

Your ref
Our ref WJ
Ask for Wendy Johnson
Email wendy.johnson@lichfielddc.gov.uk



District Council House, Frog Lane
Lichfield, Staffordshire WS136YU

Customer Services 01543 308000
Direct Line 01543 308075

8th September 2017

Dear Sir/Madam

PLANNING COMMITTEE

A meeting of the above mentioned Committee has been arranged to take place on **MONDAY 18th SEPTEMBER 2017 at 6.00 pm** in the **Council Chamber, District Council House, Lichfield** to consider the following business.

Access to the Council Chamber is either via the Members' Entrance or main door to the vestibule.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner'.

Director of Transformation & Resources

Neil Turner BSc (Hons) MSc

To: **Members of Planning Committee**

Councillors Smedley (Chairman), Marshall (Vice-Chairman), Mrs Allsopp, Awty, Mrs Bacon, Mrs Baker, Bamborough, Mrs Barnett, Cox, Drinkwater, Mrs Evans, Mrs Fisher, Miss Hassall, Humphreys, Matthews, Powell, Pritchard, Miss Shepherd, Mrs Stanhope MBE, Strachan, A. Yeates

A G E N D A

1. Apologies for absence
2. Declarations of Interest
3. To approve as a correct record the Minutes of the Meeting held on Monday 21st August 2017 (copy attached)
4. Planning Applications (copy attached)

(A copy of the Council's "Strategic Plan at a Glance" is enclosed for information)



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PLANNING COMMITTEE

21 AUGUST 2017

PRESENT:

Councillors Smedley (Chairman), Marshall (Vice-Chairman), Awty, Mrs Baker, Bamborough, Mrs Barnett, Cox, Drinkwater, Mrs Evans, Miss Hassall, Powell, Pritchard, Miss Shepherd, Mrs Stanhope MBE, Strachan and A. Yeates.

1. **(APOLOGIES FOR ABSENCE** were received from Councillors Mrs Allsopp, Mrs Bacon, Mrs Fisher, Councillor Humphries and Councillor Matthews)

2. **DECLARATIONS OF INTEREST:**

Councillor Mrs Evans – Personal Interest in Application 17/00280/FULM as she lives opposite side of the road to the site.

Councillor Awty – Personal Interest in Application 17/00280/FULM as he is a member of the Board on Cannock Chase Area of Outstanding Natural Beauty Joint Committee.

3. **MINUTES:**

The Minutes of the Meeting held on 24 July 2017 and previously circulated were taken as read, approved as a correct record and signed by the Chairman.

4. **DECISIONS ON PLANNING APPLICATIONS:**

Applications for permission for development were considered with the recommendations of the Director of Place and Community and any letters of representation and petitions together with a supplementary report of observations/representations received since the publication of the agenda in association with Planning Applications 17/00280/FULM, 17/00540/FULM and 17/00906/FUL.

5. **17/00280/FULM – ERECTION OF AGRICULTURAL BUILDING AND CONTINUED USE OF PART OF LAND FOR DOG AGILITY TRAINING
LAND OPPOSITE 138-188 CHORLEY ROAD, BURNTWOOD, STAFFORDSHIRE
FOR MR A BENNETT**

RESOLVED: That planning permission be approved subject to the conditions contained in the report of the Director of Place and Community.

6. **17/00540/FULM – CONSTRUCTION OF NEW EVENTS PAVILION COMPRISING EVENT FUNCTION ROOMS, KITCHEN, WC FACILITIES, BAR, SYNDICATE AND MEETING ROOMS, EVENTS OFFICE AND ANCILLARY FACILITIES; SERVICE YARD; AND ASSOCIATED HARD AND SOFT LANDSCAPING. THE NATIONAL MEMORIAL ARBORETUM, CROXALL ROAD, ALREWAS FOR THE NATIONAL MEMORIAL ARBORETUM**

RESOLVED: That planning permission be approved subject to the conditions contained in the report of the Director of Place and Community.

7. **17/00906/FUL – ERECTION OF 1NO. TROLLEY BAY IN CONNECTION WITH RETAIL STORE APPROVED UNDER 16/01294/FULM LAND AT BIRMINGHAM ROAD, LICHFIELD, STAFFORDSHIRE FOR DEVELOPMENT SECURITIES (LICHFIELD) LTD.**

RESOLVED: That planning permission be approved subject to the conditions contained in the report of the Director of Place and Community.

(The Meeting closed at 7.27 pm)

CHAIRMAN

Planning Committee

18 September 2017

Agenda Item 4

Contact Officer: Claire Billings

Telephone: 01543 308171

Report of the Director of Place and Community

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT, 1985

All documents and correspondence referred to within the report as History, Consultations and Letters of Representation, those items listed as 'OTHER BACKGROUND DOCUMENTS' together with the application itself comprise background papers for the purposes of the Local Government (Access to Information) Act, 1985.

Other consultations and representations related to items on the Agenda which are received after its compilation (and received up to 5 p.m. on the Friday preceding the meeting) will be included in a Supplementary Report to be available at the Committee meeting. Any items received on the day of the meeting will be brought to the Committee's attention. These will also be background papers for the purposes of the Act.

FORMAT OF REPORT

Please note that in the reports which follow

- 1 'Planning Policy' referred to are the most directly relevant Development Plan Policies in each case. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and saved policies of the Lichfield District Local Plan (1998) as contained in Appendix J of the Lichfield District Local Plan Strategy (2015).
- 2 The responses of Parish/Town/City Councils consultees, neighbours etc. are summarised to highlight the key issues raised. Full responses are available on the relevant file and can be inspected on request.
- 3 Planning histories of the sites in question quote only items of relevance to the application in hand.

ITEM 'A' Applications for determination by Committee - **FULL REPORT** (Gold Sheets)

ITEM 'B' Lichfield District Council applications, applications on Council owned land (if any) and any items submitted by Members or Officers of the Council. (Gold Sheets)

ITEM 'C' Applications for determination by the County Council on which observations are required (if any); consultations received from neighbouring Local Authorities on which observations are required (if any); and/or consultations submitted in relation to Crown applications in accordance with the Planning Practice Guidance on which observations are required (if any). (Gold Sheets)

AGENDA ITEM NO. 4

ITEM A

APPLICATIONS FOR DETERMINATION BY COMMITTEE: FULL REPORT

18 September 2017

CONTENTS

Page No.	Case No.	Site Address	Parish/Town Council
A1	17/00864/FUL	22 Gaiafields Road, Lichfield	Lichfield

ITEM B

LICHFIELD DISTRICT COUNCIL APPLICATIONS, APPLICATIONS ON COUNCIL OWNED LAND AND ANY ITEMS SUBMITTED BY MEMBERS OR OFFICERS OF THE COUNCIL

CONTENTS

B1	17/00573/FULM	Former What Store, Cross Keys, Lichfield	Lichfield
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Lichfield
district council

www.lichfielddc.gov.uk

District Council House
Frog Lane
Lichfield
Staffs
WS13 6YY

Telephone: 01543 308000
enquiries@lichfielddc.gov.uk

LOCATION PLAN

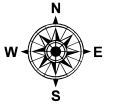
17/00864/FUL
22 Gaiafields Road
Lichfield
Staffordshire

Scale: 1:750

Dated: September 2017

Drawn By:

Drawing No:



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Lichfield
district council

www.lichfielddc.gov.uk

District Council House
Frog Lane
Lichfield
Staffs
WS13 6YY

Telephone: 01543 308000
enquiries@lichfielddc.gov.uk

BLOCK PLAN

17/00864/FUL
22 Gaiafields Road
Lichfield
Staffordshire

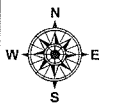
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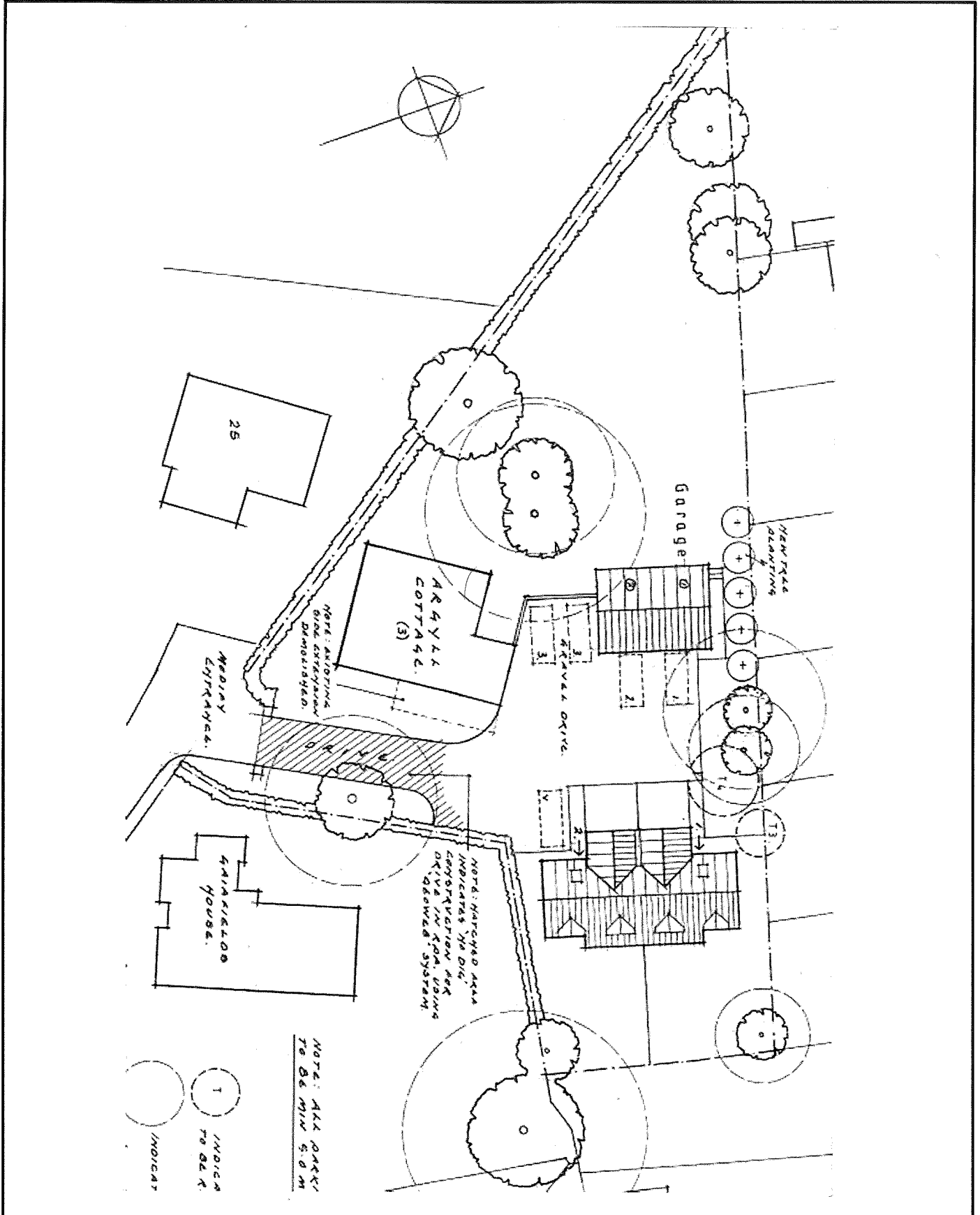
September 2017

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17/00864/FUL

ERECTION OF 2NO THREE BEDROOM DWELLINGS WITH DETACHED GARAGE AND ASSOCIATED WORKS.

22 GAIAFIELDS ROAD, LICHFIELD

FOR MR E WOODALL

Registered on 23/6/17

Parish: Lichfield

Note: This application is being reported to the Planning Committee following significant objections from Lichfield City Council. Their grounds of objection are:

- The subdivision of the plot would detract from the character and environmental quality of the area, and harm the living conditions of neighbouring residents resulting on loss of amenity;
- A conflict between traffic and pedestrians, especially school children, since the proposed access is off the narrow part of Gaiafields Road which has no pavement; and
- The loss of established protected trees.

RECOMMENDATION: Approve, subject to conditions:

CONDITIONS:

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.

CONDITIONS to be complied with PRIOR to the commencement of development hereby approved:

3. Before the development hereby approved is commenced, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) External materials to be used in the construction of the walls and roofs;
 - b) External lighting; and
 - c) Boundary treatment.

The development shall thereafter be implemented in accordance with the approved details.

4. Notwithstanding the details shown on the approved plans, before the development hereby approved including any demolition and / or site clearance works is commenced or any equipment, machinery or materials is brought onto site, full details of protective fencing and/or other protective measures to safeguard existing trees and/or hedgerows on the site shall be submitted to and approved in writing by the Local Planning Authority. The agreed tree/hedge protection measures shall be installed prior to commencement of demolition in accordance with the British Standard 5837:2012 and retained for the duration of construction (including any demolition and / or site clearance works), unless otherwise agreed in writing by the Local Planning Authority. No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or

passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment; machinery and surplus materials have been removed.

