed. However, results so far show that gas protection to CS₂ will be required. This equates to a protection score of 4.5 comprising of gas membrane (fully sealed at joints and service penetrations) and block and beam floor is required. The following should be undertaken to the standards of BS8485:2015 and CIRIA 735: 0 Upon completion of the additional monitoring, results and confirmation of design should be submitted to the planning authority for agreement. A verification report should be approved by the planning authority prior to occupation of properties.
- Ground contamination – investigations remain to be completed in certain areas. However, current results suggest that ground contamination will not require remediation measures. This is agreed for the areas so far investigated. Further results should be submitted to the planning authority for consideration when available.
- Waste materials – Current results suggest that wastes will not be considered as hazardous. Never-the-less, as recommended in the report, any waste materials leaving site should be stockpiled and tested prior to disposal to a registered facility, and a verification report provided. This is accordance with CL:AIRE Definition of Waste CoP. The contents and information contained in this message, and any attachments, may be confidential and legally privileged, and are sent for the personal attention of the addressee(s). If you are not the intended addressee, any use, disclosure or copying of this document is unauthorised. If you have received this memo in error please return it to the sender, named above or notify the sender and destroy the document immediately.
- Should soil be imported for landscaping purposes, then that too should be chemically validated for suitability, and demonstrated to the planning authority.
- The report states that a Japanese knotweed investigation requires completion. This is essential to ensure that JKW is adequately treated prior to commencement.

4.12.7 Officers would advise that the above matters are technical in nature and are routinely dealt with way of a suitably worded condition. There are no grounds for departing from that general practice in the case of this application.

4.12.8 Although not strictly related to ground conditions Cadent have advised that an assessment has been carried out with respect to Cadent Gas Limited, National Grid Electricity Transmission plc's and National Grid Gas Transmission plc's apparatus which has identified that there is apparatus in the vicinity of the application site. The presence of this equipment can be adequately dealt with by way of an informative on any approval granted.

4.12.9 Therefore subject to the above conditions and informatives it is considered that the proposal would be in accordance with paragraphs 174 and 183 of the NPPF.

4.12.10 In respect to the issue raised in the representation as to whether the developer would 'ensure' [sic] houses before and during work Members are advised that this falls outside the scope of planning controls and is a private civil matter.

4.13 Affordable Housing

4.13.1 It is the Government's objective to significantly boost the supply of homes. Furthermore, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (NPPF, paragraph 60).

4.13.2 Paragraph 62 of the NPPF states that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

4.13.3 In addition paragraph 63 of the NPPF goes on to state 'Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless: a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and b) the agreed approach contributes to the objective of creating mixed and balanced communities.

4.13.4 To that end Policy CP7 of the Local Plan goes on to state that Council will seek to address a net annual need for 197 affordable dwellings, with Policy CP2 of the Cannock Chase Local Plan requiring, subject to viability, 20% affordable housing on site.

4.13.5 The Developer Contributions and Housing Choices Supplementary Planning Document (July 2015) identifies that the preferred housing mix is as follows: -

1 bed = 10%

2 bed = 60%

3 bed = 25%

4 bed = 5%

4.13.6 The application proposes a 100% affordable housing scheme with the following housing mix (rounded up): -

8 x	1 bedroomed	13%
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28 x	2 bedroomed	47%
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20 x	3 bedroomed	33%
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4 x	4 bedroomed.	7%
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4.13.7 The Strategic Housing Officer has stated that the 'Local Housing Needs Assessment 2019 identifies an affordable housing need of 110 units per annum' and that this '60 dwelling site will make a significant contribution to meeting that need', adding

'Rented family homes are in high demand throughout the District. The proposed development which contains a mix of 1 bed apartments and 2, 3 and 4 bed houses will meet a variety of household needs.'

4.13.8 The Strategic Housing Officer has gone on to state that

'Affordable homes for rent are in high demand in the District and there are currently approximately 600 households on the Council's housing waiting list. Evidence from the Housing Needs Assessment 2019 identified a need for 110 additional affordable homes per annum. The Council has a service aim to increase affordable housing choice which forms part of the "Supporting Economic Recovery" Priority Delivery Plan 2021-24.'

4.13.9 In order to illustrate the need for affordable homes and to enable the decision takers to calibrate their judgement as to the weight to be given to the benefits of this proposal attention is drawn to the two recent examples given below: -

- (i) Expressions of interest (EOI's) for a 1 bed property at Hawks Green Depot ranged from between 17 and 68. A 3 bed house generated 58 EOI's and a 2 bed 50.
- (ii) Properties that have recently been advertised in Rawnsley resulted in 35 EOI's for a 1 bed flat, 38 for a 3 bed house and 35 for a 2 bed bungalow.

4.13.10 It is clear from the above that not only is the proposal policy compliant in terms of the Local Plan policies and the NPPF relating to affordable housing, but that this 100% affordable housing proposal would provide significant social benefits that should be given substantial weight.

4.14 **The Planning Balance**

4.14.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, paragraph 12 of the NPPF states that the 'presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making' adding that 'where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted'. However, it also goes on to make it clear that 'Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed'.

4.14.2 It is not unusual in large residential schemes that a proposal would result in one or more conflicts with policy requirements which requires the decision taker to make a balanced decision. This requires the decision-taker to afford weight to the various harms or benefits arising from a proposal and determining where the balance lies as to whether the application should be approved or refused.

4.14.3 In this case it is noted that in Section 4.13 of this report it was concluded that locally the development would dominate this part of the valley, resulting in local moderate adverse effects on the setting of the AONB and that these effects would be long term, and as such the proposal would be contrary to Policy CP14 of the

Local Plan. As to the weight to be attached to this harm it is noted that paragraph 177 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. Accordingly, Officers consider that similarly great weight should be afforded to the harm to the setting of the AONB.

- 4.14.4 However, subject to the attached infomatives and conditions and subject to the completion of a section 106 agreement in respect the provision of mitigation against Cannock Chase SAC and the Hednesford Hills SSSI, no other significant harm would result from the proposal.
- 4.14.5 Turning to the benefits of the proposal would bring it is noted that it would result in 60 affordable housing units. This would contribute to the Council meeting its obligations to provide both housing in general and affordable housing in particular.
- 4.14.6 In affording weight to the contribution that the proposal would make to the Council's housing land supply it should be noted that the Council's Strategic Housing Land Availability Assessment 2021 (SHLAA), (which provides an updated summary of the Council's five year land supply for the period 1st April 2021-31st March 2026) identifies that that the Council currently has a housing land supply of 4.3 years and thus does not have a 5 years supply of housing land. The shortfall is 194 dwellings which is 0.7 years supply.
- 4.14.7 To place the issue into a National perspective a Research Briefing published on Friday, 04 February 2022 called 'Tackling the under supply of housing in England' reported that according to one estimate [commissioned by the National Housing Federation \(NHF\) and Crisis from Heriot-Watt University](#), around 340,000 new homes need to be supplied in England each year, of which 145,000 should be affordable. Furthermore, the paper identified that 'there's a backlog of need among people currently living in unsuitable accommodation, and affordability pressures can prevent people accessing the housing they need.
- 4.14.8 The research paper goes on to report that new housing supply is currently lower than the Government's ambition of 300,000 new homes per year. [216,000 new homes were supplied in 2020/21](#). This is lower than the 243,000 new homes supplied in the previous year, in part because of disruption to housebuilding caused by Covid-19 in early 2020. Furthermore, prior to 2020/21, new housing supply had been increasing year-on-year since 2013. Relaxed planning rules around converting non-residential premises to residential use contributed to some of this increase.
- 4.14.9 Officers consider that the proposal would make a significant contribution to reducing that shortfall of housing supply both locally and nationally and this factor alone should be given significant weight.
- 4.14.10 In respect to affordable housing the Strategic Housing Officer (SHO) has advised that an Assessment in 2019 identified an affordable housing need of 110 units per annum' and that this '60 dwelling site would make a significant contribution to meeting that need'. Furthermore, the SHO has noted the high level of homes for rent in the scheme and has commended that 'rented family homes are in high demand throughout the District and the proposal would meet a variety of household needs.'

4.14.11 In quantifying that need it should be noted that affordable homes for rent are in high demand in the District and there are currently approximately 600 households on the Council's housing waiting list. Evidence from the Housing Needs Assessment 2019 identified a need for 110 additional affordable homes per annum. The Council has a service aim to increase affordable housing choice which forms part of the "Supporting Economic Recovery" Priority Delivery Plan 2021-24.'

4.14.12 In order to illustrate the need for affordable homes and to enable the decision takers to calibrate their judgement as to the weight to be given to the benefits of this proposal attention is drawn to the two recent examples given below: -

- (i) Expressions of interest (EOI's) for a 1 bed property at Hawks Green Depot ranged from between 17 and 68. A 3 bed house generated 58 EOI's and a 2 bed 50.
- (ii) Properties that have recently been advertised in Rawnsley resulted in 35 EOI's for a 1 bed flat, 38 for a 3 bed house and 35 for a 2 bed bungalow.

4.14.13 It is clear from the above that not only is the proposal policy compliant in terms of the Local Plan policies and the NPPF relating to affordable housing, but that this 100% affordable housing proposal would provide significant social benefits that should be given substantial weight.

4.14.14 Representations have been made that the need for housing in general and affordable housing need in particular could be met elsewhere with suggestions that the former Rugeley Power Station site should be able to significantly contribute to meeting the housing needs of the District. However, the development of the former Rugeley Power station is a long term project with development commencing in 2020 and envisaged to continue until 2041 through various phases. It also provides not only housing for Cannock but also for Lichfield District of which a substantial part of the site lies within. It is therefore clear that whilst the redevelopment of the Rugeley Power Station site will provide part of a longer-term solution it will not meet the existing demand in the short term.

4.14.15 Furthermore, there is a lack of suitable sites for development or even redevelopment for housing within the District. In seeking to provide its own solution to the affordable housing crisis the council has had no alternative but to look to develop an area designated as Strategic Greenspace Network at Muldoon Close.

4.14.16 As such Officers consider that substantial weight should be afforded to the circumstance that currently there is no other sites which are likely to come forward in the short to medium term which would meet the general need for housing and in particular the need for affordable housing in the District.

4.14.17 In addition to the social benefits the decision taker must afford some weight to the economic benefits arising from the development. A report by Lichfields states that 'the house building industry in England and Wales is now worth £38bn a year and supports nearly 700,000 jobs' adding that 'House building activity contributes economically in different ways including providing jobs, tax revenues and contributing funding for local infrastructure and communities and with Government

targeting further increases in supply, the knock-on benefits are set to increase still further'.

4.14.18 The report shows that in 2017 the house building industry;

- Supported 698k jobs, including 239k direct (18% of UK construction industry).
- Generated £2.7bn in tax revenues (via SDLT, Corporation tax, NI, PAYE etc).
- Provided £841M towards infrastructure (incl. £122m for new/improved schools).
- Spent £11.7Bn with suppliers (90% of which stays in the UK)
- Invested £12bn in land for new homes
- Agreed 50,000 affordable houses through s106 agreements worth over £4bn.

4.14.19 In addition to the above the additional population in an area can support local business and services by increased spend on those goods and services.

4.14.20 As such it is considered that the proposal would have a significant positive economic impact on the local and wider area, both during the construction phase and from spend generated by the new occupiers. Given the scale of the proposal (60 dwellings) it is considered that only modest weight should be attached to the economic benefits arising for the proposal.

4.14.21 It is considered that the great weight attributed to the harm to the setting of the AONB would be clearly outweighed by the

- (i) substantial weight given to the significant contribution the proposal would have in reducing the shortfall of housing supply in general and in meeting the demand for affordable housing in particular, and
- (ii) the substantial weight given to the circumstance that currently there are no other sites which are likely to come forward in the short to medium term which would meet the need for affordable housing in the District; and
- (iv) the modest weight afforded to the economic benefits arising from the construction of the houses and spend from the future occupiers on the local and wider economy.

4.14.22 It is therefore considered that the conflict with the development Plan is clearly outweighed by the social and economic benefits arising from the proposal that justify approval of the application.

4.15 Miscellaneous Issues

4.15.1 Objections have been raised on the grounds that the proposals would result in the loss of private views. Officers would comment that despite how cherished a person may regard their private view, the loss of such a view is not a material planning consideration.

- 4.15.2 Objections have been raised on the grounds that the proposal would have a negative effect on house prices and values. Officers would respond that the impact on house process or values is not a material planning consideration.
- 4.15.3 It has been suggested that the application be tied into the delivery of the proposed footpath along the former mineral line and that footpaths should; lead directly to the mineral line. Officer would respond that the former mineral line is owned by Sustrans. The applicant has tried to engage with Sustrans with little success. Give that the delivery of the footpath would not be in gift of the applicant due to ownership constraints any conditions requiring work to the former mineral line would be unreasonable and therefore fail the statutory test for the application of conditions. Members are also informed that where the application site adjoins the mineral line the line runs within a steep cutting making it impractical to make direct link form the site to the mineral line.
- 4.15.4 Comments have been made in respect to the time it has taken to get this application to the Planning Committee. Officers would respond that whilst the applicant had come for preapplication discussions issues came to light following the submission of the application that were not identified during the preapplication process which resulted in delays. The resulting delays were further aggravated by the Covid 19 pandemic.
- 4.15.5 The timing of the presentation of the application to Planning Committee has been criticised due to the Easter holiday period. However, conversely representations have been received criticising the delay in determining the application. Officers advise that development control is a quasi-judicial system that is expected to operate and not cause unnecessary delay to the determination of applications. As such officers bring applications before Planning Committee as soon as they are able to do so.
- 4.15.6 It has been stated by the Parks and Open Spaces Team that the development should provide public open space.
- 4.15.7 Comments have been received to the effect that a previous application for housing was refused 20 years ago and that Councilman Dennis Dixon many years ago said this field could not be built on. Officers would comment that there has been a comprehensive and widespread change in the planning system and planning policy over the last 20 years. This includes amongst other things the introduction of the NPPF in 2012 and subsequent revisions and the Government's clear view that sustainable development has an economic and social role to play as well as an environmental role and the emphasis on the Government's firm intention to increase housing numbers. Officer also advise that each application should be judged on its merits in the light of policy as it stands at the moment the decision is taken.

5 Human Rights Act 1998 and Equalities 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.

Equalities 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 Equalities Act.

6 Conclusion

- 6.1 The application site comprises 2.3 Ha of grazing land which is roughly triangular in shape which fronts onto Rawnsley Road, on the edge of the settlement of Rawnsley. The site is mainly comprised of short turfed acidic grassland and is bound by hedgerows along Rawnsley Road and along the boundary shared with an equipped area of play to the south east of the site. Along the remaining boundary to the north of the site is the line of a disused railway which has subsequently developed into young woodland.
- 6.2 The site is not designated in the Local Plan and falls within (albeit on the edge of) the main urban conglomeration of Cannock -Hednesford. The site also falls within the Forest of Mercia, a Mineral Safeguarding Area, a Coal Authority Low Risk Boundary, an Environment Agency Historic Landfill Boundary and a Landmark Contaminated Land Boundary. The former railway line to the north of the site is part of the Green Space Network. The land beyond the former railway corridor contains designated Green Belt and is part of the Cannock Chase Area of Outstanding Natural Beauty.
- 6.3 The Applicant is seeking consent for residential development comprising 60 dwellings with car parking, new estate roads, public open space, and associated infrastructure.

- 6.4 The site would also be subject to a significant degree of cut and fill to recontour .
- 6.5 The proposal is for a 100% affordable housing scheme and would comprise the following break-down of dwellings: -
- | | | |
|-----|-------------|-----|
| 8x | 1 bedroomed | 13% |
| 28x | 2 bedroomed | 47% |
| 20x | 3 bedroomed | 33% |
| 4x | 4 bedroomed | 7% |
- 6.6 Subject to condition, informatives and the completion of a Section 106 agreement it is considered that there would be no significant impact on highway safety, nature conservation, crime and the fear of crime or the education service. Furthermore, the proposal would be acceptable in terms of ground conditions and contamination and mineral safeguarding
- 6.7 Although the applicant has made reasonable efforts to ensure that the proposal is of good design and integrates, as far as it is practicable to do so, with the local area it is considered that locally the development would dominate this part of the valley, resulting in local moderate adverse effects on the setting of the AONB and that these effects would be long term, and as such the proposal would be contrary to Policy CP14 of the Local Plan. A
- 6.8 As to the weight to be attached to this harm it is noted that paragraph 177 of the NPPF states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty. Accordingly, Officers consider that similarly great weight should be afforded to the harm to the setting of the AONB.
- 6.9 It is considered that the great weight attributed to the harm to the setting of the AONB would be clearly outweighed by the
- (i) substantial weight given to the significant contribution the proposal would have in reducing the shortfall of housing supply in general and in meeting the demand for affordable housing in particular, and
 - (ii) the substantial weight given to the circumstance that currently there are no other sites which are likely to come forward in the short to medium term which would meet the need for affordable housing in the District; and
 - (v) the modest weight afforded to the economic benefits arising from the construction of the houses and spend from the future occupiers on the local and wider economy.
- 6.10 It is therefore considered that the conflict with the development Plan is clearly outweighed by the social and economic benefits arising from the proposal that justify approval of the application.
- 6.11 It is recommended that subject to the completion of a Section 106 agreement to mitigate impacts on Cannock Chase SAC and Hednesford Hills and the attached conditions and informatives the application be approved.



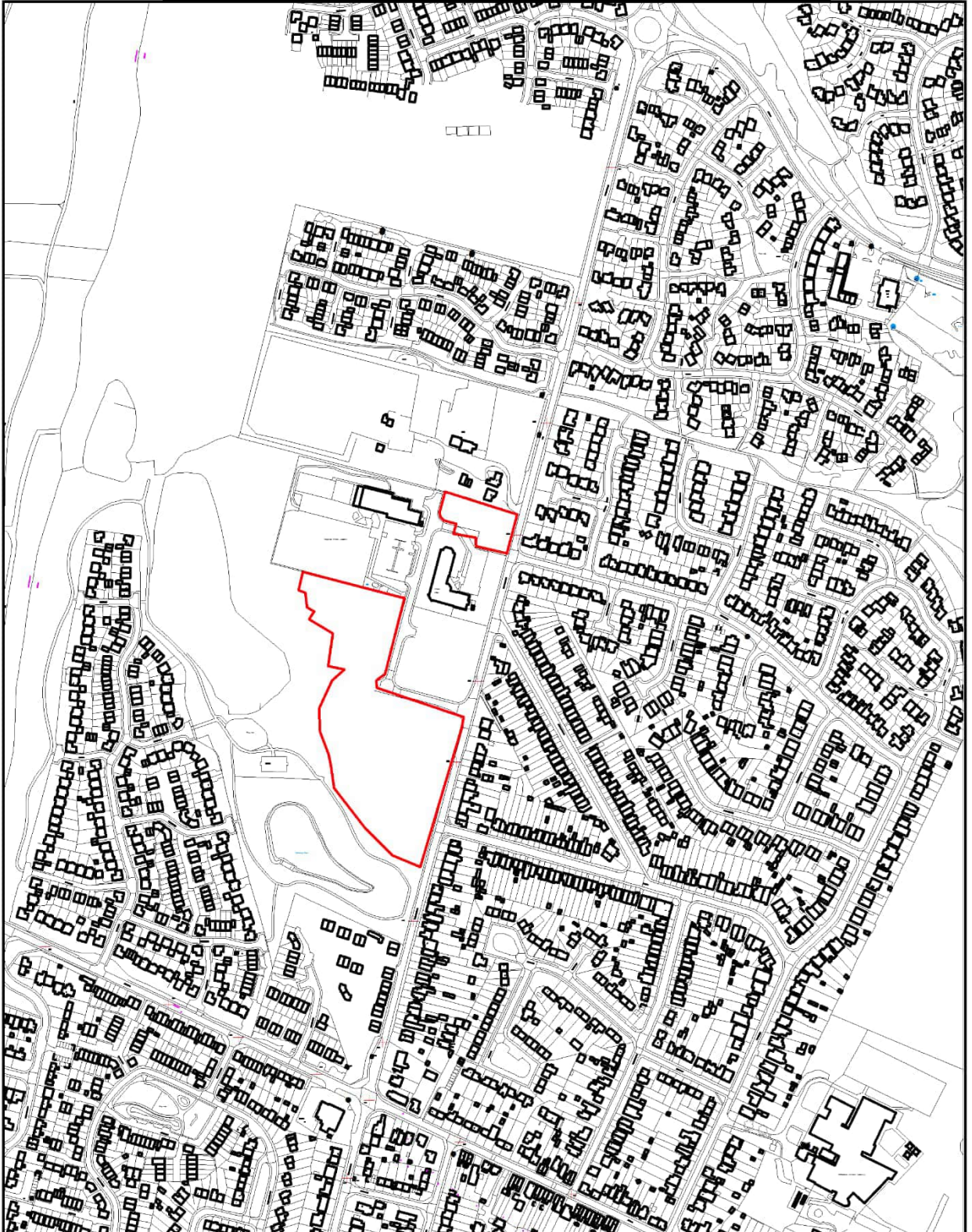
Application No: CH/21/0434

Item No. 6.181

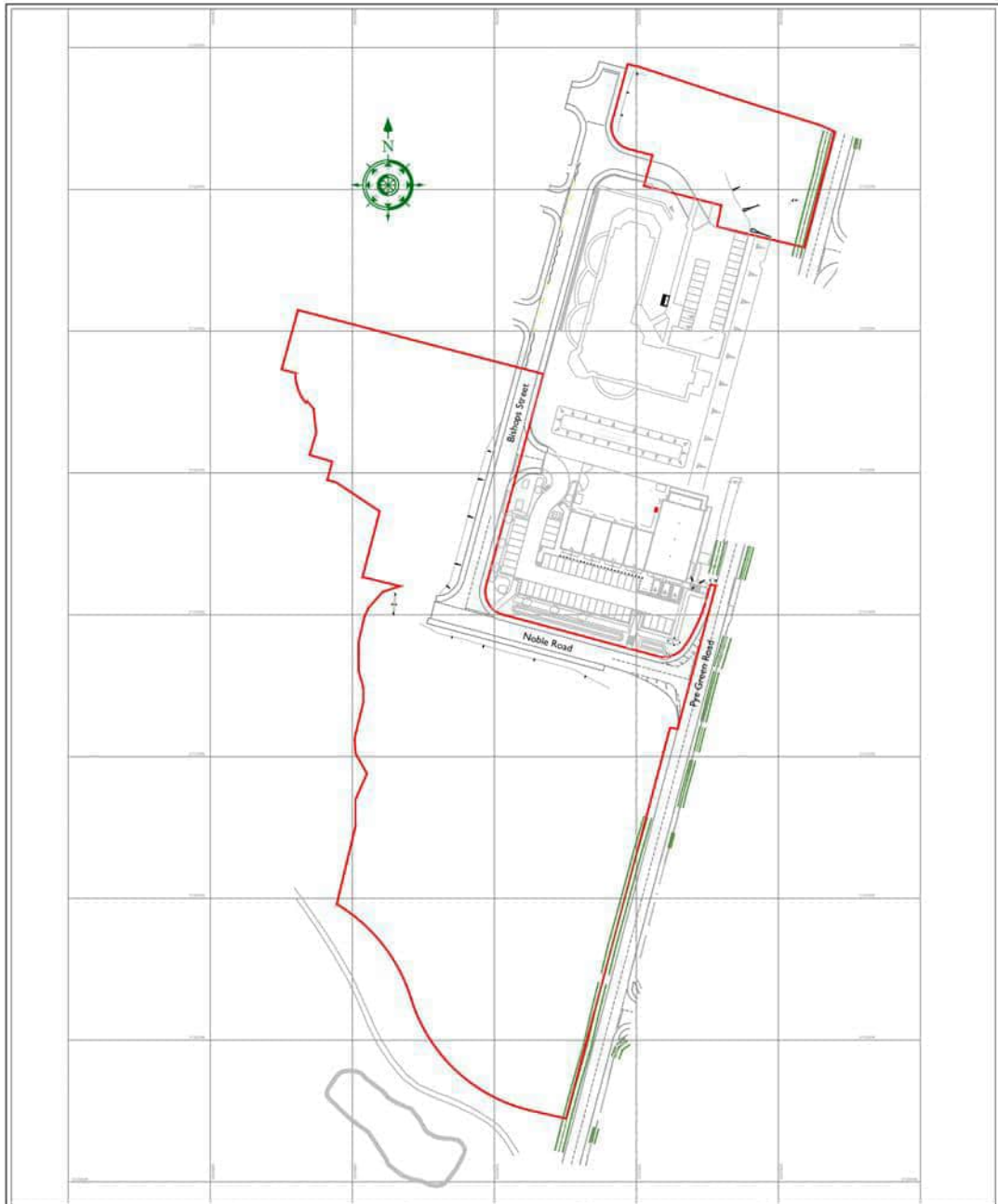
Location: 'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock



Proposal: Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale



Location Plan



The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

This drawing is to comply in all respects with current Building Regulations - British Standard BS6188:2003, Building Regulations etc., unless so not specifically stated on this drawing.

This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.

This drawing is not intended to show details of foundations, ground conditions or ground improvements. Each area of ground which appears to require any structure depicted (including drainage) must be investigated by the Contractor. A suitable method of investigation should be provided allowing for existing ground conditions. Any voids or full ground, contaminants on or within the ground, should be further investigated to a suitable expert. Any structural identification should indicate critical areas for guidance only and should be further investigated by a suitable expert.

Where existing trees are shown to be retained they should be subject to a full Arborescultural inspection for safety.

All trees are to be planted as far as to ensure they are a minimum of 5 metres from buildings and 3 metres from drainage and services. A suitable method of foundation is to be provided to accommodate the proposed tree planting.

Revisions:	Key:
Rev - 01 Red line updated to include access road and correct added	06/12/21

Bellway

BELLWAY HOMES WEST MIDLANDS
 1 Carlton Court, Carlton Way, Wednesbury, Tamworth,
 Staffordshire, B71 9WY
 Tel: 01827 251759 Fax: 01827 251766

Site:
 Pye Green Road, Hednesford

Drawing:
 Application Boundary - Reserved Matters

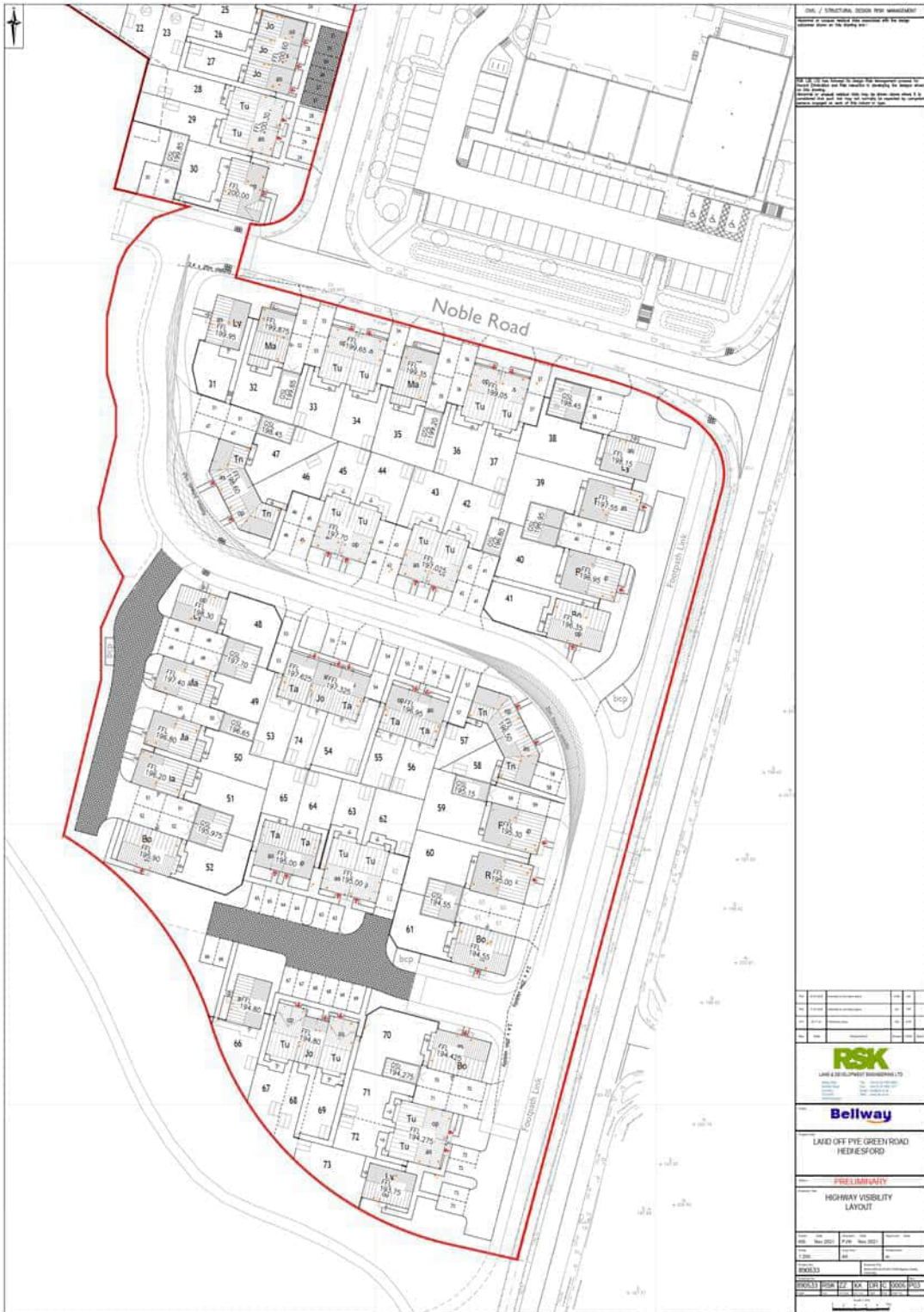
Date: 04/08/21
 Scale: 1:1250
 Drawn By: BWM

Drg. No.:
 PGR-AB-RM A

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Highway Visibility Layout Plan



Landscape Plan



PLANNING SCHEDULE

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Development Schedule

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Site Schedule

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Public Open Space (By Others)

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Public Open Space (By Others)

