

# Public Document Pack

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8 February 2021

Dear Sir/Madam

## **PLANNING COMMITTEE SUPPLEMENTARY REPORT**

Please find attached supplementary papers for Planning Committee on **MONDAY, 8TH FEBRUARY, 2021 at 6.00 PM**

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Christie Tims', is written over a light grey circular stamp.

Christie Tims  
**Head of Governance and Performance**

## **SUPPLEMENT**

4. Planning Applications

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## SUPPLEMENTARY REPORT

### **PLANNING COMMITTEE (8<sup>th</sup> February 2021)**

#### OBSERVATIONS/REPRESENTATIONS RECEIVED SINCE COMPLETION OF REPORT

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**20/01238/COUM – Conversion and extension of existing barn to form gospel hall (Use class F.1 (f)) as a place of worship, with demolition of other agricultural barns and provision of car parking, landscaping and associated works  
Oak Tree Farm, Drayton Lane, Drayton Bassett B78 3EF**

#### **Additional Consultation responses**

The Conservation Team requested the imposition of conditions in relation to landscaping and facing materials – this is included under the requirements of condition 4.

#### **Additional Letters of Representation**

An additional email objection was received on 3<sup>rd</sup> February 2021. This raises issues related to the traffic impact of the development; which has been discussed in the main committee report.

A further representation was received on 4<sup>th</sup> February 2021 which questions if the transport assessment was carried out under normal traffic conditions and therefore the implications of this. As per the main committee report, the information to support the transport assessment was deemed acceptable by the County Highways Officer.

A letter was received from an interested party on 8<sup>th</sup> February 2021 setting out their and the local community concerns regarding the application. In summary, this which questions the validity of the data to inform the traffic calculations and general noise and disruption. They raise concern with regard to their families wellbeing due to likely proximity to their property and hours of use proposed. They ask whether the position of the access could be relocated to mitigate any impact- stating that the Trust and their planning representatives have acknowledged relocation and committed to a meeting with residents to discuss this further. They also ask the conditions be considered to ensue no overspill parking; no temporary further structures to increase capacity; no outdoor events to take place; no functions/events; no amplified music/speech or live music inside or outside the hall and ensure insulation is used in the building; no rumble strips on vehicle entrance; no further extensions in the future; no lighting that would affect neighbours; no noisy gate security; relocation of the access drive; improvement to broadband in the area; ensure all works are carried out in accordance with relevant council policy on noise. In conclusion, they ask that in view of severe impact on local residents that committee defer to allow further consideration of the above.

#### **Additional / Amended Conditions**

Amend the reason for condition 4 to include reference to the NPPF; to read as follows:

*“To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the NPPF. ”*

Amend Condition 6, so it states it is in conformity with the Local Plan Strategy and that it ensures the development will be built in accordance with such details. Amend condition 6 to read as follows:

*“Prior to commencement, excluding demolition, full details of both hard and soft landscaping works and boundary treatments have first been submitted to and approved in writing by the Local Planning Authority. These details shall include:*

- a) Means of enclosure and boundary treatments to and within the site;*
- b) Hard surfacing materials to be used, that should be appropriate to the rural location;*
- c) Details of soft landscaping including schedules of plant species, plant sizes, planting;*
- d) An implementation programme for the hard and soft landscaping and boundary treatments;*
- e) Details of the tree pits;*

*The development shall thereafter be carried out in accordance with these approved details and relevant timescales.”*

*Reason: In the interest of creating a high standard of development, in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the NPPF.*

Amend Conditions 7-11 to include reference to the NPPF.

Add reference to the Council’s Sustainable Design SPD to the reasons for conditions 4, 6 and 9 where reference made to policy concerning design.

Reason for Condition 10 to be amended to add reference to policy BE1 of the Local Plan.