5. Before the development hereby approved is commenced, a method statement, including materials to be used and construction details for a 'no-dig' driveway, shall be submitted and approved in writing by the Local Planning Authority. Development shall thereafter take place in full accordance with the approved method statement.
6. Before the development hereby approved is commenced, drainage details for the disposal of foul and surface water flows shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the development.
7. Before the development hereby approved is commenced, a Landscape and Habitat Creation Scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved Scheme shall identify the opportunities for biodiversity enhancement on site in order to provide a net gain to biodiversity and shall include, but not limited to:
 - Bat bricks/boxes;
 - Bird boxes; and
 - Native tree and shrub planting.

The approved scheme shall be implemented in accordance with the approved details prior to first occupation of the dwellings.

All other CONDITIONS to be complied with:

8. Before the development hereby approved is first brought into use, the access, parking and turning areas shall be provided in accordance with the Site Layout Plan (Drawing No. 16.02 01 D) and shall thereafter be retained as such.
9. Before the development hereby approved is first brought into use, the access drive rear of the public highway shall be surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m.
10. Any access gates attached to the development shall be sited a minimum distance of 5m from the site boundary and only open inwards away from the public highway.
11. Prior to any works above slab level, details of the finished floor levels of the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
12. The first floor bathroom windows in the side elevations facing the common boundaries with Gaiafields House and 23 Dimbles Hill shall be fitted with, and permanently glazed, in textured glass whose obscuration level is at least 3 on the Pilkington scale of 1-5 (where 1 is clear and 5 is completely obscure).
13. Notwithstanding the details shown on the approved plans, the development hereby approved shall not be occupied until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details shall include full details of replacement tree planting, the formation of any banks, terraces or other earthworks, hard surfaced areas and materials, planting plans, specifications and schedules (including planting size, species, working regime and numbers/densities), existing plants / trees to be retained

and a scheme for the timing / phasing of implementation works.

14. The landscaping works shall be carried out in accordance with the approved scheme for timing / phasing of implementation or within 18 months of first occupation of the development hereby approved, whichever is the later.
15. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.
16. The development hereby approved shall be carried out in full accordance with the recommendations and methods of working detailed within the Summary and Recommendations of the Preliminary Ecological Appraisal dated 24th March 2017.

REASONS FOR CONDITIONS:

1. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
2. For the avoidance of doubt and in accordance with the applicant's stated intentions, in order to meet the requirements of Policy BE1 of the Local Plan Strategy and Government Guidance contained in the National Planning Practice Guidance.
3. To ensure that the external appearance of the development is physically well related to existing buildings and its surroundings, in accordance with Core Policy 3 and Policy BE1 of the Local Plan Strategy.
4. To ensure that no existing trees on the site which contribute towards the character of the area are damaged during the construction process, in accordance with the provisions of Policies BE1 and NR4 of the Local Plan Strategy.
5. To ensure the protection of the trees within the site which contribute towards the character of the area, in accordance with the requirements of Policies BE1 and NR4 of the Local Plan Strategy.
6. To ensure the provision of satisfactory means of drainage to serve the development, to reduce the risk of creating or exacerbating flooding problems and to minimise the risk of pollution in accordance with the provisions of Core Policy 3, and Policy BE1 of the Local Plan Strategy, Government Guidance contained in the National Planning Policy Framework and the Supplementary Planning Document: Sustainable Design.
7. To secure a net gain to biodiversity and enhance the nature conservation value of the site in accordance with the National Planning Policy Framework and the Biodiversity and Development SPD.
8. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework.
9. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework.
10. In the interests of highway safety, in accordance with Core Policies 3 and 5, Policy ST2 of the Local Plan Strategy and the National Planning Policy Framework.
11. To ensure that the external appearance of the development is physically well related

to existing buildings and its surroundings and to safeguard the amenity of surrounding residents in accordance with Core Policy 3 and Policy BE1 of the Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.

12. To safeguard the amenity of surrounding residents in accordance with Policy BE1 of the Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
13. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the area, in accordance with the requirements of Core Policies 3 and 13 and Policies NR4 and BE1 of the Local Plan Strategy.
14. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the area, in accordance with the requirements of Core Policies 3 and 13 and Policies NR4 and BE1 of the Local Plan Strategy.
15. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the area, in accordance with the requirements of Core Policies 3 and 13 and Policies NR4 and BE1 of the Local Plan Strategy.
16. To secure a net gain to biodiversity and enhance the nature conservation value of the site in accordance with the National Planning Policy Framework and the Biodiversity and Development SPD.

NOTES TO APPLICANT

- 1 The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and saved policies of the Lichfield District Local Plan (1998) as contained in Appendix J of the Lichfield District Local Plan Strategy (2015).
- 2 The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £28 for a householder application or £97 for any other application including reserved matters. Although the Local Planning Authority will endeavor to discharge all conditions within 21 days of receipt of your written request, legislation allows a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.
- 3 Please be advised that Lichfield District Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 19th April 2016 and commenced charging on the 13th June 2016. A CIL charge applies to all relevant applications. This will involve a monetary sum payable prior to commencement of development. In order to clarify the position of your proposal, please complete the Planning Application Additional Information Requirement Form, which is available for download from the Planning Portal or from the Council's website at www.lichfielddc.gov.uk/cilprocess.
- 4 The works required within condition 8 will require the relevant permit from Staffordshire County Council's Network Management Section. Please note that prior to the access being widened 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, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk)

- 5 The planning statement which accompanies the application states on page 3, para 1.4 that the existing dwelling is 'accessed by means of a private drive that also serves 23 and 25 Gaiafields Road. Staffordshire County Council Highways have advised that their records show that this is not a private drive and is adopted public highway up to the public footpath (Lichfield City 5) which links through to Dimbles Hill.
- 6 The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.
-

PLANNING POLICY

National Government Guidance

National Planning Policy Framework
National Planning Practice Guidance
Manual for Streets

Local Plan Strategy

Core Policy 1 - The Spatial Strategy
Core Policy 2 - Presumption in Favour of Sustainable Development
Core Policy 3 - Delivering Sustainable Development
Core Policy 5 - Sustainable Transport
Core Policy 6 - Housing Delivery
Policy SC1 - Sustainability Standards for Development
Policy IP1 - Supporting and Providing our Infrastructure
Policy ST1 - Sustainable Travel
Policy ST2 - Parking Provision
Policy H1 - A Balanced Housing Market
Policy BE1 - High Quality Development
Policy NR3 – Biodiversity, Protected Species and their Habitats
Policy NR4 – Trees, woodland and hedgerows
Policy NR7 – Cannock Chase Special Area of Conservation
Policy Lichfield 1 – Lichfield Environment
Policy Lichfield 4 – Lichfield Housing

Supplementary Planning Documents

Sustainable Design
Biodiversity and Development
Trees, Landscaping and Development

Neighbourhood Plan

Lichfield City Neighbourhood Plan (Draft)

RELEVANT PLANNING HISTORY

16/01412/FUL - Demolition of existing dwelling and erection of 2no 4 bedroom detached dwellings, detached garage block and associated works – Refused 09.02.17

15/00341/FUL - Demolition of existing dwelling and erection of 2no 5 bedroom houses and associated works – Refused 01.05.15 – Appeal Dismissed 9.11.15

CONSULTATIONS

Ecology Team: Initially the Ecology Team considered that further bat surveys may be required to be completed prior to the determination of this planning application however upon re-examination it is now evident that the applicants ecologist is satisfied via the evidence (or apparent lack thereof) gained via conducting a detailed visual assessment that it is unlikely that the building in question is utilised by bats as a place of shelter (roost) and that further bat assessment work alluded to in section 5.2.3 is precautionary and is in reference to the recommended presence of an Ecological Clerk of works being present either/and/or immediately prior to or at the time of the demolition of the existing building; further reducing the likelihood of the development causing harm to a bat to be negligible. Such an approach is welcomed by the Council's Ecology Team and no objections are raised. (09/08/17).

Previous comments received: The Ecology Team are satisfied with the majority of the approach, methodology and the information provided within the submitted Preliminary Ecological Appraisal as regards protected/priority species and habitats. However, as regards to bat roosting potential we do not concur with the conclusions of the ecological appraisal. The report notes that the house and garden gym did show some potential as roosting sites for bats and goes on to recommend that further surveys are conducted by a bat ecologist prior to demolition. Further bat surveys must be completed prior to any planning decision being made as the presence of a protected species is a material consideration. (20/07/17)

Environmental Health – No comments received to date.

Arboricultural Officer – Await further comments following receipt of additional landscaping detail submitted to address previous comments.

Previous comments received: Following a more detailed assessment of the tree reports and the plans, it has become clear that the trees proposed for removal (T3,4,5,6) are all TPO'd and only required for removal for development purposes and not on condition grounds.

Whilst this may in certain circumstances be acceptable, the requirements of the Policy NR4 do not allow for net loss of protected trees. This said, the plans show for 5 unnamed trees to be planted back, which would by and large discharge the net loss obligation mentioned. The issue that is now clear and wasn't appreciated previously is that the new trees are planted in a very small space adjacent to the proposed garages and of course in an entirely different position, thus removing the screening effect to a different location. The trees will not be able to achieve any great stature given their proximity to the new structures and cannot compensate for the loss of the Cypress as suggested.

Therefore, this proposal is not considered acceptable. (10/08/17)

Previous comments received: Concerns raised in the previous response of the 27th June 2017 has all been addressed sufficiently to withdraw the objection to this proposal, subject to appropriately worded condition ensuring tree protection is maintained during construction. (18/07/17)

Previous comments received: Site has a number of protected tree on it. As such the requirements of Policy NR4 are germane here and in respect of that the applicant has submitted a tree report from THC that is to the required 5837:2012 standard.

Although a tree report has been submitted concerned with level of detail and purpose of this report. Whilst it is entirely possible that the proposal will not unduly affect the trees the assessment of this is not possible as the development footprint has not been overlaid onto a

tree constraints plan with any meaningful intent. A site plan has been produced that shows the RPA's and the development incursion. As such, and until a detailed development plan is submitted that clearly shows the position and juxtaposition of the development in relation to the trees and the associated tree protection measures (including their indicated RPA's) a robust consideration of the proposal cannot be made and the scheme is objected to on the grounds of statutory tree protection. (27/06/17)

Staffordshire County Council Highways – No objections subject to conditions and informatives in relation to the parking and turning areas being provided prior to first use of the development and retained as such thereafter; the surfacing of the access drive to a minimum distance of 5m back from the public highway; and any access gates attached to the development are set 5m back and open inwards from the highway. The suggested conditions and informative have been attached. (04/08/17)

Severn Trent Water– No objections subject to the inclusion of conditions requiring the submission of a drainage scheme for approval of surface and foul water. (5/7/17)

Lichfield City Council - Recommend refusal for the following reasons:

- Subdivision of the plot would detract from the character and environmental quality of the area, and harm the living conditions of neighbouring residents resulting on loss of amenity;
- Conflict between traffic and pedestrians, especially school children, since the proposed access is off the narrow part of Gaiafields Road which has no pavement; and
- Loss of established protected trees. (20/07/17)

LETTERS OF REPRESENTATION

Letters of objection have been received from twelve different addresses. These letters raise the following concerns:

Principle of development:

- Development is unnecessary given so much building occurring all round Lichfield on spacious new sites;
- Removal of hedgerow to enlarge the size of the site access and the creation of a driveway access for the three units will create a driving/parking/turning space immediately next to Gaiafield House and along its garden area creating noise, pollution and disturbance to its garden and habitable rooms;
- No effort to refurbish existing dwelling; and
- Three houses on this one plot is not sustainable and should be retained for a single dwelling.

Highways:

- Increased traffic flow along a very narrow lane with no footpath;
- Increased traffic using the entrance to the site which is restricted;
- Safety of users of adjacent footpath for vehicles of future occupiers as well as increased delivery and service vehicles;
- Impact on condition of road and footpath;
- Disruption to the cut through during construction works; and
- Lack of parking for retained dwelling.

Trees and ecology:

- Environmental impacts of taking down trees and covering more of the garden with dwellings/garages and impact on wildlife and birds;
- The owners have used chemicals to kill existing grassed area to the west of the site, this area is to be retained as garden so why has the vegetation been killed. It is

hoped this has not affected the TPO trees in this part of the garden;

- Loss of Trees;
- A TPO should protect the trees and the council should not rely on the opinion of one assessor employed by the planning applicant to say they are in poor condition;
- Lack of care of existing site and foliage etc, damage to neighbouring fences due to overgrown state of the site. Trespassers, vandalism, theft and nuisance caused by applicant's neglect of the site; and
- Impact on ecology and suitability of the submitted ecology report.

Residential Amenity:

- Loss of privacy to residents along Dimbles Hill;
- Loss of outlook and shadowing;
- Loss of tranquillity and feeling of calmness and serenity which is currently felt sitting in the back garden surrounded by trees and shrubs;
- Increased noise;
- Two dwellings are now to be squeezed onto an area of one of the previous larger houses which was judged to be too big for the same area of land;
- Location of parking spaces and garage close to boundary with Dimbles Hill properties and impact of noise and fumes and threat to health on existing residents who suffer from asthma and other health issues; and
- The dwellings and garage are too close to the boundary with properties along Dimbles Hill and Gaiafields House.

Other issues:

- The owner is looking to make a profit while not having to live with the consequences;
- The existing dwelling should just be retained and renovated with or without extensions;
- Subdivision of the site would be detrimental to the character and environmental quality of the area; and
- Drainage.