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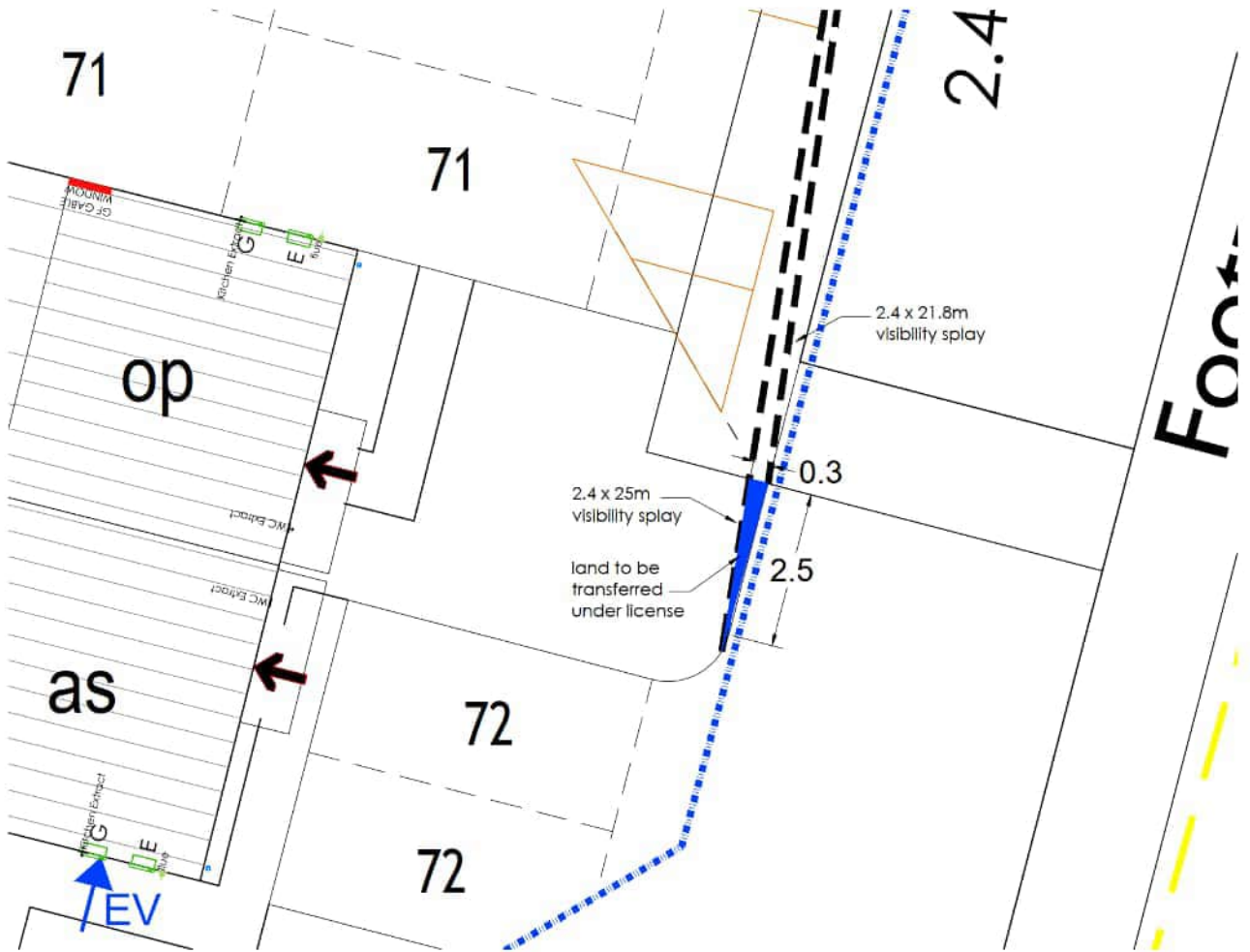
Fire Tender Vehicle Tracking Plan



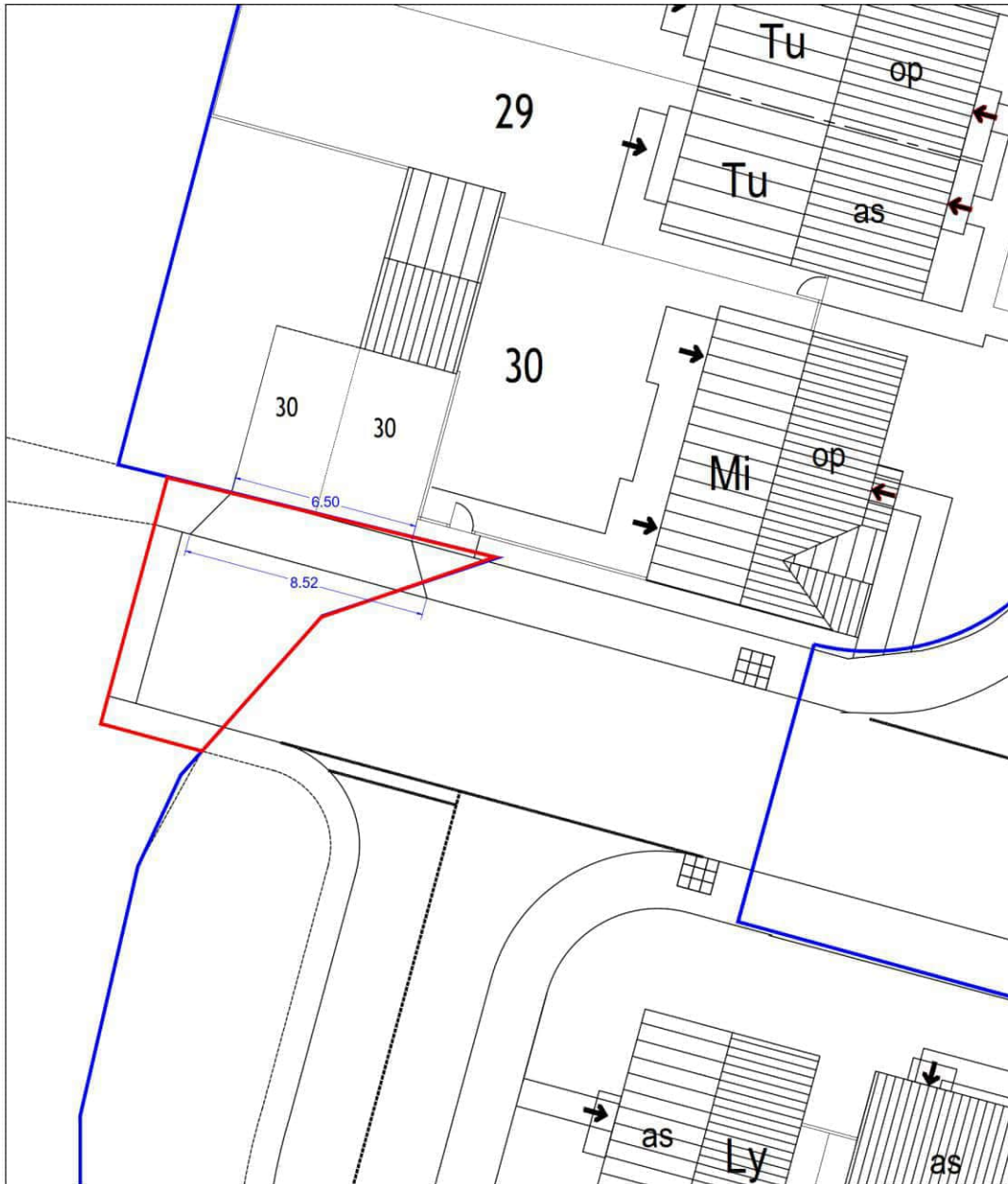
Fire Tender Vehicle Tracking Plans



PGR Visibility Plan

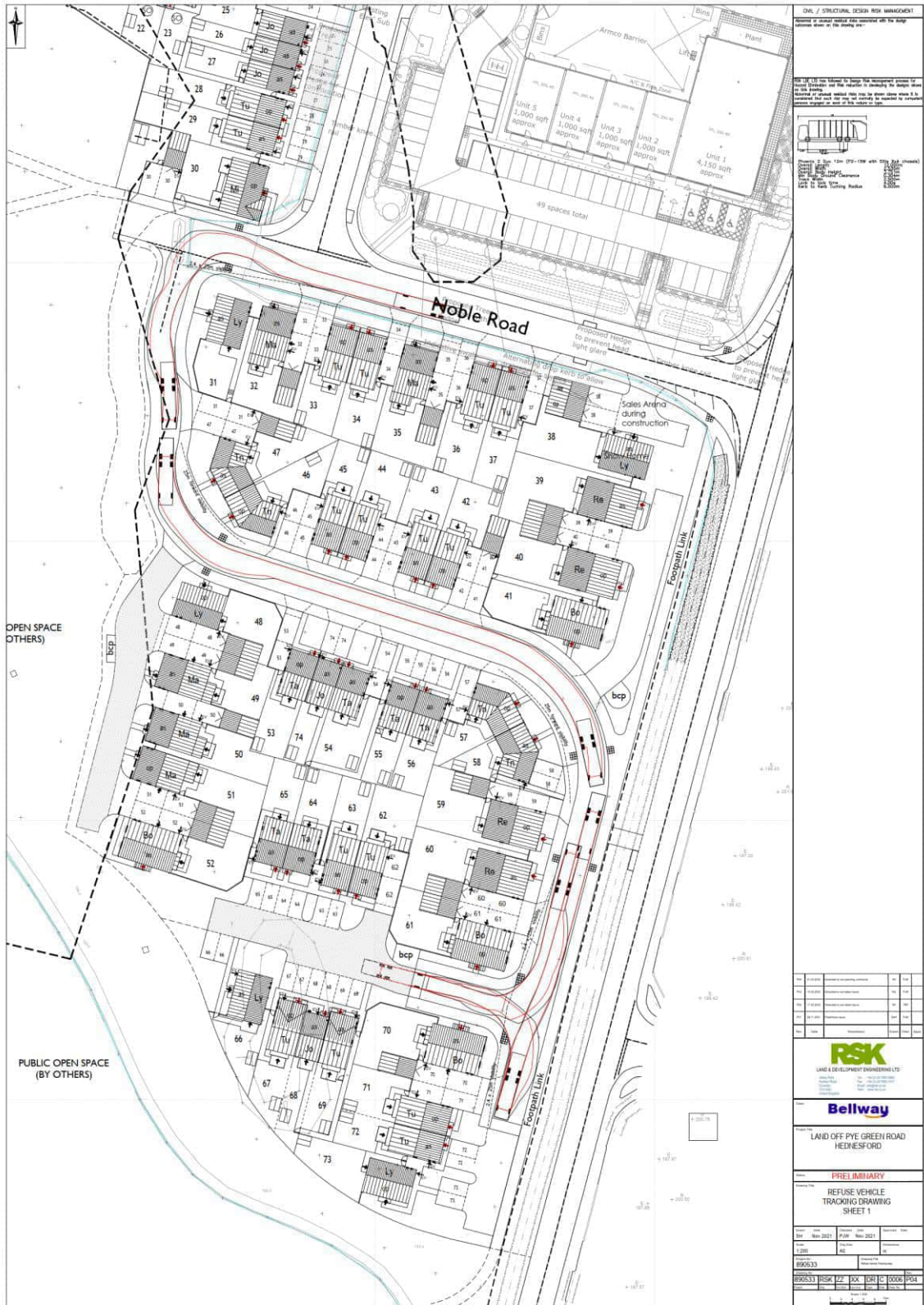


Turning Head Dropped Kerb Plan



<p>The Contractor is to check and verify all building and site dimensions, levels and sewer invert levels at construction points before work starts.</p> <p>The Contractor is to comply in all respects with current building legislation: British Standard Specifications, Building regulations etc., whether or not specifically stated on this drawing.</p> <p>This drawing must be read with and checked against any structural, geotechnical or other specialist documentation provided.</p> <p>This drawing is not intended to show details of foundations, ground conditions or ground compositions. Each area of ground noted upon to support any structure described (including drainage) must be investigated by the Contractor. A suitable method of foundation should be provided allowing for existing ground conditions. Any aspect of soil ground, groundwater (if or where the ground) should be further investigated by a suitable expert. Any overhead obstructions above relevant typical areas for guidance only and should be further investigated by a suitable expert.</p> <p>Where existing trees are shown to be retained they should be subject to a full arboricultural inspection for safety.</p> <p>All trees are to be planted so as to ensure they are a minimum of 5 metres from buildings and 3 metres from storage and services. A suitable method of foundation is to be provided to accommodate the proposed tree planting.</p>	<p>Revisions: None</p>	<p>Key:</p> <ul style="list-style-type: none"> — Reserved Matters Application — Application Boundary 	<p>Bellway</p> <p>BELLWAY HOMES WEST MIDLANDS 1 Cambrian Court, Cambrian Way, Whiteley, Tamworth Staffordshire, B77 9PW Tel: 01827 257678 Fax: 01827 257670</p> <p><small>This drawing is the property of BELLWAY plc and must not be copied or reproduced in any way or whole or in part without the express permission of BELLWAY plc in writing. This drawing is intended as an indicative only and is not to be taken as a contract made on registering sale or as part of contract documents. Copyright © Bellway plc</small></p>	<p>Site: Pye Green Road, Hedgesford</p> <p>Drawing: Turning Head Drop Kerb</p> <p>Date: 21.03.22 Scale: 1:100 @ A3 Drawn By: BWM</p> <p>Drng. No.: PGR-PL-TH-01</p>
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Refuse Vehicle Tracking Plan



Rev	Description	Date
01	Issue for comment	12/19/19
02	Issue for comment	01/20/20
03	Issue for comment	01/20/20
04	Issue for comment	01/20/20
05	Issue for comment	01/20/20
06	Issue for comment	01/20/20
07	Issue for comment	01/20/20
08	Issue for comment	01/20/20
09	Issue for comment	01/20/20
10	Issue for comment	01/20/20

RSK
 LAND DEVELOPMENT ENGINEERS LTD

Bellway

LAND OFF PYE GREEN ROAD
 HEDNESFORD

PRELIMINARY
 REFUSE VEHICLE
 TRACKING DRAWING
 SHEET 1

Rev	01	02	03	04	05	06	07	08	09	10
Date	12/19/19	01/20/20	01/20/20	01/20/20	01/20/20	01/20/20	01/20/20	01/20/20	01/20/20	01/20/20
Drawn	[Name]	[Name]	[Name]	[Name]	[Name]	[Name]	[Name]	[Name]	[Name]	[Name]
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Scale	1:500	1:500	1:500	1:500	1:500	1:500	1:500	1:500	1:500	1:500
Project	800533	800533	800533	800533	800533	800533	800533	800533	800533	800533
Sheet	800533 RSK 12	800533 RSK 13	800533 RSK 14	800533 RSK 15	800533 RSK 16	800533 RSK 17	800533 RSK 18	800533 RSK 19	800533 RSK 20	800533 RSK 21

Contact Officer:	Richard Sunter
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Planning Control Committee

20 April 2022

Application No:	CH/21/0434
Received:	10 November 2021
Location:	'Parcel I' - Land to the West of Pye Green, Land west of Pye Green Road, Cannock
Parish:	Hednesford CP
Ward:	Hednesford Green Heath
Description:	Approval of Reserved matters following outline approval (CH/19/421) Appearance, Landscape, Layout, Scale
Application Type:	Reserved Matters

Recommendation:

Subject to no adverse comments received from the Highway Authority to approve the application subject to conditions contained within this report and any additional conditions requested by the Highway Authority.

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions)

1. Notwithstanding the details of the Boundary Treatment Plan PGR-BT-01-G the walls and, or, fencing separating Plots 18, 19, 20, 21, 22, 23, 28, 29, 30, 66, 67, 68 and 73 from the public open space shall be 2m in height.

Reason

In the interests of promoting safe communities in accordance with paragraph 92(b) and 130(f) of the National Planning Policy Framework and Policy CP3 of the Local Plan.

2. Notwithstanding the details of the Boundary Treatment Plan PGR-BT-01-G all fencing separating the rear garden of one property from another shown as 0.9m

timber post and rail fence shall be constructed of 1.8m high timber larch lap fencing with timber posts. All such fences shall be fitted with a Hedgehog Access Hole.

Reason

In the interests of promoting safe communities in accordance with paragraph 92(b) and 130(f) of the National Planning Policy Framework and Policy CP3 of the Local Plan.

3. Notwithstanding the details of the Boundary Treatment Plan PGR-100-SL-01-AA no dwelling on the following mentioned plots shall be occupied until the gates between plots 3 and 4, 10 and 11, Plot 14 and the site boundary, to Plots 16 and 17, Plot 18 and the boundary to the rear of Plot 16, 19 and 20, 27 and 28, 53 and 54, and Plot 65 and the boundary to the rear of Plot 52, have been erected no more than 600mm from the front elevation of the dwelling. Any gate fitted shall be lockable and any Meter installed to those dwellings shall be located forward of the gate.

Reason

In the interests of promoting safe communities in accordance with paragraph 92(b) and 130(f) of the National Planning Policy Framework and Policy CP3 of the Local Plan.

4. No services, including electricity, gas and water shall be provided to any dwelling until a scheme for servicing the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter service provision to the dwellings shall only be provided in accordance with the approved scheme

Reason

In the interests of reducing conflict between the provision of services and the landscaping within the site in accordance with CP3 of the Cannock Chase Local Plan.

5. Notwithstanding the details of the approved plan no tree shall be planted along the northern boundary of the Plots 1-3.

Reason

For the avoidance of doubt as to what hereby is permitted.

6. No dwelling hereby approved shall be occupied until a scheme for the planting of the trees within the approved landscape plans has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of aeration or irrigation pipes and securing methods. Thereafter the landscape scheme shall be implemented in accordance with the approved scheme.

Reason

In the interest of ensuring that the trees planted will survive and contribute to the amenity of the area in accordance with Policy CP3 of the Cannock Chase Local Plan.

7. No trees or hedges shown as retained on Dwg Nos. GL1478 03E, GL1478 04E and GL1478 05E 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 approved landscape works shown on Dwg. Nos. GL1478 03E, GL1478 04E and GL1478 05E shall be carried out in the first planting and seeding season following the occupation of any buildings or the completion of the development whichever is the sooner.

Reason

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

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

Reason

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

10. Prior to the occupation/use of any dwelling or building, a Landscape Management Plan to cover all areas of public open space and or communal areas shall be submitted to and approved by the Local Planning Authority. The plan shall stipulate the future management and maintenance of the proposed and existing landscape features including all trees and hedges within and overhanging the site.

Reason

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

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

Reason

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

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

Application boundary	PGR-AB-RM-A
Site Layout	PGR-100-SL-01-AA
Materials	PGR-MT-01-C

Boundary Treatments (<i>also shows ecological mitigation such as hedgehog holes and bird boxes</i>)	PGR-BT-01-G
Detailed Landscape Proposals – Sheet 1 of 3	GL1478 03E
Detailed Landscape Proposals – Sheet 2 of 3	GL1478 04E
Detailed Landscape Proposals – Sheet 3 of 3	GL1478 05E
Section 38 Agreement Plan	890533-RSK-ZZ-XX-DR-C-7002-P01
Single Garage	A/218/00/CB/R1/01
Double Garage	A/436/00/CB/R1/01
Joiner House Type	20073-JO-01
Tailor House Type	20073-TA-01
Turner House Type	20073-TU-01
Tenterer House Type	20073-TE-01
Lymner House Type	20073-LY-01
Tanner House Type	20073-TN-01
Mason House Type	20073-MA-01
Reedmaker House Type	20073-RE-01
The Milliner (floorplans)	A/1288/00/AT/01
The Milliner (elevations)	MI-4B-2S-CB-E
Bowyer House Type	20073-BO-01
Stationer_Bookbinder House Type	20073- STA_BOO-02
Manciple House Type	20073-MAN-01
Draftsman House Type	20073-DRAFT-01
S04 House Type	20073-S04-01

Reason

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

Notes to the Developer:***Staffordshire Police***

The developer's attention is drawn to the comments made by Staffordshire Police in respect to Secured by Design

Staffordshire Education Service

The developer's attention is drawn to the comments made by Staffordshire County Council in respect to the Primary Education Sum" required for this development.

South Staffordshire Water Plc

The developer's attention is drawn to the comments made by South Staffordshire Water Plc in respect to water mains assets affected by this scheme and that this would need engagement by the developer with South Staffordshire Water Plc to look to divert/ protect this asset if it is affected by construction works.

Consultations and Publicity**Internal Consultations*****Planning Policy Manager***

The site is a Strategic Housing Site in the adopted Cannock Chase Local Plan 2014 and also has Outline Planning Approval, both of which permit the principal of housing development on the application site.

Please refer to the Planning Policy comments provided on 18.12.2019 for the Outline Application CH/19/421 which set out the Planning Policy context for the site in terms of the adopted plan and other policy documents. It should be noted that the NPPF was updated on the 20.07.21 and that policy references may have changed.

CIL Officer

Thank you for submitting your Community Infrastructure Levy (CIL) additional form in respect of planning application CH/21/0434.

Based on the form submitted, if permission is granted the chargeable amount for this development would be £342,935.24. Please note this figure is index linked and will differ depending on the year permission is granted.

I note that 1082m² of this development is due to be affordable housing. This floorspace would qualify for social housing relief from CIL, the relief granted would be £55,647.26 (this figure is also index linked). You would need to submit the following forms to apply for this relief:

- Form 2 Assumption of liability
- Form 10: Charitable and/or Social Housing Relief Claim Form

This must be done before commencement of development at the latest, as relief cannot be granted post commencement.

Please follow the link below for further guidance on the CIL process:

<http://www.cannockchasedc.gov.uk/residents/planning-building/development-control/5-guide-cil-process>

Parks and Open Spaces Officer

I have the following comments: -

It appears that despite pre consultation [sic] meetings little of the advice given has been incorporated [sic] into the proposals.

The site falls moderately [sic] to the south however no levels information has been provided. This will be essential to determine [sic] how new levels of roads footpath etc are to tie in with the existing/ adjacent land and features.

No details of any service provision has been provided, so am unable to confirm if various aspects of the proposal are achievable or acceptable.

Layout

The proposed site layout does not contribute to forming an entrance way/ welcoming feature to the development area including the estate, school, care home or open space area. Houses basically abut the main access road with little space for suitable landscaping ie tree planting.

The long strip of frontage parking on Bishops Street creates a very hard and poor visual appearance especially with being on the road to the school/care home and adjacent the local centre.

There needs to be pedestrian access between the drive of 24 and parking area 25 otherwise occupiers of 25 and 26 will be accessing over 24s drive.

Plots 1-13 forms a basic terrace dominated by extensive parking areas to the front which create a very hard visual appearance and pays little respect to the adjacent uses.

Plots 1-13 require revision to the access arrangements and thus landscaping to the care home. Revised details of these need to be provided. How?

Connection to adjacent approved landscape areas -

There is a large area of 'white' land identified on the site layout plan, to the SW of the residential area that has not been included within the SANGS Phase 1 approved scheme. How is this to be dealt with and be landscaped appropriately and not just left derelict?

Refer also to footpath linkages below.

Issue with relationship to allotment area – see below

Footpath linkages

Whilst a footpath connection has been created rear of hedge to Pye Green Road, there is no linkage to the footpath network within the adjacent open space southwards to the south. How is this to be achieved?

Plots 71-73. There needs to be some form of physical separation between the footpath and private access drive i.e., hedge & temp fencing. Plots 39-41 indicate a narrow space only but no details. Essential to have a clear and solid boundary to prevent trespass issues. Move path closer to the hedge (note latter needs bringing back into management inc reducing width wise) o There needs to be a footpath linkage westward from the site than links to the footpath from the eastern side of the play areas. This needs to connect to adopted highway either adjacent the allotment access road/end of Noble Road or via the strip of open space fronting plots 3.

Boundaries

Types of fencing appear appropriate. Construction details spec would be beneficial. Do any utilise concrete gravel boards?

The boundaries plan fails to show any boundaries to rear gardens of plots 2-13, 14-18-20, 21-23, 28-30, 66-69, 73. These needs to be a solid and secure fence especially in relation to the school (Privacy) and open space areas.

All boundaries between any private/sharded drives etc and public open space needs to be separated by hedges that incorporate temporary post and 3 wire fence centrally to the hedge.

Any boundary to the allotment site needs to be needs to be separate and secure from the latter and by the responsibility of the relevant properties.

Party boundaries would not be acceptable to areas of adoptable open space or the allotments.

Boundaries between adopted highway and open space areas – need to incorporate features to prevent unauthorised vehicle access but also cater for maintenance access. The use of bollards (recycled plastic) set within concrete mowing strip and within the highway ownership boundary would be recommended.

The allotment layout is subject to major revision as its layout and features are not presently acceptable.

The boundary/ layout arrangements adjacent plots 20 and 21 needs to be revised as previously discussed with all parties. The suggested layout/landscape appears to create areas of open space accessible to all site users. The layout wastes space and creates contorted boundaries plus imposing large maintenance liabilities on future plot owners.

Landscaping

Reference needs to be made to the various points above

No details of paving material supplied; the materials plan only relates to buildings.

Lack of appropriate landscaping to site entrance way and also to break up and soften the expanse of frontage parking areas.

Treatment of boundaries between private drives and open space areas – refer to boundary notes above.

Existing hedgerow to Pye Green Road, noted as between 2-4m tall and 2-3m wide and unmanaged for some time. The notes state that it should be maintained as such however as its unmanaged it needs bringing back into a good managed state to suit the site. Recommend max 2.0m tall and 1.5m wide plus the bulking up as noted.

The above is key to improving the site access where the new instant hedge needs bringing round to meet up with the new footpath but keeping at a lower height of 1-1.2m

The addition of hedgerow trees would also be recommended to improve the overall habitat but also street scene. These should be set back from the from the hedge to allow clear maintenance of the latter.

Tree species

Generally acceptable.

Would not recommend planting anything above 12-14cms girth on open space areas especially in the forms stated – will not get the necessary maintenance to ensure establishment. If essential to use larger stock, then 14-16cms but use container grown stock.

Specification – no mention of how planted, aeration or irrigation pipes or securing methods.

Shrub planting – generally acceptable

Hedging – generally acceptable

Tree planting should be incorporated in rear gardens via offering purchases a choice from a select list of 6 or so species and that can then be planted at the appropriate time. This would help to increase site habitat value and aid mitigation for climate change. Such planting would also help to establish veiled screening between properties.

Plots 1-5 frontage landscape & boundary to care home consists of a solid fence. Would benefit from hedge along solid fence line so soften the visual impact for the new residents.

Plots 20-21 -see comments above re layout/allotments

Plot 30- recommend hedge planting extended along all boundary adjacent highway up to allotment site and rear garden fence.

Establishment, management & maintenance

No details provided.

Details of how the proposed landscaping is to establishment will be required.

A management plan will be required to cover all areas of public open space and or communal areas. This should detail the long-term management objectives as well as the regular maintenance. Details of who will carry out the work and how this will be funded, will also be required.

Site biodiversity/habitat value

The provision of just 12 nest boxes within a site of 73 buildings is totally insufficient. All properties need to include inbuilt bird and bat boxes and not attached to building exteriors.

Proposed units on fence lines need to have vegetation adjacent to provide shelter/screening for birds. Thus, their inclusion in rear gardens is not practical as part of the development.

Hedgehog access points noted but how are these incorporated where and if fences utilise concrete gravel boards. Ref to boundary fencing query.

Both bird boxes and hedgehog access points would need to be conditioned for retention and maintenance for the life of the development.

Protective fencing will be required to be installed along the line of the existing hedge to Pye Green Road. This should be installed prior to any site enabling works but after any remedial works to the hedge as noted above. Details of fence type, location and hedge works need to be supplied prior to commencement of any site works, to ensure retention and protection of the hedge, which is a key feature of the street scene of Pye Green Road.

Summary

A holding objection is made until the above issues, especially the relationship to & with the allotment site are dealt with and or details supplied as appropriate.

Environmental Health

I have no adverse comments to make.

Strategic Housing Officer

I can confirm that the 15 affordable units proposed for this site is policy compliant (20%) and the tenure and bed size mix stated is acceptable.

External Consultations

Staffordshire County Council Highway Authority

No comments received in respect to amended plans provided. Members will updated on the day of Planning Control Committee.

Staffordshire Fire and Rescue

No comments received.

National Grid

No comments received.

Lead Local Flood Authority

We recommend that the Reserved Matters are not approved at this stage, on the following grounds. If you are minded to approve the Reserved Matters contrary to this advice, we request that you contact again to allow further discussion.

Staffordshire County Council Flood Risk Management position.

In the absence of a satisfactory Drainage Strategy, we recommend that the Reserved Matters are not approved at this stage, for the following reasons:

Infiltration Testing Results

In accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems, (SuDS), development site drainage should be designed in concordance with the hierarchy of surface water discharge receptors. The primary means of disposal of surface water to be considered should be infiltration to ground. A site-specific infiltration testing report – should be provided to either confirm whether infiltration is an appropriate means of surface water management, or not. Please can evidence of infiltration testing in the form of a site-specific report detailing a procedure in accordance with BRE 365 best practice infiltration testing guidance be provided.

Proposed Site Surface Water Discharge Rate

Should discharge to external third-party drainage infrastructure off-site be proposed, please can the LLFA request detail of the specified surface water discharge rate and evidence of how it had been derived, calculated or agreed. This rate should be derived in accordance with the SCC SuDS Handbook standard- aligned with the Non-Statutory Technical Standards for SuDS.

Detailed Drainage Design

In order to approve the Reserved Matters, a satisfactory detailed drainage design in the form of a plan for the proposed development is required in order to evidence the applicant is proposing an acceptable sustainable drainage system.

The drainage design should include the complete network, and should be fully labelled, including pipe numbers, gradients / slopes, diameters, lengths, node labels including manhole references, with all associated cover levels and invert levels, with associated dimensions.

All impermeable areas should also be identified for the proposed drainage system in order to be reviewed.

Hydraulic Modelling Calculations

Please can the LLFA request that the applicant provides a full range of hydraulic modelling calculations (e.g., MicroDrainage), to support the drainage design. These should include a complete range of simulations, including the 1 in 1, 1 in 2, 1 in 30, 1 in 100 and 1 in 100 plus (40%) climate change return period, critical storm duration events, as a minimum.

Discharge Agreements

Should the applicant be proposing the development to utilise discharge of surface water to off-site, third-party infrastructure, evidence of agreement from the third party is required. For example, for discharge into Severn Trent Water assets, a Section 106 Agreement is required as evidence by the LLFA.

Construction Environment Management Plan

In order to ensure that surface water runoff, and water quality are maintained adequately throughout all stages of the development an adequate and complete Construction Environment Management Plan is required by the LLFA to ensure that appropriate standards are upheld.