Amend Condition 8 to remove reference to ‘nominees’. This was originally included to reference that the name of the organisation may change, but for the avoidance of doubt the condition proposed now reads as follows:

*“The use hereby permitted shall be carried on only by the Plymouth Brethren Christian Church only. When the premises cease to be occupied by the Brethren the Gospel Hall use hereby permitted shall cease”.*

An additional condition is recommended, making it an implicit requirement that prior to the use of the site, acoustic fencing as per the noise report must be installed. This additional condition wording to read:

*Condition 12, “Notwithstanding details as shown on the approved drawings referenced by condition 2, prior to first occupation of the site the acoustic fence referred to in Appendix H of the Noise Impact Assessment must be installed as per this report. It should be retained hereafter.”*

*Reason 12: In the interests of residential amenity and in accordance with BE1 of the Lichfield District Local Plan Strategy and the NPPF.*

An additional condition is recommended providing clarity on the hours of opening of the hall. This additional condition wording to read:

Condition 13, “The hall will be open only during the following times:  
09.00 to 21.30 Monday-Friday  
07.30 to 21.30 Saturday  
05.15 to 21.30 and Sundays

Reason 13: *In the interests of residential amenity and in accordance with BE1 of the Lichfield District Local Plan Strategy and the NPPF.*

#### **Additional / Further Observations**

At point 1.1 in the report, reference is made to saved local plan policies. This is not correct as there are no saved policies in the district.

Reference to NR3 in the list of Local Plan Strategy Policies is missing the word 'habitats'.

A comment has been made regarding the proposed parking layout. The details of parking are shown on the submitted layout plan, which will be an approved plan and condition 7 requires that the development is to be implemented as per the approved plans and so this will ensure provision of appropriate parking without the need for a further condition.

Another query has been raised that should the Plymouth Brethren Christian Church or their nominees cease using the church then it must be applied for again for another suitable group through a formal planning process.

Parking areas have been queried and the quantum of spaces afforded to the site and possible impacts on the greenbelt as a result. For clarification, this number of parking spaces has been worked out on the basis of the maximum amount of visitors to the site at any one time. In terms of Greenbelt impact, a significant amount of the site (shown on pages 8 and 9 of the design and access statement) shows the areas of hardstanding already on the site where this would be primarily located.

The issues of mitigation measures concerning noise has been raised and therefore the report would like to reconfirm that condition 11 refers to a specific plan to address this.

Subject to the above amended and additional conditions, the original recommendation to approve is maintained.

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**20/01120/FULM– Provision of 8 no. 1 Bed 2 Person affordable apartments, with associated car parking, drainage connections, external works and landscaping  
Land At Netherstowe, Lichfield Staffordshire**

#### **Additional Letters of Representation**

Four additional letters of representation have been received. These however do not address any new considerations that not been cleared in the report already.

#### **Additional / Further Observations**

It should be noted that this application along with being called to committee due to being on council land has also been called in by Councillors Colin Ball and Dave Robertson.

Following the review of the reasons for refusal, there are various conventions in their format which require amendments. As a result they have been changed to read as per the following:

1. The proposal is not considered to constitute sustainable development in line with the requirements of Strategic Priority 14 Built Environment, as it would result in the loss of land designated for open space in the Lichfield District Local Plan Strategy 2015 contrary to the requirements of Core Policies 1 (The Spatial Strategy) , 3 (Delivering sustainable development) and 10 (Health and Safe

Lifestyles) of the Plan and the requirements of paragraph 97 of the NPPF. This loss would result in a significant and demonstrable level of harm to the ability of the local community to interact with each other and their ability to create healthy inclusive communities. Furthermore, the provision of a 100% affordable scheme of housing is not considered to constitute a suitable replacement to justify the loss in terms of quantity and quality in line with the requirements of paragraph 97 of the National Planning Policy Framework 2019.

2. By reason of the siting of the development on land which forms an important and positive part of the streetscene in this area; forming a gateway to a larger area of Open Space with a footpath and cycleway to the city centre with no similar scale of development in the immediate area, would conflict with the prevailing pattern of development in the locality which is characterised immediately by bungalows and open space. As a consequence, the proposal would not amount to high quality design and would be detrimental to the character of the surrounding area , contrary to the Lichfield District Local Plan Strategy 2015 Policy BE1 (High Quality Development), Core Policy 3 (Delivering sustainable development), and the National Planning Policy Framework chapter 12 2019
3. The applicant has failed to adequately provide evidence that the proposed development would not adversely impact on views of the grade I Listed Lichfield Cathedral spires. This is contrary to Core Policy 14 (Our Built and Historic Environment) and Policy BE1 (High Quality Development) of the Lichfield District Local Plan Strategy 2015 and paragraph 185 (d) of the National Planning Policy Framework 2019.
4. The proposed development due to its location and relationship to important trees will create substantial issues in terms of overshadowing and fruit drop on future residents. This could lead to future requests for their removal. Therefore, this is deemed to not provide a high standard of amenity for future users, contrary to policy NR4 of the Lichfield Local Plan Strategy, paragraph 127(f) of the National Planning Policy Framework and the Council's adopted SPD entitled, 'Trees, Landscaping and Development'.