Five letters of support have also been received. These letters raise the following comments:

- The houses appear to be of good design;
- The site is a good location for new housing as local services are easily accessible by foot or public transport, without creating strain on existing roads;
- The development would greatly improve the appearance of the site and the character of this part of Gaiafields Road, which is a good location for new homes, as it is only a ten minute walk into Lichfield Town Centre; and
- New properties would enhance the area and make lives much happier.

A further letter has been received from Cllr Paul Ray. He is concerned with the proximity of the new dwelling to existing boundaries and the capacity of the existing access to cope with additional traffic.

OBSERVATIONS

Site and Location

This application relates to a large site which currently comprises a dormer bungalow known as Argyll set within a generous curtilage. The property is currently vacant and the surrounding site is unkempt although was undergoing some tidying works at the time of the case officers site visit.

There are a number of domestic outbuildings and greenhouses within the curtilage of the site which would be demolished in order to accommodate the proposed development. The existing dwelling is proposed to be retained. The immediate surrounding area is residential in nature with a mix of house types and styles. The properties to the north of the site, along

Dimbles Hill are set at a lower level to the application site and fencing approximately 1.8m in height is present along this common boundary. The application site also wraps around the western and northern boundaries of the adjacent dwelling, Gaiafields House. There are a number of trees within the site which are protected by Tree Preservation Orders (TPO 231-2003 and TPO 5- 1966).

The site is accessed off the northern end of Gaiafields Road and as well as the existing property it serves numbers 23 and 25 Gaiafields Road. The access road has a narrow width and is an adopted public highway up to the public footpath (Lichfield City 5) which runs adjacent to the western boundary of the site and links through to Dimbles Hill.

Background

The site has been subject to a number of applications for residential development within recent times.

Two applications were received in 2004 for residential development on this site the first application (04/00231/FUL) proposed the erection of three four bedroom dwellings each with a detached double garage. Permission was refused on 19 July 2004 for two reasons in relation to the potential conflicts that may arise as a result of the location of the site access adjacent to a well-used public footpath and the generation of increased traffic movements associated with the development; and the loss of mature trees.

The second application (04/00920/FUL) proposed the erection of two four bedroom dwellings each with a detached double garage. Planning permission was refused on 29 September 2004 for two reasons in relation to the subdivision of the plot detracting from the character and environmental quality of the area; and the potential for increased pedestrian and vehicular conflict.

In 2015 an application was received (15/00341/FUL) for the demolition of the existing property and the erection of 2 No.5 bed dwellings. The application was refused on 1 May 2015 for two reasons relating to over-development of the plot and having an unacceptable detrimental impact upon the character and appearance of the surrounding area and the relationship between the retained trees and the proposal resulting in an unacceptable level of residential amenity for future occupiers; unacceptable loss of protected mature trees.

Consequently an appeal was submitted against this refusal and was subsequently dismissed by the Planning Inspectorate on 9 November 2015. The Inspector concluded that: "The harm to the living conditions of the residents of the neighbouring properties would in itself, outweigh the benefits put forward in support of the proposal. The loss of the protected tree, which would result in harm to the wider area, provides further weight against the development. As the matters in favour of the proposal do not outweigh my concerns, I dismiss the appeal."

Finally in 2016 an application was received (16/01412/FUL) for the demolition of the existing dwelling and erection of 2no 4 bed detached dwellings, detached garage block and associated works. The application was refused on 9th February 2017 for three reasons relating to the development not being in keeping with the form and character of the area and the relationship to retained trees resulting in an unacceptable level of residential amenity for future occupiers; unacceptable loss of protected mature trees; insufficient information in relation to protected and priority species. It is following this decision that the applicant has submitted this present application which seeks to overcome these previous reasons for refusal.

It is also necessary to note that since the 2004 applications, the Lichfield District Local Plan Strategy 2015 has been adopted and as such, the assessment of the current application is based around the Local Plan Strategy 2015.

Proposals

Permission is sought for the erection of 2no. three bedroom semi-detached dwellings together with a detached garage and associated works.

The existing access would be retained but widened to allow vehicular access down the side of the existing dwelling which would be retained, adjacent to the common boundary with Gaiafields House to the proposed new dwellings and detached garage.

The proposed new dwellings would be located within the area of the site which extends round to the rear of Gaiafields House and would be sited between the northern boundary of the site which is shared with the properties along Dimbles Hill and the part of the southern boundary of the site which is shared with the property at Gaiafields House.

Each dwelling would accommodate a living room, dining room, kitchen, w/c and utility at ground floor level and three bedrooms (one with en suite) and a bathroom at first floor level . The dwellings would be two storey with a large pitched roof. Accommodation at first floor level would be served by dormers in the rear roof space as well as two storey elements on the front elevation. The dwellings would have a maximum height of approximately 7.5m (excluding the chimneys) and the pair would have a maximum width of approximately 14.6m and a maximum depth of approximately 8.6m.

To the front of the dwellings would be a parking/turning area with a detached double garage beyond. The detached garage would be open fronted and would incorporate a pitched roof which would slope upwards from the front and rear elevations with a maximum height of approximately 3.9m.

Determining Issues

- 1) Principle of Development
- 2) Design and Layout
- 3) Residential Amenity
- 4) Highways and Parking
- 5) Biodiversity
- 6) Trees
- 7) Other Issues
- 8) Human Rights

1 Principle of Development

1.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for Lichfield District comprises the Lichfield District Local Plan (1998) (saved policies) and the Local Plan Strategy 2008-2019.

1.2 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and within the Ministerial Foreword, it states "*development that is sustainable should go ahead, without delay*". Therefore consideration has to be given to whether this scheme constitutes a sustainable form of development and whether any adverse impacts would significantly and demonstrably outweigh the benefits it would deliver.

1.3 Paragraph 7 of the NPPF provides a definition of sustainable development, identifying that there are three separate dimensions to development, namely its economic, social and environmental roles.

- 1.4 Paragraphs 49 and 50 of the NPPF advise that housing applications should be considered in the context of the presumption in favour of sustainable development and that housing policies within the Local Plan should only be considered up to date if the Local Planning Authority is able to demonstrate a five year supply of housing.
- 1.5 The supply of housing land is regarded as having a social and economic role and in order to significantly boost the supply of housing. The NPPF requires that Councils should identify and update annually a supply of specific deliverable sites sufficient to provide five years delivery of housing provision. In addition, a buffer of 5% (moved forward from later in the plan period) should also be supplied, to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
- 1.6 Lichfield District Council's latest published housing land supply position is set out within the SHLAA 2014 Addendum at table 3.2. It was evidenced that at that point there was a 6.48 year housing land supply. The appeal decision issued by the Secretary of State for the Land North East of Watery Lane, Curborough (reference APP/K3415/A/14/2224354) issued on the 13 February 2017, advised that there is now a 5.11 year supply of housing land within Lichfield District.
- 1.7 Given that the Council can demonstrate a 5 year housing supply, it falls for this scheme to be considered, in the first instance, against the Policies contained within the Council's Development Plan.
- 1.8 The NPPF defines Previously Developed Land as, land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This definition excludes private residential gardens.
- 1.9 The application relates to an existing dwelling and its curtilage with two dwellings proposed to be erected within the garden area. As such it is considered that the site is excluded from the definition of previously developed land as detailed within the NPPF and is considered to be greenfield land.
- 1.10 While the NPPF states that the effective use of land should be encouraged by re-using land that has been previously developed, it does not promote a sequential approach to land use and there is no presumption that Greenfield sites are unsuitable for development per se. The presumption in favour of sustainable development is an important part of the NPPF and it is noted that delivery of sustainable development is not restricted to the use of previously developed land and can include the development of greenfield land.

Local Plan Strategy

- 1.11 The Lichfield District Local Plan Strategy was adopted on 17th February and now comprises the Development Plan. The spatial strategy for the District, set out in Core Policy 1 includes development focused on Lichfield City including sites within the existing urban area. Core Policy 6 further supports the focus of development on key urban and key rural centres, with Lichfield City considered as the most sustainable settlement within the District. Policy Lichfield 4 'Lichfield Housing' states that approximately 38% of the District's housing growth will be provided within Lichfield with around 46% of this located within the existing urban area.

- 1.12 Core Policy 3: Delivering Sustainable Development states that the District Council will require development to contribute to the creation and maintenance of sustainable communities, and sets out key issues which development should address.
- 1.13 The application site is located within the sustainable settlement of Lichfield and is within an established residential area. As such there is no objection to the general principle of developing this greenfield site for residential purposes subject to compliance with other relevant planning policies discussed below.

2 Design and Layout

- 2.1 Paragraph 50 of the NPPF sets out that Local Planning Authorities should deliver a wide choice of high quality homes and create sustainable, inclusive and mixed communities. Core Policy 3 of the Local Plan Strategy states that development should contribute to the creation and maintenance of sustainable communities, should protect and enhance the character and distinctiveness of Lichfield District and its settlements and be of a scale and nature appropriate to its locality, amongst other provisions.
- 2.2 Policy BE1 of the Local Plan Strategy requires new development to carefully respect the character of the surrounding area and development in terms of layout, size, scale, architectural design and public views. Policy H1 of the Local Plan Strategy sets out that the Council will actively promote the delivery of smaller properties including two bed apartments and two and three bed houses to increase local housing choice and contribute to the development of mixed and sustainable communities.
- 2.3 The overall mass of the development has been reduced since the previous 2016 refused application, and its design amended to assimilate better within the locality. The plot size and scale of development to amenity space is considered to be consistent with the character of the surrounding area and adequate private garden area would also be provided for the retained dwelling.
- 2.4 The dwellings would be of traditional design and would incorporate projecting front gables and pitched roof dormers to rear. The proposed dwellings and garaging would be constructed of red brick with a plain tiled roof. The siting of the proposed development towards the rear of the site means that it would not be highly visible within the street scene, however it is considered that the design and appearance of the dwellings and garaging is of good quality and are appropriate within this setting with the proposed dwellings also incorporating a number of design details that are common place within the locality.
- 2.5 Although no specific densities are set out in the policy, it does state that where appropriate, higher density provision will be sought, focused around the most sustainable centres to assist in the provision of smaller units to meet a diverse range of housing needs.
- 2.6 The site extends to approximately 0.2 hectares and should the application be approved then the plot would accommodate a total of three dwellings (including the dwelling to be retained) at a density of 15 dph. Whilst this is on the lower side it is considered to be in keeping with the established character of the area.
- 2.7 Site design includes access to the new properties which would be taken from the existing access point, albeit this would be altered and would provide a driveway down to the parking and turning area to the front of the proposed garage, without compromising acceptable levels of amenity space.
- 2.8 Consequently, it is considered that the proposed development would be in keeping with the form and layout of the surrounding area and accords with the requirements

of the Lichfield Local Plan Strategy 2015, the Sustainable Design SPD and the NPPF.

3 Residential Amenity

- 3.1 The Sustainable Design SPD includes recommendations for space about dwellings and amenity standards in order to ensure privacy is preserved. These include a minimum distance separation of 21m between facing principal windows; 10m from first floor windows to boundaries shared with neighbours' private amenity space; 6m from ground floor windows to site boundaries except where no overlooking is demonstrated; and a minimum of 13m between principal windows and blank two storey elevations of neighbouring dwellings.
- 3.2 Habitable rooms within the proposed dwelling would be served by windows in the main front and rear elevations. Private rear garden areas would be provided to the rear of the dwellings and would be approximately 81m² in size which accords with the requirements of the Sustainable Design SPD that requires gardens for dwellings with three bedrooms to be a minimum of 65m².
- 3.3 There would be no habitable room windows in the side gables of the proposed dwellings. There would be a utility door at ground floor level and a bathroom window at first floor level. Existing boundary treatments along the north and south boundaries of the site would provide adequate screening at ground floor level. A condition has been recommended requiring the first floor bathroom windows to be obscure glazed in order to prevent any privacy issues. As such it is not considered that the proposed dwellings would result in an unacceptable loss of privacy.
- 3.4 The side gables of the proposed dwellings would retain a distance of approximately 18m from the main rear elevation of the adjacent dwellings along Dimbles Hill. The dwellings would retain a distance of approximately 14m from the car port at Gaiafields House and approximately 20m from the first floor bedroom window in its northern elevation. These separation distances accord with the requirements of the Sustainable Design SPD. The difference in levels between the application site and the properties on Dimbles Hill is noted, however given the separation distances involved it is not considered that outlook from within the dwellings would be unacceptably harmed. This is consistent with the Planning Inspectors view on the previous appeal decision (15/00341/FUL) which raised no privacy issues in relation to the dwelling that was proposed in a similar location to that of this current application.
- 3.5 The Planning Inspector's decision in 2015, did raise impacts on the adjacent garden areas to the north and south of the site (Dimbles Hill and Gaiafields) as an issue. However, it is noted that the most recent refused application (16/01412/FUL) proposed a dwelling in a similar location to that proposed under this application and privacy and overbearing impacts were not included as a reason for refusal and the amenity section of the report concludes that the development is not considered to impact upon the amenity of neighbouring residents.
- 3.6 That said, in terms of this current application, the side gables of the proposed dwellings and garage to the common boundary with the properties along Dimbles Hill would be between approximately 2m and 3m and the other side gable of the dwellings would retain approximately 1.8m-2m from the common boundary with Gaiafields House. In addition it is acknowledged that the overall footprint has been reduced since the previous refused application and the span of the side gables directly adjacent to the common boundaries have been reduced with projecting front and rear elements set further away from common boundaries.
- 3.7 The previous refused application raised issues with regards to the proximity of the proposed dwellings to the retained trees in that this would lead to an unacceptable

level of amenity for future occupiers. This is acknowledged, however the layout of the proposed dwellings is such that the windows located closest to the retained trees are non-habitable rooms (WC at ground floor and roof light serving en-suite above with a bathroom window in the side gable) with the habitable room windows being located more centrally within the building.