Surface Water Runoff Quality Management

As a requirement for all major development, implementation of adequate surface water quality management is required. Evidence, for example by demonstration of how the development proposes to implement the CIRIA SuDS Manual Simple Index Approach, is required to ensure off-site and on-site surface water receptors are not polluted.

The above may list of points may not necessarily be exhaustive. The LLFA recommends re-consultation with amended details and information once the above points have been addressed.

Reason

The proposed development may present risks of flooding on-site and/or off-site if surface water run-off or other external flood risk is not effectively managed.

Education Authority

The relevant Outline Application for this site is CH/19/421.

The REM application details a development which is scheduled to provide 73 dwellings of the 78 dwellings expected from the original outline approval.

A Section 106 Agreement was signed when the Outline Application was granted, and the education contribution amount and terms should be calculated in line with this.

In summary those triggered through this REM are:

Primary Contribution

“the Primary Education Sum” means £526,946.16 Index Linked based on a development of 78 Dwellings provided that the Primary Education Contribution shall be recalculated and increased or decreased by the County in accordance with the current approved policies of the County in place at the date of this Agreement in accordance with the number of Dwellings approved pursuant to the Reserved Matters Approval in the event that the number of Dwellings increases or decreases from 78 (such recalculation to be based on a figure of £6,755.72 per Dwelling) and any such recalculated Primary Education Contribution shall be Index Linked.

“First Instalment of the Primary Education Contribution” to be paid on or before commencement of the development and means a sum equal to 50% of the Primary Education Contribution.

“Second Instalment of the Primary Education Contribution” to be paid on or before commencement of the dwelling that represents 50% of the total number of dwellings and means a sum equal to 50% of the Primary Education Contribution

If you have any queries please do not hesitate to contact us, by e-mail, at the address given below.

Staffordshire Police

The proposal has been reviewed with particular reference to Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention Through Environmental Design.

The following comments should be considered in the light of the following:

- Under the heading Promoting Safe and Healthy Communities, Para 8 (92 b) of the NPPF states “Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.”
- Under the heading Achieving Well-Designed Places, Para 12 (130 f) of the NPPF states “Planning policies and decisions should ensure that developments create places that are safe ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”
- Under the heading Planning Should Address Crime Prevention, Design Para 10 of the NPPG states “Designing out crime and designing in community safety should be central to the planning and delivery of new development”;
- The statutory obligation placed on local authorities to do all they reasonably can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998;
- (Where these proposals require a Design And Access Statement to accompany the application) The 2006 CABE document entitled ‘Design and Access Statements: How to Write, Read and Use Them’, which states “Statements should demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime.”

It is important that I take this opportunity to provide the following guidance and recommendations aimed at reducing opportunities for crime and ensuring that high level of physical security is incorporated in this development.

Attention must be paid to reducing opportunities for unwanted access and ‘Bogus Official’ crime through appropriate location of gates and meters between dwellings and promoting natural surveillance over footpaths and from dwelling gables.

1. Design Concerns.

It is important that a high level of physical security is incorporated in these proposals, and that this development conforms to the minimum standard of security outlined within these recommendations.

Location of Meters.

Secured By Design (Section 26.1) recommends that Utility Meters should be located outside the dwelling at the front or as close to the front of the building line as possible. This is necessary to ensure they are visible in order to deter vandalism, to reduce the opportunities for theft by bogus officials by preventing the need for an official to enter the building or access gates to read a meter.

This requirement includes 'Smart Meters', as the service providers will require open access to meters.

Meters should only be located to the side of a dwelling, where they can be accessed within an in-curtilage parking area or where the orientation of dwellings provides a large amount of space and natural surveillance between dwellings. They must be as near to the front of the building line as possible and to the front of any fencing or gates (care should be taken not to provide a climbing aid).

1.1 Footpath Design.

Secured By Design. Homes 2019, Section 8. Layout of roads and footpaths.

Footpath design.

Section 8.8 Routes for pedestrians, cyclists and vehicles should be integrated and assist easy, intuitive wayfinding through the application of inclusive design by increasing activity and therefore natural surveillance, a proven deterrent to crime and anti-social behaviour.

Section 8.9 Public footpaths should not run to the rear of, and provide access to gardens, rear yards or dwellings as these have been proven to generate crime.

Section 8.10 Where a segregated footpath is unavoidable, for example a public right of way, an ancient field path or heritage route, designers should consider making the footpath a focus of the development and ensure that they are:

- as straight as possible;
- wide;
- well lit (see Secured By Design. Homes 2019. paragraphs 8.19 to 8.21);
- devoid of potential hiding places;
- overlooked by surrounding buildings and activities;
- well maintained so as to enable natural surveillance along the path and its borders.

I support the intention to promote the footpath link alongside Pye Green Road and the orientation of Dwellings so that they offer immediate natural surveillance from Dwelling frontages. Wherever possible, views to and from Dwelling frontages should not be hindered by dense landscaping.

Section 8.11 Physical barriers may also have to be put in place where 'desire' lines (unsanctioned direct routes) place users in danger, such as at busy road junctions. It is important that the user has good visibility along the route of the footpath. The footpath should be as much 'designed' as the buildings.

Section 8.12 Where isolated footpaths are unavoidable, and where space permits, they should be at least 3 metres wide (to allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles). If footpaths are designated as an emergency access route they must be wide enough to allow the passage of emergency and service vehicles and have lockable barriers.

Planting next to a footpath.

Section 8.14 In general, planting next to a footpath should be arranged with the lowest growing specimens adjacent to the path, and larger shrubs and trees planted towards the rear. Planting immediately abutting the path should be avoided as shrubs and trees may grow over the path, creating pinch points, places of concealment and unnecessary maintenance.

Section 8.15 Think carefully when selecting tree species to be used adjacent to a footpath or verge, and consider their whole-life growth characteristics. Many trees will grow tall, dense canopies as they reach maturity. If unmaintained, this broad canopy will spread many metres from the trunk of the tree, and overhang paths and may create difficulties in maintaining a clear, accessible route, in addition to creating a sense of enclosure for path users. Routes with overhanging branches can also be a particular issue for people with sight loss. A large canopy may also block natural light and restrict the effectiveness of street lighting.

Section 8.16 Trees with slender or fastigate forms naturally grow a narrow, tall canopy, and are less likely to over-hang paths regardless of their maturity. Similarly, pleached trees have been trained to produce a narrow canopy above a very straight, clear stem. A variety of species are available with similar growth forms, which provide height and structure without the issue associated with large canopies.

Section 8.17 Where footpaths run next to buildings or roads, the path should be open to view. This does not prevent planting, but will influence the choice of species and the density of planting. Public footpaths should not run immediately next to doors and windows, therefore defensive space should be created to separate a path from a building elevation. This is particularly important in areas with a known graffiti or anti-social behaviour problem.

Lighting of footpaths.

Section 8.19 If a footpath is to be used 24 hours a day it should have all the required attributes as listed at paragraph 8.10 (Above) and be lit in accordance

with BS 5489-1:2013. If the footpath does not have these attributes then its use should be deterred during the hours of darkness by not installing lighting.

Section 8.20 It is important that the landscape architect and lighting designers coordinate their plans to avoid conflict between lighting and tree canopies. It is advisable that trees are planted at least 5 metres away from any light source.

Section 8.21 Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources.

Moreover the Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of fluorescent lighting which is environmentally unsustainable for a variety of reasons (Note 59.5). Further information is available at: www.securedbydesign.com

Note: Wherever possible the layout and orientation of dwellings should be aimed at ensuring that all footpath links run alongside vehicle access routes. Pedestrian routes should be clearly overlooked and not hindered by dense landscaping etc.

Secured By Design. Homes 2019

Through-roads and cul-de-sacs.

Section 8.3 There are advantages in some road layout patterns over others especially where the pattern frustrates the searching behaviour of the criminal and his need to escape. Whilst it is accepted that through routes will be included within development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings, or by providing too many or unnecessary segregated footpaths (Note 8.3).

Developments that promote intuitive wayfinding and enhance the passive surveillance of the street by residents within their homes and high levels of street activity are desirable as they have both been proven to deter criminal behaviour, but they are no guarantee of lower crime, which evidence proves is achieved primarily through the control and limitation of permeability.

Note 8.3: The Design Council's/ CABE's Case Study 6 of 2012 states that: "Permeability can be achieved in a scheme without creating separate movement paths" and notes that "paths and pavements run as part of the street to the front of dwellings reinforces movement in the right places to keep streets animated and does not open up rear access to properties".

Section 8.4 A review of available research in this area concluded that: "Neighbourhood permeability... is one of the community level design features most reliably linked to crime rates, and the connections operate consistently in the same direction across studies: more permeability, more crime. Several studies across several decades link neighbourhood property crime rates with permeability versus inaccessibility of neighbourhood layout. Neighbourhoods with smaller streets or more one-way streets, or fewer entrance streets or with more turnings have lower property crime rates..." Source: Taylor R B 2002 "Crime Prevention Through Environmental Design (CPTED): Yes, No, Maybe, Unknowable, and all of the above" in Bechtel RB (ed) "Handbook of Environmental Psychology", John

Wiley, New York, Pages 413 – 426. Cited by Professor Ted Kitchen Sheffield Hallam University 2007.

Section 8.5 Cul-de-sacs that are short in length and not linked by footpaths can be very safe environments in which residents benefit from lower crime.

Section 8.6 However, research shows that the benefit of a cul-de-sac can be compromised if one or more of the following undesirable features exists:

- backing onto open land, railway lines, canal towpaths etc.
- are very deep (long)
- linked to one another by footpaths (leaky cul-de-sacs);
- poorly lit

Section 8.7 Cul-de-sacs that connect by footpaths to other parts of a development, often referred to as 'leaky cul-de-sacs', experienced the highest levels of crime when compared to crime levels within a true cul-de-sac. Crime in this kind of design can be 110% higher than crime in a true cul-de-sac and therefore should be avoided.

1.2 Boundaries.

Secured By Design. Homes 2019. Section 10. Dwelling Boundaries.

Front boundaries.

Section 10.1 It is important that the boundary between public and private areas is clearly indicated. For the majority of housing developments, it will be desirable for dwelling frontages to be open to view, so walls, fences and hedges will need to be kept low or alternatively feature a combination of wall (maximum height 1 metre) and railings or timber picket fence if a more substantial front boundary is required.

Section 10.2 Front garden planting of feature shrubs and suitable trees (e.g. open branched or light foliage or columnar fastigiated habit, etc.) will also be acceptable provided they are set back from paths and placed to avoid obstructing visibility of doors, windows and access gates to the rear of the property. Similarly, planting which allows a clear line of sight to the pavement and road is preferable.

Section 10.3 Plant specimens may be used to discourage access to specific areas of the house frontage. For example, a specimen with thorns may be used to deter access to the base of a window.

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Access gates to rear gardens.

Section 10.4 Gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed, be the same height as the fence (minimum height 1.8m) and be capable of being locked (operable by key from both sides of

the gate). Such gates must be located on or as near to the front of the building line as possible.

Section 13. Rear access footpaths.

Section 13.1 Research studying the distribution of burglary in terraced housing with open rear access footpaths has shown that up to 85% of entries occurred at the back of the house.

Section 13.2 It is preferable that footpaths are not placed to the back of properties. If they are essential to give access to the rear of properties they must be gated. The gates must be placed at the entrance to the footpath, as near to the front building line as possible, so that attempts to climb them will be in full view of the street.

Where possible the street lighting scheme should be designed to ensure that the gates are well illuminated. The gates must have a key operated lock. The gates must not be easy to climb or remove from their hinges and serve the minimum number of homes, usually four or less.

Section 13.3 Gates will generally be constructed of timber when allowing access to the rear of a small number of dwellings. However in larger developments where the rear footpath provides access to a large number of properties then a gate constructed of steel may be required by the DOCO. Substantial purpose made gates meeting LPS 1175 SR 1 or Sold Secure Silver (minimum) standard are available and may be required by the DOCO. Any gate providing access to the rear of dwellings must be designed to resist climbing, forced entry and allow a high degree of surveillance of the footpath from the street.

Note: Where there is access proposed to the rear of 1 or more dwellings, then an initial lockable gate should be erected as described above. The location of boundaries and gates between dwellings must be considered alongside the location of services, to ensure that gates are recessed no more than 600mm and that services are to the front of dwellings and easily overlooked.

Note: This is necessary to reduce the opportunities for theft by bogus officials and unwanted (unobserved) access to property. In addition, this reduces the opportunity and need for an official to enter the building or access gates to read a meter.

Examples of areas that require attention include:

- Between the Dwellings to Plots 3 and 4, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 3. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 10 and 11, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be

openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.

- Between Plot 14 and the site boundary (providing access to the rear of Plots 14, 15 and 16), where this gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 16 and 17, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 18 and the boundary to the rear of Plot 16, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 18. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling. This gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 19 and 20, where this boundary must be recessed no more than 600mm from the front elevation of the Dwelling to Plot 19. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwellings to Plots 27 and 28, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 53 and 54, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 65 and the boundary to the rear of Plot 52, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 65. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling.

Note: These details are repeated throughout these proposals. Where these is likely to be a high level of use (more than 2 dwellings etc.), it may be beneficial to provide a metal gate that promotes natural surveillance.

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Side and rear boundaries.

Section 10.5 Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. Trellis topped fencing can be useful in such circumstances.

Note: Particular attention must be paid to side and rear boundaries that are easily accessible from public open space and footpaths. Please consider using trellis topping to bring these boundaries to 2m in height.

Additional deterrent features such as increasing the height of fencing or planting thorny shrubs may be considered as an alternative. A wide range of specimens can be planted along the boundary of a property, which offer attractive planting characteristics of colour and form, whilst containing sharp thorns to dissuade intruders. Many species are available which may be trained to any shape, size or height.

From within a garden, specimens such as Hawthorn may be trained to provide an additional physical barrier above the height of the fence with minimal impact on the garden below. Alternatively, ornamental specimens such as rose may be attached to a fence to deter climbing.

Section 10.6 It is expected that developers will install fencing to a high standard to ensure the security and longevity of the boundary.

10.6.5 Fencing panels or railings mounted on a wall should be located as close to the outer (external) face of the wall as possible to eliminate climbing opportunities or use as informal seating.

10.6.6 Fence heights should be of a minimum 1.8m overall and be capable of raking/ stepping to maintain height over different terrain.

10.6.7 Pedestrian gates should be of a framed design and employ galvanised adjustable hinges and fixings mounted behind the attack face. On outward opening gates, where the hinges/brace is mounted on the attack face, fixings should be of a galvanised coach bolt design. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the fence post or wall. Gates should be capable of being locked (operable by key from both sides of the gate). The gate construction should have the same design and construction attributes as the fence.

10.6.8 Where entrance/driveway gates are required they should ideally be inward opening, of substantial framed construction and employ galvanised adjustable hinges and fixings mounted behind the attack face. Hinge systems must not allow the gate to be 'lifted off' and therefore should employ a method to restrict the removal of the gate from the adjoining fence post or wall. Gates should be fitted with a galvanised drop bolts and facility for dedicated gate locking systems, padlocking (manual gates) or electro-mechanical locking (automated gates) and employ mechanical/ electromechanical devices as applicable to hold gate leaves in the open position.

10.6.9 The gate construction should have the same design and construction attributes as the fence.

Refuse Collection.

Recent developments provided with rear access routes to store and move bins for collection have resulted in these bins being left constantly to the front of dwellings. These bins are often misused including use as climbing aids. I recommend

accessible bin stores or a dedicated store area be located to the front of Dwellings or to the end of a row.

1.3 Gable End Walls.

Note: Glazing providing unobscured natural surveillance is necessary where a gable is easily accessed (end of Block etc.), and where adjacent garages, parked vehicles and rear access (gates and boundaries) are not immediately overlooked.

The proposed house types that are of greatest concern are semi-detached and terraced houses with no glazing to the gables. Where privacy requirements allow, these Dwellings should include glazing to either kitchens staircases, hallways or landings. This is necessary to provide natural surveillance over parked vehicles or rear boundary access.

Examples of Dwellings requiring attention include:

- House Type S04-01, to Plot 6. Where privacy restrictions allow, this Dwelling should include additional glazing to the Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.
- House Type TE-01, to Plot 21. Where privacy restrictions allow, this Dwelling should include additional glazing to the Kitchen or Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.
- House Type MAN-01, to Plot 23. Where privacy restrictions allow, this Dwelling should include additional glazing to the Staircase, Landing or Hallway, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of this Plot.
- House Type TN-01, to Plots 46, 47 and 57. Where privacy restrictions allow, this Dwelling should include additional glazing to the Living Room, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of Plots.

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Section 12. Gable end walls.

Section 12.1 It is important to avoid the creation of windowless elevations and blank walls immediately adjacent to public spaces; this type of elevation, commonly at the end of a terrace, tends to attract graffiti, inappropriate loitering and ball games.

The provision of at least one window above ground floor level, where possible, will offer additional surveillance over the public area.

Section 12.2 Where blank gable walls are unavoidable, one of the following methods should be used to protect them;

12.2.1 Provide a 1m buffer zone using either a 1.2 – 1.4m railing (with an access gate) or a 1m mature height hedge with high thorn content. Hedging will have to be protected with a fence until it becomes established.

The hedge shall be contained within the boundary of the adjacent building to increase the likelihood that it will be maintained.

12.2.2 Where there is insufficient room to create defensible space between public and private space, an appropriate (non-destructive) climbing plant should be planted adjacent to the wall, or a finish applied to the wall that will allow easy removal of graffiti.

Note: 'Handing' of the proposed dwellings may be necessary, so that unobscured glazing to staircases, or landings and hallways can be provided. Where privacy distance restrictions apply, then unobscured glazing will still help to reduce misuse of gables and provide some natural surveillance.

1.4 Design Features and Climbing Aids.

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Section 15. Climbing aids.

Section 15.1 Boundary walls, bins and fuel stores, street furniture, trees, low flat roofs, car ports or balconies should be designed to remove climbing aids to gain access into the property.

1.5 Car Parking and Vehicle Security.

In-curtilage car parking arrangements are preferred. Where it is not possible to park within an owner's direct view, this can lead to obstruction of footpaths and highways and damage to landscaping etc.

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Section 8. Layout of roads and footpaths.

Section 8.1 Vehicular and pedestrian routes should be designed to ensure that they are visually open, direct, well used and should not undermine the defensible space of neighbourhoods.

Design features can help to identify the acceptable routes through a development, thereby encouraging their use, and in doing so enhance the feeling of safety. Where it is desirable to limit access/use to residents and their legitimate visitors, features such as rumble strips, change of road surface (by colour or texture), pillars, brick piers or narrowing of the carriageway may be used. This helps to define the defensible space, psychologically giving the impression that the area beyond is private.

I support the intention to provide changes in road surfaces, as this helps to create defensible space and to define an area as being private.

Section 8.2 Defensible space has the simple aim of designing the physical environment in a way which enables the resident to control the areas around their home. This is achieved by organising all space in such a way that residents may exercise a degree of control over the activities that take place there.

Landscaping Adjacent to Parking Bays.

I recommend that any planting adjacent to parking bays should preferably be berberis or thorny and should have a mature or maintained growth height of 500mm to help prevent people from hiding in those areas.

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Section 16. Vehicle Parking.

Section 16.5 Where dedicated garages are provided within the curtilage of the dwelling the entrance should be easily observed from the street and neighbouring dwellings.

Section 16.6 Where parking is designed to be adjacent to or between units, a gable end window should be considered to allow residents an unrestricted view over their vehicles.

Lighting To Parking Areas and Facilities.

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Section 55. Car Parking.

Section 55.2 Lighting must be at the levels recommended by BS 5489-1:2013.

Section 16. Vehicle Parking.

Section 16.7 Communal parking facilities must be lit to the relevant levels as recommended by BS 5489-1:2013.

Section 16.9 Lighting is required to meet 'Street Lighting' standards.

Luminaires should be vandal resistant and not mounted below 2.5 metres from the ground and out of reach for those wishing to cause interference.

Bollard lighting is not appropriate as it does not project sufficient light at the right height and distorts the available light due to the 'up-lighting' effect; making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

1.6 Planting and Landscaping.

Landscaping must not impeded natural surveillance and must not create potential hiding places for intruders, especially where it is adjacent to footpaths, public open space or where it may obscure views of and from doors and windows. This is valuable in helping to maintain a clear field of vision around a site, and in reducing fear of crime and opportunities for crime

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Section 17. Planting in new developments.

Section 17.1 The planting of trees and shrubs in new developments to create attractive residential environments will be supported provided that:

17.1.1 The layout provides sufficient space to accommodate specimens once they have reached maturity, clear of access routes and required circulation areas;

17.1.2 Future maintenance requirements and budgets are considered at the planting design stage and management programmes are put in place to ensure the landscape fulfils the aims of the original design;

17.1.3 The planting design takes full account of all other opportunities for crime.

1.7 Street Lighting.

Street lighting should be carefully designed to cover all vulnerable areas without creating shadows. This can significantly reduce potential danger spots and reduce the fear of crime. Landscaping, tree planting and lighting schemes must not be in conflict with each other.

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Section 18. Street lighting.

Section 18.1 All street lighting for adopted highways and footpaths, private estate roads and footpaths and car parks must comply with BS 5489-1:2013.

Section 18.3 Bollard lighting is purely for wayfinding and can be easily obscured. It does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime. It should be avoided.

Section 18.4 Trees may restrict the performance of street lighting by blocking light or causing damage through collision with branches and should not be located within 5 metres of a lighting source.

Section 18.6 Secured by Design encourages, wherever possible, the use of the most environmentally friendly light sources.

Moreover the Institute of Lighting Professionals (ILP) currently favours the use of good quality LED lighting and other energy effective light sources and advises against the use of fluorescent lighting which is environmentally unsustainable for a variety of reasons

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Section 59. Private External lighting and dwelling lighting.

Private external lighting to common areas.

Section 59.1 Where possible the lighting requirements within BS 5489-1:2013 should be applied.

Section 59.2 SBD requires that only luminaires with suitable photometry serving to reduce light spill and light pollution may be used. Reducing light spill from inefficient luminaires into areas where lighting is not required is extremely important

Section 59.3 External public lighting must be switched using a photo electric cell (dusk to dawn).

Dwelling lighting.

Section 59.4 Lighting is required to illuminate all elevations containing a doorset, car parking and garage areas and footpaths leading to dwellings and blocks of flats.

Bollard lighting is not appropriate as it does not project sufficient light at the right height making it difficult to recognise facial features and as a result causes an increase in the fear of crime.

2. Further Information and Guidance.

Further help and information can be gained from the following web sites:

- www.securedbydesign.com (The official Police Security Initiative and Police Preferred Specified security product scheme).
- www.bsi-global.com (Standards, Training, Testing, Assessment and Certification).
- www.bregroup.com (Offer quality of performance and protection certification for fire, security and environmental products and services).

If I can be of any further assistance, please do not hesitate to contact me on doco@staffordshire.pnn.police.uk

The Secured by Design Website (www.securedbydesign.com) provides valuable information regarding police and home office recognised standards and licensed component manufacturers.

Crime prevention design advice is given free without the intention of creating a contract. The Police Service and the Home Office does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

Severn Trent Water

No comments received.

Environment Agency

No comments received.

South Staffordshire Water Plc

I have viewed the application and from our existing asset records we appear to have a water mains assets affected by this scheme, this would need engagement by the developer with ourselves to look to divert/ protect this asset if it is affected by construction works.

Additionally we would look to install any new water assets to supply the development through the normal application for new connections process.

Please note that we do not keep records of individual water services so this site may well require the existing water service to be disconnected prior to the development being undertaken.

Staffordshire County Council Archaeology Service

I note that an archaeological evaluation was required as a condition of the outline application CH/19/421. I have previously reviewed the submitted Written Scheme of Investigation (WSI) as part of discharge of condition request CH/19/421, however I will take this opportunity to remind the applicant that the archaeological works outlined in the WSI should be satisfactorily carried out in advance of any enabling or construction commencing.

Hednesford Town Council

HTC objects to the approval of this application. The layout now proposed fails to preserve as agreed access from the green space serving the new estates to the school and services centre. As a result of less pedestrian access, congestion will be caused by vehicles accessing the school and the shops area - which is already a traffic pressure point.

It has previously been confirmed to us that construction of pedestrian pathways on the new estates would ensure that residents could access the school without crossing busy roads. Pedestrian access from the new estates should therefore be preserved. Preserving and maintaining pedestrian access amounts to a safer and healthier environment - as opposed to encouraging more vehicular traffic.

Response to Publicity

The application has been advertised by site notice and neighbour letter. 10 letters of representation have been received. These have raised the following issues: -

There is no path being built between the existing Limes estate and the shops and school through this new estate. It's dangerous to go along Pye Green Road with small children and hard to cross roads on lime pit lane as not even a bath on both sides or a safe crossing point.

It's a 17min walk when it could be 5 from my house and significantly safer for our children. I expect a lot of parents would rather drive that due to time constraints and safety concerns which could so easily be avoided though a change in planning.

I would like to raise concerns regarding the lack of foot path from The Limes estate to access the school and shops on Noble Street and Bishop Street. I am hoping to send my children to Poppyfields and seeing this has made me question the safety aspects of walking my children to school. Surely we're not expected to walk along Limepit lane crossing the busy road with no crossing then crossing back over at the public house to cross again on to busy Pye Green Road due to being no foot path on the one side, then crossing again opposite Noble Street? This would be quite a challenge with small children and I don't agree that I should have to drive them to school each day. There is surely a safety issue. I also object to walking across a wet muddy field so they arrive at school with dirty clothes and shoes. The obvious thing to do would be to create a path from the

Limes estate to Noble Street/ Bishop Street. This would be safe and sensible for everyone. Unless a path was included in the plans I would strongly object to this.

There needs to be a pathway from The Limes estate through to the co-op and the school. This was promised by Barratt Homes upon house purchase and makes absolutely no sense to not put a pathway in place. If not put in place, a way through will be created and will not be an easy access route for families with pushchairs trying to access the school, it needs dealing with in the correct manner.

The submitted plans show the northern end of the development site extending over my boundary fence onto my land. This will not be possible. This has not been corrected in the amended plans.

The plans show two trees planted on the northern edge boundary which when grown would substantially overhang on to my back garden causing unacceptable shading. At least one of these trees is within 3.8m of the house at 521. I believe the minimum distance should be 5m.

The development contains 13 affordable rented units, all of which are located on the small area at a density of over 20 per acre.. This area is totally isolated from the main development and is clearly in contravention of the National Policy Guidelines which stress inclusivity and promoting social interaction in the location of affordable housing creating an isolated enclave of affordable rented properties which will most likely have a much higher turnover of residents when compared with owner occupied houses is a return to some of the bad housing practices of the 1950s. In my view this is very bad planning and is a serious example of stigmatising social housing and disregard of the community and social effects of planning.

The current boundary between my garden and the development is one metre high fence. As far as I can see the application does not give any indication of landscaping or fencing. No indication given of fencing.

I have serious concerns regarding the amount of overlooking from the proposed development onto my front and back gardens. Even if a 6ft fence or wall was erected along my boundary there would still be about 17 first floor windows overlooking my house and gardens. Some of this could be improved by an improved layout and design.

If the housing plot was rotated by 90 degrees, most of the overlooking problems could be avoided whilst retaining the same number of housing. See above.

I note that each housing unit has a garden shed/ building located at the end of the garden and accessed by footpaths which are ungated and locked. If these units are used for storing cycles, lawnmowers or other valuable items they will soon become easy targets for thieves and lead to an increase in crime. Garages and garden sheds located away from a house frequently become vandalised and a source of anti-social behaviour. This is a prime example of this on the older estate off Limepit Lane.

The plan proposes to fill in the gaps in the hedgerow along Pye Gren Road. Most people living in affordable housing are likely to make use of the good bus service along this road. For people living on the northern plot there is a bus stop within 150m by going through the hedge. Walking via Noble Road is a walk of 750m. Why not make a pedestrian entrance via the hedge. No attempt to improve access to public transport

A further link to the footpath network to the west has been indicated on the layout drawing, however its alignment doesn't make physical sense based on existing ground levels and doesn't run through the identified area of Public Open Space. The existing link that is currently in place near the play area has a length already constructed to enable the footpath to be extended to provide a link, orientated in the direction of the proposed Plots 51 – 52. It makes sense to utilise this length already constructed for this purpose and provide a link via the POS to the access road, in the vicinity of Plot 48.

A footpath link from the western edge of Noble Road has been indicated but runs through the proposed allotment area (and crossed by the allotment access road). How will this work in practical sense, noting many allotments are secured areas? What will be the design of the allotments and who Some further observations I have noted are as follows:

A further link to the footpath network to the west has been indicated on the layout drawing, however its alignment doesn't make physical sense based on existing ground levels and doesn't run through the identified area of Public Open Space. The existing link that is currently in place near the play area has a length already constructed to enable the footpath to be extended to provide a link, orientated in the direction of the proposed Plots 51 – 52. It makes sense to utilise this length already constructed for this purpose and provide a link via the POS to the access road, in the vicinity of Plot 48.

A footpath link from the western edge of Noble Road has been indicated but runs through the proposed allotment area (and crossed by the allotment access road). How will this work in practical sense, noting many allotments are secured areas? What will be the design of the allotments and who is responsible?

The Public Open Space is described as being 'by others'. Who is designing this? Who is responsible for its implementation and also ongoing management (i.e. costs), noting that local residents of the Limes Estate already pay a yearly management charge for their areas of open space and will not be accepting to these areas being added. Confirmation is required of the method of funding and the legal responsibilities of residents to 'Plot I' for paying management fees.

The current scheme is designed in isolation and the key element here is the requirement for joined up thinking between the existing situation on the ground (i.e. what has already been built) and the proposed development, enabling a considered and practical footpath network to be in place – otherwise residents will use cars to take children to the local schools. In addition, confirmation that Bellway Homes will implement these footpath links as an element of this development, and for them to not be left as unconsidered elements. As a local resident of The Limes, we have had almost 6 years of being in a situation of poor or non-existent management on the open spaces that surround our Site (and the highways) and feel that the current lack of co-ordination and/or methods to ensure these works are implemented in accordance, will lead to these issues continuing.

Thank you for this opportunity to review the revised layout that has been submitted in support of this application, and to provide further comments/observations on the revised layout (Drg. PGR-100-SL-01-T).