Any mention of the Supplementary Design Guidance referred to this report should be prescribed in full.

Any mention of the Saved policies 1998 should be removed as they are no longer relevant for decision making purposes on planning applications.

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**20/01121/FULM– Erection of 16 no. new affordable dwellings, with associated car parking, external works and landscaping, together with the stopping up and diversion of existing highway consisting of footpaths within the site and leading to Leyfields, Curborough Road and Dimbles Hill  
Leyfields Open Space, Leyfields, Lichfield Staffordshire WS13 7NJ**

#### **Additional Letters of Representation**

An additional letter of representation have been received. This however does not address any new considerations that not been cleared in the report already.

### **Additional / Further Observations**

Following the review of the reasons for refusal, there are various conventions in their format which require amendments. As a result they have been changed to read as per the following:

1. The proposal is not considered to constitute sustainable development in line with the requirements of Strategic Priority: Built Environment as it would result in the loss of land designated for open space in the Lichfield District Local Plan Strategy, contrary to the requirements of Core Policies 1 (Then Spatial Strategy) 3 (Delivering Sustainable Development) and 10 (Healthy and Safe Lifestyles) and HSC1 (Open Space Standards) of the Plan and the requirements of paragraph 97 of the NPPF. This loss would result insignificant and demonstrable harm to the ability of the local community to interact with each other and their ability to create healthy inclusive communities, to the detriment of their well-being. The provision of a 100% affordable scheme of housing is not considered to constitute a suitable replacement to justify the loss in terms of quantity and quality in line with the requirements of paragraph 97 of the National Planning Policy Framework.
2. The proposed development, by reason of its design and layout, with high density and extensive areas of hardstanding would give rise to a cramped, and visually obtrusive form of development which would fail to respect site circumstances and not respect the predominant form of development in the area to the detriment of the character and appearance of the surrounding area and the visual amenities of neighbouring occupiers. The development lacks connectivity and natural surveillance issues with a lack of green areas and private amenity space. It is therefore considered to be contrary to the high quality design aspirations within Section 12 of the National Planning Policy Framework, policy BE1 (High Quality Development) of the Lichfield District Local Plan Strategy and the Council's adopted Sustainable Design Supplementary Planning Document
3. The applicant has failed to demonstrate in respect of the impacts to biodiversity. No biodiversity metric has been provided for the site to demonstrate measurable net gains to biodiversity or to ensure that the development will not cause a net loss to biodiversity. This requirement that all development within the Lichfield District achieve for a measurable net gain to biodiversity value is further detailed in paragraphs 6.30 and 6.33 of Lichfield District Council Biodiversity and therefore fails to conform to Local Plan Policy NR3 (Biodiversity, Protected Species & their Habitats)
4. The proposed landscaping plan fails to adequately compensate for the loss of trees that would occur as a result of this application. In addition the applicant has also shown a number of constructions within Root Protection Areas (RPA's) that are not controlled or detailed. The pruning of tree T2 is not accepted as arboriculturally sustainable. The application is therefore contrary to both the guidance within the Trees, Landscape & development Supplementary Planning Document and overall policies of NR3 (Biodiversity, Protected Species & their Habitats of the Local Plan Strategy).

Any mention of the Supplementary Design Guidance referred to this report should be prescribed in full.

Any mention of the Saved policies 1998 should be removed as they are no longer relevant for decision making purposes on planning applications.

LIST OF SPEAKERS

**PLANNING COMMITTEE MEETING**

8 February 2021

**20/01238/COUM**

Councillor Ian Watkins

Objector

Ms Chloe Bennett

Supporter

Mr Andrew Beard (AB Planning)

Applicant's Agent

**20/01120/FUL**

Mr Daniel Floyd

Objector

Councillor Dave Robertson

Non Committee Ward Member

**20/01121/FULM**

Mr Stella Horsfall

Objector

Councillor Dave Robertson

Non Committee Ward Member