- 3.8 The habitable room windows in the rear elevation would retain a distance of approximately 9m to the boundary of the site. Whilst this is slightly less than the 10m normally required by the Sustainable Design SPD it is a similar distance to that of the previous application which whilst refused did not include privacy or proximity of habitable room windows to the common boundary with 19 Dimbles Hill as a reason for refusal and this was also not considered by the Planning Inspector to be unacceptable.
- 3.9 As such it is not considered that the proposed development would result in an unacceptable detrimental impact on the occupiers of surrounding residential dwellings and would provide future occupiers with an acceptable level of amenity. Consequently, the development would accord with the Development Plan and the NPPF in this regard.

4. Parking and Highways

- 4.1 Policy ST2 of the Local Plan Strategy states that parking should be in accordance with the 'Sustainable Design' SPD which sets out that 3 bedroom dwellings should be provided with 2 spaces. The submitted plans indicate that the proposed detached double garage would provide one parking space for each of the new dwellings which would each be served by a further space to the front of the garage. Sufficient turning space would be retained between the dwellings and the proposed garage to enable vehicles to enter and leave in a forward gear.
- 4.2 Staffordshire County Council Highways have raised no objection to the proposed access arrangements subject to conditions and informatives in relation to the parking and turning areas; the surfacing of the access drive; and that any access gates are set 5m back and open inwards from the highway. It is noted that there are currently no access gates proposed however a condition has been recommended should any be proposed in the future. Gates up to 1m in height could be erected without the need for planning permission and as such this will ensure they are still set back from the entrance.
- 4.3 It is noted that whilst the planning statement which accompanies the application states that the existing dwelling is 'accessed by means of a private drive that also serves 23 and 25 Gaiafields Road, Staffordshire County Council Highways have advised that their records show that this is not a private drive and is adopted public highway up to the public footpath (Lichfield City 5) which links through to Dimbles Hill. An informative is recommended to advise the applicant of this.
- 4.4 The objections raised by local residents with regards to increased traffic flow; increased use of the access as well as the condition of the road and footpath are acknowledged, however given the small scale nature of the development i.e. that only two houses are proposed, together with the fact there is already an established access to the site and along with the lack of objection from Staffordshire County Council Highways it is considered that it would be difficult to substantiate a reason for refusal on highway grounds.
- 4.5 Therefore it is considered that the proposed development would not result in an unacceptable impact on the highway network. As such, the proposals would accord with the Development Plan and NPPF in this regard.

5 Biodiversity

- 5.1 To comply with the guidance contained within Paragraphs 9, 108 and 118 of the NPPF and the Council's biodiversity duty as defined under section 40 of the NERC Act 2006, new development must demonstrate that it will not result in the loss of any biodiversity value of the site.
- 5.2 Due to the Local Planning Authorities obligation to "*reflect and where appropriate promote relevant EU obligations and statutory requirements*" (Paragraph 2 of NPPF) the applicant must display a net gain to biodiversity value, through development, as per the requirements of the EU Biodiversity Strategy 2020. Furthermore, producing a measurable net-gain to biodiversity value is also made a requirement of all developments within Lichfield District under Policy NR3 of the Lichfield District Local Plan Strategy.
- 5.3 The application is supported by a Preliminary Ecological Appraisal which has been reviewed by the Council's Ecology team. The Council's Ecologist advises that following the submission of clarifying information in relation to bats, that the development be undertaken in accordance with the recommendations of this report, which will ensure compliance with the abovementioned legislation and policies and therefore the development is considered appropriate.
- 5.4 A positive ecological impact, as required by Local Plan Strategy Policy NR3 and the Biodiversity and Development Supplementary Planning Document will be achieved within this site through the installation of boxes within the development, along with the planting of the landscaping scheme which is recommended to be secured via condition. The net gain in biodiversity should be attributed appropriate material weight as per the guidance of Paragraph 188 of the NPPF. Subject to compliance with this condition the development accords with the requirements of the NPPF and Development Plan with regard to ecological considerations.
- 5.5 The agreed strategy for the Cannock Chase SAC is set out in Policy NR7 of the Council's Local Plan Strategy, which requires that before development is permitted, it must be demonstrated that in itself or in combination with other development it will not have an adverse effect whether direct or indirect upon the integrity of the Cannock Chase SAC having regard to avoidance or mitigation measures. In particular, dwellings within a 15km radius of any boundary of Cannock Chase SAC will be deemed to have an adverse impact on the SAC unless or until satisfactory avoidance and/or mitigation measures have been secured.
- 5.6 Subsequent to the adoption of the Local Plan Strategy, the Council adopted further guidance on 10 March 2015, acknowledging a 15km Zone of Influence and seeking financial contributions for the required mitigation from development within the 0-8km zone. This site lies within the 8 - 15 km zone and as such is not directly liable to SAC payment.

6 Trees

- 6.1 There are a number of mature trees within the application site, a number of which are covered by a Tree Preservation Order. As such Policy NR 4 of the Local Plan Strategy and The Trees and Development SPD are relevant.
- 6.2 The original submission documents included a tree report. This was assessed by the Council's Tree Officer who advised that the report was only commissioned as a pre-development study that would normally be used to inform the siting of the proposed development and he considered that whilst it is entirely possible that the proposal will not unduly affect the trees, a full assessment as part of a planning application is not

possible as the development footprint has not been overlaid onto a tree constraints plan to allow for an accurate assessment. However a site plan was provided that showed the RPA's and the development incursion. As such a detailed plan was requested to clearly show the position and juxtaposition of the development in relation to the trees and the associated tree protection measures (including their indicated RPA's) to enable a robust consideration of the proposal.

- 6.3 Consequently, further information was provided, following which the Arboricultural Officer initially removed has previous objections. However, following a more detailed review of the information the Tree Officer advised that the trees proposed for removal (T3,4,5,6) were all TPO'd and not in a poor condition and were only required to be removed to enable the development proposals. Whilst this may in certain circumstances be acceptable, the requirements of the Policy NR4 do not allow for a net loss of protected trees. However although the proposals included the planting of 5 further compensatory trees along the boundary to provide for screening of the garaging, which would overcome any net loss obligation, they were to be planted in a very small space adjacent to the proposed garages and as such the trees would not be able to achieve any great stature given their proximity to the new structures and would be unable to compensate for the loss of the Cypress found on the northern boundary.
- 6.4 Following this an amended tree replacement plan and Arboricultural Impact Assessment (AIA) was submitted. This identified that no trees were now to be removed in order to facilitate the development and as such the proposals would be screened from the dwellings to the north by the existing mature trees and the new planting adjacent to the proposed garaging. However an appropriate condition has been recommended requesting a detailed landscaping scheme which shall include full details of the additional tree planting on the northern boundary and retention of existing in site trees. As such, it is now considered that the proposals would accord with the Development Plan and NPPF in this regard.

7 Other Issues

- 7.1 Severn Trent Water have raised no objections to the proposed development subject to the inclusion of a condition requiring the submission of a drainage scheme for the approval of the Local Planning Authority. An appropriate condition has been recommended.
- 7.2 The comments received from local residents are noted. However, property devaluation is not a material planning consideration. It may be the view of some residents that the existing house should be retained and renovated without any proposed new dwellings, however the Local Planning Authority have to deal with the application on its merits. In relation to the use of chemicals on the site this is not material to the determination of this application given that the area in question is to the western side of the site, however it has been investigated by the Council's Arboricultural Officer and the site is being monitored. Any further concerns in relation to chemical damage to the trees should be directed to the Council's Arborist to assist with his enquiries. It is considered that all other comments have been previously addressed.

8 Human Rights

- 8.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an objector's or individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully

considered within the report and on balance is justified and proportionate in relation to the provisions of national planning policy and the policies of the Development Plan.

Conclusion

The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the suitability of development proposals. With reference to this scheme, economically the proposal will provide employment opportunities, through creating a development opportunity, whose future residents would support existing facilities. Socially, the proposal is sited to ensure no significant impact upon existing residents, whilst suitable conditions can secure the amenity of future residents within the site. In addition the scale of development is broadly compliant with the requirements of the Council's Local Plan Strategy.

Environmentally it is considered that the development is acceptable in this sustainable location, and subject to the imposition of conditions, the development would assimilate well into the local area, whilst the proposed additional tree planting would further minimise any impact of the development. No significant harm would be caused to highway safety or the amenity of any neighbouring residents. Additionally the applicant has demonstrated that there would be no harm to protected species or the Cannock Chase SAC.

Overall it is considered that the development would overcome the previous reasons for refusal. Accordingly, approval of the application is recommended, subject to conditions as set out above.

AGENDA ITEM NO. 4

ITEM B

LICHFIELD DISTRICT COUNCIL APPLICATIONS, APPLICATIONS ON COUNCIL OWNED LAND AND ANY ITEMS SUBMITTED BY MEMBERS OR OFFICERS OF THE COUNCIL

18 September 2017

CONTENTS

B1	17/00573/FULM	Former What Store, Cross Keys, Lichfield	Lichfield
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Lichfield
district council

www.lichfielddc.gov.uk

District Council House
Frog Lane
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Staffs
WS13 6YY

Telephone: 01543 308000
enquiries@lichfielddc.gov.uk

LOCATION PLAN

17/00573/FULM
Former What Store
Cross Keys
Lichfield

Scale: 1:875

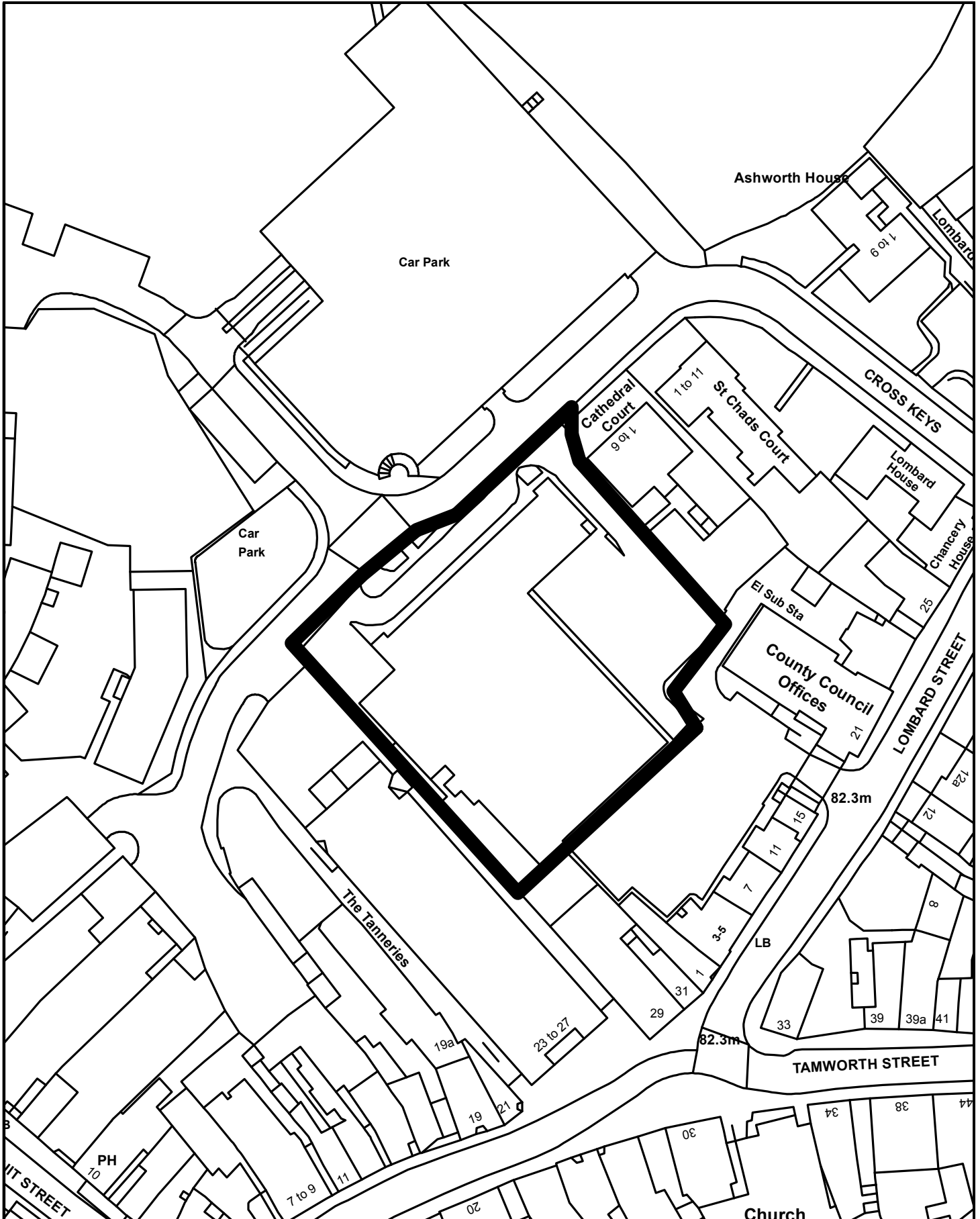
Dated: September 2017

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BLOCK PLAN

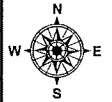
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Lichfield