Layout

Despite previous observations, the developer has still retained a high-density layout to maximise the build space. Whilst this approach is understood, this does not reflect the locality and proximity to the Cannock Chase AONB, where a more 'spacious'

development layout would be more suited, providing a transition from the developed areas to the east of Pye Green Road to the open space to the west. Across the proposals, plots and parking are shoe-horned in at every opportunity and landscaping reduced to incidental areas.

The north-east corner of the layout shows an area of housing, presumably social housing, that is accessed via the access road to the care home. The proposed layout does not tie in with the form or orientation of the housing to the north and would appear at odds with the street scene. I reiterate my previous comments that housing in this area surrounding by either school or care home facilities, is inappropriate with space better suited meeting the needs of the school / care home.

The developer is relying on the landscaping provided by the Local Centre to create a sense of arrival which isn't sufficient. Noble Road provides access to the school, care home, local centre and also the proposed allotments (in addition to the proposed residential development) and therefore a higher degree of treatments needs to be considered in this location. Plots are circa 4m back from the back of footpath providing insufficient room to plant even a small tree under the NHBC guidance. This should be a tree lined avenue that clearly demonstrates this Site's transitional location between urban and rural areas (inc. of the AONB).

A footpath link has been shown connecting the proposed footpath alongside Pye Green Road (the development side of retained hedgerow) to the footpath that is located to the south around the balancing

pond. The layout states 'Potential for connection to existing footpath network (by others).' This doesn't make practical sense as the footpath is either proposed or not – and the developer should provide this footpath link as an element of their development, not leave 'to others'. If this link is not provided by the developer, it will never be installed and the 'footpath link' proposed to run parallel with Pye Green Road is useless as it provides no connection with existing footpath networks.

No footpath connection is proposed that links with the footpath network already installed in the POS to the west – with particular reference to the section of footpath that has already been installed to aid the linkage, to the east of the games court. This is a fundamental connection to provide formal access between developments, to the local school. The developer needs to provide this as an element of this proposed development, noting similar issue of not providing as outlined in Point 4. This layout as proposed does not therefore show any formal links between this Site and other areas, contradicting the layouts as initially proposed in the Outline Approval for the entire development on this land. Several annotations on the drawings state 'Potential for connection to proposed footpath (by others)' but this does not provide a guarantee these links will be provided and if they are, who will pay for them? This developer needs to provide these links in full, not rely on 'others' otherwise footpaths will not be provided.

The blue line to the rear of plots 24-30 appears to indicate the boundary of the allotments, yet the development extends into this area – indicating that there will be a loss in allotment area. Is this the case? Surely the developer can't 'massage' boundaries to facilitate more developable area for themselves?

This needs clarifying.

The over-use of tandem parking is becoming an issue on new housing developments, with homeowners leaving vehicles parked on the main access roads. This is evident on nearby developments such as 'The Limes' where primary roads have numerous vehicles parked along their length that restrict visibility and access and provide safety concerns and issues for refuse services gaining access. This same issue will exist on this development – noting tandem parking provision is proposed along the main access road (Noble Road). A further example of this are Plots 46-47 where a single vehicle parked on this road will cause an obstruction in the key visibility splay lines and force vehicles into the middle road on a bend without clear visibility. The developer needs to review their design to eliminate all these issues as far as feasibly possible.

Landscaping

No updated landscape proposals have been provided to reflect the changes in the layout. There were a number of observations previously noted – including the lack of provision of street trees and space within the development to incorporate these key elements;

The landscape treatment of the western edge of the development is of concern to nearby residents, and a soft landscape approach is required in these locations to provide a degree of visual screening, with particular reference to rear garden fences adjacent the existing footpath network.

This location is on the edge of the Cannock Chase AONB, and therefore more effort is needed to provide tree planting as an element of the proposals, particularly to access roads and the perimeter of the development. This is one of the main failures of the Bilberry Chase, Dear's Rise and The Limes developments where little tree planting has been provided and the developments are harsh and do not reflect their location adjacent the AONB.

Relevant Planning History

CH/19/421: Residential development up to 78 dwellings, open space landscaping & associated infrastructure, access (All other matters reserved). Outline Planning Permission Approved 30-Sep-2021 subject to a section 106 agreement to secure: -

- The provision of 20% affordable housing.
- The provision of an Education Contribution.
- The provision of funding for the implementation of the Travel Plan.
- Provision of a Bus shelter and extension of footpath to connect with the bus shelter.
- Provision of cycle parking at Hednesford Train Station.

CH/19/421B: Discharge of Condition Application No 11 (Archaeological Evaluation). Not yet determined.

Ch/21/0426: Delivery of vehicle access to adjacent allotments and dropped kerb crossing. Not yet determined.

In respect to the planning history for the wider Land West of Pye Green Road, site.

- CH/11/0395: Mixed use development. Outline-Approval With Conditions 06/24/2014.
- CH/11/0395/A: Partial discharge of condition 11: Ground Risk
- CH/11/0395/B: Discharge of Condition 21: Ecology and nature conservation mitigation measures. Discharge of Conditions - Full Approval 11/27/2015.
- CH/11/0395/C: Discharge of Conditions 2 (Site Details), 4 (Landscaping), 6 (off-site Highway Works)
- CH/17/262 : - Application for reserved matters approval for outline planning permission CH/11/ Res Mat - Approved with Conditions 12/05/2017.
- CH/18/080: - Reserved Matters application for phases 2 and 3 comprising 481 dwellings with as Full - Approval with Conditions 09/13/2018.
- CH/19/224: - Non Material Amendment to Reserved Matters consent (CH/18/080) for alteration of Approved 07/23/2019
- CH/19/304: - Suitable Accessible Natural Greens Space (SANGS) Phase 2 for development of site. Not yet determined.

[Members should note that it is the plans under application CH/19/304 that will provide the link between the application site and the Limes that has been raised as an issue of concern by members of the community.]

1 Site and Surroundings

- 1.1 The application site is comprised of a vacant plot of land and an existing vehicular/ pedestrian access road on a wider area of land situated west of Pye Green Road and north of Limepit Lane that is allocated as a 'Strategic Housing Site' in the Cannock Chase Local Plan Part 1 (2014) and which is subject to a Development Brief (March 2011).
- 1.2 The wider site West of Pye Green Road benefits from outline planning permission for a 'mixed use development involving the erection of up to 700 dwellings; local centre consisting of retail/ commercial (A1, A2, A3, A4, A5), and use class D1; a primary school; formal and informal open space, equipped play areas and allotments; new highway infrastructure onto Pye Green Road and Limepit Lane; and associated engineering, ground modelling works and drainage infrastructure.
- 1.3 Access to the site would be provided by the new vehicular access serving Poppyfields School, a local service centre (nearing completion) and a 66 bed care home which has been recently constructed.
- 1.4 To the east the site bounds Pye Green Road across which is a residential area and the area designated as a local service centre and the care home. To the north the site borders Fuschia World Garden Centre and a dwelling, and to the

west the site borders Poppyfields School, and an area set aside for allotments and an area set aside for public open space.

- 1.5 This area approximately corresponds to Phase 2 of the housing development as shown on the original masterplan to the outline planning permission for the wider area. However, the exact boundaries have been amended to take into account the presence of fissures that were found to exist following the grant of the outline consent.
- 1.6 The application is located within the Forest of Mercia, a Mineral Safeguarding Area and is located in an area covered by the Hednesford Neighbourhood Plan.

2 Proposal

- 2.1 The Applicant is seeking consent for the approval of the reserved matters of Appearance, Landscape, Layout, Scale following outline approval (CH/19/421).
- 2.2. Outline approval granted consent for a residential development of up to 78 dwellings, open space landscaping & associated infrastructure and the means of access. That consent was subject to conditions in respect to the provision of a Construction Environmental and Traffic Management Plan, drainage plans for the disposal of foul and surface water flows, electric charging points for electric vehicles, a scheme of intrusive site investigations in respect to the fissures on the site and archaeology. Furthermore, it was subject to a section 106 agreement which provided a mechanism to deal with the provision of 20% affordable housing an education Contribution, funding for the implementation of the Travel Plan, provision of a bus shelter and cycle parking at Hednesford Train Station. As such it is not necessary to revisit these elements within the context of this application.
- 2.3 The applicant is proposing a residential development comprising 74 dwellings, comprising a mix of 1 bed, 2 bed, 3 bed and 4 bed units of which 59 would be Open Market its, 13 would be Affordable Rent and 2 would be for Affordable Housing-Shared Ownership.
- 2.4 The main entrance into the site would be taken from Noble Road and Bishop Street, which also serve the local centre and Poppyfields School. The main spine roads would then serve several cul-de-sacs in the form of private drives.
- 2.5 It is proposed that Noble Road would be extended to form an access into the public open space area, across which a series of footpaths would provide a pedestrian link to the estate known as 'The Limes', which would enable those residents a pedestrian access to Poppyfields School and the Local Centre. Similarly, a footpath link would be provided along the frontage of the site running parallel to Pye Gren Road. This path would stop at the southern boundary of the site but would enable the site to be linked up to other footpaths on the public open space beyond.

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).

Cannock Chase Local Plan Part 1

- 3.3 Relevant policies within the Local Plan include: -

- CP1: - Strategy – the Strategic Approach
- CP3: - Chase Shaping – Design
- CP10: - Sustainable Transport

Minerals Local Plan for Staffordshire

- 3.4 Relevant Policies within the Minerals Plan Include: -

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

Neighbourhood Plan

- 3.5 Relevant policies within the Hednesford Neighbourhood Plan include: -

- Policy ROW 1: Rights of Way
- H1: Support for Bungalows

National Planning Policy Framework

- 3.6 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking.
- 3.7 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.8 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
- 92, 98, 100: Promoting healthy and safe communities
- 111, 112: Highway Safety and Capacity

119, 124, 125: Making effective use of land

126, 130, 132, 134: Achieving Well-Designed Places

218, 219 Implementation

3.9 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets
- (iv) Land West of Pye Green Road Development Brief (March 2011)
- (v) Developer Contributions and Housing Choices SPD

4 Determining Issues

4.1 Principle of the Development

4.2.1 The principle of housing on this site was firmly established under planning permission CH/19/421 which granted outline permission with access for up to 78 dwellings and the means of access.

4.2.2 Issues, such as, affordable housing, impacts on the local highway network, education, drainage and flood risk, contamination and cumulative air quality impacts and archaeology were considered at the outline stage.

4.2.3 Therefore all issues relating to the principle of the development and the consented quantum of development (that is up to 78 dwellings) have already been approved and are not for consideration in the determination of this application.

4.2.4 Therefore the only matters that are for consideration are the proposed layout, appearance, scale and landscaping of the development and any material consideration in so far as it relates to those reserved matters.

4.3 Layout

4.3.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

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

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132 and 134. Paragraph 126

makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.3 Paragraph 130 of the NPPF goes on to state: -

‘Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;’

4.3.4 Finally Paragraph 134 states

‘Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.’

4.3.5 In addition to the above Appendix B of the Design SPD sets out clear expectations and guidance in respect to space about dwellings in order to achieve a high standard of amenity.

4.3.6 The layout of a development can also have important role to play in promoting sustainable modes of travel, social inclusion and access to open space and recreational facilities. The specific policies on these issues will be set out below under their respective topic areas.

4.3.7 Having had regard to the above it is considered that the main issues in respect to layout are: -

- (i) Layout, parking and highway safety and capacity within the proposed estate, improving access to public open space and promoting sustainable modes of travel.
- (ii) Layout and standard of amenity of existing and future occupiers in respect of space about dwellings.
- (iii) Layout and impact on nature conservation interests.
- (iv) Layout and impact on drainage.
- (v) Layout and designing out crime.
- (vi) Layout and the provision of affordable housing.

Layout, Parking and Highway Safety and Capacity within the Proposed Estate.

4.3.8 Paragraph 111 of the NPPF states 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe', adding at paragraph 112: -

Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
- (d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and
- (e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

4.3.9 The layout of a development has a role to play in creating healthy communities by encouraging walking through the provision of attractive and accessible environments. In this respect paragraph 92 of the NPPF states: -

'Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- (a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong

neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

- (b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
- (c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

4.3.10 Finally paragraphs 98 go on to state: -

‘Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change’;

whilst paragraph 100 states: -

‘Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.’

4.3.11 As stated previously the access to the site and impacts arising from the quantum of development were considered and approved under the outline consent. Therefore, the only consideration in respect to the determination of this reserved matters application in relation to highway considerations is whether the parking provision and estate roads are adequate in respect to their intended function and would allow the serving of the estate by refuse vehicle and emergency vehicles; and whether the lay out would promote sustainable modes of travel.

4.3.12 In respect to the layout and traffic and transport considerations it is noted that the accesses would be gained from Pye Green Road via Noble Street and Bishop Street, both of which have been constructed to serve Poppyfields School, the care home, the local service centre and this Phase of residential development, whilst providing vehicular access to the proposed allotments to the west of the application site. In order to demonstrate that the estate roads can accommodate large service vehicles the applicant has submitted 'Refuse Vehicle' and 'Fire Tender Vehicle' Tracking plans. These plans have been forwarded to Highway Authority and it is anticipated that the Highway Authority will accept these plans. Members will be updated at the meeting of Planning Committee on the response from the Highway Authority.

4.3.13 In respect to parking provision guidance is provided in the Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport (2005). This provides guidance for the

maximum number of car parking spaces (which is an out dated approach) and states that for dwelling where all parking is provided within the curtilage, including garages there should be

Two and three bedroom dwellings	2 spaces per dwelling
Four and more bedrooms	3 spaces per dwelling
And where there is Communal Parking	
Three bedrooms	2 spaces per dwelling
One and two bedrooms	1.5spaces per dwelling

- 4.3.14 It is confirmed that the proposal meets the Council's guidance for parking and that the parking provision within the site is considered acceptable.
- 4.3.15 In respect to the layout and the promotion of sustainable modes of transport it is noted that the layout makes provision for safe pedestrian access to Pye Green Road and to the western and southern boundaries of the site. The comments made by local residents in respect to the pedestrian links to The Limes are noted. However, it is crucial to note that this a reserved matters application and therefore can only make provision for access within the confines of the application site. The pedestrian links to the west across the public open space would be dealt with under separate planning applications, namely CH/21/0426 which is for the delivery of vehicle access to adjacent allotments and dropped kerb crossing and CH/19/304 for the provision of Suitable Accessible Natural Greens Space (SANGS) Phase 2. It is under the provisions of the latter application where the footpath linking the current application site to the Limes will be considered. However, it can be confirmed that the current application makes provision for those links within the confines of the application site and therefore does not prejudice the delivery of the overall footpath scheme across the wider site.
- 4.3.16 In addition to the above it is noted that the site is immediately adjacent to a school and a local centre (bearing completion) and therefore a variety of local services are within walking distance. Furthermore, there is a bus stop just north of the entrance of the site which is in easy walking distance from all dwellings on the estate, including the affordable units situated in the northern portion of the site.
- 4.3.17 It has been stated that a hole should be cut in the hedgerow in the vicinity of the affordable housing units to allow them quicker access to the bus stop. However, there is pavement along the western side at this point of Pye Green Road and no pedestrian crossing. As such it would in effect be promoting an unsafe route and is not supported by officers.
- 4.3.18 Having had regard to all the above it is considered that subject to no objections being received from the Highway Authority, and subject to any conditions that Highway Authority recommend the proposal would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network would be severe. Furthermore, the proposal would promote sustainable modes of transport and healthy lifestyles and as such would accord with the thrust of Policy CP10 and paragraphs 92, 98, 100, 111 and 112 of the National Planning Policy Framework.

Layout and Standard of Amenity of Existing and Future Occupiers

- 4.3.19 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.3.20 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.3.21 In general the Design SPD sets out guidance for space about dwellings, stating that for normal two storey to two storey relationships there should be a minimum distance of 21.3m between principal elevations (front to front and rear to rear) and 12m between principal elevations and side elevations. Furthermore, the Design SPD sets out minimum rear garden areas, recommending 40-44sqm for 1 or 2 bed dwellings, 65sqm for 3 bed dwellings and 80sqm for 4 bed dwellings.
- 4.3.22 However, the Design Guide recognises that the distances set out are in the nature of guidance and that 'variations to the recommended minimum distance will be considered dependent upon the particular circumstances and type of development'.
- 4.3.23 In this respect it is noted that the layout in general meets the recommended distances for space about dwellings and outdoor amenity areas, and in some cases exceeds the guidelines. However, there are several instances where the layout does not achieve some part of the space about dwellings guidelines. Of particular note is the relationships between units 42-45 and those opposite at 53-56 which is 19m rather than the 21.3m set out in the Residential Design Guide. Notwithstanding this, the illustrative cross section contained within the Adopted Development Brief (March 2011) indicates that a separation distance of 14m across secondary roads within the site could be acceptable. It is therefore considered that this marginal deficiency in respect to the above units would not result in a poor standard of amenity.
- 4.3.24 Objections have been raised in respect to the relationship between the dwellings at units 13 at the northern edge of the site and the dwelling at 251 and in particular the level of overlooking. Officers can confirm that the proposed dwellings would be set back 11m from the common boundary with No251 Pye Green Road. This is the standard distance for the length of a rear garden and is considered sufficient in planning terms to protect the amenity of the occupiers of No 251 and to maintain a high standard of residential amenity.
- 4.3.25 On balance it is considered that the proposal layout, by virtue of the space about dwellings, would provide a good standard of residential amenity for all future and existing occupiers of properties within the site and abutting it. Therefore, having had regard to Policy CP3 of the Local Plan, the NPPF and the Design Guide the layout of the proposal is considered acceptable in this respect.

Layout and Impact on Nature Conservation Interests

Cannock Chase SAC

4.3.26 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. Proposals which would lead to a net increase in dwellings are therefore required to mitigate their adverse impact on the SAC, which is normally in the form of a payment as part of the Community Infrastructure Levy or if CIL .

4.3.27 As the proposal is CIL liable, the SAC element would be topped slice and as such this would ensure that impacts on the SAC would be adequately mitigated.

Nature Conservation Interest on Site

4.3.28 Policy in respect of impacts on biodiversity is provided by Policy CP12 of the Local Plan and Section 15 of the NPPF.

4.3.29 Policy CP12 states (amongst other things) that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced via: -

"the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national and local status. Development will not be permitted where significant harm from development cannot be avoided, adequately mitigated or compensated for;

support for the protection, conservation and enhancement of existing green infrastructure to facilitate robust wildlife habitats and corridors at a local and regional scale (particularly to complement Policy CP16)."

4.3.30 In addition to the above Paragraph 174 of the NPPF states (amongst other things) when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles

Planning policies and decisions should contribute to and enhance the natural and local environment by [amongst other things]:

- (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

4.3.31 In addition to the above paragraph 180 of the NPPF goes on to state When determining planning applications, local planning authorities should apply the following principles:

- (a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- (b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
- (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- (d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gain

4.3.32 In respect to the impact of the proposed development on local nature conservation interests it is noted that currently the site comprises an area of open ground, which was formerly used for agriculture. It does not support any rare or vulnerable habitats and the only feature of interest is the hedgerow along the frontage which where practicable will be retained and brought back under appropriate management. As rough, open ground the site has the potential to support breeding skylark. Indeed, during the officer site visit skylark could be heard singing in the close vicinity but it is not known whether it was attempting to breed on the site. The issue of breeding skylark could be adequately dealt with by way of an informative attached to any permission granted bringing the matter to the applicant's attention and informing them that under the provisions of the 1981 Wildlife and Countryside Act (as amended) the disturbance of breeding birds and the destruction of nests, when occupied, or eggs is an offence.

4.3.33 Although the loss of Skylark habitat cannot be compensated for within the scheme, the proposal does provide an opportunity to enhance the provision of breeding habitat of other species of common British birds. To this end the applicant is proposing 4No Swift nest boxes, 4No Starling Nest Boxes and 4No House sparrow nest boxes. The boundary treatments also have provision for hedgehog access holes to enable this species to move between gardens and forage.

4.3.34 Having had regard to the above it is considered that the proposal, subject to the attached conditions, would be in accordance with Policy CP12 and paragraphs 174 and 180 of the NPPF.

Layout and Impact on Drainage

- 4.3.35 Drainage is not a reserved matter and was therefore dealt with at outline stage where it was made subject to conditions requiring a scheme to be submitted.
- 4.3.36 The Local Lead Flood Authority and Severn Trent Water Authority were consulted on this application. Whilst Severn Trent have not responded that the LLFA has requested further information required to discharge the drainage condition before they are willing to comment. However, given that the proposed layout in respect to the provision of POS and roads has not significantly changed from the indicative scheme that informed the outline stage and which enabled the imposition of the drainage condition it is considered that the current layout should not prejudice the delivery of the drainage scheme.
- 4.3.37 It is therefore considered that the proposal would not compromise the drainage of the site and that it is consequently acceptable in respect to Policy CP16 (1) (g) and (2) (e) of the Local Plan and the NPPF.

Layout and Designing out Crime

- 4.3.38 Legislation, policy and guidance in respect of crime and the fear of crime is provided by Section 17 of the Crime and Disorder Act 1998, paragraph 92(b) and 130(f) of the NPPF and Policy CP3 of the Local Plan. In this respect the comments made by Staffordshire Police are noted. However, much of the content either reiterates generic policy and guidance, or provides guidance that fall outside of the scope of planning controls (e.g. street lighting which falls under highway controls) rather than assesses details of the proposal that is for consideration.
- 4.3.39 In respect to footpath design it is noted that the only footpath proposed that does not follow a highway is the one to the front which would be overlooked by the front elevations of the building fronting onto Pye Green Road and which would be straight thus conforming to design guidance. Indeed, the Police have stated that they support the 'intention to promote the footpath link alongside Pye Green Road and the orientation of Dwellings so that they offer immediate natural surveillance from Dwelling frontages. It is also clear looking at the Landscape Plans that views of this footpath from the dwellings would not be obscured by tall dense vegetation. The proposed footpath would also be 3m wide and therefore would allow people to pass without infringing personal space and to accommodate passing wheelchairs, cycles and mobility vehicles). In respect to lighting it is noted that for much of its length the footpath runs parallel with an estate road that would be adopted by the County Highway Authority and subject to its lighting requirements.
- 4.3.40 Staffordshire police have advised that

'There are advantages in some road layout patterns over others especially where the pattern frustrates the searching behaviour of the criminal and his need to escape. Whilst it is accepted that through routes will be included within development layouts, the designer must ensure that the security of the development is not compromised by excessive permeability, for instance by allowing the criminal legitimate access to the rear or side boundaries of dwellings, or by providing too many or unnecessary segregated

Developments that promote intuitive wayfinding and enhance the passive surveillance of the street by residents within their homes and high levels of

street activity are desirable as they have both been proven to deter criminal behaviour, but they are no guarantee of lower crime, which evidence proves is achieved primarily through the control and limitation of permeability'.

4.3.41 In the main the proposed development would be in the form of a series of cul-de-sacs which would have good natural surveillance. Where there is a through route for example on Noble Road, this road would be subject to frequent activity with people visiting the school, care home and the local centre, providing a vibrancy and level of activity which would deter criminality and anti-social behaviour.

4.3.42 Comments have been made of the poor design of the affordable housing units and a suggestion has been received that the units should be turned round by 90 degrees to reduce overlooking of No251 and that a footpath should be created through the hedge to enable people to access the bus stop. However, the properties have been aligned in such way to provide an active frontage to the highway so as to provide high degree of natural surveillance. It is also considered inappropriate that the proposal be amended to provide a pedestrian access to Pye Green Road at this point as this would create an easy escape to persons involved in criminality.

4.3.43 In respect to the boundaries the comments made by the police in respect to hinges and locks fall outside of the scope of planning controls. However, it is proper that the height and locations of fencing and walls is given proper consideration. In this respect it is noted that the applicant has indicated that the rear garden of several properties throughout the estate are to be separated by 0.9m high timber post and rail fencing. This is not considered acceptable and that a fence with a minimum height of 0.8m should be erected. This amendment to the design could be controlled through an adequately worded condition attached to any permission granted.

4.3.44 The Police have advised that 'gates to the side of the dwelling that provide access to rear gardens or yards must be robustly constructed, be the same height as the fence (minimum height 1.8m) and be capable of being locked (operable by key from both sides of the gate). Such gates must be located on or as near to the front of the building line as possible'. The police go on to state that 'Examples of areas that require attention include:

- Between the Dwellings to Plots 3 and 4, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 3. Gates must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 10 and 11, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Gates must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.

- Between Plot 14 and the site boundary (providing access to the rear of Plots 14, 15 and 16), where this gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 16 and 17, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 18 and the boundary to the rear of Plot 16, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 18. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling. This gate must include a closing mechanism and be openable by key from both sides.
- Between the Dwellings to Plots 19 and 20, where this boundary must be recessed no more than 600mm from the front elevation of the Dwelling to Plot 19. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwellings to Plots 27 and 28, where a lockable gate must be erected no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this gate, preferably to the front elevation of these Dwellings. This gate must include a closing mechanism and be openable by key from both sides. Installing a metal railing gate will help to promote natural surveillance over this area.
- Between the Dwellings to Plots 53 and 54, where this boundary must be recessed no more than 600mm from the front elevation of these Dwellings. Meters must be located forward of this boundary, preferably to the front elevation of these Dwellings.
- Between the Dwelling to Plot 65 and the boundary to the rear of Plot 52, where a lockable gate must be erected no more than 600mm from the front elevation of the Dwelling to Plot 65. Meters must be located forward of this gate, preferably to the front elevation of this Dwelling.

4.3.45 Officers would report that following discussions with the applicant the location of the gates have been designed so to allow the fitting of meters to their front in accordance with the guidance of the Police. The position of the meters is dictated by the internal arrangement of the dwellings. As such the applicant has conformed to the guidance of the police as far as it is practicable to do so.

4.3.46 Staffordshire Police have stated that 'Vulnerable areas, such as exposed side and rear gardens, need more robust defensive barriers by using walls or fencing to a minimum height of 1.8m. There may be circumstances where more open fencing is required to allow for greater surveillance. Trellis topped fencing can be useful in such circumstances' adding 'Particular attention must be paid to side and rear boundaries that are easily accessible from public open space and footpaths. Please consider using trellis topping to bring these boundaries to 2m in height.' Officers can confirm that the Boundary treatment Plan shows fencing and walling of 1.8m high to joint boundaries with the areas of public open space to the west and south of the application site. Whilst the detailing of the fence in respect to

materials and construction is considered acceptable it is note that these do not conform to the 2m height requirement recommended by Staffordshire Police. Similarly, the Boundary Treatment Plans often show rear gardens between plots separated by 0.9m high timber and post rail fencing. Offices recommend that these are replaced by 1.8m high lap larch fencing. Both elements can be adequately controlled through the use of adequately worded conditions, as follows: -

Notwithstanding the details of the Boundary Treatment Plan PGR-100-SL-01-AA the walls and, or, fencing separating Plots 18, 19, 20, 21, 22, 23, 28, 29, 30, 66, 67, 68 and 73 from the public open space shall be 2m in height.

Reason

In the interests of promoting safe communities in accordance with paragraph 92(b) and 130(f) of the National Planning Policy Framework and Policy CP3 of the Local Plan.

Notwithstanding the details of the Boundary Treatment Plan PGR-100-SL-01-AA all fencing separating the rear garden of one property from another shown as 0.9m timber post and rail fence shall be constructed of 1.8m high timber larch lap fencing with timber posts.

Reason

In the interests of promoting safe communities in accordance with paragraph 92(b) and 130(f) of the National Planning Policy Framework and Policy CP3 of the Local Plan.

4.3.47 As to the construction of the gates in terms of hinges and bolt design this detail falls outside of the scope of planning controls. It is therefore recommended that the most appropriate way of dealing with this issue is to bring to the developer's attention the comments of the Police by way of placing an informative on any permission granted.

4.3.48 Staffordshire Police have commented that 'glazing providing unobscured natural surveillance is necessary where a gable is easily accessed (end of Block etc.), and where adjacent garages, parked vehicles and rear access (gates and boundaries) are not immediately overlooked..... The proposed house types that are of greatest concern are semi-detached and terraced houses with no glazing to the gables. Where privacy requirements allow, these Dwellings should include glazing to either kitchens staircases, hallways or landings. This is necessary to provide natural surveillance over parked vehicles or rear boundary access. The Police response then goes on to mention various examples where additional fenestration is desirable. These are as follows: -

- House Type S04-01, to Plot 6. Where privacy restrictions allow, this Dwelling should include additional glazing to the Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.

Officers would comment that the dining room is to the rear of the property overlooking the private garden. It does not overlook the car parking area which is to the front. To the side of the house there would be a pedestrian access which would be gated. The passageway would be used not only by

the occupiers of Plot 6 but also by the occupiers of Plot 7. The insertion of a window to the dining room would allow the occupiers of Plot 7 to look directly into the dining room of Plot 6. Therefore, any additional window in this elevation would not be acceptable on protection of privacy grounds

- House Type TE-01, to Plot 21. Where privacy restrictions allow, this Dwelling should include additional glazing to the Kitchen or Dining Room, to provide valuable natural surveillance over parked cars and access to the rear of this Plot.

Officers would comment that this dwelling is at the end of a cul-de-sac and the car parking of Plot 21 would be directly overlooked from the properties at Plots 19 and 20. As such there would be sufficient natural surveillance and it is not considered necessary to have a window in the side elevation.

- House Type MAN-01, to Plot 23. Where privacy restrictions allow, this Dwelling should include additional glazing to the Staircase, Landing or Hallway, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of this Plot.

Officers would comment that this dwelling is within a cul-de-sac and the car parking of Plot 23 would be directly overlooked from the property at Plot 17. As such there would be sufficient natural surveillance and it is not considered necessary to have a window in the side elevation.

- House Type TN-01, to Plots 46, 47 and 57. Where privacy restrictions allow, this Dwelling should include additional glazing to the Living Room, to provide valuable natural surveillance over parked cars, garage entrances and access to the rear of Plots.

Officers would comment that the parking associated with these plots and that of the neighbouring dwellings would allow the neighbours to have clear views into the habitable rooms of those plots should they be fitted with windows in the side elevations. As such any additional windows in these side elevations would not be acceptable on protection of privacy grounds.

4.3.48 In respect to street lighting members are advised that this would be controlled through the street adoption process and therefore be a matter for the Highway Authority to determine.

4.3.49 In conclusion having had regard to the provisions of the Crime and Disorder Act 1998, paragraph 92(b) and 130(f) of the NPPF and Policy CP3 of the Local Plan it is considered that, subject to the attached conditions, the layout of the proposal, on balance, would create a place which is safe and accessible, so that crime and disorder, and the fear of crime, would not undermine the quality of life or community cohesion

Layout and the Provision of Affordable Housing

4.3.50 Affordable housing provision was looked at and incorporated into the section 106 agreement attached to the outline consent. However, it is still pertinent to assess whether the layout of the affordable housing units is acceptable.

4.3.51 The Council’s Developer Contributions and Housing Choices Supplementary Planning Document (July 2015) states

‘The Council will expect 80% of the 20% affordable housing requirement to be social rented housing and the remaining 20% to be intermediate housing.

The Council will require the following size mix of new affordable housing on each development site, rounded to the nearest whole number of units. The preferred housing mix has been determined by Cannock Chase Council’s Housing Management Team and is based on information on the needs of applicants from the Cannock Chase Homes Lettings Data.

1 bed = 10%

2 bed = 60%

3 bed = 25%

4 bed = 5%

The affordable housing provision should be pepper-potted throughout the development and be indistinguishable from the market housing.’

4.3.51 The applicant has submitted a plan showing the proposed distribution of affordable housing which would be located in the north eastern portion of the site (plots 1- 13. The proposed mix is as follows: -

Affordable Housing-Rent

House Type	No. of Beds	No of units
Stationer	1	2
Bookbinder	1	2
Manciple	2	6
Draftsman	3	2
S04	4	1

Affordable Housing-Shared Ownership

House Type	No. of Beds	No of units
Manciple	2	2

4.3.52 The Strategic Housing Officer has confirmed that the 15 affordable units proposed for this site is policy compliant (20%) and the tenure and bed size mix stated is acceptable.

4.3.53 However, the concentration of affordable housing in the north eastern corner of the site is contrary to guidance within the Council’s Developer Contributions and Housing Choices Supplementary Planning Document. Notwithstanding this

Registered Providers do prefer to have their portfolio in on place rather than spread about an estate. Furthermore, the wider layout around the local service centre and the proximity of the school would allow and promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.

4.3.54 As such the location of the affordable housing units in the north east corner of the site is considered insufficient to warrant refusal of the application.

4.4 **Appearance**

4.4.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale, appearance, landscaping and materials;

4.4.2 However, Paragraph 127 of the NPPF states: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.4.3 The proposal includes the provision of 74 dwellings which would be of traditional design using a mix of facing brick and render under tiled pitch roofs and with decorative cills and headers to windows and typically 8.5m in height. They would be constructed from Terca Tuscan and Terca Caldera facing brick under Russell Galloway Slate Grey tiles.

4.4.4 In this respect they would be similar to other dwellings that have been constructed to date at the other phases of the development across the wider site. In addition, they would lie adjacent to an established area of mid to late C20th housing developments typically found in sub urban areas across the country.

4.4.5 Comments have been received that the housing density of the proposal is too high, the site is irregularly shaped and the development disjointed. However, in respect to density it should be noted that paragraph 4.7.8 of the Adopted Development Brief (March 2011) for the wider site states

‘The transitional nature of the site from the more ‘urban’ existing settlement edges on Pye Green Road and Limepit Lane to the more

'rural' woodland edges to the north and west require a response in the proposed built form. Across the development as a whole, an average indicative residential density of 30 dwellings per hectare is achieved as indicated on the illustrative Masterplan. This area includes a range of densities across the site as stated below and incorporates children's play areas. **In essence, higher densities and building heights (up to three storeys maximum for focal buildings and short terraces) will be located around the central mixed use centre** and towards the southeast of the development area, avoiding three storey along Pye Green Road and Limepit lane frontages. Higher densities along the main street and around the local centre will also ensure a higher proportion of the residents live within very close walking distance of the communal facilities. Lower densities and building heights (predominantly two storey detached and semi-detached) will be located towards the western and northern edges of the scheme.'

- 4.4.6 Officers can confirm that the proposed layout and density reflects the aspirations of the Design Brief with the higher density areas fronting onto the main spine road immediately adjacent to the local centre or near to the school in respect to the affordable housing provision. This would help in some small way in reducing the reliance on the private car as a range of facilities and goods and services would be within walking distance.
- 4.4.7 It should also be taken into consideration that the layout of the site is heavily constrained by the presence of fissures that run through site and hence need to be avoided by buildings.
- 4.4.8 In addition it should also be taken into account that paragraph 119 of the NPPF, states 'Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions' whilst paragraph 124 goes on to state

'Planning policies and decisions should support development that makes efficient use of land, taking into account:

- (a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- (b) local market conditions and viability;
- (c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- (d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

(e) the importance of securing well-designed, attractive and healthy places.’

4.4.9 It is officer opinion that the proposal conforms to the requirements of both the Design and Guide and paragraphs 119 and 124 of the NPPF in promoting efficient use of land by making use of appropriate densities across the site whilst providing a variety of house types and promoting sustainable travel modes that limit future car use

4.4.10As such it is considered that the proposal by virtue of the appearance of the dwellings, including design and materials and the density of the layout would be well-related to existing buildings in the wider area and as such would be in accordance with Policy CP3 of the Local Plan and the design section of the NPPF.

4.5 **Scale**

4.5.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
- (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance

4.5.2 Having had regard to the above it is noted that the scale of the development in respect to the number of dwellings (74 dwellings) was accepted at the outline stage. The only other matter in respect to scale is the size of the proposed dwellings. There are a range of dwelling types on the Site, ranging from 2 bed flats to 4 bedroom houses. These are standard house types that are found on a variety of developments built out by volume house-builders.

4.5.3 Officers can confirm that these heights are fairly standard in nature and reflect the range of house types typically found within the wider area, which also incorporates flats and large sized modern commercial units. As such it is considered that the scale of the proposed dwellings would be well-related to existing buildings and their surroundings and therefore in accordance with Policy CP3 and the NPPF.

4.6 **Landscaping**

4.6.1 Policy CP3 of the Local Plan requires that, amongst other things, developments should be

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

- 4.6.2 The applicant has submitted detailed landscaping plans which have been reviewed by the Landscape officer and commented upon by members of the public.
- 4.6.3 Turning to the issues raised Officers can confirm that the services (gas , water etc) to the dwellings could be controlled through the use of an adequately worded condition. This would ensure that they would not significantly conflict with the landscaping of the site.
- 4.6.4 In respect to the layout not contributing to the forming of an entrance way/ welcoming feature to the development area including the estate, school, care home or open space area it should be taken into consideration that the entrance already exists and is built out. With the local service centre nearing completion. Th entrance is considered acceptable as it is proposed and the lack of further embellishment would not be of sufficient reason to warrant refusal.
- 4.6.5 As to the long strip of frontage parking on Bishops Street and Units 1-13 creating a very hard and poor visual appearance it has also to be taken into account that the higher density at this location was envisaged in the Design Brief. Furthermore, it is a feature that can be found throughout t the wider development. As such any perceived harm to visually amenity is outweighed by the need to make efficient use of land and to promote accessibility and reduce the reliance on the private car.
- 4.6.6 As to large area of 'white' land identified on the site layout plan, to the SW of the residential area that has not been included within the SANGS [Sustainable Alternative Natural Green Space] Phase 1 approved scheme it is considered that the management of this site could be adequately dealt with by its inclusion in a maintenance and management schedule, which would then be maintained by a management company. This would not preclude its incorporation into the wider SANGS site if that is required at a later date.
- 4.6.7 Revised plans have been submitted that show the provision of a 1m high metal estate fencing painted black to separate the footpath running along the site s eastern edge and the private access drive to Plots 71-73. Furthermore, revised plans have been submitted showing timber close boarded fencing to the boundaries at plots 2-13, 14-18-20, 21-23, 28-30, 66-69, 73.
- 4.6.8 Revised pans show that the boundary to the allotment site would be separate and secure from the latter.
- 4.6.9 The issue of party boundaries areas of adoptable open space or the allotments. Would be a private civil matter. However, the revised plans indicate that any such fence erected proposed would be on land owned by the applicant and presumably transferred with the title deeds to any new owner.
- 4.6.10 Although the allotment layout may be subject to major revision this is on land outside of the application site and subject to separate planning obligations attached to the outline permission for the wider site.
- 4.6.11 The applicant has confirmed that the materials for the paving and car parking areas would be as follows: -

Private Car parking & non-adoptable roads: Asphalt or similar road surface; Colour Grey

Private Car parking & non-adoptable roads: Permeable block paving laid herringbone pattern; Colour red Brindle (where shown on drawing roads to front 62 – 69; 48 – 52; 18 – 24 & 14 – 17)

Footpaths within plots : 600 x 600 mm paving flags, Colour Grey

These details are considered acceptable.

- 4.6.12 Details as to how trees would be planted, including aeration or irrigation pipes or securing methods and subsequent establishment, management & maintenance and a management plan to cover all areas of public open space and or communal areas can be controlled by condition.
- 4.6.13 Officers consider that tree planting in rear gardens is a matter of personal choice for the respective owner and should not be imposed on future owners.
- 4.6.14 The owner of 251 Pye Green Road has objected to the planning of two trees along the northern boundary of the site represented by shaded circles on the submitted plans, as he considers that they will affect light to his garden. However, on inspection of the Landscape Plan it does not appear that the shaded circles represent trees to be planted. The applicant has confirmed that the circles have resulted from the topographical survey and actually represent existing trees that would be retained. For the purposes of clarity it is considered necessary to attach a condition stating that no tree planting should take place along the northern boundary of Plots 1-13. This would remedy the issue.
- 4.6.15 Having had regard to the above it is considered that subject to the attached conditions the proposed landscaping scheme is acceptable and in conformity with Policy CP3 of the Local Plan.

4.7 Other Issues Raised by Objectors

- 4.7.1 The majority of issues raised by objectors have been dealt with in the main body of the officer report. However, the following issues have not and will be dealt with here
- 4.7.2 The owner of 251 Pye Green Road has stated that the red line boundary includes land within his ownership and that he would not allow encroachment. This matter has been raised by officer with the applicant who has clarified that they have reviewed their proposals against the boundaries of both the outline permission and the Title for the land acquired from St Modwen and they can confirm that their proposals are wholly within both of these boundaries and do not encroach onto any 3rd party land. Officers can also confirm that it is not for a local planning authority to adjudicate on matters of land ownership.

5 Human Rights Act 1998 and Equalities 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.

Equalities 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 Equalities Act.

6 Conclusion

- 6.1 The principle of up to 78 dwellings on this site, as well as the means of access, was determined to be acceptable on the granting of the outline planning permission. This current application is only for the determination of the reserved matters namely, the layout, appearance, scale and landscape of the proposal. Only considerations related to these reserved matters should be taken into account.
- 6.2 Issues in respect of the quantum of development, wider traffic issues, educations etc. were dealt with at the outline stage. Issues about the connectivity of the site to the Limes is subject to another planning application.
- 6.3 In respect to all matters of acknowledged interest the proposal, subject to the attached conditions, the proposal is considered, on balance, to be acceptable.

- 6.4 The proposal would deliver 20% affordable housing which is subject to the provisions set out in the section 106 agreement attached to the outline consent and is considered acceptable at this stage.
- 6.5 Impacts on the Cannock Chase SAC would be mitigated through top slicing the CIL contribution.
- 6.6 As such it is concluded that any adverse impact of granting planning permission would be significantly and demonstrably outweighed the benefits of the proposal, when assessed against the policies in the National Planning Policy Framework, taken as whole.
- 6.7 It is therefore recommended that the application be approved subject to the attached conditions.



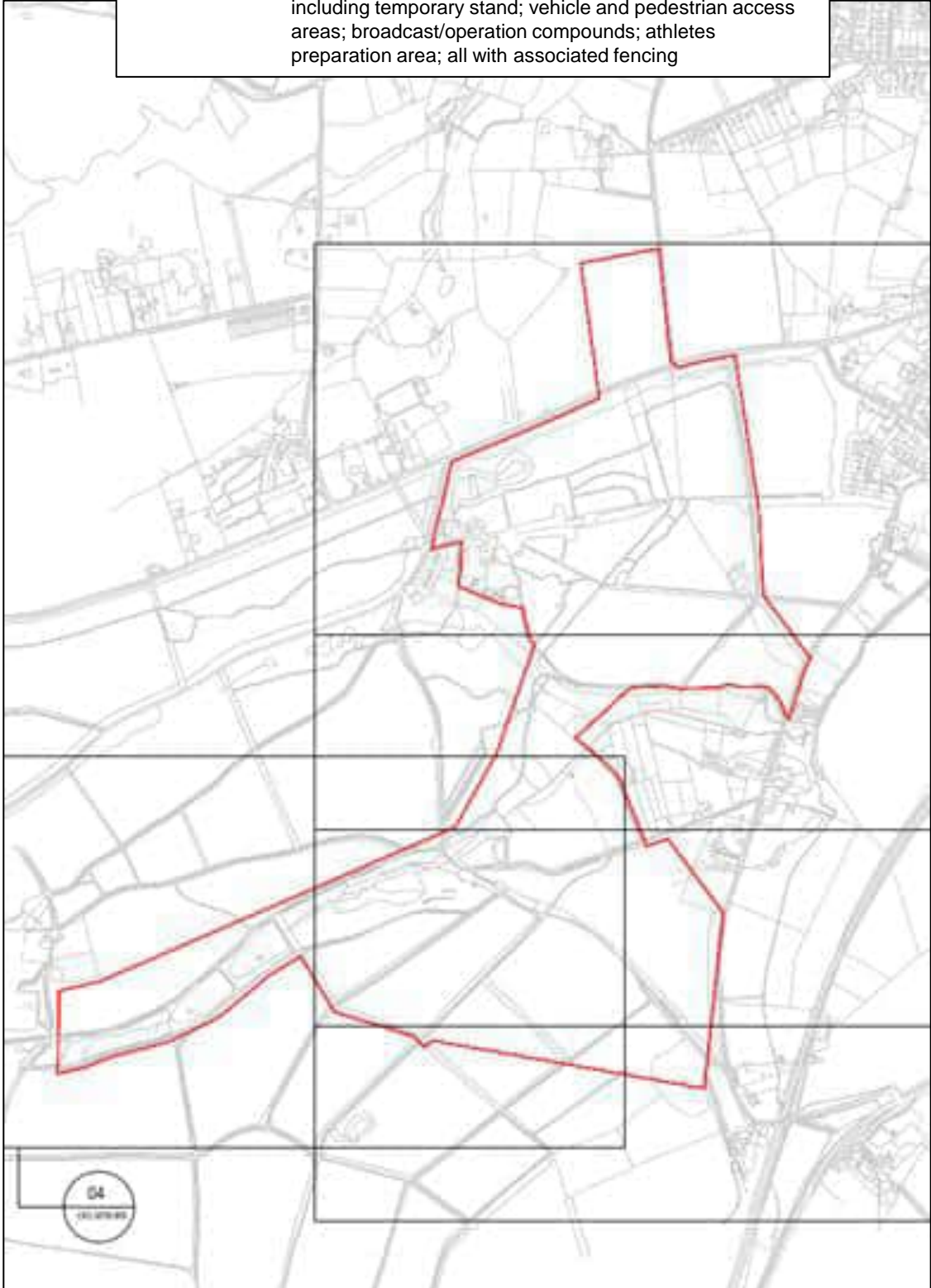
Application No: CH/21/0402

Item No. 6.248

Location: Cannock Chase Forest Centre, Rugeley, Birches Valley, WS15 2UP



Proposal: Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including a spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing



Contact Officer:	Claire Faulkner
Telephone No:	01543 464 337

<p>Planning Control Committee</p> <p>20 April 2022</p>
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Application No:	CH/21/0402
Received:	17-Sep-2021
Location:	Cannock Chase Forest Centre, Rugeley, Birches Valley, WS15 2UP
Parish:	Brindley Heath
Ward:	Etching Hill and The Heath
Description:	Temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing
Application Type:	Full Application

Recommendation:

Subject to Natural England's approval of the Appropriate Assessment under the Habitat Regulations to Approve subject to conditions.

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions):

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

Location Plan CKC MTB 905

Location Plan (Partials) CKC MTB 906-909

Ecological Impact Assessment Document Ref: 5200949-B2022-ATK-ECO-REP-132 dated: August 2021

Design & Access Statement Document Ref: 5200949-B2022-ATK-ARC-REP-OO4 dated: September 2021

Flood Risk Assessment & Drainage Strategy Document Ref: 5200949-B2022-ATK-DR--REP-104 dated: September 2021

Air Quality Screening Assessment Document Ref: 5200949-B2022-ATK-AIR-REP-128 dated: September 2021

Arboricultural impact Assessment Document Ref: 5200949-B2022-ATK-ARB-REP-112 dated: September 2021

Tree Protection Plan Sheet 2 Document Ref: 5200949-CKC-ATK-ARB001-2 P03

Transport Statement Document Ref: 5200949-B2022-ATK-TRA-REP-136 dated: August 2021

Noise Impact Assessment Document Ref: 5200949-B2022-ATK-ACU-REP-122 dated: September 2021

Reason

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

- 2 Permission is granted for the temporary use and ancillary structures/infrastructure as detailed within the approved documents. Upon completion of the event, the use hereby permitted shall be discontinued and its associated ancillary works and structures removed from the application site by 1st September 2022. Thereafter, the land upon which the use occurred shall be restored back to its former condition.

Reason:

The approved use of the site and associated works would be inappropriate and have a harmful impact on the openness of the Green Belt and the landscape character of the Area of Outstanding Natural Beauty if retained longer than the approved temporary period.

- 3 Prior to the commencement of the development hereby permitted, a Heritage Management Plan (HMP) shall be submitted to and approved in writing by the Local Planning Authority. The HMP shall provide details of the mitigation measures and preventative actions relevant to the historic environment that will be implemented across the application site.

The HMP shall thereafter be implemented in full in accordance with the approved details prior to the commencement of the approved development.

Reason

In the interests of the historic environment and in accordance with paragraph 189 of the NPPF.

- 4 Notwithstanding the details approved within the Ecological Impact Assessment Document Ref: 5200949-B2022-ATK-ECO-REP-132 dated: August 2021 (EclA), a Precautionary Method of Working (PMW) document shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved.

Details within the PMW shall include re-routing parts of the ridden-in trail to avoid nesting birds, specific measures to be adopted, clarify any measures that are still unclear, including specific time frames.

The PMW shall thereafter be implemented in accordance with the approved details.

Reason

In the interests of habitats and biodiversity and in accordance with paragraph 179 of the NPPF.

- 5 The development hereby permitted shall not be brought into use until the approved drainage scheme shown in the following documents has been implemented:

Birmingham 2022 Commonwealth Games Consultation Responses — December 2021 - FRA and Drainage Strategy - 5200949—B2022-ATK-DR--REP 104 P03 10/09/2021

Thereafter, the drainage scheme shall be retained and maintained in accordance with the submitted management and maintenance scheme in section 2.9.6 of the consultation responses document.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development and in accordance with paragraph 159 of the NPPF

6. The measures to mitigate for impacts as outlined within the Cannock Chase Shadow Habitat Regulations Assessment: Stage 1 and Stage 2 Dated February 2022. Document Ref: 5200949-B2022-ATK-ECO-REP- 132 shall be provided and implemented prior to the commencement of the development hereby approved.

Reason

In the interests of nature conservation and in accordance with paragraphs 170-174 of the NPPF and Policies CP12 and CP13 of the Cannock Chase Local Plan.

- 7 All site construction and decommissioning activities shall be undertaken strictly in accordance with the approved Construction Traffic Management Plan contained within Section 8 of the Transport Statement (dated 08/09/2021) for the duration of the construction and decommissioning phases.

Reason

In the interests of highway safety and in accordance with Paragraph 111 of the NPPF.

8. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until details of the vehicular and pedestrian accesses from Shooting Butts Road to Four Oaks Farm have first been submitted to and approved in writing by the Local Planning Authority. The accesses shall then be constructed in accordance with the approved plans prior to the development being brought into use.

Reason

In the interests of highway safety and in accordance with Paragraph 111 of the NPPF.

9. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until a Local Area Traffic Management Plan has first be submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in accordance with Paragraph 111 of the NPPF.

10. The development hereby permitted shall not be brought into use until details of the numbers and locations of stewards to be provided at local car parks (including Marquis Drive, Brindley Bottom Car Park, Brindley Village Car Park, Nine Gates Car Park, Cannock Car Park and Penkridge Bank Car Park), at Rugeley Town Rail Station and along designated walking and cycling routes have first been submitted to and approved in writing by the Local Planning Authority.

Reason

In the interests of highway safety and in accordance with Paragraph 111 of the NPPF.

11. No means of illumination to the event or proposal area shall be implemented until a scheme for external illumination has been submitted to and approved in writing by the Planning Authority. Thereafter, any means of illumination employed shall be in accordance with the approved scheme.

Reason

In the interests of protecting the rural character of the area from light pollution.

- 12 Prior to the commencement of any construction or site preparation works including any actions likely to interfere with the biological function of the retained trees and hedges, approved protective fencing shall be erected in the positions shown on the approved Tree & Hedge Protection layout drawing Ref Dwg. Tree Protection Plan Sheet 2', Document Ref: 5200949-CKC-ATK-ARB001-2 P03

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.

Notes to the Developer:

Highway Authority

Please note that highway works in relation to the vehicular and pedestrian accesses to be provided from Shooting Butts Road to Four Oaks Farm will require a Section 184 Notice of Approval from Staffordshire County Council. Please email our Network Management Unit for further details: nmu@staffordshire.gov.uk.

Works on or adjacent the adopted highway for the purposes of constructing a widened pedestrian route from Penkrige Bank Road will require the relevant permit from our Network Management Unit. Please email nmu@staffordshire.gov.uk for further details.

Crime Prevention

The applicant is asked to familiarise themselves with the comments of the Crime Prevention Officer

Consultations and Publicity

External Consultations

Staffordshire County Council Rights of Way

Thank you for confirming that you will not be closing the rights of way before or during the event. This will mean that pedestrians, cyclists and horse riders will be able to continue to use the routes freely at all times. Please note that it will not be possible to restrict such access along the public rights of way but you will need to ensure any safety fencing to protect the competitors and spectators is correctly sited so that path users can continue along the definitive routes as shown on our online map

Health and Safety Executive (HSE)

Do not advise against outcome

In November 2021 HSE previously made an assessment of the risks for the spectator arena including parts covered by the inner and middle consultation zones of the gas pipeline, and obtained an “Advise Against” outcome with the Land Use Planning WebApp (ref HSL-211104085240-381). This was based on the spectator arena being considered to be an area for outdoor use by the public with over 1,000 people being present during the event, and part of the spectator arena lying in the inner and middle consultation zones of a high pressure gas pipeline.

However we note from Annex F of the Consultation Responses document (CKC MTB 960 Updated) that the plan for the spectator arena has been revised so that the boundary fence for the spectator arena has been moved inwards, away from the gas pipeline, and the spectator arena will no longer overlap with the inner and middle consultation zones of the gas pipeline there will be crowd barriers around the broadcast facility and the video board to ensure that the public cannot access these areas.

HSE has rerun the LUP WebApp with the revised plan for the spectator arena and obtained a “Does Not Advise Against” outcome (ref HSL-211222083509-381 – please see attached).

In conclusion, HSE does not now advise on safety grounds against the granting of permission for planning application CH/21/0402; this advice supersedes HSE’s previous advice of 4th November 2021.

Staffordshire Highway Authority

The application site is located within Cannock Chase, to the south-west of Rugeley. The application site comprises Cannock Chase Forest Centre and its surrounds including the Cannock Chase MTB Trails; and Four Oaks Farm. Cannock Chase Forest Centre largely

comprises forest areas, public open space, play areas, picnic areas, a cafe and existing walking and mountain biking trails. The Go Ape visitor attraction is also located within the wider site and is expected to remain open as usual.

Cannock Chase Forest Centre and the MTB Trails are located to the east of Birches Valley (Unclassified Road Number ZU5003) and south of Penkrige Bank Road (C Class Road Number C0032). Four Oaks Farm is located to the north of Penkrige Bank Road and west of Shooting Butts Road (Unclassified Road Number ZU5086). Within the vicinity of the application site, Birches Valley is subject to a 30mph speed limit and both Penkrige Bank Road and Shooting Butts Road are subject to a 60mph speed limit, the carriageways are unlit with limited, or no footways provided.

The application site is located approximately 3.5km from Rugeley Town Centre and Rugeley Town Rail Station. It is accessible by walking and cycling via the Heritage Trail and a network of public rights of ways.

The closest bus stops to the application site are located on the A460 Hednesford Road to the south of the application site. These bus stops are served by Chaserider service 63 providing connectivity between Cannock and Rugeley.

Personal injury collisions (pics): Currently records show two PICs of slight severity have been recorded within the vicinity of the vehicular access to Cannock Chase Forest Centre, within the last five-year period. One PIC was recorded at the Birches Valley/ Penkrige Bank Road junction and one PIC was recorded at the Stafford Brook Road/ Penkrige Bank Road junction. Although all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.

Proposed Development

The application is for full planning permission for temporary overlay at the Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event as part of the Birmingham 2022 Commonwealth Games. The Commonwealth Games will run between Thursday 28 July to Monday 8 August 2022, with the Mountain Biking event taking place on Wednesday 3 August 2022 between 11:30 and 16:00.

Development proposals will include the erection of overlay (temporary) structures including:

- Spectators' area including temporary stand, spectator shelter, toilets and units for food and beverage/ merchandise;
- Field of play including track for mountain biking event;
- Operations compound including temporary structures for venue operation and event control;
- Broadcast compound;
- Athletes preparation area; and
- Security fencing around site perimeter.

Installation and decommissioning of the overlay structures would be between June and August 2022.

Vehicular access to the event would be via the existing Cannock Chase Forest Centre access off Birches Valley. No changes to this access are proposed as part of the development. This access would also be permitted to be used by spectators walking or cycling to the event. A pedestrian access is also available from Penkridge Bank Road. This currently comprises a narrow path and it is understood that the path is proposed to be widened to 3m by Forestry England.

Approximately 3,000 ticketed spectators and 9,000 non-ticketed spectators are expected to attend the event along the mountain biking course. It is expected that there will be 85 athletes and team official, 25 technical officials, 80 Games Family and 243 members of the media. It is also expected that there will be 382 members of the peak workforce and 1, 440 workforce members in total which includes staff, volunteers and contractors.

As a large proportion of spectators are expected to travel to the event by private car, Four Oaks Farm is proposed to be used as a car park to support the event and would provide up to 1, 655 car parking spaces. Car parking is required to be pre-booked with spectators able to pre-book car parking spaces up to 90 minutes before the start of the event before gates open. Parking would be chargeable and it is understood the cost would be in the region of £10.

Secure cycle storage will be made available within the application site for spectators choosing to travel to the site by cycle.

There will be formal training days in the lead up to the live event; however, these would not be publicised and are unlikely to generate significant numbers of spectators. Athletes would utilise the existing car park at Cannock Chase Forest Centre for parking vehicles.

Review of planning application documents:

The planning application has been supported by a suite of documents including site layout plans and a Transport Statement. An initial review of the planning application documents raised several queries, the key ones relating to the management of vehicles on the surrounding local highway network, methodology used to determine spectator mode share, car parking capacity at Four Oaks Farm and pedestrian accessibility from Four Oaks Farm to Cannock Chase Forest Centre and its surrounds.

It is understood that the applicant has been engaging with the Highway Authority through a Venue Transport Working Group to develop a Local Area Traffic Management Plan (LATMP). This document provides details of traffic management, road closures, diversions and the routing to be used by athletes, the workforce and spectator shuttles on the day of the event. It is understood that this document has been largely agreed with the Highway Authority and would be the main mechanism by which transport demand on the highway network is managed. The Highway Authority will continue to be involved with the refinement of the LATMP through the Venue Transport Work Group prior to the event taking place.

The applicant has also engaged with the Highway Authority to explain the methodology used to derive spectator and workforce mode shares for the various events proposed as part of the wider Birmingham 2022 Commonwealth Games. As there was no existing data that could be utilised to inform mode shares from similar events, a bespoke

approach to modelling mode share was derived. The modelling has been subject to review and peer review, and I am now satisfied with the methodology adopted to estimate mode share data. Whilst I still have some reservations over the proposed mode shares, I believe that the measures set out and agreed in the LATMP would be sufficient to manage demand on the highway network on the day of the event.

The mode share modelling outputs show that there would be demand at local car parks by those that have local knowledge of these facilities. Therefore, it is important that stewards are placed at these locations to help guide drivers to the Four Oaks Farm car park should the local car parking facilities become fully occupied. This would ideally form part of the LATMP. Stewards should be also positioned Rugeley Town Rail Station and along walking and cycling routes from Rugeley Town Centre to the application site to help guide spectators and keep them on the designated walking and cycling routes given the sensitive location of the Cannock Chase.

It is understood that the use of Four Oaks Farm for car parking purposes has been subject to approval of a permitted development application by the Local Planning Authority in 2020. Recent correspondence has confirmed car parking capacity is for 1,655 cars and traffic management stewards would assist spectators with parking their cars to ensure that this capacity is available. Notwithstanding this, the vehicular and pedestrian accesses to Four Oaks Farm from Shooting Butts Road are subject to the relevant permissions for new accesses first being granted by the Highway Authority, to enable work to legally commence within land that is Highway Maintained at Public Expense and allow the accesses to be delivered, as per any plans submitted and approved.

The landowner of Four Oaks Farm is currently engaging with the Highway Authority to progress the delivery of the access points.

No details of the proposed widening of the pedestrian route by Forestry England have been provided to the Highway Authority. Any work within or adjacent to the adopted highway would require the relevant permissions to first be granted by the Highway Authority.

Recommendation:

Following a review of the submitted application documents and discussions held with the applicant, it is not considered that the proposed development proposals would have an adverse impact on the surrounding highway network or on highway safety, subject to the following conditions being included on any approval:

1. All site construction and decommissioning activities shall be undertaken strictly in accordance with the approved Construction Traffic Management Plan contained within Section 8 of the Transport Statement (dated 08/09/2021) for the duration of the construction and decommissioning phases.
2. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until details of the vehicular and pedestrian accesses from Shooting Butts Road to Four Oaks Farm have first been submitted to and approved in writing by the Local Planning Authority. The accesses shall then be constructed in accordance with the approved plans prior to the development being brought into use.

3. Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until a Local Area Traffic Management Plan has first be submitted to and approved in writing by the Local Planning Authority.