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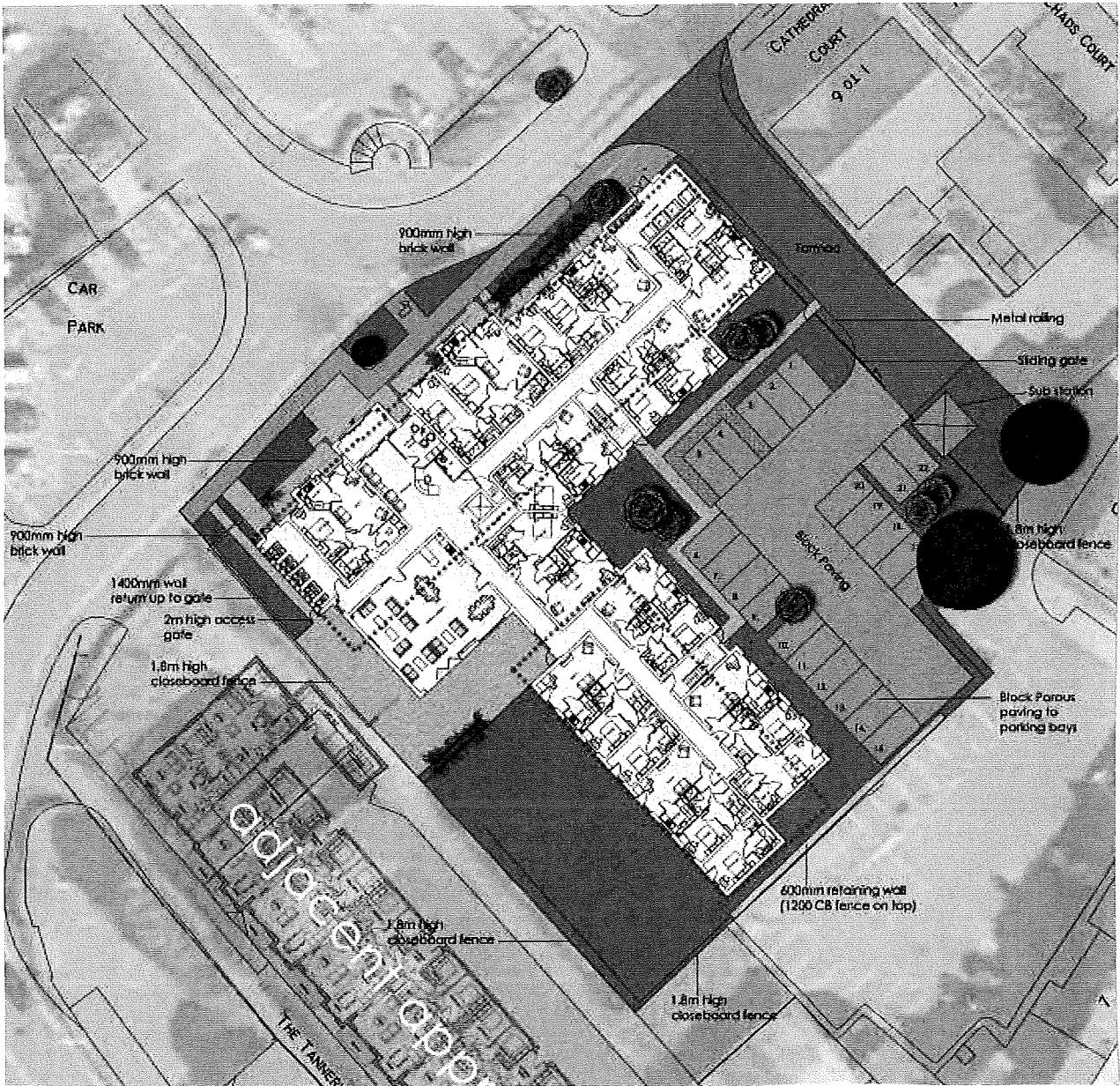
Dated:
September 2017

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17/00573/FULM

ERECTION OF 21NO. ONE BEDROOM AND 23NO. TWO BEDROOM RETIREMENT LIVING APARTMENTS, INCLUDING COMMUNAL FACILITIES, CAR PARKING, LANDSCAPING, A SUBSTATION AND ASSOCIATED WORKS FORMER WHAT STORE, CROSS KEYS, LICHFIELD, STAFFORDSHIRE MCCARTHY & STONE RETIREMENT LIFESTYLES LTD

Registered on 29/04/17

Parish: Lichfield

Note: This application is being reported to Planning Committee as part of the site is owned by Lichfield District Council

RECOMMENDATION: Subject to Staffordshire County Council Flood Team withdrawing their objection and the owners/applicants first entering into a Section 106 Legal Agreement under the Town and Country Planning Act (as amended) to secure contributions/planning obligations towards:-

1. Off-site affordable housing provision.

Approve, subject to the following conditions and summary of reasons for granting consent:

CONDITIONS:

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.
2. If within a period of 12 months from the date of issue of this permission, a start on site has not materially commenced, the applicant shall submit an updated viability assessment for the development hereby approved, which as currently submitted, does not include affordable housing compliant with Local Plan Strategy Policy H2. If the updated viability assessment demonstrates that the scheme is viable, a scheme for the provision of affordable housing as part of the development will be submitted to and approved in writing by the Local Planning Authority. If the updated viability assessment demonstrates that the scheme is viable then the affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex A of the National Planning Policy Framework.
3. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.

CONDITIONS to be complied with PRIOR to the commencement of development hereby approved:

4. Notwithstanding any description/details in the application documents, before the development hereby approved is commenced full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
 - (i) External brickwork;
 - (ii) Roof and wall materials;
 - (iii) Mortar mix, colour, gauge of jointing and pointing, including sample panel;
 - (iv) Eaves detailing;

- (v) Rainwater goods, their materials and designs;
- (vi) Finish and colour of render to be used on external walls;
- (vii) Hard landscaping around the buildings; and
- (viii) Sections to a minimum scale of 1:5 and elevations at 1:20 of all external fenestration and doors and proposed exterior finish.

The development shall thereafter be undertaken in accordance with the approved details and the means of enclosure to the site frontage shall be retained for the life of the development.

5. Before the development hereby approved is commenced, full details of the surface and foul water drainage, shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage systems shall thereafter be provided before the development is brought into use.

6. Before the development hereby approved is commenced, the applicant, or their agents or successors in title, shall secure the implementation of a programme of archaeological work, in accordance with a written scheme of investigation, which has been first submitted to and approved in writing by the Local Planning Authority. The programme of works shall thereafter be implemented in accordance with the approved scheme.

7. Before the development, hereby approved is commenced, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include details of how noise, vibration and dust associated with the construction phases are to be controlled and minimised. The construction phase shall thereafter be undertaken in accordance with the approved details.

8. Before any part of the development hereby approved is commenced the application site shall be subjected to a detailed scheme for the investigation and recording of any contamination of the site and a report shall be submitted to and approved in writing by the Local Planning Authority. The report shall identify any contamination on the site, the subsequent remediation works considered necessary to render the contamination harmless and the methodology used. The approved remediation scheme shall thereafter be completed and a validation report submitted to and approved in writing by the Local Planning Authority within 1 month of the approved remediation being completed, to ensure that all contaminated land issues on the site have been adequately addressed prior to the first occupation of any part of the development, unless otherwise agreed in writing by the Local Planning Authority.

9. Before the development hereby approved is commenced, a scheme for protecting the proposed dwellings from noise from surrounding commercial noise sources shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of noise protection shall thereafter be implemented before the development is first occupied and shall be the subject of a validation report, which shall be submitted to and approved in writing by the Local Planning Authority prior to the development being first occupied. The validation report shall ensure that all noise issues on the site have been adequately addressed. The approved measures shall thereafter be maintained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

10. Before the development hereby approved is commenced, details of any external illumination of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of illumination shall thereafter be provided in accordance with the approved details, unless agreed in writing with the Local Planning Authority.

11. Notwithstanding the submitted details before the development hereby approved is commenced, details of the height, type and position of all fences, walls and gates to be erected on the site shall be submitted to and approved in writing by the Local Planning

Authority. Prior to the first occupation of the dwellings, the approved fencing, walling and gates shall be implemented and thereafter retained for the life of the development, unless otherwise agreed in writing with the Local Planning Authority.

12. Before the development hereby approved is commenced, or any equipment, machinery or materials is brought onto site, the protective fencing to safeguard existing trees shown on approved plan 9443-KC-XX-YTREE-TPP02Rev0 shall be provided in accordance with the British Standard 5837:2012 and retained for the duration of construction (including any further site clearance works), unless otherwise agreed in writing by the Local Planning Authority. No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development have been completed, and all equipment; machinery and surplus materials have been removed from the site.

13. Notwithstanding the submitted details, before the development hereby approved is commenced, full details of the bin store shall be submitted to and approved in writing by the Local Planning Authority. The approved bin store shall be erected and made available for use prior to the first occupation of the development and shall thereafter be maintained for the life of the development

All other CONDITIONS to be complied with:

14. The biodiversity improvements detailed within the Preliminary Ecological Appraisal produced by RammSanderson (dated March 2017), namely the installation of bird boxes within the site, shall be implemented within 3 months of the development being first brought into use and thereafter be maintained for the life of the development.

15. The approved landscape and planting scheme shown on plans reference 791 002 Revision B and 791 WM-2438-01-02-LA-001 Revision B shall be implemented within eight months of the development being brought into use, unless otherwise first agreed in writing by the Local Planning Authority.

16. Before the development hereby approved is first brought into use, the access, parking and manoeuvring areas shown on drawing no. WM.2438-01-02-AC-003 shall be provided. The individual parking bays shall be clearly delineated and surfaced in a porous bound material and shall thereafter be retained for the life of the development.

17. Construction activities, including deliveries to and collections from the site, shall not take place outside the hours of 0700 to 1800 Mondays to Fridays, 0900 to 1300 on Saturdays and there shall be no activities on the site on Sundays, Bank or Public Holidays without the prior written permission of the Local Planning Authority.

18. Any tree, hedge or shrub planted as part of the approved landscape and planting scheme (or replacement tree/hedge) on the site and which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

19. All windows shall be set back a minimum of 100mm from the outer face of the walls, unless otherwise agreed in writing by the Local Planning Authority.

20. Before the installation on site of any external satellite dish/aerial, full details of any satellite dish/aerial shall be submitted to and approved in writing by the Local Planning Authority. The approved satellite dish/aerial shall not be changed without the prior written permission of the Local Planning Authority. No additional satellite dishes/aerials shall be erected/installed on site without the prior written permission of the Local Planning Authority.

21. Before the installation of any external vents and extracts, full details of their positions and sizes shall be submitted to and approved in writing by the Local Planning Authority and shall be installed in accordance with the approved details.

REASONS FOR CONDITIONS

1. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.

2. To ensure the provision of affordable housing in accordance with Strategic Priority 4 and Core Policy 6 of the Lichfield Local Plan Strategy and the National Planning Policy Framework.

3. For the avoidance of doubt and in accordance with the applicant's stated intentions, in order to meet the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Practice Guidance.

4. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the Lichfield City Conservation Area and the setting of nearby Listed Buildings, in accordance with Core Policy 14 and Policy BE1 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework.

5. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with the requirements of Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy and the National Planning Policy Framework.

6. To safeguard any archaeological interests in accordance with the requirements of Core Policy 14 and Policy BE1 of the Lichfield District Local Plan Strategy, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework.

7. In order to safeguard the amenities of the occupiers of premises/dwellings in the vicinity from undue noise, fumes, smells and disturbance in accordance with the requirements of Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy.

8. To protect the water environment and to safeguard the amenity of future site users, in accordance with the requirements of Core Policy 3, and Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

9. To safeguard the amenity of future occupiers from undue noise and disturbance, and to ensure the development will not impact upon the on-going operation of existing commercial uses, in accordance with the requirements of Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy and the National Planning Policy Framework.

10. In order to safeguard the amenities of the occupiers of premises/dwellings in the vicinity from undue artificial light disturbance and in the interests of highway safety in accordance with the requirements of Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy and the National Planning Policy Framework.

11. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

12. To ensure the adequate protection of existing trees and shrubs to be retained and to safeguard the character and appearance of the Lichfield City Conservation Area in accordance with Core Policy 14 and Policies BE1 and NR4 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan and the National Planning Policy Framework.

13. To ensure the provision of an adequately proportioned bin store to suit the needs of the site and to safeguard the character and appearance of the Lichfield City Conservation Area, in accordance with Core Policy 14 and Policies BE1 and NR4 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework..

14. In order to safeguard the ecological interests of the site and encourage enhancements in biodiversity and habitat, in accordance with the requirements of Policy NR3 of the Local Plan Strategy, the Biodiversity and Development Supplementary Planning Document and the National Planning Policy Framework.

15. To ensure that a landscaping scheme to enhance the development is provided and to safeguard the character and appearance of the Lichfield City Conservation Area in accordance with Core Policy 14 and Policies BE1 and NR4 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework.

16. In the interests of highway safety and in accordance with Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

17. To safeguard the amenities of the occupiers of premises/dwellings in the vicinity from undue noise and disturbance in accordance with the requirements of Core Policy 3 and Policy BE1 of the Lichfield District Local Plan Strategy and the National Planning Policy Framework.

18. To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that any initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

19. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the Lichfield City Conservation Area and the setting of nearby Listed Buildings, in accordance with Core Policy 14 and Policy BE1 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework.

20. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the Lichfield City Conservation area, in accordance with the requirements of Core Policy 14 and Policies BE1 and NR4 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework.

21. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the Lichfield City Conservation area, in accordance with the requirements of Core Policy 14 and Policies BE1 and NR4 of the Lichfield District Local Plan Strategy, saved Policy C2 of the Local Plan, the Historic Environment Supplementary Planning Document and the National Planning Policy Framework.

NOTES TO APPLICANT

1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and saved policies of the Lichfield District Local Plan (1998) as contained in Appendix J of the Lichfield District Local Plan Strategy (2015).

2. The applicant's attention is drawn to The Town and County Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £28 for a householder application or £97 for any other application including reserved matters.

Although the Local Planning Authority will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows a period of 8 weeks, and therefore this timescale should be borne in kind when programming development.

3. During the course of the application, the Council has sought amendments to the proposals to ensure a sustainable form of development, which complies with the provisions of paragraphs 186-187 of the NPPF.

4. In complying with the requirements of condition 14 the applicant's attention is drawn to the comments of the Council's Operational Services Customer Relations and Performance Manager in her e-mail dated 11th December 2015 attached hereto.

5. The applicant is advised to note and act upon as necessary the comments of the Police Architectural Liaison Officer dated 7th June 2017. Where there is any conflict between these comments and the terms of the planning permission, the latter takes precedence.

6. The applicant is advised that when seeking to discharge condition 4, uPVC windows and rainwater goods will not be acceptable and rather in accordance with the requirements of the Council's Supplementary Planning Document Historic Environment these should either be of aluminium or other metals. It is also noted that the proposed brick type is considered unacceptable in this location.

7. Please be advised that Lichfield District Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 19th April 2016. A CIL charge will apply to all relevant applications determined on or after the 13th June 2016. This will involve a monetary sum payable prior to commencement of development. In order to clarify the position of your proposal, please complete the Planning Application Additional Information Requirement Form, which is available for download from the Planning Portal or from the Council's website at www.lichfielddc.gov.uk/cilprocess.

8. During the course of the application, the Council has sought amendments to the proposals to ensure a sustainable form of development which complies with the provisions of paragraphs 186-187 of the NPPF.

PLANNING POLICY

National Guidance

National Planning Policy Framework
National Planning Practice Guidance

Lichfield District Local Plan Strategy (2015)

Core Policy 2 – Presumption in Favour of Sustainable Development
Core Policy 3 – Delivering Sustainable Development
Core Policy 6 – Housing Delivery
Core Policy 7 – Employment and Economic Development
Core Policy 8 – Our Centres
Core Policy 10 – Healthy and Safe Lifestyles
Core Policy 11 – Participation in Sport and Physical Activity
Core Policy 14 – Our Built and Historic Environment
Policy ST2 – Parking Provision
Policy H1 – A Balanced Housing Market
Policy H2 – Provision of Affordable Homes
Policy NR3 – Biodiversity, Protected Species and their Habitats
Policy NR4 – Trees, Woodlands and Hedgerows
Policy NR5 – Natural and Historic Landscapes
Policy NR7 – Cannock Chase Special Area of Conservation
Policy BE1 – High Quality Development
Policy Lichfield 1 – Lichfield Environment
Policy Lichfield 3 – Lichfield Economy
Policy Lichfield 4 – Lichfield Housing

Saved Local Plan Policies (1998)

Policy C2 – Character of Conservation Areas
Policy L16 - Secondary Retail Area

Supplementary Planning Documents

Sustainable Design
Trees, Landscaping and Development
Planning Obligations
Biodiversity and Development
Historic Environment
Local Plan Allocations (draft)

Other

Staffordshire and Stoke on Trent Joint Waste Local Plan
Lichfield City Conservation Area Appraisal
Lichfield City Neighbourhood Plan (Draft)
Lichfield Centres Report 2017 (WYG / White Land Strategies)

RELEVANT PLANNING HISTORY

15/00782/FULM – Demolition of former What retail unit and erection of 35 No apartments and 2 No retail units (Class A1), car parking, servicing and associated works – Conditional Approval – 03.06.16.

02/00514/FUL – Erection of two single storey extensions – Conditional Approval – 12.08.02

01/00640/FUL - Erection of cover over an outside area – Conditional Approval – 29.08.01

00/00783/FUL – Erection of conservatory to be used for additional retail sales area – Conditional Approval – 03.10.00

97/00902/FUL – Continuance of use without complying with condition regarding goods restriction – Conditional Approval – 18.11.97.

CONSULTATIONS

Lichfield City Council – No objections (25.05.17).

Lichfield Civic Society – The design of the proposal contains no response to the character of the Conservation Area and is of an office, rather than domestic scale. The use of a flat roof is more typical of a contemporary urban setting, such as Solihull or Sutton Coldfield, rather than this conservation area, where pitched roofs are typical. The front elevation evidences a lack of domestic feel due to the use of square bays accentuated by its varied surface treatments and therefore recommends an overall simplification of the façade so as to limit its ‘hard corners’ and in a contemporary way reflect the fibre of the historic core. The proposal will greatly degrade the character of the conservation area (30.06.17 / 12.06.17).

Arboricultural Officer – No objection, recommends that appropriate landscape conditions related to the amended plans are requested (04.07.17).

Previous Comments: The tree report, associated constraints map and tree protection plan are acceptable. The landscaping scheme however includes tree species inappropriate to this site (16.05.17)

Ecology Officer – No objection. Satisfied with the methodology and information provided within the submitted Preliminary Ecological Assessment (PEA) and it is therefore unlikely that the proposed works would impact upon protected species. However requests that a condition be used to ensure that the developer adhere to the recommendations and methods of working details within the PEA. Advises a further condition to secure the installation of bat or bird boxes within the site to ensure that the development delivers a positive biodiversity impact (01.06.17).

Spatial Policy and Delivery Manager – No objection. The development accords with national and local planning policy and constitutes an important economic development opportunity for this neglected city centre site (13.06.17).

Conservation Officer – No objection. The application demonstrates that the massing, height and visual impact will have no greater impact than the previously approved scheme. Therefore, on balance the proposal complies with the NPPF and Local Plan. Recommends the use of a condition to secure details of materials, windows, doors and boundary treatments (24.07.17).

Previous Comments: Objects. The scheme is not of the same design quality as that approved in 2016 and therefore the harm to the conservation area and the setting of St Mary’s Church will be greater. The application fails to justify this increased harm (25.05.17)

Environmental Health Manager – No response received.

Operational Services Manager – Comments from 16.05.17 remain applicable (05.07.17 / 03.07.17 / 12.07.17).

Provides detail of the requirements for the storage and disposal of residential waste. Raises concerns regarding the size of the bin store provided and its ability to hold the number of bins needed for 44 apartments (16.05.17)

Housing Strategy and Enabling Manager – Requires that 40% of the units be affordable (18 units). Requests discussions with the applicant to determine how this can be secured. Notes that Lichfield District is expected to see a 74% rise in the over 65 and a 128% rise in

the over 75 age groups by 2035 and as such this type of accommodation will help to meet current and future housing needs. From a public health perspective the site is sustainably located (24.05.17).

Staffordshire County Council (Highways) – No objection. Advises that given the development is served from a private road would not wish to issue conditions. Recommends however that if the Local Planning Authority are minded to approve the scheme then it may wish to secure via condition the provision of the access, parking and turning areas prior to first occupation, along with the cycle and buggy stores (12.06.17).

Staffordshire County Council (Archaeology) – The site lies within an area of historic environment potential. Therefore recommends that a condition be attached to any permission requiring the submission and approval, prior to the commencement of development, of a written scheme of archaeological investigation (30.05.17).

Staffordshire County Council (Flood Team) – Object to the development as the application has been submitted without any analysis of the pluvial flood risks associated with developing the site (30.05.17).

Severn Trent Water – No objection, subject to a condition securing details of a suitable surface water and foul sewage to be submitted to and approved by the Local Planning Authority (05.07.17).

Police Architectural Liaison Officer – No objection but stress the importance of not promoting crime through unnecessary permeability. It is important that a high level of physical security is incorporated in these proposals. Draw the applicants' attention to the Secured by Design Website (07.06.17).

LETTERS OF REPRESENTATION

None received.

OTHER BACKGROUND DOCUMENTS

The developer has submitted the following documents in support of their application:

Planning and Heritage Statement
Design and Access Statement
Archaeological Desk Based Assessment
Archaeological Watching Brief
Preliminary Ecological Assessment
Tree Survey
Transport Statement
Statement of Community Engagement
Visually Verified Montages
Financial Viability Assessment

OBSERVATIONS

Site and Location

The application relates to the former What! Store site, which is located on the southern side of Cross Keys. The site lies within the Secondary Retail Area of Lichfield City Centre and within the Lichfield City Conservation Area. The site is presently being used as pay and display car parking, although no planning permission exists for this use. Previously the property located within this site was two storeys in height, constructed primarily of red brick,

with white render detailing to the front elevation. Surrounding buildings comprise a mix of styles, but are generally 2 or 3 storeys in height and comprise a mix of retail, offices, leisure and residential uses.

Background

Members will recall that planning permission was granted by the planning committee at the meeting in February 2016, to permit the demolition of the former What! retail unit and erect 35 No apartments and 2 No retail units (Class A1), car parking, servicing and associated works (reference 15/00782/FULM). Following that granting of this permission the building has been demolished. The proposed buildings were both shown to be four storeys, having a maximum height of 11.9 metres. The northern building, located adjacent to Cross Keys, was proposed to contain two ground floor retail units, which were each to have a floor area of 64.2 square metres.

The development would have utilised the existing vehicular access from Cross Keys, which was to serve 35 off street car parking spaces, which were to be created to the rear of the site. It was also proposed to erect a 24 space covered cycle store, a detached bin store and an urban courtyard garden.

Planning permission was also granted on 8th February 2017, for the neighbouring former Kwik Save site. The application, reference 16/00025/FULM, proposed the demolition of existing building and retention of the existing facade, redevelopment of site to include an A1 retail unit, 38 no. apartments, including car parking and ancillary facilities. The replacement building was proposed to be four stories in height (up to 12.2m) and linear in form, measuring 68.8 metres in length by 19.4 metres wide. This development has not yet commenced, although remains implementable until February 2020.

Proposals

Approval is sought for the erection of a detached four storey building to contain 44 retirement living apartments (21 one bedroom and 23 two bedroom), with associated communal facilities, including resident's lounge, within the ground floor, car parking, landscaping, substation and associated works.

The proposed building is shown to have a maximum height of 11.5 metres, a maximum width of 46.8 metres and a depth of 49.4 metres.

The development would utilise the existing vehicular access from Cross Keys. The access would serve 22 off street car parking spaces, which are to be created to the rear of the site. It is also proposed to erect a substation within the rear car park area. A communal garden is proposed to the rear of the buildings.

Determining Issues

- 1) Policy and Principle of Development
- 2) Housing Mix
- 3) Design and Impact on the Character and Appearance of the Conservation Area and the Setting of Surrounding Listed Buildings
- 4) Highways and Parking
- 5) Impact on Neighbouring Amenity
- 6) Biodiversity
- 7) Archaeology
- 8) Landscape and Planting
- 9) Planning Obligations
- 10) Other Issues
- 11) Human Rights

1. Planning Policy and Principle of Development

- 1.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for Lichfield District comprises the Lichfield District Local Plan (1998) (saved policies) and the Local Plan Strategy 2008-2019.
- 1.2 Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development and within the Ministerial Foreword, it states “*development that is sustainable should go ahead, without delay*”. Therefore consideration has to be given to whether this scheme constitutes a sustainable form of development and whether any adverse impacts would significantly and demonstrably outweigh the benefits it would deliver.
- 1.3 Paragraph 7 of the NPPF provides a definition of sustainable development, identifying that there are three separate dimensions to development, namely its economic, social and environmental roles.
- 1.4 Paragraphs 49 and 50 of the NPPF advise that housing applications should be considered in the context of the presumption in favour of sustainable development and that housing policies within the Local Plan should only be considered up to date if the Local Planning Authority is able to demonstrate a five year supply of housing.
- 1.5 The supply of housing land is regarded as having a social and economic role and in order to significantly boost the supply of housing. The NPPF requires that Councils should identify and update annually a supply of specific deliverable sites sufficient to provide five years delivery of housing provision. In addition, a buffer of 5% (moved forward from later in the plan period) should also be supplied, to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, Local Planning Authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
- 1.6 Lichfield District Council’s latest published housing land supply position is set out within the SHLAA 2014 Addendum at table 3.2. It was evidenced that at that point there was a 6.48 year housing land supply. The appeal decision issued by the Secretary of State for the Land North East of Watery Lane, Curborough (reference APP/K3415/A/14/2224354) issued on the 13 February 2017, advised that there is now a 5.11 year supply of housing land within Lichfield District.
- 1.7 Given that the Council can demonstrate a 5 year housing supply, it falls for this scheme to be considered, in the first instance, against the Policies contained within the Council’s Development Plan.

Local Plan Strategy

- 1.8 The Lichfield District Local Plan Strategy was adopted on 17th February and now forms part of the Development Plan. The spatial strategy for the District, set out in Core Policy 1 includes development focused on Lichfield City including sites within the existing urban area. Core Policy 6 further supports the focus of development on key urban and key rural centres, with Lichfield City considered as the most sustainable settlement within the District. Policy Lichfield 4 ‘Lichfield Housing’ states that approximately 38% of the District’s housing growth will be provided within Lichfield with around 46% of this located within the existing urban area.

- 1.9 Core Policy 3: Delivering Sustainable Development states that the District Council will require development to contribute to the creation and maintenance of sustainable communities, and sets out key issues which development should address.
- 1.10 This site lies within the City Centre close to all amenities and is therefore considered to be highly sustainable.
- 1.11 The site is also located within the Secondary Retail Area of Lichfield's City Centre. Saved Policy L16 of the Local Plan (1998) relates to Secondary Retail Areas within Lichfield City. This policy aims to maintain important shopping frontages and other associated city centre uses. Residential development is considered to be an appropriate city centre use and as confirmed by the Council's Spatial Policy and Delivery Team, the loss of the two retail units from the previously consented scheme, is not considered to conflict with the requirements of this Policy. It should also be noted that the emerging Local Plan Allocations document does not include this area within the any primary or secondary retail frontages, whilst the evidence base, which informed this document (Lichfield Centres Report 2017, WYG/White Land Strategies) does not consider the retail element of the permitted scheme to be of importance in meeting Lichfield's retail requirement.
- 1.12 The Lichfield City Neighbourhood Plan has yet to be examined by an Inspector prior to referendum and as such has limited material planning weight. This document does identify that the site is lies outside of the primary or secondary retail areas, but within the confines of Lichfield City Centre.
- 1.13 Policy 12: City Centre Redevelopment Sites advises that *"redevelopment sites within Lichfield City Centre... which deliver high quality design and a mix of the following will be supported:*
- *Managed B1-class workspace*
 - *B1-class office*
 - *A-class retail that complements the existing offer in the City Centre*
 - *Car parking on or off site*
- Any development that does not provide for these uses as part of a mixed use development will be required to demonstrate, through a viability assessment, that inclusion of such uses would render a scheme unviable. Development proposals will be expected to ensure that they respect the historic environment of the City Centre and incorporate the key views of Lichfield Cathedral (Policy 10)".*
- 1.14 A Viability Assessment has been submitted with this application, the contents of which are discussed below, which will address the lack of retail or office uses. However, it should be noted that this Policy is not in full accordance with the Local Plan Strategy, as detailed above, which given the draft status of the Neighbourhood Plan, carries greater material planning weight.
- 1.15 Given the above policy considerations, it is concluded that the principle of development for the provision of later living apartments in this City Centre location is an acceptable one, subject to meeting the requirements of other relevant development policies, as identified within the Development Plan and NPPF. These matters are discussed in detail below.

2. Housing Mix

- 2.1 Policy H1 of the Local Plan Strategy seeks the delivery of a balanced housing market through an integrated mix of dwelling types, sizes and tenures based on the latest

assessment of local housing need. This reflects the approach in the NPPF, which sets out that local planning authorities should deliver a wide choice of high quality homes with a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Evidence in the Southern Staffordshire Housing Needs Study and Strategic Housing Market Assessment (SHMA) Update (2012) identified an imbalance of housing types across the District with high concentrations of larger detached homes. Consequently, it has identified the need for smaller affordable homes, particularly those of an appropriate type and size for first-time buyers or renters.

2.2 This application, through delivering 21 one bedroom and 23 two bedroom apartments, will help to meet both the identified need for smaller scale dwellings within the District, whilst also, delivering dwellings appropriate for later living. As such, the proposal, in this regard, complies with the requirements of the Development Plan.

3. Design and Impact on the Character and Appearance of the Conservation Area and the Setting of Surrounding Listed Buildings

3.1 Local Plan Strategy Core Policy 14 states that “*the District Council will seek to maintain local distinctiveness through the built environment in terms of buildings... and enhance the relationships and linkages between the built and natural environment*”. This Policy continues to state that the Council will protect and enhance the built environment and protect the skyline of Lichfield, which is characterised by the five spires and tree canopies. This requirement should thereafter inform the height, scale and layout of new development.

3.2 The NPPF (Section 7) advises that “*good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*”. The document continues to state that “*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*”.

3.3 The NPPF also attaches great importance to the design of the built environment, which should contribute positively to making places better for people. As well as understanding and evaluating an area’s defining characteristics, it states that developments should:

- function well and add to the overall quality of the area;
- establish a strong sense of place;
- create and sustain an appropriate mix;
- respond to local character and history, and reflect local surroundings and materials;
- create safe and accessible environments; and
- be visually attractive as a result of good architecture and appropriate landscaping.

3.4 Local Plan Strategy Policy BE1 advises that “*new development... should carefully respect the character of the surrounding area and development in terms of layout, size, scale, architectural design and public views*”. The Policy continues to expand on this point advising that good design should be informed by “*appreciation of context, as well as plan, scale, proportion and detail*”.

3.5 Saved Policy C2 of the Local Plan (1998) also seeks to preserve or enhance the special character and appearance of Conservation Areas and states that development will not be permitted where the detailed design of buildings would not respect the character of an area.

- 3.6 Policy 10 of the Lichfield Neighbourhood Plan, requires that *“views of Lichfield Cathedral from Lichfield City Centre should be incorporated into any development which could otherwise impact on these views”*.
- 3.6 Given the above, in assessing the suitability of this proposal, regard must be had as to whether the replacement building would harm any of the facets, which individually and collectively combine to create the unique character of the Conservation Area, whilst regard must also be had to ensure that the structure will not impact upon views or the setting of surrounding listed buildings including the Lichfield Cathedral.
- 3.7 In terms of the demolished building, it was of modern construction, vaguely utilising Victorian elevation characteristics and was not of any significant architectural or historic merit. Therefore, there was no objection to the demolition of the building, as it did not make a positive contribution to the character or appearance of the Conservation Area.
- 3.8 The proposed building is sited parallel to Cross Keys, reflecting the existing building line, created by the apartment buildings to the north east. The building extends in a T shape towards the rear of the site, with its frontage overlooking the internal parking courtyard, which would contain the proposed substation. The rear of this element of the building would face the current blank side wall of the former Kwik Save building.
- 3.9 As detailed above, the proposed building is a four-storey, flat roofed structure. The fourth floor is set back from the principle elevation, behind glazed panel balustrades. It is of contemporary design using a mixture of both traditional (brick) and more modern materials (rockwall cladding).
- 3.10 The design of the building has evolved throughout the application process. The main alterations have occurred to the front elevation of the building, where rendered elements of the façade have been replaced with rockwall cladding in order to reduce the number of materials present on this elevation.
- 3.11 The apartment building is of a substantial width. Various techniques are proposed to break down the resultant potential horizontal emphasis to the structure. These include the utilisation of large regularly spaced windows and recessed entrance points. Subject to the use of a condition to ensure that the windows are appropriately recessed into the elevation, these measures will provide shadow and depth to the elevations, successfully breaking up the visual mass. In order to prevent the visual cluttering of these facades, permitted development rights specific to the installation of satellite dishes, antenna and vents are proposed to be removed.
- 3.12 The height of the proposed building is 0.4 metres less than that previously approved for site. As such impact on wider views through mass has been reduced. The applicant has also submitted a Visually Verified Montage with the application which demonstrates that the scheme would have no more of an impact upon views of St Mary’s from Cross Keys than the previously approved scheme. Thus the development is considered to have an acceptable impact upon the setting of surrounding listed buildings.
- 3.13 The applicant has specified the majority of the proposed materials palette, with the building largely erected using Weinerberger Sunset Red Multi bricks. This wire cut brick type, is atypical of the street scene and character of the wider area and as such, an alternative brick type will be required. The use of Rockpanel cladding in Basalt Zinc and Concrete Platinum colours, will reinforce the modernity of the building and as such its use or the use of a similar material is considered acceptable.

- 3.14 It is noted that the Conservation Officer has requested the submission of materials, prior to the commencement of development, to ensure that they are appropriate to the character of the conservation area. In addition it is noted that uPVC windows and rainwater goods will not be acceptable, and in accordance with the Council's Historic Environment Supplementary Planning Document, metal is required. A condition therefore to secure the submission and approval of appropriate materials is recommended, whilst a note to applicant will be utilised to advise of the unacceptability of uPVC as a material within this development.
- 3.15 The development will also require the erection of a single ancillary building along with a number of other additional structures. To the rear of the site an electricity substation is proposed, which is shown to be 3.1 metres wide, 3.1 metres deep, with a height of 2.3 metres. The building is a necessary addition to the development and has been discretely sited and as such will have an acceptable visual impact upon the character of the development and surrounding conservation area.
- 3.16 It is also proposed to erect low level walling to the front of the site, whilst details of fencing to other boundaries, where necessary, have only been identified in general terms such as 'railings'. As such a condition to require the submission and approval of full details is required. No elevation details of the proposed substation are yet to be provided and therefore suitable details are also recommended to be secured via a condition.
- 3.17 The comments of Lichfield Civic Society are noted, who do not consider the development to be of an appropriate design in this location. However, I am mindful of the views of the Council's Conservation Officer who does not raise any objection to the development, given that the scheme provides residential units, which are appropriately articulated and pay a contemporary and attractive complement to the established development in the city centre.
- 3.18 Given the above, it is considered that the proposal, subject to conditions, will not cause harm to the historic setting around the site, will not adversely impact on views towards Lichfield Cathedral or from Stowe Pool, and will be physically well related to its surroundings. The scheme will therefore preserve and enhance the character and appearance of the Conservation Area and would not harm the setting of any nearby Listed Buildings and is therefore in accordance with the requirements of the Development Plan and the NPPF.

4. Highways and Parking

- 4.1 The National Planning Practice Guidance on Transport advises that "*local planning authorities should seek to ensure parking provision is appropriate to the needs of the development and not reduced below a level that could be considered reasonable*".
- 4.2 The application proposes the provision of 22 off street parking spaces within the courtyard area. No cycle parking is proposed, but parking provision for 9 electric scooters is evidenced within the ground floor of the building.
- 4.3 The Supplementary Planning Document 'Sustainable Design' contains within Appendix D, the Council's Parking Standards. It advises that for a development of 44 apartments, comprising, 21 one bedroom and 23 two bedroom apartments that there should be a maximum provision of 58 car parking spaces and 44 cycle parking spaces.
- 4.4 Staffordshire County Council (Highways) raise no objections to the proposal, although it is advised that given the site is accessed from a private road they have not considered the suitability of the car parking provision. It is evident that there is an

under provision within this site of both off street car parking and cycle bay provision, based upon the above maximum figures. However, the apartments will be sustainably located, given their proximity to the City Centre and the nearby bus and rail stations. It should also be noted that there is a public car park located opposite the site, which could easily accommodate additional visitors to the site.

4.5 In terms of cycle provision, given the nature of the development, whereby leases are sold to occupants that must be a minimum of 60 years old (although spouses of 55 years of age are permitted also), and generally occupants on other McCarthy & Stone sites are typically 78 years or over, the need for such provision is considered significantly reduced.

4.6 The Highways Authority have also recommended a condition in respect of the provision and retention of the parking spaces to ensure highway safety, which is considered a reasonable and necessary condition and therefore the development subject to compliance with this condition will be in accordance with the development plan and NPPF in this regard.

5. Impact on Amenity of Existing and Future Occupiers

5.1 The NPPF core planning principles includes the requirement that planning should seek a good standard of amenity for all existing and future occupants of land and buildings and Local Plan Strategy Policy BE1 seeks to protect amenity by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance.

5.2 Most of the surrounding buildings are used for commercial purposes with only the adjacent building to the north-east currently containing residential apartments. It is noted that there are windows within the side elevation of this building, which will have limited amount of light, due to the siting and mass of the apartment building, where it is sited adjacent to this building. These windows however serve non-principal living rooms, and previously experienced limited light, due to the previous built form relationship.

5.3 The Council's Supplementary Planning Document 'Sustainable Design' advises that there should be a minimum distance of 21 metres between facing principle rooms. The distance between the proposed north eastern elevation of the rear portion of the building and St Chads Court would be 50 metres. The distance between the rear elevation of the front element of the building and the former County Council offices, which have recently been converted to apartments is 31 metres. As such the development would integrate acceptability into the existing built environment in terms of overlooking.

5.4 As mentioned above there is an approved scheme on the adjacent former Kwik Save site. It is reasonable to consider therefore whether this proposal would impact upon the deliverability or future residential amenity of this development and their potential occupants.