4. The development hereby permitted shall not be brought into use until details of the numbers and locations of stewards to be provided at local car parks (including Marquis Drive, Brindley Bottom Car Park, Brindley Village Car Park, Nine Gates Car Park, Cannock Car Park and Penkridge Bank Car Park), at Rugeley Town Rail Station and along designated walking and cycling routes have first been submitted to and approved in writing by the Local Planning Authority.

Informatives Notes to be Included on the Decision Notice

Please note that highway works in relation to the vehicular and pedestrian accesses to be provided from Shooting Butts Road to Four Oaks Farm will require a Section 184 Notice of Approval from Staffordshire County Council. Please email our Network Management Unit for further details: nmu@staffordshire.gov.uk.

Works on or adjacent the adopted highway for the purposes of constructing a widened pedestrian route from Penkridge Bank Road will require the relevant permit from our Network Management Unit. Please email nmu@staffordshire.gov.uk for further details.

Natural England

No objection - subject to appropriate mitigation being secured

We consider that without appropriate mitigation the application would:

- have an adverse effect on the integrity of Cannock Chase Special Area of Conservation.
- damage or destroy the interest features for which Cannock Chase Site of Special Scientific Interest has been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Measures proposed by the Applicant to mitigate for impacts (Cannock Chase Shadow Habitat Regulations Assessment: Stage 1 and Stage 2 Dated February 2022. Document Ref: 5200949-B2022-ATK-ECO-REP-132)
- The placing of stewards at Rugeley Town Rail Station, along walking and cycling routes from the town centre to the venue and at local car parks.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Cannock Chase Special Area of Conservation (SAC)

Additional information to inform HRA - We note that Staffordshire County Council is satisfied with the modelling used to determine mode share data and the traffic management plan. Recognising the sensitivity of the location and local demand, we understand that the County Council is requesting conditions in relation to the placing of stewards at Rugeley Town Rail Station, along walking and cycling routes from the town centre to the venue and at local car parks. Natural England agrees with this approach and advises that the Council takes this mitigation into account as part of its HRA (appropriate assessment) and makes suitable arrangements to secure the mitigation as part of any planning permission given.

Natural England notes that the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the RA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England notes that Applicant has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

The appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of Cannock Chase SAC. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

Cannock Chase Site of Special Scientific Interest (SSSI)

The advice we have provided for Cannock Chase SAC applies equally for this section.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Cannock Chase Area of Outstanding Natural Beauty (AONB)

The proposed development is for a site within or close to a nationally designated landscape namely Cannock Chase AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraphs 176 and 177 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 177 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

AONB Unit

Thank you for re-consulting the AONB on the above application following the recent response from Natural England and comments from SCC Highways. These comments are made on behalf of the Cannock Chase Area of Outstanding Natural Beauty (AONB) Joint Committee, updating the AONB's consultation response dated 24th March 2022.

AONB remains concerned this application has potential for significant adverse impact on the natural beauty and wildlife of the AONB. The AONB believes that transport and spectator access on and prior to the event, and long-term pressures as a legacy of the event, need to be fully mitigated. Without full mitigation there would be high potential for damage to wildlife habitats on Cannock Chase SAC; disturbance to habitats and protected species; and an increased impact from mountain biking on the relative wildness and tranquillity of the area; all of which would detrimentally affect the AONB's natural beauty.

Spectator / Visitor parking and access arrangements for the event

The AONB remains concerned that the proposals for parking provision and spectator access have been insufficiently considered and managed. We are concerned that the numbers of spectators (ticketed and un-ticketed) arriving by private vehicle is an underestimate. We note the proposed parking charges and also remain concerned that where there is the opportunity of free parking elsewhere, un-ticketed spectators will opt to park for free in other car parks nearby in the AONB (many coincidentally on the SAC)

and will access the venue across the SAC. We suggest parking at Park Oak Farm should ideally be free to encourage spectators to park there. As sustainable transport information would only be sent to ticketed spectators, and in view of the difficulty of arriving at the venue by public transport, it seems pragmatic to assume that most unticketed spectators are likely to arrive by car. We believe there should provision for management of walking routes from other car parks to guide visitors via agreed routes to the venue and thereby minimise potential impacts on the SAC.

We welcome the approach to encouraging arrival at the venue by transport other than private vehicle and it will be essential that walking / cycling routes are clearly signposted and marshalled. The detail of this needs to be prepared and approved through appropriate conditions. We note Natural England's response dated 4th April and their requirement to secure mitigation as given in the Shadow HRA and through provision of signposting, stewards and marshalling at car parks and Rugeley Railway Station and along walking / cycling routes to the venue. We understand that Staffordshire Highways is recommending details of stewarding and marshalling at car parks should be secured by conditions (written response pending). The AONB supports these recommendations / requirements for mitigation and strongly requests these conditions are incorporated should the authority be minded to approve the application. Car parks across the core of the AONB should be included along with main cycle and pedestrian routes to the venue.

Training day(s) prior to the event

Whilst we understand that practice days will not be publicised, we believe people interested in mountain biking who are aware of the process of competition preparation are likely to expect some training days. We would welcome further consideration of provision for this and suggest it might be appropriate for the parking at Four Oaks Farm to be open and available on these days as a contingency.

Potential disturbance as a legacy of the event

We acknowledge that there is likely to be a peak of interest shortly after the event that will tail off. The question is by how much that will be, and there is no real evidence offered to support the applicant's position. The applicant suggests initially people will stick to the trails on offer. Evidence in the AONB is that unauthorised trails are built in 'wilder' more sensitive areas when the existing more formal trails get 'boring'. The AONB is seeking recognition, mitigation and securing support for monitoring of the potential knock-on effects of encouraging a wider audience into the AONB through this event.

Staffordshire County Ecologist

As you will be aware, Staffordshire County Council manages Cannock Chase County Park, which is close to the application site (the nearest point is about 600m). The Country Park includes land designated as Site of Special Scientific Interest and Special Area of Conservation for its heathland habitats and associated species.

We have two main areas of concern with this application:

The Shadow Habitats Regulations Assessment is based on incomplete information because parts of the plan for the event are uncertain, and the Local Area Traffic Management Plan (LATMP) has not been submitted. We are concerned about wider implications of the event during training days as well as the event, and do not consider that these have been addressed adequately.

The Spectator Management Plan States:

An extensive Local Area Traffic Management Plan will be implemented due to the proximity to the SAC. This Local Area Traffic Management Plan (LATMP) is therefore clearly required mainly because of the proximity to the SAC. It therefore needs to be subject to Habitats Regulations Assessment, preferably as part of the HRA for the whole event, not as a stand-alone later in the process.

There are key points outstanding that will be covered by the LATMP including cycle access to the event - which could be a major consideration given the target audience. We remain concerned about the apparent use of Kingsley Wood Road as an access route shown on Drawing CKC MTB 960, particularly since any adverse effects from this have been dismissed in the SHRA (5.2.4). Kingsley Wood Road gives direct access to the SAC.

Ecological Impact Assessment

Sections 4.3 to 4.5 of the EclA give mitigation measures, which are to be brought forward in a Precautionary Method of Working (PMW) document. These include, for example, re-routing parts of the ridden-in trail to avoid nesting birds. It is important that these measures are given adequate weight to be effective. They should take precedence over other considerations, particularly when clearing the site and constructing the course. The Ecological Clerk of Works must be given adequate status to ensure measures are delivered

It is recommended that a planning condition is used, requiring submission of the PMW for approval. We would be willing to review this if it would be helpful. The PMW needs to be very specific about measures to be adopted, clarifying any measures on the EclA that are still unclear. For example - Section 4.5 of the EclA states: The new sections of 'ridden in' mountain bike trail will be closed immediately following the event - a specific time frame should be set for this.

Shadow Habitats Regulations Assessment

In the SHRA it states that Laybys, verges and smaller parking sites will be closed off to the public on Event day (especially in areas of high ecological sensitivity, using recommendations within the Cannock Chase SAC Mitigation Report). We would require further information on how it is proposed to do this given that the SAC recommendations are looking at more permanent measures. There also needs to be consideration of the displacement impacts of these closures on the regular users of the site.

We believe that wild camping could be an issue with this event, because some keen spectators will likely wish to arrive early and observe practice sessions. There is little cheap accommodation near the venue, and low capacity on paid campsites. How will these longer-term spectators be catered for? The SHRA considers impacts of construction and decommissioning, and the event itself, but does not consider pressure from 11 days of training (unofficial and formal). This may attract interest from mountain bike enthusiasts and precautionary measures should be considered for traffic and spectator management, and the potential impacts assessed within the SHRA.

Legacy effects

While recognising the beneficial effects of healthy outdoor activity that the event will promote, given the sensitivity of the nearby SAC it is important that potential negative

impacts are also considered. The SHRA notes that the event will promote the area to more people, resulting in increased visitor numbers and human disturbance in the future, both alone and in-combination with other factors (Tables 4.2 and 5.1.) However, paragraph 5.9.2 appears to contradict this statement saying that the event is unlikely to add to a significant increase in visitor numbers on a longer-term basis, and indicating that visitors will preferentially visit Birches Valley and the NBT.

Our evidence is that riders move on from formal trails and create their own trails, often in the more sensitive parts of the Country Park and SAC. International promotion of Cannock Chase as a biking venue as a result of the games could have long-term impacts and we do not believe that these have been fully considered.

Opportunities

There may be opportunities for habitat creation and management legacies as a result of the event too. These could include for example, installation of spectator control measures as permanent 'natural' features rather than temporary ones, or the installation of any surplus timber as 'large woody debris' in watercourses.

Royal Society for the Protection of Birds (RSPB)

The RSPB has concerns about the location of the Marquis drive walking route, and the impact this could have on ground nesting birds, in particular nightjar (amber listed) and woodlark (schedule 1 species). Important populations of nightjar and woodlark are present within the area, and records indicate that the species are breeding within close proximity of the designated walking route. As this event will be held during breeding season, without suitable mitigation measures it could have a detrimental effect on these species. Recreational disturbance is already a significant issue for Cannock Chase, and it is thus paramount that this event and its legacy does not add to the existing pressure that the site is already under.

Without suitable mitigation, the increase in visitors along this path could impact on these sensitive ground nesting species, especially if visitors stray off the paths or allow dogs off lead. As a minimum, in addition to the proposed marshals at key junctions to direct visitors, we also recommend that marshals remind spectators/visitors to keep dogs on leads at all times. Likewise, it is crucial that visitors are reminded that straying off the path, even by a small margin, could disturb ground nesting birds; and that this is communicated both on the day and as part of the pre-event public education, information, and awareness campaign.

We note that you will be conducting surveys for ground nesting birds prior to the event, and setting up exclusion zones which are fenced and marked with appropriate signage. We support this intervention, and would be happy to share data on the presence of ground nesting birds (collated during spring 2022) along/adjacent to the route. We also recommend that marshals are stationed close to nesting sites (solely for the physical protection of nests) where possible to reduce any further disturbance.

National Grid / Cadent

No response to date

Environment Agency

No objection

Severn Trent

With reference to the above planning application the company's observations regarding sewerage are as follows.

As the proposal has minimal impact on the public sewerage system. I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Forestry Commission

No response

Landor Society

No response

Friends of Cannock Chase

No response

The Ramblers Association

No response

Staffordshire Wildlife Trust

No response

National Grid

No response

Western Power Distribution

No response

Staffordshire County Council Lead Flood Authority

We are now satisfied with the submitted proposals and have no objection to the granting of planning permission. We would however recommend that the condition below is attached to any planning permission in order to secure the implementation of the scheme in accordance with the submitted documents.

Condition

The development hereby permitted shall not be brought into use until the approved drainage scheme shown in the following documents has been implemented:

'Birmingham 2022 Commonwealth Games Consultation Responses — December 2021 - FRA and Drainage Strategy - 5200949—B2022-ATK-DR--REP~104~P03
10/09/2021

Thereafter, the drainage scheme shall be retained and maintained in accordance with the submitted management and maintenance scheme in section 2.9.6 of the consultation responses document.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Historic England

Thank you for your letter of 8 October 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Crime Prevention Officer

The proposal has been reviewed with particular reference to Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention Through Environmental Design.

The following comments should be considered in the light of the following:

- Under the heading Promoting Safe and Healthy Communities, Para 91(b) of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion."
- Under the heading Achieving Well-Designed Places, Para 127(f) of the NPPF states "Planning policies and decisions should ensure that developments create places that are safe ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."
- Under the heading Planning Should Address Crime Prevention, Design Para 10 of the NPPG states "Designing out crime and designing in community safety should be central to the planning and delivery of new development";
- The statutory obligation placed on local authorities to do all they reasonably can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998;
- (Where these proposals require a Design And Access Statement to accompany the application) The 2006 CABE document entitled 'Design and Access Statements: How to Write, Read and Use Them', which states "Statements should demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime."

Whilst I have no objections to this application, if I can be of any assistance, please do not hesitate to contact me.

The Secured by Design Website (www.securedbydesign.com) provides valuable information regarding police and home office recognised standards and licensed component manufacturers.

Crime prevention design advice is given free without the intention of creating a contract. The Police Service and the Home Office does not take any legal responsibility for the advice given. However, if the advice is implemented, it will reduce the opportunity for crimes to be committed.

Staffordshire Archaeology Officer

The application has been assessed in light of the information held by the Staffordshire Historic Environment Record (HER) and a Heritage Assessment (HA – Atkins Limited 2021) submitted in support of the application.

Historic Environment/Archaeological Interest

The submitted HA, which has made use of a full HER search and pertinent source material such as the Chase Through Time Project report (Historic England 2018) provides a useful understanding of the known archaeological resource within the wider area, the archaeological potential of the application site, and an assessment of the potential impact of the proposals. As such, this will not be repeated in detail here. However, it must be noted that it is disappointing that the authors of the report did not utilise readily available online historic mapping sources or produce and provide mapping overlaying the HER data onto the proposals. Nevertheless, the conclusions made in the HA are generally supported, and whilst the proposed mitigation measures, either through embedded design or preventative actions, seem to be well-considered,

there is scope to add additional resolution to these as part of the proposed Heritage Management Plan (HMP). For example, it is unclear what impact the mountain biking 'field of play' will have within the proposed temporary venue on the post medieval boundary (MST22799) recorded on the HER and what mitigation measures are proposed/ possible, and how much of a buffer will the fencing around known heritage be afforded?

Archaeological/Historic Environment Recommendations

Taking the above into account, whilst I do not wish to raise any archaeological/historic environment objections to the proposals, it is agreed that a Heritage Management Plan (HMP) should be produced in order to ensure that mitigation and protective measures outlined in the HA are further developed and conditioned. This HMP should be underpinned by clear mapping showing the heritage assets recorded on the HER (including those identified by the Chase Through Time project- this dataset should have been provided to Atkins Ltd as part of the HER search) overlaid with the proposals. The exact nature/extents of the mitigation and protective measures outlined in the HMP should ideally be developed in consultation with this office (as archaeological advisors to the LPA).

Suggested Condition

The HMP could be most satisfactorily secured via a condition attached to any planning permission for the scheme. This condition should read:

"Prior to the commencement of the development hereby permitted, a Heritage

Management Plan (HMP) shall be submitted for the written approval of the Local Planning Authority. The HMP shall provide details of the mitigation measures and preventative actions relevant to the historic environment that will be implemented across the application site. The HMP shall thereafter be implemented in full in accordance with the approved details"

Network Rail

Network Rail has the following comments.

The proposal is not directly adjacent to the railway, however, there are routes to site which include railway infrastructure including low bridges.

For the avoidance of doubt the applicant is to submit the attached form to AssetProtectionCentral@networkrail.co.uk to discuss any impacts to the railway outside the red line boundary area.

Centre Bus

Thank you for your email and letter outlining the site for the temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games. Will the local authority require a funded Park & Ride shuttle bus service to be operated linking Rugeley Railway Stations/Bus Station – Hednesford Bus Station with the site. D&G Bus Chaserider would welcome the opportunity to bid for such a bus service if deemed a requirement during the event.

Brindley Heath Parish Council

The Parish Council confirms it has no objections to the hosting of the Mountain Biking event on Cannock Chase and has no further comments or questions to ask at present.

The Parish Council hopes the event will be an absolute success and that the event day runs smoothly for staff & volunteers, participants, spectators and local residents

National Highways

No adverse comment to make on this application

Staffordshire Minerals Officer

The County Council as the Mineral and Waste Planning Authority has no comments on this application as the site is:

- Not within or near to any permitted waste management facility; or
- Exempt from the requirements of Policy 3 Mineral Safeguarding in the Minerals Local Plan for Staffordshire (2015 - 2030); or
- Is development subject to our standing advice for development proposals within mineral safeguarding areas.

Please note guidance at paragraph 5.55 of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan 2010 - 2026 and the mineral safeguarding consultations checklist

which will assist you in determining when to consult the Mineral and Waste Planning Authority.

Sport England

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

This application falls within the scope of the above guidance as it relates to the provision of a new sports facility, through the provision of temporary infrastructure, for the Mountain Biking event at Commonwealth Games 2022 to be held at Cannock Chase Forest Centre.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website:

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

The Proposal and Assessment against Sport England's Objectives and the NPPF

The proposal relates to the temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games; erection of temporary structures including a spectator areas including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing.

The proposal does not impact on any existing playing fields there are no specific comments to make in regard to Sport England's statutory role.

However, Sport England the following the comments are made for the applicants consideration to ensure that the event will be accessible to all:

A suitable way finding and signage strategy will be very important and suitable for all users.

The distance from the car parking areas or other access points will require less able bodied people to walk long distances to the venues, ideally these routes should be provided with regular and where possible covered resting points to enable those people to have a break on that journey.

For the temporary walkways and the use of the existing tracks etc to the venue, careful consideration needs to be given to their suitability should the weather be particularly nasty for the event day.

On the design and risk assessment, some of the example temporary building have an indicative ramp indicated on the illustrations, it would appear from these illustrations that

the ramp is not in accordance with Building Regs Part M and Sport England Accessible Sports Facilities Guidance, will this be addressed on site?

Conclusion

Sport England considers that the application is consistent with the following policy objective: provide. This being the case, Sport England offers its support to this application.

Internal Comments

Planning Policy

The application site is located within the Cannock Chase Area of Outstanding Natural Beauty (AONB) and the Green Belt. It includes the Sites of Biological Interest along the Stoney Brook and is within close proximity to the Cannock Chase SAC (Special Area of Conservation). The site contains extensive tracts of woodland and a visitor centre with parking and mountain bike trails, plus supporting facilities including a café, toilets and mountain bike hire centre as well as other on site activities including a high ropes course.

The National Planning Policy Framework (p6) states that there should be a presumption in favour of sustainable development, unless specific policies indicate that development should be restricted; this includes Areas of Outstanding Natural Beauty such as Cannock Chase, and Green Belt. The NPPF (p23) sets out that in order to support a prosperous rural economy decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. The NPPF (p50) states that great weight should be given to conserving the landscape in the A.O.N.B. and adds that “the scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.” Paragraph 177 sets out the considerations for applications for development within an AONB. The NPPF (p43-44) states that inappropriate development is harmful to the Green Belt and adds that it “should not be approved except in very special circumstances”. Paragraphs 137 - 151 in the NPPF set out the purpose of the Green Belt and what types of development are appropriate within it. This includes exception B which permits “the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation... as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.”

The Cannock Chase Local Plan (Part 1) 2014 was adopted more than five years ago; it is therefore the subject of a review. This review is at an early stage in the process, therefore limited weight can be afforded to it. The starting point for the determination of planning applications remains the adopted development plan (Local Plan (Part 1)).

The following Cannock Chase Local Plan – Local Plan (Part 1) 2014 policies are considered relevant to the application:

- Policy CP1 reflects the position in the NPPF by permitting sustainable development, unless material considerations indicate otherwise.
- Policy CP3 in the Local Plan requires high quality design and integration with the existing environment. The proposal should show how it forms appropriate development within the Green Belt to a design in keeping with its surroundings

and preserve the landscape and character of the AONB. The Design SPD should be consulted for additional design guidance.

- Policy CP9 says that tourist accommodation and visitor facilities will be supported where they comply with national Green Belt policy and other Core Strategy (Local Plan) policies.
- Policy CP12 safeguards biodiversity and protected habitats from harmful development states that planning permission will be refused for developments resulting in adverse effects upon designated sites, even where the impacts are indirect.
- Policy CP13 says that development will not be permitted where it would directly or indirectly lead to an adverse effect on the integrity of the SAC.
- Policy CP14 states that the landscape character of the AONB and sense of place will be protected, development proposals must be sensitive to the landscape character and that their setting must not have an adverse impact on the location.

The development is close to the Cannock Chase SAC (Special Area of Conservation). Natural England and the Cannock Chase SAC Officer can provide further advice on these issues if required.

Conclusion

The appropriateness of the proposal will need to be considered both in terms of any impact on the Green Belt and the visual impact from within the AONB as well as any potential recreational impacts in the vicinity of Cannock Chase SAC. It is noted that the event organisers have developed their plans in partnership with both landowners and Natural England advice.

The biking track will largely follow the route of a newly created cycle route that already has planning permission, including in the vicinity of the SBIs, while pedestrian access routes will use existing forest trails. The infrastructure connected with the event is mostly temporary and will be removed after the event.

The site is well screened by the large amount of trees within the forest and most of the temporary structures are sited close to the existing visitor facilities towards the north of the application site at the Cannock Chase Forest Centre, where the existing site is already used for Mountain Biking activities and major events.

Parks & Open Spaces

It is noted that other consultees have picked up on relevant salient points, all of which I would concur with and as such have no further comments to add.

Environmental Health

Thank you for referring this matter for consideration. I wish to confirm that Environmental Protection have no objections and have no adverse comments to make.

Waste & Engineering

No response

Conservation Officer

No objections subject to the condition requiring the submission of a Heritage Management Plan,

Property Services

No response

Response to Publicity

A press advert was published, site notices were displayed and adjacent occupiers notified with one letters of representation received as summarised below: -

- The new entrance into Four Oaks farm is 22pprox.. 3m from the junction on Penkridge Bank Road which is a National Speed Limit road.
- The new entrance onto Shooting Butts Road is on a national speed limit road,
- Blind turning for vehicles into Shooting Butts Road to the new made entrance,
- No pedestrian walk ways or paths.

1 Site and Surroundings

- 1.1 The application site is located approximately 2.5km to the south west of Rugeley within Cannock Chase and covers an area of approx.. 6,800 hectares.
- 1.2 The application site is located within the Cannock Chase Area of Outstanding Natural Beauty (AONB) and the Green Belt. It includes Sites of Biological Interest (SBI) located along the Stoney Brook and is within close proximity to the Cannock Chase SAC (Special Area of Conservation).
- 1.3 The application site contains extensive tracts of woodland and a visitor centre with parking and existing mountain bike trails, plus supporting facilities including a café, toilets and mountain bike hire centre as well as other on site activities including a high ropes course.
- 1.4 The Cannock Chase Forest Centre is a popular visitor location with a multitude of outdoor activities and events on offer to the public and is well known nationally as the home of two purpose built technical mountain biking courses, 'Follow the Dog' and the 'Monkey Trail'.
- 1.5 The wider Centre hosts a number of Mountain Bike/Endurance events across the year, alongside the large pop music festival 'Forest Live'.
- 1.6 The application site is located within a Mineral Safeguarding Area and Coal Authority Low Risk Boundary.

2 Proposal

- 2.1 The applicant is seeking consent for the temporary use of an area of Cannock Chase Forest Centre for the purpose of hosting the Mountain Biking event for the Birmingham 2022 Commonwealth Games. The application includes the erection of temporary structures including a spectator area including temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing.
- 2.2 The proposal event is for a one day event that uses 3.4km of existing biking trails. The proposal would require the provision of temporary structures to facilitate the venue and would include 0.65km of informal track to complete the 4.7km course.
- 2.3 The main location for the venue would be within the Forest Centre, while the competition route would run through the areas of forest to the south. The route would predominantly follow the New Blue Trail (NBT) that has recently been delivered by Forestry England, with a number of additional 'challenge areas' and spectator areas created for the event.
- 2.4 The applicant anticipates the capacity of the Cannock Chase venue for the Games will be approximately 3,000 ticketed spectators, alongside 9,000 on course non-ticketed spectators.
- 2.5 Installation and decommissioning of the proposal would take place between June and August 2022 and the event itself is scheduled on Wednesday 3rd August 2022.
- 2.6 The application suggests that there is expected to be 10 days of unofficial training and one day of formal training for athletes prior to the event, in this case athletes would be expected to park in the main car park. The applicant has confirmed that the course familiarisation is one day for athletes, it is not publicised to the public. During the course familiarisation the majority of the existing mountain bike trails would be closed to other users for the athletes use only. Athletes can access the trails prior to the course familiarisation but this is in an unofficial capacity and is not being advertised to spectators. The applicant states that in previous iterations of the Commonwealth Games at Glasgow and the Gold Coast the course familiarisation for athletes at the Mountain Bike event has not attracted any spectators as it only takes place for a few hours on the day prior to the event and is not publicised.
- 2.7 The applicant states that it is expected that there will be 85 athletes and team officials, 25 technical officials, 80 Games Family and 243 members of the media. It is also expected that there will be 382 members of the peak workforce which includes staff, volunteers and contractors.
- 2.8 The applicant confirms that no existing buildings within the application site would be affected by the proposal.
- 2.9 The application states that the one-day event will take place during daylight hours and therefore no flood lighting will be required. The temporary structures would be removed after the mountain biking event with the application site returned to its original state by the end of August 2022.

- 2.10 Pedestrian access would be provided to the western boundary, from the main car park and Cannock Chase Forest Centre entrance. Access via wheelchair or similar wheeled requirement would also be provided via a dedicated drop off zone and parking area located in an existing carpark to the west. The existing outdoor trails would then be used for onward access to various other parts of the event.
- 2.11 It is proposed that vehicular access to the Games would be limited to athletes family members and other spectators would be encouraged to use other forms of transport.
- 2.12 Park and Walk sites would be provided to reduce the number of vehicles entering the area of that day. The main park and walk site has been identified as being Four Oaks Farm on Shooting Butts Road. The existing local car parks would still remain open for other users of The Chase.

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). Relevant policies within the Local Plan include: -

Cannock Chase Local Plan

- CP1 - Strategy
- CP2 - Developer contributions for Infrastructure
- CP3 - Chase Shaping-Design
- CP5: - Social Inclusion and Healthy Living
- CP9 - A Balanced Economy
- 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

Minerals Local Plan for Staffordshire (2015 – 2030)

Relevant Policies within the Minerals Plan include

Policy 3.2 – Safeguarding Minerals

- 3.3 **National Planning Policy Framework**

3.4 The NPPF (2021) sets out the Government’s position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be “presumption in favour of sustainable development” and sets out what this means for decision taking.

3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.6 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
- 111: - Highway safety and capacity
- 84(c): - Sustainable rural tourism and leisure developments
- 126, 130, 132, 134: Achieving Well-Designed Places
- 147-150: - Green Belt
- 176: - Areas of Outstanding Natural Beauty
- 179-182: - Biodiversity
- 218, 219 - Implementation

3.7 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.

Manual for Streets.

The AONB Management Plan 2019-2024.

4 Determining Issues

4.1 The determining issues for the proposed development include: -

- i) Principle of development in the Green Belt
- ii) Impact on Highway Safety
- iii) Design and impact on the character and form of the area, including the AONB.

- iii) Impact on nature conservation interests.
- iv) Drainage and flood Risk.
- v) Archaeology
- vi) Ground Conditions & Contamination

4.2 Principle of the Development

4.2.1 Both the NPPF and the Local Plan contain a presumption in favour of sustainable development, the latest version of which is contained within the NPPF (2021) and states: -

“For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- 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. the application of policies in this Framework that protect areas or assets of particular importance provides 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 this Framework taken as a whole.

4.2.2 The first stage in the determination of the application is to determine whether the proposal is in accordance with the development plan. In this respect it is noted that the application site lies within West Midlands Green Belt, wherein there is a presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and any such development should be considered a departure from the development plan.

4.2.3 In respect to whether a proposal constitutes inappropriate development in the Green Belt the starting point should be the Local Plan. Local Plan Policy CP1 states that development ‘proposals in the Green Belt will be assessed against the NPPF and Policy CP14. Local Plan Policy CP14 (and also bullet point 11 of Policy CP3) relate to impacts on landscape character rather than to whether a proposal constitutes appropriate or inappropriate development and therefore are not of assistance in determining whether proposals constitute inappropriate development, or not.

4.2.4 Whether a proposal constitutes inappropriate development is set out in Paragraphs 149 & 150 of the NPPF. Paragraph 149 relates to new buildings whereas Paragraph 150 relates to other forms of development, including the making of material changes of use of land.

4.2.5 The applicant states that the proposal would provide an outdoor sporting venue that accords with the existing use of the site both as a major event space and Mountain Biking trail. In this regard, the proposal would include a spectators' area and stand; field of play; broadcast and operations compound; and athletes preparation area. The venue would be centred upon the existing Forest Centre, while the competition route would run through the areas of forest to the south. The competition route would predominantly follow the New Blue Trail (NBT) that has recently been delivered by Forestry England, with a number of additional 'challenge areas' and spectator areas created for the event. All development would be temporary and removed once the event finished.

4.2.6 In this respect the proposal engages paragraphs 149 & 150 of the NPPF. Which. In the case of paragraph 149 state that-

"A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this (amongst others) are:-

- b) the provision of appropriate facilities (in connection with the existing use of the land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'

4.2.7 In order to not constitute inappropriate development the proposal must demonstrate that it would preserve the openness of the Green Belt and not conflict with the purposes of including land within.

4.2.8 In the case of paragraph 150 state that-

"Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are [amongst other things]:

- e) material changes of use of the land (such as changes for outdoor sport or recreation, or for cemeteries and burial grounds);

4.2.9 The purposes of including land within the Green Belt are set out in paragraph 138 of the NPPF, which states: -

'Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land'

- 4.2.10 The applicant has confirmed in the Design & Access Statement that the proposal is temporary in nature with the full extent of the application site to be returned expediently to its existing state on completion of the Games.
- 4.2.11 The proposed structures consist of a spectator area which includes a temporary stand; vehicle and pedestrian access areas; broadcast/operation compounds; athletes preparation area; all with associated fencing and all for a temporary period only.
- 4.2.12 Openness in terms of Green Belt means the absence of built form. In this respect it is noted that the site, comprises of an indoor centre, toilet and café facilities and other various buildings used by the forestry commission. The remainder of the site remains relatively free from built form. However, it is noted that whilst the proposal would introduce buildings and structures, these are of a minimal size and scale, on existing hardstanding close to existing buildings and structures and are temporary in nature. In respect to the impact on openness due to parking, this would be very fleeting, lasting in any significant way, less than a day.
- 4.2.13 Given the above, it can only be reasonably concluded that the proposal would not result in any material harm to the openness of the Green Belt. The proposed development will therefore have no permanent effects on the openness of the Green Belt, nor will it conflict with the purpose of including land within it. On this basis the proposals are considered to accord with the tests as set out within paragraphs 149 and 150 of the NPPF and are therefore consistent with both national and local planning policy.
- 4.2.14 As such it is concluded that the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. Therefore, it is also concluded that the proposal would fall to be considered as appropriate development in the Green Belt.

4.3 Impact on Highway Safety

- 4.3.1 Paragraph 111 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. The comments of the objector are noted in respect to the access points constructed to Four Oaks Farm.
- 4.3.2 Vehicular access to the event would be via the existing Cannock Chase Forest Centre access off Birches Valley. No changes to this access are proposed as part of the development. This access would also be permitted to be used by spectators walking or cycling to the event. A pedestrian access would also be available from Penkrige Bank Road. This currently comprises a narrow path and it is understood that the path is proposed to be widened to 3m by Forestry England.
- 4.3.3 Approximately 3, 000 ticketed spectators and 9, 000 non-ticketed spectators are expected to attend the event along the mountain biking course. It is expected that there will be 85 athletes and team official, 25 technical officials, 80 Games Family and 243 members of the media. It is also expected that there will be 382 members of the peak workforce and 1, 440 workforce members in total which includes staff, volunteers and contractors.

- 4.3.4 As a large proportion of spectators are expected to travel to the event by private car, Four Oaks Farm is proposed to be used as a car park to support the event and would provide up to 1,655 car parking spaces. Car parking is required to be pre-booked with spectators able to pre-book car parking spaces up to 90 minutes before the start of the event before gates open. Parking would be chargeable and it is understood the cost would be in the region of £10.
- 4.3.5 Secure cycle storage would be made available within the application site for spectators choosing to travel to the site by cycle.
- 4.3.6 There would be formal training days in the lead up to the live event; however, these would not be publicised and the Highway Authority confirm are unlikely to generate significant numbers of spectators. Athletes would utilise the existing car park at Cannock Chase Forest Centre for parking vehicles.
- 4.3.7 The planning application has been supported by a suite of documents including site layout plans and a Transport Statement with which to inform the application. As such, The Highway Authority was consulted on the application.
- 4.3.8 An initial review of the planning application documents, the Highway Authority raised several queries, the key ones relating to the management of vehicles on the surrounding local highway network, methodology used to determine spectator mode share, car parking capacity at Four Oaks Farm and pedestrian accessibility from Four Oaks Farm to Cannock Chase Forest Centre and its surrounds. It is noted that similar concerns were also raised by Natural England and the AONB Unit.
- 4.3.9 It is understood that the applicant has been engaging with the Highway Authority through a Venue Transport Working Group to develop a Local Area Traffic Management Plan (LATMP). This document provides details of traffic management, road closures, diversions and the routeing to be used by athletes, the workforce and spectator shuttles on the day of the event. It is understood that this document has been largely agreed with the Highway Authority and would be the main mechanism by which transport demand on the highway network is managed. The Highway Authority confirm that they would continue to be involved with the refinement of the LATMP through the Venue Transport Work Group prior to the event taking place.
- 4.3.10 The concerns of the AONB Unit are noted with regard to their comment that the proposals for parking provision and spectator management have been insufficiently considered and managed and that they are concerned that the numbers of spectators (ticketed and un-ticketed) arriving by private vehicle is an underestimate. However, The Highway Authority confirm that the applicant has engaged with them to explain the methodology used to derive spectator and workforce mode shares for the various events proposed as part of the wider Birmingham 2022 Commonwealth Games. As there was no existing data that could be utilised to inform mode shares from similar events, a bespoke approach to modelling mode share was derived. The modelling has been subject to review and peer review, and the Highway Authority are now satisfied with the methodology adopted to estimate mode share data. Whilst there are still some reservations over the proposed mode shares, the Highway Authority considers that the measures set out and agreed in the LATMP would be sufficient to manage demand on the highway network on the day of the event.

- 4.3.11 The comments raised by the AONB in respect of proposed parking charges are noted and that there is also opportunity of free parking elsewhere. The applicant had initially proposed to close the smaller car parks however the County Council requested that these remain open to allow locals to continue to use the Chase. The Highway Authority note that the mode share modelling outputs show that there would be demand at local car parks by those that have local knowledge of these facilities. Therefore, it is important that stewards are placed at these locations to help guide drivers to the Four Oaks Farm car park should the local car parking facilities become fully occupied. This would ideally form part of the LATMP. Stewards should also be positioned at Rugeley Town Rail Station and along walking and cycling routes from Rugeley Town Centre to the application site to help guide spectators and keep them on the designated walking and cycling routes given the sensitive location of the Cannock Chase.
- 4.3.12 Your Officers confirm that the use of Four Oaks Farm for car parking purposes has been provided under permitted development rights by the landowner, not the applicant and whilst there is a charge to the motorist for its use, the Highway Authority was satisfied that the chargeable figure is reasonable for such an event.
- 4.3.13 It has been confirmed with the Highway Authority that car parking capacity at Four Oaks Farm is for 1,655 cars and traffic management stewards would assist spectators with parking their cars to ensure that this capacity is available. Notwithstanding this, the vehicular and pedestrian accesses to Four Oaks Farm from Shooting Butts Road are subject to the relevant permissions for new accesses first being granted by the Highway Authority, to enable work to legally commence within land that is Highway Maintained at Public Expense and allow the accesses to be delivered, as per any plans submitted and approved.
- 4.3.14 In line with the request of the Public Rights of Way Officer, the applicant has confirmed that no public bridleways or footpaths would be closed as a consequence of the Games event and the public are allowed to continue with their use of the site and surrounding areas without any impediment.
- 4.3.15 Given the above, it is therefore considered that the proposal would not have an unacceptable impact on highway safety and that its residual cumulative impacts on the road network would not be severe, in accordance with paragraph 111 of the NPPF.

4.4 Design and the Impact on the Character and Form of the AONB

- 4.4.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should be: -
- (i) well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials; and
 - (ii) successfully integrate with existing trees; hedges and landscape features of amenity value and employ measures to enhance biodiversity and green the built environment with new planting designed to reinforce local distinctiveness.

4.4.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132 and 134. Paragraph 126 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.4.3 Paragraph 130 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.4.4 Finally Paragraph 134 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.

4.4.5 The site lies within the AONB, due to its outstanding and nationally important landscape character and quality. The landscape character of the Chase is varied however the location of the site is within the Forest heathlands landscape character type as described in the Review of Cannock Chase AONB Landscape Character Framework.

4.4.6 Further, The Cannock Chase AONB Management Plan 2019-2024 seeks a key focus on conserving and enhancing the area's special qualities. The Plan should be used to guide and inform all other strategic plans and activities that affect the AONB. The Management Plan notes that Cannock Chase will be hosting the Mountain Biking event as part of the Commonwealth Games, recognising that this will raise the profile of the Chase and attract large numbers of spectators to the area. Careful planning will therefore be required to ensure that the event leaves a lasting positive legacy on the AONB and its special qualities. The Plan also identifies a series of objectives and policies to guide the conservation and enhancement of the AONB.

4.4.7 Paragraph 176 of the NPPF states: -

'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding

Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. and the Broads. The scale and extent of development within these designated areas should be limited. ‘

4.4.8 Paragraph 177 of the NPPF continues that when considering applications for development within AONB (amongst others) permission should be refused for major development other than in exceptional circumstance and where it can be demonstrated that the development is in the public interest. The tests set out within paragraph 177 of the NPPF are assessed below.

- a) the need for the development, including in terms of national considerations and the impact of permitting it, or refusing it, upon the local economy.
- b) The cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way
- c) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be monitored.

4.4.9 In this respect, the applicant states that the common wealth games event would attract a significant number of spectators to the area. This would in turn, build upon the national and international profile of Cannock Chase which in turn would result in significant economic and social benefits to the wider District.

4.4.10 The applicant continues that Cannock Chase is already a well-established and renowned location for Mountain biking. The competition route is proposed to follow the Blue Trail Route which already exists with only additional challenge areas to be added. The application site is therefore considered to represent the most appropriate location in which to meet the needs of the event whilst ensuring that the required additional facilities are minimised through the use of existing infrastructure.

4.4.11 Finally, the applicant states that the proposal would not result in any detrimental adverse environmental or landscape impacts subject to the implementation of appropriate mitigation measures.

4.4.12 Both Natural England and the AONB Unit were consulted on the application. Natural England have stated that whilst they do have some concern, they are satisfied, subject to the recommended conditions to mitigate any adverse effects and make the development acceptable.

4.4.13 The AONB Unit however remains concerned this application has potential for significant adverse impact on the natural beauty and wildlife of the AONB. The AONB believes that transport and spectator access on and prior to the event, and long-term pressures as a legacy of the event, have not been fully assessed and mitigated, and there remains high potential for damage to wildlife habitats on

Cannock Chase SAC; disturbance to habitats and protected species; and an increased impact from mountain biking on the relative wildness and tranquillity of the area; all of which would detrimentally affect its natural beauty.

- 4.4.14 However given that the concerns raised by the AONB Unit have been considered by the Highway Authority (within section 4.3 above) in respect to the information submitted for the modelling used to determine mode share data, spectator numbers, modes of transport and the measures proposed within the Traffic Management Plan to help manage demand on the highway network, the concerns of the AONB Unit are not admissible given that the Highway Authority do not object.
- 4.4.15 The AONB Unit did welcome the approach to encouraging arrival at the venue by transport other than private vehicle and it will be essential that walking / cycling routes are clearly signposted and marshalled.
- 4.4.16 The AONB also supports the recommendations made by Natural England and The Highway Authority for recommendations / requirements for mitigation and strongly requests these conditions are incorporated should the Planning Authority be minded to approve the application. The conditions have been recommended above.
- 4.4.17 The application site is located within an area of woodland within the AONB. The trees are covered by TPO 17/1986 W1. As such Paragraph 131 of the NPPF is relevant and this stresses the importance trees make to the character and quality of urban environments and that opportunities are taken to incorporate trees into new development. The location of the site is within a densely wooded area. As such, the applicant has submitted a Arboricultural Impact Assessment with which to inform the application.
- 4.4.18 The position of the temporary structures and the spectator area have been sited to ensure no trees would require removal as a consequence of the proposed development. The report provided also outlined how all trees will be protected from damage during all stages of the development, including protective fencing which would be secured via condition.
- 4.4.19 Given the above, it is considered that the proposal, subject to the recommended conditions, would not result in a significant detrimental impact on the special character and scenic beauty of this part of the Cannock Chase Area of Outstanding Natural Beauty. As such, the proposal would accord with Policies CP3 and CP14 of the Local Plan and the above mentioned paragraphs of the NPPF.

4.5 Impact on Nature Conservation Interests

- 4.5.1 The application site and wider location are located within Cannock Chase which is noted as being of utmost importance to nature conservation issues due to the heathland and associated habitats within which are of national and international importance. Cannock Chase Special Area of Conservation (SAC) is one of the largest areas of lowland heathland in England. Important populations of protected species such as nightjar and woodlarks which are characteristic birds of lowland heathland are both found across the AONB.

4.5.2 The wider location comprises of three statutory designated sites within 2km of the application site and 4 non-designated sites for nature conservation within 1 km. The three designated sites include Cannock Chase Special Area of Conservation (SAC) which is located 480m to the north of the site, Cannock Chase Site of Special Scientific Interest (SSSI) which is located 380m to the north of the site and The Stoney Brook which is a Site of Biological Interest (SBI) and runs through the southern section of the wider site. The Stoney Brook comprises of a number of pools connected by the Brook.

4.5.3 Policy and guidance in respect to development and nature conservation is provided by Policy CP12 of the Local Plan and paragraphs 170 and 174 of the NPPF.

4.5.4 Policy CP12 of the Local Plan states that the District's biodiversity and geodiversity assets will be protected, conserved and enhanced via

'the safeguarding from damaging development of ecological and geological sites, priority habitats and species and areas of importance for enhancing biodiversity, including appropriate buffer zones, according to their international, national and local status. Development will not be permitted where significant harm from development cannot be avoided, adequately mitigated or compensated for”.

4.5.5 Paragraph 170 of the NPPF states [amongst other things]: -

“Planning policies and decisions should contribute to enhance the natural and local environment by:

protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); [and]

minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;”

4.5.6 Paragraph 174 goes on to state: -

“When determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.”

Impacts of Cannock Chase Special Area of Conservation

- 4.5.7 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.
- 4.5.8 Due to the close proximity of the Special Area Conservation (SAC), the applicant has submitted a shadow Habitat Regulation Assessment (HRA) with which to inform the application. Given the sensitive location of the site, the applicant has also submitted an Ecological Report, Extended Phase 1 Habitat Survey and an Ecological Impact Assessment in support of the application.
- 4.5.9 Natural England was consulted on the application and emphasised that one of the biggest threats to the special features of the SAC is the recreational disturbance and the direct and indirect damaging impacts it can have on the heathlands flora and fauna. Erosion, path widening, trampling, arson, pollution of the soil from horse dung and dog waste can change the vegetation over time away from heathland and disturbance to the breeding season also directly harms reptiles and birds on the ground in the open heartland.
- 4.5.10 The proposed event could see a significant number of visitors to Cannock Chase in one day which could lead to additional recreational pressure on the Cannock Chase SAC. The site is approx.. 480m to the south of the SAC within Birches Valley which has a designated visitor centre to draw visitors away from the SAC itself. The applicant confirmed that the access to the SAC via Kingsley Wood Road would be subject to a stopping up order with access to residents only. The site is not easily linked to the SAC with no designated footpaths or bridleways with the main access along Penkrige Bank Road which is a fast moving road with no pedestrian access along it edge.
- 4.5.11 Natural England consider that without appropriate mitigation the application would:
 - have an adverse effect on the integrity of Cannock Chase Special Area of Conservation.
 - damage or destroy the interest features for which Cannock Chase Site of Special Scientific Interest has been notified.
- 4.5.12 Natural England is satisfied however, that in order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- Measures proposed by the Applicant to mitigate for impacts (Cannock Chase Shadow Habitat Regulations Assessment: Stage 1 and Stage 2 Dated February 2022. Document Ref: 5200949-B2022-ATK-ECO-REP- 132)
- The placing of stewards at Rugeley Town Rail Station, along walking and cycling routes from the town centre to the venue and at local car parks.

4.5.13 Your Officers confirm the above recommendations have been secured via condition.

4.5.14 The applicant has confirmed that in order to improve the level of environmental education among Event visitors, the Birmingham Organising Committee for the 2022 Commonwealth Games Ltd would incorporate the delivery of additional educational provisions. Which would include:

Information panels / boards detailing environmental sensitives with regards to recreational pressure on the SAC in key locations where the highest number of visitors are expected to be on event day, especially in locations that lead in the direction of the SAC (such as Marquis Drive). The Games will also fund the installation of permanent information panels / signage at key locations around the event area and the wider SAC. The panels will be installed by Forestry England with content agreed through consultation with relevant stakeholders.

Information will be provided to visitors in the form of a website / mobile app which also stress the environmental sensitives with regards to recreational pressure on the SAC. Space has been offered to Forestry England, Natural England and the AONB team at the Spectator Hub, so that the sensitivity of the SAC can be highlighted and the best way to enjoy it promoted

No details regarding local cycle routes will be provided as part of any of the commonwealth games marketing / Event literature, especially on maps provided to Event visitors; and

All literature for the Event will only highlight formal parking for the Event (see below for more details regarding car parking).

4.5.15 Given the above, subject to the recommended conditions the proposed one day event is unlikely to lead directly or indirectly to an adverse effect upon the integrity of the European Site network.

4.5.16 In order to complete the formal process Officers have used the above information to under an appropriate assessment under the Habitats Regulations, which has been submitted to Natural England. It is anticipated, given Natural England's comments to date, that this will be accepted. Members will be notified by officers by officer update at the meeting of Planning Control Committee.

Impacts on Site of Biological Interest

4.5.17 In respect to The Stoney Brook (SBI) the submitted assessments found that due to the scale, nature and location of the site in relation to The Stoney Brook, no significant adverse impacts are anticipated to the SBI. It is also noted that there

are existing recreational pressures on the SBI from every day use which are not controlled or regulated. As such, and given the temporary nature of the proposal there would be no additional detrimental impacts on these designated sites over and above those which could already occur.

- 4.5.18 Natural England did not raise any concerns regarding the potential impact to The Stoney Brook. As such, it is considered that the proposal would not result in any significant adverse impact to the integrity of the SBI.

Site Specific Impacts on Ecology

- 4.5.19 Cannock Chase is home to a variety of species including nightjar, woodlark, Dartford Warbler and adder. Natural England confirmed that Cannock Chase as a whole supports significant populations of nightjar and adder with most of the nightjars now nesting in recently felled forestry areas due to too much disturbance on the open heathlands. These birds are more than 'Local importance' given that Cannock Chase is the most important site from heathland birds in the West Midlands. Natural England also confirm that the start of August is when last 1st brood chicks and 2nd brood nightjar nests are present.
- 4.5.20 The RSPB and Staffordshire Ecologist both raised concerns regarding the impact the proposal could have on ground nesting birds. The RSBP continued that as this event will be held during breeding season, without suitable mitigation measures it could have a detrimental effect on these species. Recreational disturbance is already a significant issue for Cannock Chase, and it is thus paramount that this event and its legacy does not add to the existing pressure that the site is already under. The RSPB continued that without suitable mitigation, the increase in visitors along this path could impact on these sensitive ground nesting species, especially if visitors stray off the paths or allow dogs off lead.
- 4.5.21 The RSPB recommended that as a minimum, in addition to the proposed marshals at key junctions to direct visitors, that marshals also remind spectators/visitors to keep dogs on leads at all times. Likewise, it is crucial that visitors are reminded that straying off the path, even by a small margin, could disturb ground nesting birds; and that this is communicated both on the day and as part of the pre-event public education, information, and awareness campaign.
- 4.5.22 The applicant has acknowledged this issue and provided mitigation to protect the nesting birds as set out within the Ecological Assessment . In addition, the RSPB stated that they would be happy to share data on the presence of ground nesting birds (collated during spring 2022) along/adjacent to the route. \they also recommend that marshals are stationed close to nesting sites (solely for the physical protection of nests) where possible to reduce any further disturbance.
- 4.5.23 The Staffordshire County Ecologist stated that the Ecological Impact Assessment gave mitigation measures which would be brought forward in a Precautionary Method of Working (PMW) document. These include for example rerouting of the ridden -in trail to avoid nesting birds. The County Ecologist stated that it is important that these measures are given adequate weight to be effective. They should take precedence over other considerations particularly when clearing the site and constructing the course. The Ecologist continued that the proposed Ecological Clerk of Works must be given adequate status to ensure measures are

delivered. The County Ecologist recommends a condition be imposed which would require the submission of the PMW for approval.

- 4.5.24 The AONB Unit raised concerns regarding the lack of consideration for the unofficial training days held prior to the main event. However, the applicant has stated that the unofficial training days are to allow the athletes time to familiarise themselves with the course. The applicant has emphasised that these days would not be advertised or publicised and tickets would not be sold. The applicant has stated that the Glasgow and Gold Coast Common Wealth Games events, the course familiarisation days did not attract any spectators as they only take place for a few hours a day and are not publicised. There is no reason to contend that these games would be any different. Also, The Highway Authority raised no concern in respect to the impact to the highway network over the training days.
- 4.5.25 Concerns were raised regarding the potential legacy of the games on Cannock Chase. The AONB Unit acknowledge that there is likely to be a peak of interest shortly after the event that will tail off. The question is by how much that will be, and there is no real evidence offered to support the applicant's position. Your Officers confirm that the issue of legacy is not easily quantifiable and the applicant suggests initially people will stick to the trails on offer however, evidence in the AONB is that unauthorised trails are built in 'wilder' more sensitive areas when the existing trails get 'boring'. However, your Officers note that this evidence is based on current users who have frequented the Cannock Chase mountain bike trails wherein persons using the area as a consequence of the games legacy are more likely going to want to ride the track used by the athletes during the games event.
- 4.5.26 The applicant states that visitors to the area, as a consequence of the games would likely visit the non-ecologically sensitives sites such as Birches Valley which have been specifically designed to attract visitors. The applicant continues that as Cannock Chase is already a mountain bike destination it would unlikely attract significant numbers after the Games event.
- 4.5.27 Therefore subject to acceptance by Natural England of the Council's appropriate assessment under the Habitat Regulations and the recommended conditions, the proposal would be acceptable in respect to the requirements of Policy CP13 and the NPPF.

4.6 Drainage and Flood Risk

- 4.6.1 Paragraph 159 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'.
- 4.6.2 The site is located in Flood Zone 1 which is at the least risk of flooding and much of the site would remain as existing. The site is within close proximity to but not within Flood zones 2 and 3. Notwithstanding this, the applicant has submitted a Flood Risk Assessment and Drainage Strategy with which to inform the application.
- 4.6.3 The assessment found that there are no watercourses located within the proposal site. The nearest watercourses being the Stony Brook located approximately

250m to the south of the proposal area and Rising Brook approximately 270m to the south-east. Both watercourses are designated Ordinary Watercourses.

- 4.6.4 According to Environment Agency mapping, the proposal site is located within groundwater Source Protection Zone 3 (Total Catchment). The bedrock underlying the proposal site is designated a Principal aquifer. This aquifer is classified as having High vulnerability to pollution.
- 4.6.5 The assessment continued that there is no evidence of any land drainage features or public surface water sewers being present within or in close proximity of the proposals area. There are private surface water systems serving the car park and visitors centre facilities located to the north-west. However, these facilities are situated at higher ground levels and therefore are unable to accommodate any flows from the proposals area.
- 4.6.6 The assessment continued that all run-off either infiltrates into the ground or flows over the ground surface in a generally southern direction towards the Stony Brook located approximately 250m to the south of the proposals area and the Rising Brook approximately 270m to the south-east.
- 4.6.7 The assessment stated that as the proposed development is temporary, the drainage strategy for the site would mimic the existing drainage regime for the site as far as is reasonably practicable, utilising existing drainage features such as gullies, channel drains and private and public sewerage. It continued that whilst the proposal would increase the impermeable area due to the proposed temporary buildings, comprising portable cabins, gazebos and industrial tents this is for a temporary period only and the additional impermeable area is considered small compared to the overall size of the area (approximately 25%).
- 4.6.8 The assessment concluded that as such, the impact of the additional impermeable area on run-off flow volumes is deemed to be manageable. Surface water is proposed to be managed within the field of play and associated games temporary overlay area such that it will not have any adverse effects on the wider area. It is the intention that surface water will infiltrate into the ground as per the existing drainage regime. The external areas forming the temporary games overlay are proposed to be either left as per existing ground conditions or paved with highly perforated materials such as plastic paving grids, and therefore will not have an impact on the existing drainage regime.
- 4.6.9 The Environment Agency, Staffordshire County Flood Authority and Severn Trent were consulted on the application and raised no objections to the proposal subject to the recommended conditions.
- 4.6.10 Given the above and subject to the recommended condition, the application would be acceptable in respect to flood risk and would not exacerbate the risk of flooding within this location in accordance with paragraph 159 of the NPPF.

4.7 Ground Conditions and Contamination

- 4.7.1 Paragraphs 183-184 of the NPPF seek to ensure ground conditions of a site are suitable for its intended use. In this instance, part of the wider site lies within the consultation zone for a major hazard pipeline; the Sandon/Drayton Bassett gas pipeline which runs along the eastern boundary of the site.

- 4.7.2 As such, The Health & Safety Executive (HSE) was consulted on the application. The HSE raised no objections to the proposal as the spectator area is not located over the major pipeline.
- 4.7.3 Paragraph 185 of the NPPF states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potentially sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) :-
- mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and
- identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.
- 4.7.4 Both Paragraph 186 of the NPPF and Local Plan Policy CP16 encourage development proposals to reduce or mitigate forms of pollution. As such an Air Quality Screening Assessment was submitted by the applicant with which to inform the application.
- 4.7.5 Natural England confirmed that Air pollution that typically affects habitat will include dust and particulate matter (PM), nitrogen oxides (NOx), ammonia (NH₃) and sulphur dioxide (SO₂). Direct effects from air pollution can cause adverse impacts on plant health and visibility. Indirect effects include nutrient enrichment of the soil (eutrophication) or changes to the soil PH (acidification). These effects can decrease the ability of a plant to compete with other plants and can hinder the inherent capacity for self-repair and self-renewal under natural conditions. In other words, nitrogen acts a fertiliser for plants that can thrive on high nitrogen levels and can dominate plant communities.
- 4.7.6 The applicant confirmed that the data on the APIS website shows that the Cannock Chase SAC is in exceedance of the critical level for ammonia, and the critical loads for nitrogen deposition and acid deposition. The Air Quality Screening Assessment concluded that there will be no significant air quality changes as a result of the additional construction, operational or decommissioning vehicle flows.
- 4.7.7 The Air Quality Screening Assessment also demonstrated that the construction phase of the development has the potential to generate dust and emissions which may have short term adverse impacts at nearby human health receptors. However, these activities are not considered likely to result in a significant residual effect subject to appropriate mitigation measures.
- 4.7.8 The applicant has confirmed that small scale generators shall be used during the installation and sport competition period phases for power generation, including for hospitality and lighting purposes. However, these activities would have minimal emissions and be unlikely to impact upon air quality beyond the site boundary.
- 4.7.9 Natural England accept the conclusions of the air quality assessment and raised no further concerns in this respect. The Council's Environmental Health Officers

were also consulted on the application and raised no objection to the proposal in this respect.

- 4.7.10 Given the above, and subject to the recommended conditions, it is considered that the proposal is acceptable and accords with paragraphs 183-186 of the NPPF.

4.8 Archaeology

- 4.8.1 The application site is located within an area of historical interest and therefore may have some archaeological potential within. As such, Paragraph 189 of the NPPF is relevant. This makes it clear that in determining application local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. As a minimum the relevant historic environment record should have been consulted and the heritage asset assessed using appropriate expertise where necessary. Paragraph 194 of the NPPF continues that if any heritage asset to be lost then the local planning authority should require developers to record and advance understanding of the significance of the heritage asset and to make this evidence/archive publicly accessible (refer matter to SCC County Archaeologist for advice on building recording condition; archive to be deposited in County Historic Environment Record (HER)).
- 4.8.2 Further, the Local Plan contains Policy CP15 seeks development proposals to be sensitive to and inspired by their context and add value to the existing historic environment, landscape and townscape character by virtue of their use, layout, scale, appearance and landscaping and materials to ensure that the historic environment acts as a stimulus to high quality design based upon guidance set out within the Design SPD.
- 4.8.3 The historical interest of the application site relates to the potential for archaeological remains dating back from the Bronze Age.
- 4.8.4 Given the above the applicant has submitted a Heritage Assessment with which to inform the application. The assessment found that there is a varied and multi-period presence of archaeology within and around Cannock Chase spanning from the Bronze Age through to the Second World War, whilst there is more sporadic archaeological activity within the application site itself. The assessment continued that there is a complex relationship between chronological periods where subsequent activity has disturbed earlier evidence, such as mining and forestry activity, that have disturbed boundary banks and ditches from previous (medieval) occupation layers.
- 4.8.5 The assessment identified that within the wider area there is evidence for :

Bronze Age activity through the presence of six burnt mounds. Iron Age/Romano—British activity is indicated by the presence of trackways at Stafford Brook Farm, and field boundaries and enclosures at The Stone Farm and Rugeley.

Medieval activity is represented by the recorded locations of boundary banks and ditches likely associated with a 13th century park pale at Ladyhill Woods; a Tudor park at Stonehouse Farm, a farmstead recorded at

Stonehouse Farm; a forge at Small Brook, trackways at Slitting Mill and fragments of field systems on Brindley Heath.

Post-medieval activity is evidenced through the presence of a slitting mill and ironworking sites at Dutton's Pool and Cannock Wood forge, farmsteads at Shooting Butts Farm, Stonehouse Farm; as well as a range of trackways, boundary markers and ditches associated with post-medieval land management activities.

- 4.8.6 The assessment found that extensive mining activity from the medieval through to Industrial period has left significant evidence within topography of the local landscape from trackways and extrusion pits including the Victorian Fair Oak Colliery Number One Pit and Number Two Pit, extractive pits at Lower Cliff Cottages and Sheepwash Farm. The landscape changes associated with mining also had an effect in creating perceptions of an industrial nature to the area. Further, the use of the area during the First World War also saw changes to the landscape with training trenches being dug.
- 4.8.7 The assessment stated that the proposals would not have a discernible impact on any non—designated assets within either the application site or the wider area. The assessment confirmed that although some non-designated assets located within the application site are recorded in the HER, the proposed temporary venue would not have a physical impact on the significance of any of these, as the proposals would not break the ground or permanently alter the current condition of the application site.
- 4.8.8 The assessment stated that it should also be noted that there is the potential that the movement of plant, vehicles and contractors during the building and dismantling of the venue; and spectators moving around the venue during the event could impact on heritage assets recorded within the application site however, this could constitute a limited, but avoidable impact on the significance of affected assets.
- 4.8.9 The assessment concluded that the proposed temporary venue had been designed to limit physical impact as far as possible. This had been achieved through design as all elements of the venue would sit above the ground on pads that would not be fixed into the ground. These would be deployed where needed to provide an added protection buffer for any heritage assets that cannot be avoided by design. This would mitigate any physical impacts. To further limit physical impacts from the construction of the temporary venue, an access plan would ensure plant and vehicles can access the site without impacting on any heritage assets.
- 4.8.10 The assessment concluded that fencing should be erected around known heritage assets within the application site to protect them from accidental damage during the installation and dismantling of the venue; and during the event to stop spectators from walking over them.
- 4.8.11 The County Archaeological Officer was consulted on the application and stated that the submitted HA provided a useful understanding of the known archaeological resource within the wider area, the archaeological potential of the application site, and an assessment of the potential impact of the proposals. The conclusions made in the assessment are generally supported, and whilst the

proposed mitigation measures, either through embedded design or preventative actions, seem to be well-considered, there is scope to add additional resolution to these as part of the a Heritage Management Plan (HMP).