5.5 The south western elevation of this proposed building will be located 12 metres from the shared boundary with the former Kwik Save site. The scheme agreed under delegated powers to develop this site in 2017 (ref. 16/00025/FULM) would have a 19.5 metre separation distance between the two proposed apartment blocks. Evidently this distance falls below that required by the aforementioned document. However all of the windows within the north west elevation of the apartment building proposed on the Kwik Save site are set at a high level to prevent any overlooking between the two developments. This will also ensure that the shared garden area, proposed within this application site, adjacent to the southern boundary will not be

overlooked, whilst the distance between the two properties, also ensures that there are no significant overbearing impacts.

5.6 No comments have to date been received from the Council's Environmental Health Officer, but relative to the previously considered application conditions were recommended with respect to noise and contaminated land. These conditions, remain reasonable and necessary in order to safeguard the amenity of existing and future residential occupiers. In addition, given the location of the site, relative to neighbouring residents and future use, to require conditions specific to vibration and dust during demolition and construction; hours of work for demolition and construction; noise mitigation measures and external lighting.

5.7 Most of the residential units will have no dedicated outdoor amenity space. A small shared courtyard area is proposed adjacent to the southern boundary, which would be available to all residents, whilst some of the units will benefit from balcony areas. This arrangement is not unusual for apartments and given that the site is also located within the city centre, in close proximity to the open space at Stowe Pool, it is considered that the amenity of the future occupiers within this location is adequately provided and the development is compliant with the residential amenity requirements of the development plan.

6 Biodiversity

6.1 To comply with the guidance contained within Paragraphs 9, 108 and 118 of the NPPF and the Council's biodiversity duty as defined under section 40 of the NERC Act 2006, new development must demonstrate that it will not result in the loss of any biodiversity value of the site.

6.2 Due to the Local Planning Authorities obligation to "*reflect and where appropriate promote relevant EU obligations and statutory requirements*" (Paragraph 2 of NPPF) the applicant must display a net gain to biodiversity value, through development, as per the requirements of the EU Biodiversity Strategy 2020. Furthermore, producing a measurable net-gain to biodiversity value is also made a requirement of all developments within Lichfield District under Policy NR3 of the Lichfield District Local Plan Strategy.

6.3 The applicant has submitted a Preliminary Ecological Assessment with the application, which assessed the site's biodiversity value. The Council's Ecologist advises that the development be undertaken in accordance with the recommendations of this report, which will ensure compliance with the abovementioned legislation and Policies and therefore is considered appropriate.

6.4 A positive ecological impact, as required by Local Plan Strategy Policy NR3 and the Biodiversity and Development Supplementary Planning Document will be achieved within this site through the installation of boxes within the development, along with the planting of the landscaping scheme which is recommended to be secured via condition. The net gain in biodiversity should be attributed appropriate material weight as per the guidance of Paragraph 188 of the NPPF. Subject to compliance with this condition the development accords with the requirements of the NPPF and Development Plan with regard to ecological considerations.

6.5 The agreed strategy for the Cannock Chase SAC is set out in Policy NR7 of the Council's Local Plan Strategy, which requires that before development is permitted, it must be demonstrated that in itself or in combination with other development it will not have an adverse effect whether direct or indirect upon the integrity of the Cannock Chase SAC having regard to avoidance or mitigation measures. In particular, dwellings within a 15km radius of any boundary of Cannock Chase SAC

will be deemed to have an adverse impact on the SAC unless or until satisfactory avoidance and/or mitigation measures have been secured.

- 6.6 Subsequent to the adoption of the Local Plan Strategy, the Council adopted further guidance on 10 March 2015, acknowledging a 15km Zone of Influence and seeking financial contributions for the required mitigation from development within the 0-8km zone. This site lies within the 8 - 15 km zone and as such is not directly liable to SAC payment.

7. Archaeology

- 7.1 Paragraph 128 of the NPPF places a duty on Local Planning Authorities to “*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*”.

- 7.2 Given the site’s location within the Medieval city, Staffordshire County Council (Archaeology) have assessed the site for archaeological interest and advise that there is demonstrable archaeological potential within the area and therefore recommend that the use of a condition to secure a written scheme of archaeological investigation. There is no objection to this approach and subject to compliance with this condition, the development complies with the requirements of the NPPF and Development Plan in this regard.

8. Landscape and Planting

- 8.1 The Council’s Supplementary Planning Document Trees, Landscaping and Development provides guidance on how to successfully integrate existing trees into development and integrate new planting into a scheme to ensure its long term retention.

- 8.2 There are three existing semi-mature trees located to the rear of this site. The trees are shown to be retained on the proposed block plan and their retention is necessary to aid in providing sufficient landscaping within the site. Therefore the conditions recommended by the Council’s arboriculturalist, with regard to tree protection measures during demolition and construction works and the implementation and retention of the submitted landscaping plan, are considered reasonable and necessary for the development to accord with the requirements of the NPPF and Development Plan.

9 Flood Risk and Drainage Issues

- 9.1 The application site is located within Flood Zone 1, which is defined as having little or no risk of flooding from rivers or streams. Such zones generally comprise land assessed as having a less than 1 in 100 annual probability of river or sea flooding in any year.

- 9.2 Staffordshire County Council Flood Team have currently offered an objection to the scheme, due to limitations within the submitted Flood Risk Assessment. The applicant has submitted additional information to the Flood Team to address this concern and any revised recommendations will be provided to the Committee by way of an update within the Supplementary Papers.

- 9.3 The surface water drainage scheme proposed by the FRA is yet to be considered appropriate by the County Council’s Flood Team, whilst details of foul drainage are yet to be agreed by Severn Trent Water. This matter can however be resolved

through a condition. The development, subject to addressing the concerns of the Flood Team would comply with development plan policies and the NPPF in relation to flood risk and drainage.

10. Planning Obligations and Viability

- 10.1 Under the provisions of Policy IP1 of the Local Plan Strategy major new developments are required to make provisions for social/community facilities as the need for which arises from the development and that are commensurate to the scale and nature of the proposals. Such provision can be by way of direct on-site provision and/or by a contribution made for the provision of facilities elsewhere. .
- 10.2 The development proposes the creation of more than 15 dwellings within an urban environment. The site is therefore over the threshold for the provision of affordable housing as required by Local Plan Strategy Policy H2. The on-site affordable housing provision required by the Council's Housing Manager is for 40%, which equates to 18 units.
- 10.3 The applicant has submitted with the application a financial viability assessment, which has been independently checked by the District Valuers office. The information contained within this document is confidential given its commercial nature and as such cannot be disclosed to this committee. However, overall it demonstrates that after allowing for the developer to achieve a reasonable profit, the scheme is unviable as currently proposed, should the requested level of affordable housing be provided on-site.
- 10.4 Paragraph 20 of the NPPG Viability advises that Local Planning Authorities should understand the impact of planning obligations on a proposal stating that "*where an applicant is able to demonstrate to the satisfaction of the Local Planning Authority that planning obligations would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations*".
- 10.5 The NPPG continues to state that "*this is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance*".
- 10.6 Paragraph 19 of the NPPG provides particular guidance to the redevelopment of brownfield sites stating that Local Planning Authorities should take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.
- 10.7 It is the conclusion of the District Valuer that this development is not viable should there be a requirement to provide a policy compliant level of affordable housing within this scheme. As such, in light of this conclusion, it is reasonable in this case, in order to secure the redevelopment of this brownfield site, to allow the scheme to proceed without the need to provide the requested on-site provision. The District Valuers Office have however identified that there is scope within the development to provide for an off-site provision of £94,000. This commuted sum will be secured by way of a S106 agreement.
- 10.8 It should be noted that the viability assessment is based upon current market conditions and as such should there be a delay in the delivery of the scheme there is the potential for market conditions to alter. Therefore, it is recommended that a condition be attached to any permission requiring that a new financial viability assessment be submitted to the Council should works not materially commence on the development, within a reasonable time period. It is acknowledged that the District

Valuer advises that the report's timeframe should cover 3 months, but in order to be flexible, as required by the above national guidance, it is felt that a period of 12 months to commence development is more reasonable and appropriate.

- 10.9 In terms of education facilities Staffordshire County Council (Education) do not seek financial contributions from apartments. Similarly, whilst this site is located within the CIL (Community Infrastructure Levy) higher charging zone rate of £55 per square metre, apartments are not liable for this payment.

11. Other Matters

- 11.1 The concerns raised by the Council's Waste Services Manager regarding the inadequate scale of the bin store are noted. The applicant advises that due to the fact that between 85% and 90% of their clientele are widowed or single their waste storage needs are far less than would be required for open market housing. This does not address the concerns raised and rather an enlarged store shall be secured via the use of a condition.

12. Financial Considerations

- 12.1 The development would give rise to a number of economic benefits. For example, it would generate employment opportunities including for local companies, in the construction industry during construction. The development would also generate New Homes Bonus, CIL funding for local infrastructure and Council Tax.

13. Human Rights

- 13.1 The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with neighbour's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report and on balance is justified and proportionate in relation to the provisions of the policies of the Development Plan and National Policy in the NPPF.

Conclusion

The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the suitability of development proposals. Economically the development would facilitate the re-use of an underused Brownfield site, offer a development opportunity and bring additional residents and potential consumers into this edge of City Centre location. Socially it has been demonstrated that the development will not impact upon the reasonable residential amenity of any existing or proposed future residents within this and neighbouring sites, whilst conditions can be utilised to protect the future amenity of proposed residents within this site. Environmentally it is considered that the development is acceptable in this sustainable city centre site, and subject to the imposition of conditions, the development would preserve and enhance the character and appearance of the Lichfield City Conservation Area and the setting of surrounding listed buildings, including views of the Cathedral. Furthermore, it is considered that the design is acceptable and physically well related to its surroundings. No significant harm would be caused to highway safety or the amenity of any neighbouring residents. Additionally the applicant has demonstrated that there would be no harm to protected species or the Cannock Chase SAC.

Accordingly, given the positive impacts of the development, the recommendation is one of approval, subject to the applicant overcoming the objections of the Staffordshire County Council Flood Team and compliance with the attached conditions and the applicant entering into a S106 Agreement.

our strategic plan at a glance

Read in full at www.lichfielddc.gov.uk/strategicplan

To be a strong, flexible council that delivers good value, quality services and helps to support a **vibrant and prosperous economy, healthy and safe communities** and **clean, green and welcoming places to live**.

How we create a vibrant and prosperous economy

How we create healthy and safe communities

How we create clean, green & welcoming places to live

What we will do

Between 2016 and 2020 we will place particular importance on:

- Promoting Lichfield District as a good place to invest through the roll out of the Local Plan.
- Ensuring our district is 'open for business' by welcoming and nurturing new enterprises to start up and succeed in our key business centres and rural areas.
- Delivering support, signposting and networking opportunities to existing businesses to help them thrive.
- Making it easy for businesses to interact with us.
- Understanding, monitoring and adapting to business needs and issues across the district.
- Encouraging increased visitors to our district, increased spend in the local economy and more overnight visitors.
- Delivering good quality and safe car parking in our key retail areas.
- Creating policies and events that promote healthy and active lifestyles for all, including young people – from cycle and safe walking routes, through to events, community activities and more.
- Providing support to help those with disabilities and older people stay healthy and active.
- Creating opportunities to increase the number of residents who are physically active, especially in hard to reach groups.
- Supporting and encouraging the development of clubs and other organisations to increase the quantity and quality of leisure and cultural opportunities across the district.
- Delivering a programme of disabled facilities grants to help people remain living safely at home
- Providing help and advice to prevent homelessness.
- Implementing our Local Plan which will ensure a controlled and balanced growth of the district.
- Developing supplementary planning guidance which will help to preserve our historic environment, support rural communities, and ensure the district continues to be an attractive place.
- Maintaining our parks and open spaces which encourage residents to enjoy the outdoors.
- Restoring the historic features of Stowe Pool and Fields.
- Our joint waste service continues to help our residents recycle a large percentage of their waste.
- Pursuing opportunities to transfer some open spaces to local organisations who can look after them for the enjoyment of all (e.g. playing fields).

By 2020 there will be:

- More local jobs and more people in employment.
- More new businesses locate in our district.
- More businesses succeed.
- More visitors and greater visitor spend in our district.
- A regenerated Lichfield City centre and an improved retail offer in Burntwood.
- More people will be active and healthy.
- More people will be involved in volunteering and community activity.
- Fewer people and families will be homeless.
- More people will feel safer and less worried about crime and anti-social behaviour.
- More people will be living independently at home.
- More affordable homes in the district.
- Our heritage and open spaces will be well maintained or enhanced.
- Our streets will be clean and well maintained.
- More people will use parks and open spaces.
- New homes, office, retail and manufacturing spaces will be built or developed in line with our Local Plan and planning guidance.

Our council By 2020:

- Our customers will be more satisfied.
- We will continue to be financially responsible.
- Our organisation will have clear corporate values and be committed to openness and transparency.
- More people will interact with us through our website and digital channels.
- We'll be more innovative in how we deliver services and make a difference locally.

This plan sets out the high level outcomes we want to achieve over the next four years. Every year we produce a one-year action plan that sets out the key activities we will deliver to drive forward the priorities set out in this plan in detail, and the measures and targets we use to check how we are doing. Read our actions plans at www.lichfielddc.gov.uk/actionplans



Lichfield
district council
www.lichfielddc.gov.uk