4.8.12 Given the above, and subject to the recommended condition to secure a Heritage Management Plan, the proposals would have no impacts on known non—designated heritage assets recorded within the application site. This is due to the temporary nature of the proposals and the sympathetic design which will seek to avoid physical impacts to known heritage assets and the public benefit brought to the area by the Games, and the impact is considered far less than substantial harm. As such, the proposal would accord with the requirements of the NPPF paragraphs 194 – 203.

4.9 Mineral Safeguarding

4.9.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 209, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.9.2 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:

the existence, the quantity, the quality and the value of the underlying or adjacent mineral resource; and

that proposals for non-mineral development in the vicinity of permitted mineral sites or mineral site allocations would not unduly restrict the mineral operations.

4.9.3 The County Council Mineral and Waste was consulted on the application and raised no objections to the proposal. As such, the proposal would not prejudice the aims of the Minerals Plan

5 Human Rights Act 1998 and Equalities 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.

Equalities 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 site is in the West Midlands Green Belt wherein there is a presumption against inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should only be allowed where very special circumstances have been demonstrated to exist. Very special circumstances can only exist where the harm to the Green Belt and any other harm is clearly outweighed by other considerations.
- 6.2 The proposed development by virtue of its temporary nature and being associated with an existing use outdoor and recreational use for the land would fall to be considered as appropriate development within this Green Belt location.
- 6.3 The proposed 1 day event would utilise the Cannock Chase Forest Centre, which is an existing hub for mountain biking across the region and therefore utilises a site that is promoted all year round as a mountain biking attraction. Subject to the attached conditions, the proposal would not, on balance, result in any significant harm to acknowledged interests and is therefore considered to be in accordance with the Development Plan.
- 6.4 It is therefore recommended that the application subject to acceptance by Natural England of the Council's appropriate assessment under the Habitat Regulations be approved subject to the attached conditions.



Application No: CH/22/0009

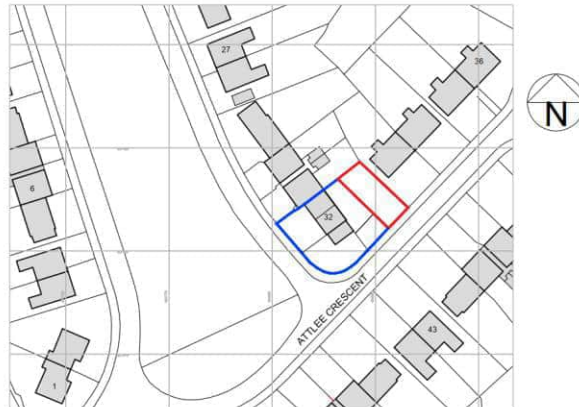
Location: 32, Attlee Crescent, Rugeley, WS15 1BP

Proposal: Proposed detached double garage/access.

Item No. 6.295



Location Plan



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LOCATION PLAN 1:1000

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DRG. NO.	21-121-01	revision
title	Location Plan	scale
project	Proposed Detached Garage Land Adjacent 32 Attlee Crescent Rugeley	1:1000 @ A4
client	Mr D. Slater	date
		Dec 2021
		drawn
		GSE

Block Plan



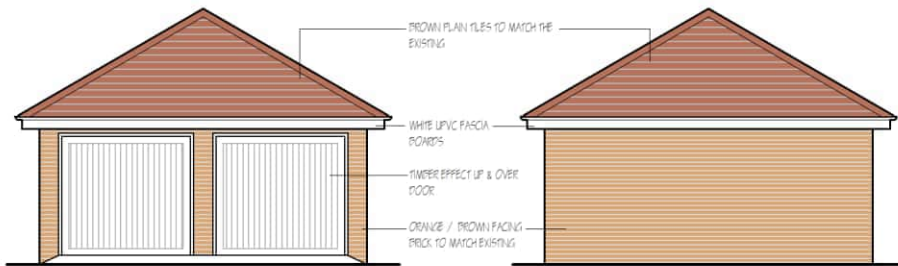
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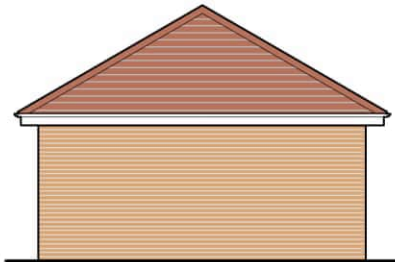
DRG. NO.	21-121-02	revision
title	Block Plan	scale 1:200 & 1:100 @ A3
project	Proposed Double Garage to Land Adjacent 32 Attlee Crescent Rugeley	date Dec 2021
		drawn GSE
client	Mr D. Slater	

Plans and Elevations

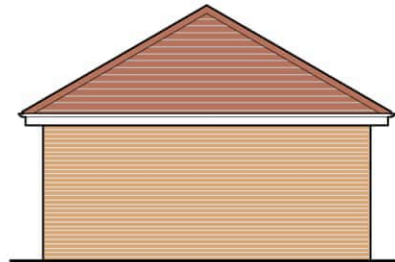


SOUTH EAST ELEVATION

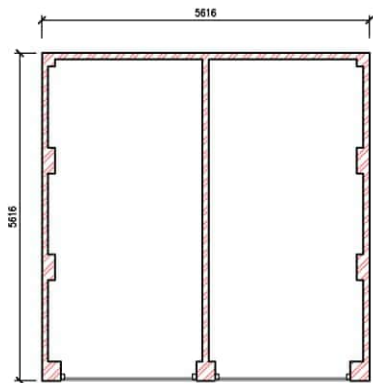
SOUTH WEST ELEVATION



NORTH WEST ELEVATION



NORTH EAST ELEVATION



LAYOUT PLAN

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DRG. NO.	21-121-03	revision
title	Plan & Elevations	scale 1:100 @ A3
project	Proposed Double Garage to Land Adjacent 32 Attlee Crescent Rugeley	date Dec 2021
client	Mr D. Slater	drawn GSE

Contact Officer:	Mike Nicholls
Telephone No:	07721 235 556

<p>Planning Control Committee</p> <p>20 April 2022</p>
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Application No:	CH/22/0009
Received:	12-Jan-2022
Location:	32, Attlee Crescent, Rugeley, WS15 1BP
Parish:	Brereton and Ravenhill
Ward:	Brereton and Ravenhill Ward
Description:	Proposed detached double garage/access.
Application Type:	Full Planning Application

Recommendation:

Approve Subject to Conditions

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions):

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

Reason

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

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

121-01 Location Plan
121-03 Plans and elevations

Reason

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

3. The materials to be used for the external surfaces of the development shall be of the same type, colour and texture as those used on the main dwelling at no. 32 Atlee Crescent.

Reason

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

4. The garage indicated on Drawing No. 21-121-02 shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Reasons

To comply with the objectives and policies contained within paragraph 111 of the NPPF and Policy CP10 of the Cannock Chase Local Plan, in the interests of highway safety.

Notes to Developer:

Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, Staffordshire ST16 2DH (or email to nmu@staffordshire.gov.uk).

<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

Consultations and Publicity

Internal Consultations:

None

External Consultations:

Brereton & Ravenhill Parish Council

The Parish Council opposes this application for a detached garage. Atlee Crescent is of a special character and it is considered that this development would not be in keeping with its surroundings.

County Council Highway Authority

Current national guidance (Manual for Streets) recommends a double garage has internal dimensions of 6m x 6m. It is noted the current proposal does not provide these dimensions however given the size of the off road parking available the proposal wouldn't have a detrimental effect on the highway. The existing vehicular crossing will require

widening in order to access the proposal. It is recommended that a further 4no kerbs will need to be dropped (2no transitional and 2no full height kerbs).

Recommendations:

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

1. The garage indicated on Drawing No. 21-121-02 shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

Reasons

To comply with the objectives and policies contained within the NPPF, Para 109 .

To comply with the Cannock Chase Local Plan CP10

County Council Rights of Way Team

The County Council's Definitive Map of Public Rights of Way shows that no rights of way cross the proposed application site. The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question.

It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980.

It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Response to Publicity

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

Relevant Planning History

- | | |
|-------------|--|
| CH/04/0433: | Conversion into 2 flats. Refusal 09/08/2004. |
| CH/04/0690: | Conversion into 2 flats. Approval with Conditions 11/03/2004. |
| CH/18/194: | Residential development:- Erection of new detached dwelling
Withdrawn 06/20/2018. |
| CH/18/288: | New detached dwelling on vacant land at the side of 32 Attlee Crescent. Refusal 10/03/2018 . Appeal dismissed – see note below |

CH/20/394: Two storey side extension to an existing domestic property Approval with Conditions 03/31/2021 (unimplemented).

Officer Note: Application CH/18/288 was dismissed at appeal. The main reasons the proposed for 'a detached dwelling' was dismissed by The Planning Inspector, in determining the application stated:

- “6. My concern, however, is about the house’s proposed siting. This corner plot faces the central green and is side-on to a cul-de-sac leg of Attlee Crescent. The new house would sit well forward of the strong building line established by other houses on this side of the cul-de-sac, substantially intruding on views along this part off the street towards trees at the end of the street and beyond. The otherwise close spacing of the houses on Attlee Crescent provides few other views through the built frontages, so that the views along the cul-de-sac are a significant aspect of the relatively open feel of the Crescent, which is an important part of its character.
7. The proposed siting would thus fail to harmonise with the carefully planned layout of the street. I find that the proposed house would be awkwardly sited in a prominent position in the street scene, forming an incongruous feature that would not be well related to the established development pattern and would reduce the spaciousness of the area. Although the site is somewhat unkempt at present, I cannot agree with the appellant that the proposal would enhance the local area.
8. I conclude that the proposal would unacceptably harm the character and appearance of the area. It therefore conflicts with the aim of Cannock Chase Local Plan Part 1 Policy CP3, to secure high quality design that complements and enhances the character and appearance of the local area and reinforces local distinctiveness. This aim aligns with the Framework’s emphasis on good design as a key aspect of sustainable development).”

1 Site and Surroundings

- 1.1 The application relates to a semi-detached property that has been converted into 2 self-contained 1 bed flats (see application CH/04/0690 above). The property is constructed in brick with a dual pitch, tiled roof and has recently had planning permission for a two-storey side extension (unimplemented) (CH/20/393). There is an associated garden to the side and rear and hardstanding on the property frontage.
- 1.2 The property is in an established residential area and within the Brereton & Ravenhill Parish Council boundary.
- 1.3 The property falls within a number of defined areas: Mineral Consultation Area; Coal Authority Low Risk Area; near to a Historic Landfill Site.

2 Proposal

- 2.1 The applicant is seeking consent for a detached double garage to constructed at the rear of the property on unused garden land. The garage would measure 5.6m

long, 5.6m wide and 4.3m high and would be built in brick with a hipped tiled roof. Materials would match the main property at no. 32 Attlee Crescent.

- 2.2 The garage would be built slightly behind the front wall of no. 33 Attlee Crescent and would project beyond the building line in Attlee Crescent. An existing pavement crossover would need to be widened.

3 Planning Policy

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

Cannock Chase Local Plan (Part 1)

Relevant policies within the Local Plan include: -

CP3 - Chase Shaping – Design

Relevant policies within the minerals plan include: -

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

Draft Neighbourhood Plan

The Brereton and Ravenhill Parish is a designated Neighbourhood area but no formal stages have yet been reached in the preparation of a Neighbourhood Plan. As per para 48 of the NPPF no weight can yet be accorded to the Neighbourhood Plan.

3.3 **National Planning Policy Framework**

- 3.4 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.
- 3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.6 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
111:	Highway Safety and Capacity
126, 130, 132, 134:	Achieving Well-Designed Places
218, 219	Implementation

3.7 Other relevant documents include: -

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

4 Determining Issues

4.1 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.

4.2 Principle of the Development

4.2.1 The application is for the erection of a domestic garage to an existing property in an established residential area. As such the principle of the proposed development is acceptable subject to the considerations set out below.

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

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

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

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132, 134. Paragraph 126 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.3 Paragraph 130 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.4 Finally Paragraph 134 states

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

4.3.5 Although Appendix B of the Design SPD sets out clear expectations and guidance in respect to extensions to dwellings it does not give guidance in respect to outbuildings.

4.3.6 The proposed detached garage would be positioned in the rear garden area. It would utilise an existing pavement crossover and be constructed marginally behind the front wall of the adjacent property at no.33 Attlee Crescent. The single-storey structure would have a hipped roof and matching external materials and therefore would reflect the design of the main property. It is therefore considered that the design of the garage relates well to existing development, it is modestly sized and it is considered that it would not be unduly prominent or incongruous in the wider street scene.

4.3.7 The Parish Council have stated that "Attlee Crescent is of a special character and it is considered that this development would not be in keeping with its surroundings". The planning history of the site shows a previous refusal for a single dwelling on the site. However, in that instance the dwelling was proposed

to have been erected at the side of no 32 Attlee Crescent, directly on the corner of the road and in front on both building lines. In the dismissed appeal, the Planning Inspector noted that the proposed siting of the dwelling failed to harmonise with the layout of the street and would form an incongruous feature that would not relate well to the existing development pattern. The current proposal for a detached double garage is wholly different as it would not be sited on the corner of the road and would be set back into the rear garden area, behind the building line in Attlee Crescent. It is therefore considered that the current proposal does harmonise with existing development and would not be an incongruous feature. It is also noted that there is a range of garages in similar locations within the wider estate.

4.3.8 Overall, having regard to Policy CP3, the Council's Design SPD and the NPPF, it is considered that the proposals would be acceptable in respect of its impact on the character and form of the local area.

4.4 Impact on Residential 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 on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

4.4. Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

4.4.3 Given the proposed siting of the garage, there would not be any loss of light or outlook to neighbouring dwellings and the structure would not appear overbearing. The main issues in this case are the potential for the overdevelopment of the site and the proximity of the garage to the rear of the host property at no. 32 Attlee Crescent. The garage would only be 6m away (max) from the rear of no.32 but would be separated by a 2m high fence. The proposed garage measures 2.3m to eaves and the hipped roof would slope away from the host property. It is therefore considered that the proposals would not be overbearing and that there would be no significant adverse effect on the occupiers of no.32 Attlee Crescent in terms of outlook. The property (which comprises of 2no. 1 bed flats) would retain a rear garden area of approx. 70sqm, plus the existing garden area to the side. The Design SPD requires flats with communal amenity space to have a minimum of 30sqm per unit, a figure which is exceeded by the proposals.

4.4.4 For the reasons given above, it is considered that the proposed garage would not have any significant adverse impacts on the amenities of occupiers of either the host property or neighbouring dwellings. Overall, therefore, the proposal is considered acceptable and that it would meet the requirements of the NPPF, Policy CP3 and the Council's Design SPD.

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 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 County Council Highways Team have no objections and the proposed garage would not have any unacceptable impacts on highway safety or the wider road network. As such it would accord with paragraph 111 of NPPF.

4.6 Mineral Safeguarding

4.6.1 Part of the site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 Policy 3.2 of the 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.

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

5 Human Rights Act 1998 and Equalities 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 of 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 in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions.



Application No: CH/22/0038

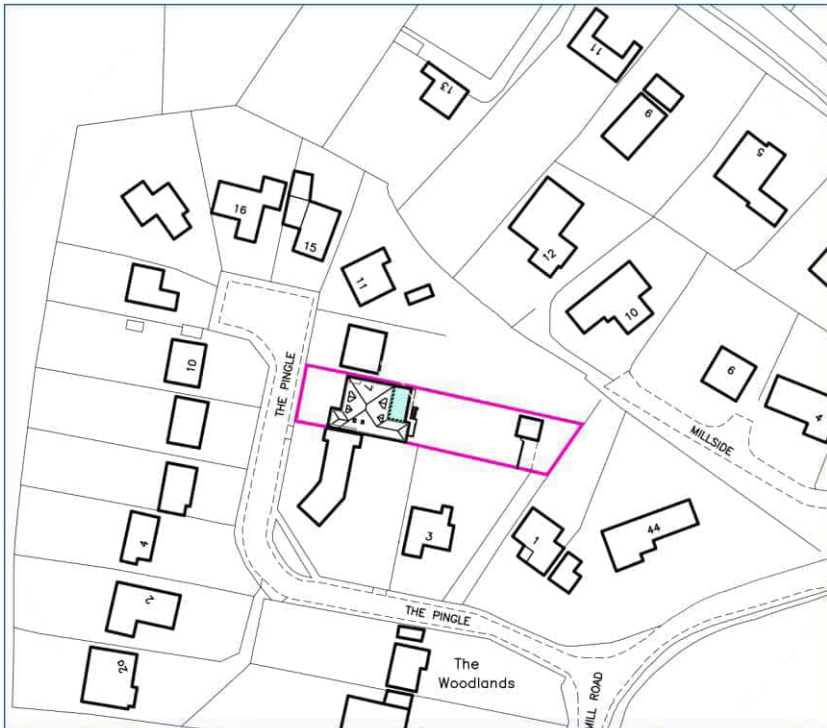
Location: 7, The Pingle, Slitting Mill, Rugeley, WS15 2UR

Proposal: Rear ground floor extension

Item No. 6.309



Location and Site Plans

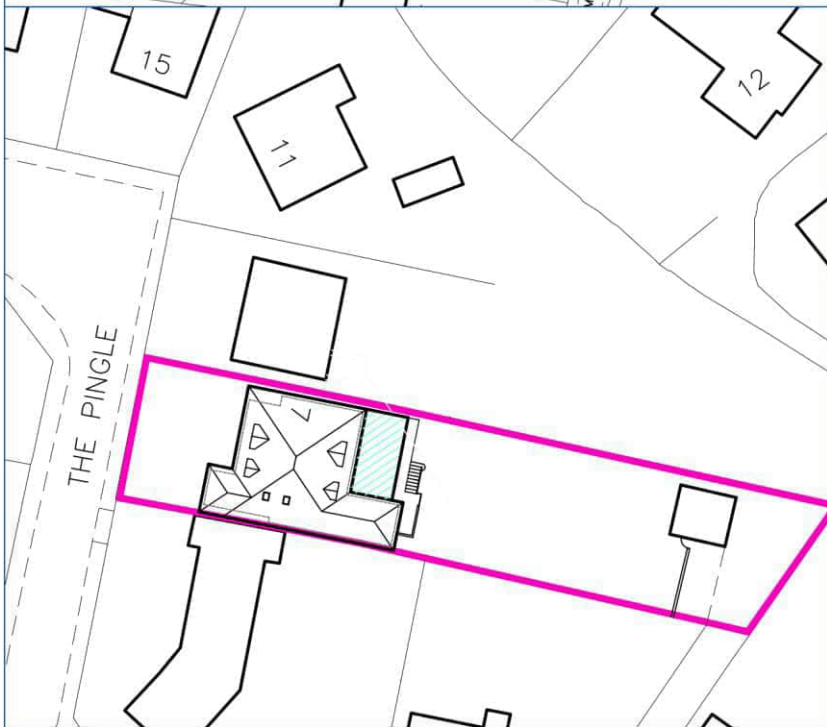


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location plan 1:1250



site plan 1:500
Plotted at A4

CLIENT
MR & MRS.I.LOCKLEY
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Sitting Mill
WS15 2UR

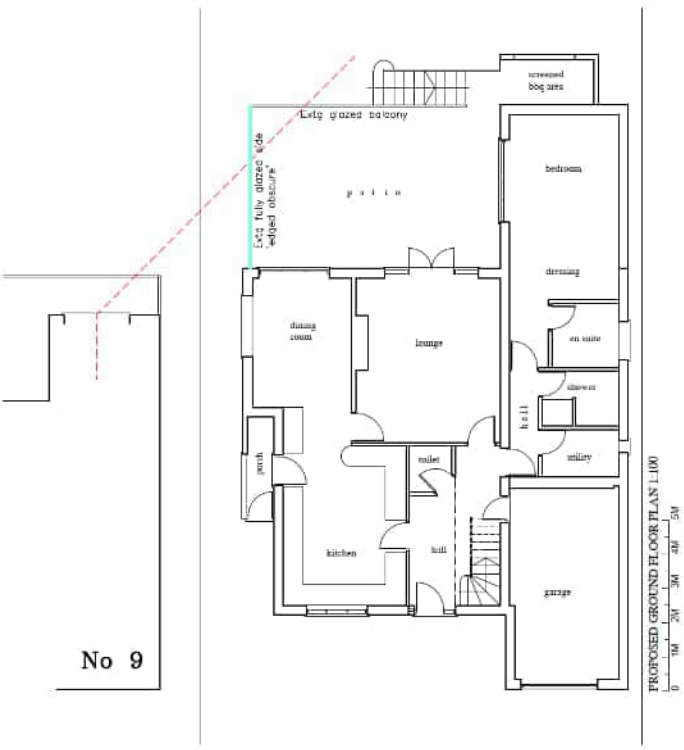
January 2022

Existing Plans and Elevations

client
MR & MRS. LOCKLEY
7 The Pines
Sitting Hill
W15 2JF

contract
PROPOSED
GROUND FLOOR
REAR EXTENSION
January 2022
D R No
2022:05:01

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EXISTING REAR ELEVATION 1:100 No 9



EXISTING SIDE ELEVATION 1:100

No 9

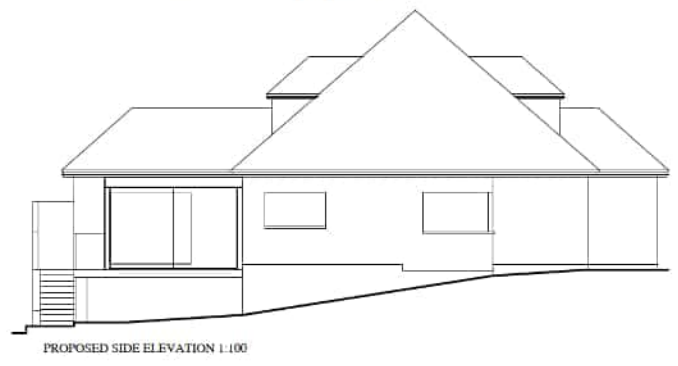
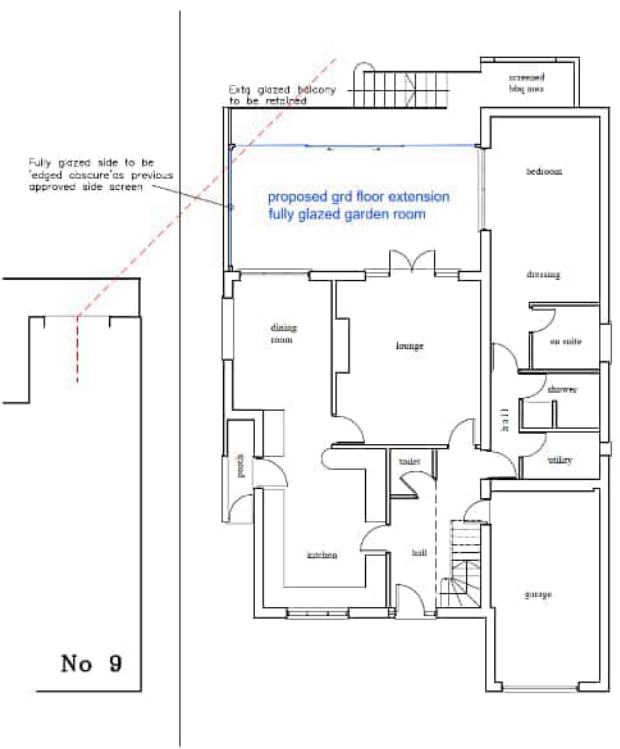
Proposed Plans and Elevations

client
MR & MRS. LOCKLEY
7 The Forge
Sitting Hill
W515 2JF

contract
**PROPOSED
GROUND FLOOR
REAR EXTENSION**
January 2022
D R N o
2022:05:02

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proposed grd floor plan
+ elevations 1:100
shown
to



Contact Officer:	Mike Nicholls
Telephone No:	07721 235 556

<p>Planning Control Committee</p> <p>20 April 2022</p>
--

Application No:	CH/22/0038
Received:	01-Feb-2022
Location:	7, The Pingle, Slitting Mill, Rugeley, WS15 2UR
Parish:	Rugeley CP
Ward:	Etching Hill and The Heath
Description:	Rear ground floor extension
Application Type:	Full Planning Application

Recommendation

Approve Subject to Conditions

Reason(s) for Recommendation:

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

Conditions (and Reasons for Conditions):

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

Reason

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

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

Site Plan

2022:05:02 Proposed Ground Floor Rear Extension

Reason

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

3. The proposed obscured glazing facing no 9 The Pingle as shown on drawing 2022:05:02 shall be retained and maintained as such for the life of the development.

Reason

To ensure that the development does not give rise to overlooking of adjoining property injurious to the reasonable privacy of the occupiers and to ensure compliance with Local Plan Policies CP3 Chase Shaping - Design, and the NPPF.

Notes to Developer:

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

Consultations and Publicity

Internal Consultations

None issued.

External Consultations:

Rugeley Town Council

No response received

Response to Publicity

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

Relevant Planning History

CH/11/0063: Replacement of roof with new roof with raised height incorporating dormers. Full approval with conditions 06/03/2011

CH/14/0318: Replacement garage and extension to patio area. Full approval with conditions 10/16/2014

For No. 9 The Pingle

CH/21/0276: Extension to raised decking, steps and balustrade to the rear. Full approval 08/18/2021

1 Site and Surroundings

- 1.1 The application relates to a split-level detached dormer bungalow (7, The Pingle) toward the end of The Pingle cul-de-sac. The rear of the property faces due west and the land at the rear is approx. 2m lower than the front of the bungalow. The property has an existing raised deck at the rear with a 2m high frosted glass screen on the elevation facing no.9 The Pingle (see CH/14/0318).
- 1.2 The dwelling falls within the Slitting Mill settlement, south of the main built-up area of Rugeley. The property falls within wider areas designated as an Area of Outstanding Natural Beauty; Mineral Consultation Area; Coal Mining Low Risk Area; and the Local Plan 2014 Settlement Boundary.
- 1.3 The neighbouring house at no. 9 The Pingle has permission for an extension to raised decking, steps and balustrade to the rear and this is currently under construction (see CH/21/0276 above).
- 1.4 The application is before your Committee as the applicant is related to an employee of the Council.

2 Proposal

- 2.1 The applicant is seeking permission for a ground floor extension at the rear. This would in effect enclose the existing patio area and turn it into a garden/sun room. The applicants state that this is required due to the recent removal of trees on land to the west which has resulted in significantly increased exposure to windy conditions and the patio area becoming less useable.
- 2.2 The new structure would measure approx. 7.5m wide, 3.8m deep and 2.6m high to a flat roof. As stated, the proposed garden room would enclose the existing raised patio and no additional floorspace would result. The existing obscure glazing facing no 9 The Pingle would be retained.

3 Planning Policy

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

Cannock Chase Local Plan (Part 1)

Relevant policies within the Local Plan include: -

CP3 - Chase Shaping – Design

Minerals Local Plan for Staffordshire (2015 – 2030)

Relevant policy in the Minerals Plan includes: -

Policy 3.2 Mineral Safeguarding

3.3 National Planning Policy Framework

3.4 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.

3.5 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.6 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

111: Highway Safety and Capacity

126, 130, 132, 134: Achieving Well-Designed Places

218, 219 Implementation

3.7 Other relevant documents include: -

(i) Design Supplementary Planning Document, April 2016.

(ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.

(iii) Manual for Streets.

4 Determining Issues

4.1 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.

4.2 Principle of the Development

4.2.1 The application seeks to extend an existing dwelling within an established residential area. As such the principle of the proposed development is acceptable subject to the considerations set out below.

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

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

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

4.3.2 Relevant policies within the NPPF in respect to design and achieving well-designed places include paragraphs 126, 130, 132, 134. Paragraph 126 makes it clear that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

4.3.3 Paragraph 130 of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.4 Finally Paragraph 134 states

'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance

and supplementary planning documents such as design guides and codes; and/or

- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.'

4.3.5 Furthermore, paragraph 176 of the NPPF states 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues'.

4.3.6 Appendix B of the Design SPD sets out clear expectations and guidance in respect to extensions to dwellings.

4.3.6 The proposed extension would enclose the existing raised patio and the 2m high glass panels facing no 9. are to remain. The extension cannot be viewed from a public area and being single-storey, is appropriate in scale and massing to both the host property and to neighbouring dwellings. It is considered that the simple flat roof design and modest appearance would be an attractive and functional addition to the dwelling, whilst having a neutral impact on the character and form of the area.

4.3.7 Therefore, having regard to Policy CP3, the Council's Design SPD and paragraph 176 of the NPPF, it is considered that the proposal would be acceptable in terms of its impact on the character and form of the area and the wider AONB.

4.4 **Impact on Residential 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 on to include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.

4.4.2 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.

4.4.3 The main issues in this case are the potential for overlooking and loss of light to neighbouring dwellings and whether the proposal would appear overbearing.

4.4.4 In respect of overlooking, the application property already has a raised balcony with obscured glazed panels facing the neighbour at no. 9 The Pingle. The proposed garden room would retain these glazed panels and the proposals would therefore have no additional adverse impact on overlooking or privacy. In the event of permission being granted, a condition should be imposed to ensure the obscured glazing is retained.

4.4.5 In terms of loss of the light, the proposed garden room would be approx. 600mm higher than the existing obscured glazed panels and this would have no significant

adverse effect in terms of loss of light to no. 9. Similarly, it is considered that the resultant structure would not be overbearing in nature.

4.4.6 In light of the above it is considered that the proposed garden room would not have any significant adverse impact on the amenity of occupiers of adjacent dwellings. It is therefore considered that the design of the proposal is acceptable and that it would meet the requirements of the NPPF, Policy CP3 and the Council's Design SPD.

4.5 Impact on Highway Safety

4.5.1 Paragraph 111 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 existing parking situation would not be affected by the proposals which are situated at the rear of the dwelling and consequently there would not be any unacceptable impacts on highway safety or the wider road network.

4.6 Mineral Safeguarding

4.6.1 Part of the site falls within a Mineral Safeguarding Area (MSAs). Paragraph 212, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), aim to protect mineral resources from sterilisation by other forms of development.

4.6.2 Policy 3.2 of the 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.

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

5 Human Rights Act 1998 and Equalities 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 of 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 adverse harm to acknowledged interests and is therefore in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions.