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Friday, 2 November 2018

Dear Sir/Madam

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW & SCRUTINY) COMMITTEE

A meeting of the Economic Growth, Environment and Development (Overview & Scrutiny) Committee has been arranged to take place **MONDAY, 12TH NOVEMBER, 2018 at 6.00 PM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

Access to the Committee Room is via the Members' Entrance.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner', written in a cursive style.

Neil Turner BSc (Hons) MSc
Director of Transformation & Resources

To: Members of Economic Growth, Environment and Development (Overview & Scrutiny) Committee

Councillors Cox (Chairman), Ball (Vice-Chair), Warfield (Vice-Chair), Mrs Baker, Mrs Boyle, Drinkwater, Mrs Eagland, Mrs Fisher, Lax, Marshall, Smith and Mrs Stanhope MBE



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AGENDA

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**ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW
& SCRUTINY) COMMITTEE**

19 SEPTEMBER 2018

PRESENT:

Councillors Cox (Chairman), Ball (Vice-Chair), Warfield (Vice-Chair), Mrs Baker, Mrs Eagland, Marshall, Smith and Mrs Stanhope MBE.

(In accordance with Council Procedure Rule No.17 Councillors attended the meeting).

23 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Drinkwater and Mrs Fisher

24 DECLARATIONS OF INTEREST

There were no declarations of interests.

25 INTRODUCTIONS

The Chairman welcomed Councillor Ball to the Committee and to role of Vice-Chairman. He reminded Members that the position would be ratified at Council in October but that Councillor Ball was acting in the role as of this moment. The Chairman also thanked Councillor Drinkwater for all his hard work and input as the previous Vice-Chairman and passed on the Committees well wishes to him and his wife.

26 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting were approved and signed as a correct record.

27 PRESENTATION BY THE ENVIRONMENT AGENCY

The Committee received a presentation from the Environment Agency (EA) on Planning and Flood Risk. They reported that they had two strategic roles in the Planning system which included advice on the Local Plan and Development control and detailed these in depth to Members.

It was reported that the EA expected Local Plans to have Strategic Flood Risk Assessment Level 1 with a preference to avoid flood risk or manage if factors means level 2 or 3 site are required for development.

It was then noted that the EA was a statutory consultee regarding planning applications. It was reported that the County Council was the lead local flood authority for certain types of water concerns like surface water drainage but the EA would comment on flood risks.

The EA presented what calculations they use when considering flood risks and what they expected developers to do to mitigate these risks. They reported that the two questions they pose when considering applications were will it firstly be "Made safe for its lifetime" and secondly "without increasing flood risk elsewhere". They then wished it to be noted that responding to planning consultations was not a simple yes or no but object to the principle or in the details of the application along with recommendations of planning conditions.

The Committee then asked questions and wanted reassurances that the models used were correct especially with changing data and the added complication of climate change. It was reported that uncertainties were written into the models.

Members then wanted to know what data sources were used to create flooding models and whether local knowledge was included. It was reported that information was taken from known flooding events and physical gauges and models were updated whenever the data changed. It was noted that anecdotal evidence should be used when collating site specific data and it would be investigated if this had not happened. The Committee suggested that a reporting mechanism with Parish Councils could be advantageous to the EA.

Members asked how often flooding zones were reviewed as there had been an instance where the Planning Committee had approved an application based on a 'no objection representation made by the EA only for the flood zone to change on the site soon after. Members expressed their concern that the Planning Committee were making decisions based on out dated professional advice. The EA committed to investigate when the zoning changed for the site in question and let Members know. They also agreed to look at why local knowledge had not been considered when initially giving their comments on the planning application. They did assure the Committee that the models now used suggested that the site was safe and reported that they would pass these models on to help reassure residents in the area.

Further concern was expressed regarding sewage works especially in the Fradley area and it was agreed that the EA would discuss these issues with Seven Trent Water on the Committee's behalf.

When asked, it was confirmed that dredging of rivers did not make a big enough positive impact and now the preferred method was to re-naturalise them as it was more environmentally friendly.

The Environment Agency was thanked for their attendance and their assistance to the Committee.

RESOLVED: That the information given be noted.

28 PROPOSAL FOR A SMALL BUSINESS GRANT SCHEME

Committee received a report on the proposed small business grant scheme. It was reported that the scheme would award up to 50% grant funding ranging from £500 to £1500 and to qualify, existing businesses would have to have been trading for no more than three years or be persons looking to start a business in the district.

It was noted that other local authorities had already introduced similar schemes and it would aid meet the Council's Strategic Plan priority a vibrant and prosperous economy.

Members welcomed the proposals and felt it would encourage businesses to grow in the district. Reassurances were sought that robust monitoring would be undertaken to ensure the grants awarded were adding value. It was reported that a review of the use of the grant would be undertaken 6 months after being given. It was also reported that the applying business or individual would have to be a member of the Enterprise for Success programme which would ensure they received business advice and courses to help them make the best use of the grant given.

Members expressed a need to ensure there was no duplication with other forms of funding as it would allow all sectors of business to have the opportunity to receiving grants. It was noted that this was especially the case with business to consumer types.

There were concerns of what available resources there were to undertake the awarding of grants but were reassured that this had been taken into account when devising the scheme.

Members then requested that there be reviewable outputs written into the scheme to allow for robust monitoring and it was reported that there would be budget based and job creation targets and these could be reported back to the Committee.

The Committee expressed their disappointment at the sale of industrial units as they were a good model for business start up however accepted the reasons for their sale.

RESOLVED: That Cabinet be recommended to approve the proposal for a Small Business Grant Scheme.

29 LOCAL PLAN AND RELATED SPATIAL POLICY MATTERS UPDATE

The Committee received an update on the Local Plan. It was reported that the Local Plan Allocations document had recently been examined by the Planning Inspectorate at a public hearing and the Council was now awaiting the Inspectors report.

The Committee expressed their thanks to Mr Ashley Baldwin, Spatial Policy and Delivery Manager, and all Officers in his department for all the work they have undertaken at the examination hearing and overall for the whole process.

It was noted that the examination stage of the Allocations document had not ended and the Inspector had requested further information on a number of points including reliance on larger allocation sites. It was reported that a requirement for main modifications to the document was expected and if this was the case, these would be reported to Members

The results of the consultation on the Local Plan Review Scope, Issues and Option was noted as concluding on the 11th June 2018 and the responses received were included in the report. Feedback from the effectiveness of the consultation was also reported and the Committee was pleased to note that this would be taken on board for the next consultation which was due in January 2019. Members did request that mailshots were not used due to the cost. It was suggested that Mosaic be utilised if possible to help target specific demographics. It was also suggested that Councillors highlight the consultation when meeting with residents.

The use of greenbelt was discussed further and it was noted that the Council's position was not to use to accommodate housing and this was expressed at the examination hearing by both the Council's Counsel and Members speaking as witnesses. It was noted that some responses from the consultation had suggested that greenbelt be released however these were from owners of such sites. When asked, it was agreed that the Infrastructure Development Plan could be used to help prove sustainability of the proposed sites.

Duty to Cooperate was discussed and it was noted that this was continuing and a Statement of Common Ground would soon be forthcoming with Tamworth Borough Council.

The proposed new NPPF was noted and in particular, windfall sites. It was asked if a policy could be introduced to prevent back garden development and it was reported that the NPPF still leaned towards the presumption of development and so any policy would have to be very robust.

The housing need for Birmingham was discussed and the Committee still felt that all brownfield sites should be considered by that City Council before looking outside their area to need their need. It was noted that it could be the case that sites are not suitable for housing but for employment needs but Officers will continue to articulate this point with Birmingham

- RESOLVED:** (a) That the progress associated with the Local Plan Allocations and Local Plan Review be noted;
- (b) That the summary of representations received to the Local Plan Review Issues and Options consultation and the officer responses be noted;
- (c) That the need to review the content of the Statement of Community Involvement in more detail and subsequently present this to Cabinet to request permission consult on the proposed changes be noted;
- (d) That the recent progress in relation to neighbourhood plans within Lichfield District be noted.

30 WORK PROGRAMME

The work programme was considered and it was reported that an additional meeting had been provisionally scheduled for 21st November 2018.

It was noted that the item on Festivals and Events would be led by the Leisure, Parks and Waste Management (Overview & Scrutiny) Committee however a report on the economic and tourism benefits of these events would be considered by this Committee.

It was noted that Councillor Marshall had agreed to Chair the BRS Member Working Group which would include Members across the Council and be cross party based. It was also reported that updates from the group would be fed back to this Committee and Cabinet.

RESOLVED: That the work programme be noted and amended as agreed.

(The Meeting closed at 8.25 pm)

CHAIRMAN

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2018-19

Item	June	Sept	Nov	Jan	Mar	Details/Reasons	Officer	Member Lead
Policy Development								
Terms of Reference	✓						Christine Lewis	
Small Business Grant Scheme		✓					Jonathan Percival	Cllr Ian Pritchard
Environment Agency		✓				Presentation and discussion with EA regarding Planning application representations	Craig Jordan	Cllr Ian Pritchard
Conservation Area Appraisals			✓			To consider Wall and Wiggington (including changes to the CA boundaries) and the new CA is proposed for Drayton Bassett	Sean Coghlan	Cllr Ian Pritchard

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2018-19

Item	June	Sept	Nov	Jan	Mar	Details/Reasons	Officer	Member Lead
Economic Performance			✓				Craig Jordan	Cllr Ian Pritchard
Supplementary Planning Document on Sustainable Design Appendix A Update			✓				Sean Coghlan	Cllr Ian Pritchard
Conservation Area Appraisals			✓				Ashley Baldwin	Cllr Ian Pritchard
Festivals and Events					✓	This item will be led by LPWM to scope. EGED will consider tourism and economic matters	Lisa Clemson	Cllr Ian Pritchard
Building Control Shared Service						A briefing paper will be sent when information is ready	Ged Cooper	Cllr Ian Pritchard

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2018-19

Item	June	Sept	Nov	Jan	Mar	Details/Reasons	Officer	Member Lead
Local Plan Updates	✓	✓		✓	✓	Reports on progress with the Local Plan, neighbourhood plans	Ashley Baldwin	Cllr Ian Pritchard
BRS Working Group		✓	✓	✓	✓	Working group to be established	Craig Jordan	Cllr Ian Pritchard
Review of the operation of the new Planning Committee						Report likely in June 2019 to allow a full year of operation before review.	Sean Coghlan	Cllr Ian Pritchard
Briefing paper on Development Management performance		✓					Sean Coghlan	Cllr Ian Pritchard
Briefing paper on performance of self builds		✓						

ECONOMIC GROWTH, ENVIRONMENT AND DEVELOPMENT (OVERVIEW AND SCRUTINY) COMMITTEE WORK PROGRAMME FOR 2018-19

Item	June	Sept	Nov	Jan	Mar	Details/Reasons	Officer	Member Lead
Enforcement Plan Update			✓			To consider enforcement activity	Sean Coghlan	Cllr Ian Pritchard
Planning Enforcement Resources Review			✓				Sean Coghlan	Cllr Ian Pritchard
LEPs				✓		Item is dependent on outcome of Government proposals	Craig Jordan	Cllr Ian Pritchard

Sustainable Design SPD Appendix A Update

Report of the Cabinet Member for Economic Growth, Environment & Development Services:
Councillor I. Pritchard



Date: 12 November 2018

Contact Officer: Jon Allinson

Tel Number: 01543 308195

Email: Jon.Allinson@lichfielddc.gov.uk

Key Decision? YES

Local Ward Members ALL

**Economic Growth,
Environment and
Development (Overview
and Scrutiny)
Committee**

1. Executive Summary

- 1.1 This report proposes an update to Appendix A of the Sustainable Design Supplementary Planning Document (SPD) entitled 'Space about Dwellings and Amenity Standards for all Development'. This document and the standards included within have been utilised in determining planning applications since its adoption in December 2015. As part of service level improvements following complaints and appeal decisions, it is considered necessary to review its contents to add clarity and ensure a consistent and transparent approach.
- 1.2 Due to the nature of the update of this Appendix, public consultation will be required as part of the process to review and adopt a revised version.

2. Recommendations

- 2.1 That Committee:
 - i) Notes the contents of the proposed revised Appendix A and,
 - ii) Recommends that the updated Sustainable Design SPD Appendix A – 'Space about Dwellings and Amenity Standards for all Development' is referred to Cabinet for agreement to undertake public consultation as part of the review of this.

3. Background

- 3.1 The Sustainable Design Supplementary Planning Document (SPD) is part of a suite of SPD's which support the adopted Local Plan Strategy and was originally prepared by a Task Group of Members and officers and was adopted by the Council in December 2015. It has been used to supplement the design and sustainability policies of the Local Plan Strategy in the determination of planning applications and to assist in advising pre-application enquiries.
- 3.2 The SPD as a whole gives guidance on how sustainable development can be achieved through connectivity and integration, in terms of how places are sustainably connected by transport linkages and through patterns of development. It then considers how layout and density can assist in creating sustainable development, through green infrastructure, standards for parking and space around dwellings, utilising sustainable drainage systems, creating 'walkable' communities and energy efficient

layouts. A final section considers how technology and construction of buildings can lead to more sustainable development and a local Sustainability Checklist for planning applications is also included in the appendices.

- 3.3 This document has now been utilised for such purposes for the past 3 years, however it is now considered that the guidelines contained within Appendix A, which relate to 'Space About Dwellings and Amenity Standards for all Development' for both new buildings and domestic extensions, requires amendment and additional clarification, to assist in a consistent interpretation of the guidelines that it provides. This would accordingly provide customers with clarity on the standards that are to be applied to development proposals, so that appropriate forms of development come forward that do not harm amenity. The necessary clarification added to this Appendix includes the addition of diagrams and expanded clarification text.
- 3.4 The existing Appendix A also makes reference to the British Research Establishment (BRE) Digest 2009, however it is not considered reasonable to refer to a paid-for third party document as part of local authority guidance. Therefore, it is proposed to remove all reference to BRE as part of this. However, the 45° and 25° daylight amenity guidance found within this document is considered a simple and effective method for assessing daylight amenity impact and is proposed to be retained as part of the revised guidance. By removing reference to the BRE digest, the impact of 'right to light' will no longer be a material planning consideration in the determination of a planning application, but assessment of impact in terms of loss of light to existing neighbouring property will remain and be included and considered, with added explanation of how this is assessed within the proposed revised Appendix.
- 3.5 A copy of the draft proposed revised SPD Appendix A is attached to this report (Appendix 1). Once adopted it will replace the existing Appendix A of the SPD. The revised Appendix will aid implementation of the local plan strategy and contribute to bringing forward development proposals which are of a high standard and policy compliant.
- 3.4 In order to enable a revised Appendix A to be given due weight in the consideration of planning applications and support the Local Plan, formal stages of consultation are necessary. The draft amended SPD Appendix A is now at a stage where wider consultation can be undertaken following the agreement by the Cabinet to proceed.

Alternative Options	1. None
Consultation	1. Consultation is required on the proposed revised Supplementary Planning Document prior to adoption.
Financial Implications	1. Officer time/resource needed to run the consultation on the Local Plan Review. 2. The costs of consultation will be met within existing approved budgets.
Contribution to the Delivery of the Strategic Plan	1. Supports the bringing forward of development proposals which are of a high standard and policy compliant.
Equality, Diversity and Human Rights Implications	1. An Equality Impact Assessment will accompany the revised SPD Appendix.
Crime & Safety Issues	1. None

**GDPR/Privacy
Impact Assessment**

1. A GDPR/Privacy Impact Assessment will accompany the revised SPD Appendix.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Clarity is not provided and the guidelines continue to be open to wide interpretation.	Officers would continue to interpret guidelines which may differ from the interpretation of customers, developers and others.	Yellow
B			

Background documents

Adopted Sustainable Design SPD (December 2015)

Relevant web link:

<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Supplementary-planning-documents/Downloads/Sustainable-design-SPD/Sustainable-Design-SPD-without-appendix.pdf>

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Appendix A Space about Dwellings and Amenity Standards for all Development

Introduction

1 The purpose of these guidelines is to ensure a satisfactory standard of amenity for existing and proposed occupiers of residential properties within the District.

2 This is to be achieved by ensuring adequate spacing around dwellings, whilst taking account of outlook and privacy.

3 The provision of adequate space about dwellings is an important element in achieving a high standard of design and layout and provides:

- adequate daylight and sunlight to rooms and rear gardens;
- reasonable privacy for dwellings within their proposed layout and to protect the privacy of existing dwellings;
- a satisfactory level of outlook, within new development and in relation to existing development;
- a reasonable area of private amenity space to allow such uses as drying washing, gardening and children's play, together with space for garden sheds, greenhouses and future extension to the dwelling;
- reasonable communal areas of open space for apartments and some types of special housing.

4 Policy BE1 (High Quality Development) of the Local Plan Strategy notes that in terms of the built vernacular, *"New development, including extensions and alterations to existing buildings, should carefully respect the character of the*

surrounding area and development in terms of layout, size, scale, architectural design and public views..." Local Plan Strategy. It also notes that development should have a positive impact on amenity.

Daylight and Sunlight

5 The design and layout of both new buildings and extensions should aim to maximise sunlight to internal accommodation and private amenity areas. Ideally primary main habitable room windows, especially for lounge/sitting rooms should not face north.

6 External obstructions can affect the quality and quantity of light entering an adjacent property. New development and extensions should not be of a size that results in an overbearing impact on neighbouring residential property. The Council applies 45° and 25° daylight guidelines.

7 The 45 degree guidelines will be utilised for front and rear extensions to a dwelling or for new built development to assess the impact on the dwelling next door. It shall only apply where the nearest side of the extension or building is perpendicular to the window (Figure 1). The 25 degree guide line shall apply for windows which face the extension or buildings opposite. (Figure 4).

45° guideline

8 To apply the 45 degree guideline there are 2 stages to this assessment. Should stage one be met then stage 2 is not required.

9 Stage 1 – Assesses the impact of the depth of the extension. Take the elevation of the window wall of existing neighbouring development and draw diagonally at ground level at an angle of 45 degree from the furthest corner of the extension / new building towards the affected neighbouring dwelling. (Figure 1)

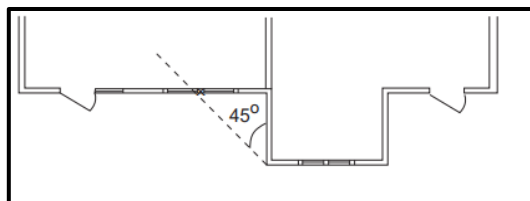


Figure 1 – Stage 1 Plan - 45° guideline assessment. Centre of affected window is within 45° angle on the plan so stage 2 needs to be utilised.

10 Should the 45 degree line lie closer to the extension / new building than the centre of the effected window then there will be no significant reduction in light. If the centre of the neighbouring window is within the 45 degree line then there is likely to be a loss of light, so stage 2 should then be carried out to confirm whether the light reduction is significant.

11 Stage 2– Assesses the impact of the height of the extension or new building. For an extension / new building with a flat roof, draw a 45 degree line from the highest point of the extension towards the effected window.

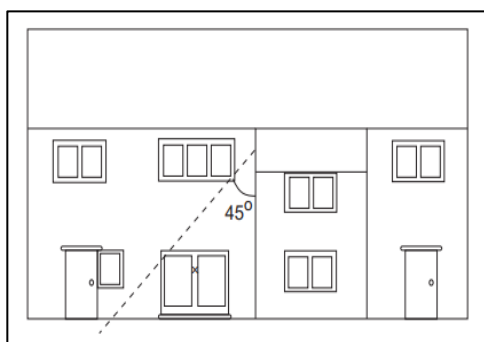


Figure 2 –Stage 2 Elevation - 45° guideline assessment. In this example the affected patio door is within the 45° angle on both plan (fig 1) and elevation, so a significant reduction of light is likely.

12 For an extension / new building with a front to back mono pitched roof, draw a 45 degree line starting at a point halfway between the eaves and the ridge towards the effected window. For standard gable draw a line from the eaves. If the centre of the neighbouring window is within the 45 degree line then there is likely to be a loss of light received. In the case of a floor to ceiling window e.g. patio door, a point 1.6m above the ground on the centre line of the window may be used. Figure 3 shows both 45o guidelines being applied.

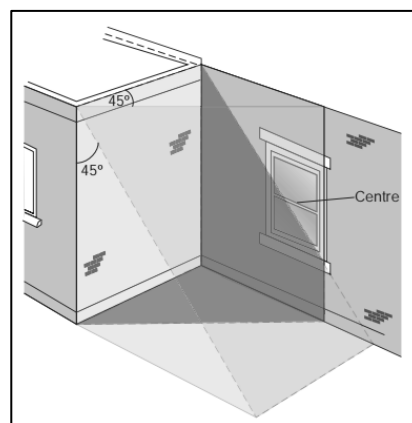


Figure 3

Figure 3 - Application of both stages of the 45° approach to a domestic extension. A significant amount of light is likely to be blocked if the centre of the window lies within the 45° angle on both plan and elevation. In this example the centre of the window lies outside the 45° angle on elevation so the extension is only likely to have a small impact. Therefore the proposal is acceptable.

13 These guidelines should be applied flexibly, and any existing intervening structures should be taken into consideration (e.g. existing extensions, boundary treatments), as the existing structures are likely to already block light from that direction. The context of the proposal will also be considered e.g. extensions / new buildings which lie to the north of a neighbouring window, no overshadowing will be caused, however there may still be an overbearing impact (see outlook below) or whether the effected window is a secondary window i.e. this window is not the primary source of daylight to the room.

14 A further exemption is the construction of conservatories, which are predominantly glazed. Conservatories which do not meet the guideline may be considered acceptable provided that they are fully glazed above a height of 2m, so as not to allow any light blockage, mitigating the effect of its location.

25° guideline

15 To assess the impact of a new building / structure opposite an effected window (Figure 4) a 25 degree guideline is applied. To utilise, draw a perpendicular line at a vertical angle of 25 degrees from the centre of the effected window towards the proposal (or 1.6m above ground for a full length window or door). If any part of the building (including roof) is within this line then there is likely to be a loss of light to the window. Should the eaves of the new building or structure be above this line then there is likely to be an impact on light received and therefore the impact is likely to be unacceptable.

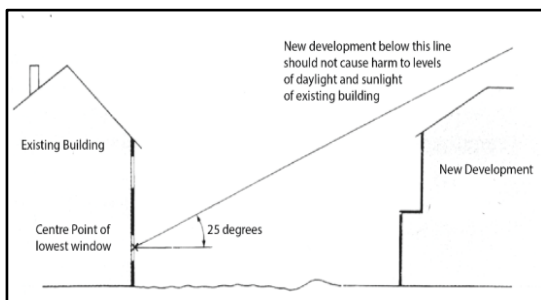


Figure 4 - Section in plane perpendicular to the effected window wall from existing to proposed development showing acceptable application

Privacy & Outlook

16 To allow for the retention or provision of sufficient privacy to adjacent occupiers, new development should meet the following guidelines:

Adequate Separation

- Be at least 21 metres between dwellings where primary principal habitable windows face each other. If there is an intervening screen the distance between ground floor facing windows can be reduced to 15 metres; or 13 metres in the case of single storey dwellings. Principal habitable windows are defined as windows serving living rooms, play rooms, dining rooms, kitchens and bedrooms. A primary window is the main or only window to which light illuminates the identified room. Less weight is given to secondary windows due to the existence of the primary source of light (Figure 5).

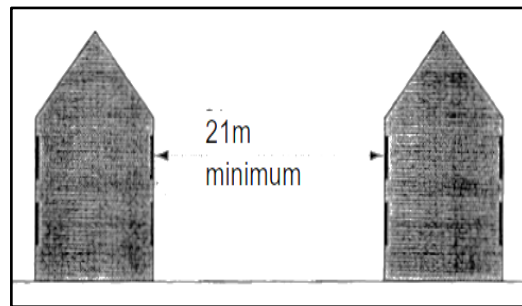


Figure 5 – An appropriate separation distance for facing principal habitable room windows.

Overlooking

- Windows in side elevations at first floor level to serve principal habitable rooms will not generally be supported, where neighbouring properties exist. However, if secondary windows are deemed necessary, that don't meet the separation standards, they should be obscure glazed and either fixed shut or top hung. (Figure 6)

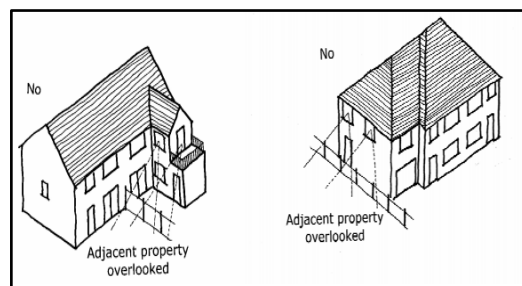


Figure 6 - examples of inappropriate overlooking from side facing windows / balconies

Appendix A Space about Dwellings and Amenity Standards for all Development

- No windows serving principal habitable rooms shall be provided on side elevations at ground floor level, unless there is an intervening screen (i.e. wall or fence) blocking interaction; or the window is obscure glazed top hung / fixed shut.
- In addition, there should be at least 6 metres between a primary principal habitable room window and private neighbouring residential amenity space (e.g. a private garden or private patio), except where there is no overlooking demonstrated.

Outlook

- To avoid any undue overbearing effect on neighbouring properties in terms of outlook as a result of new development, both from and to, where one dwelling faces the two storey side of a neighbouring property, and which is a blank elevation (i.e. no facing windows), the minimum distance separation between the 2 storey parts of each dwelling should be 13 metres or 10 metres in the case of single storey development. (Figure 7)

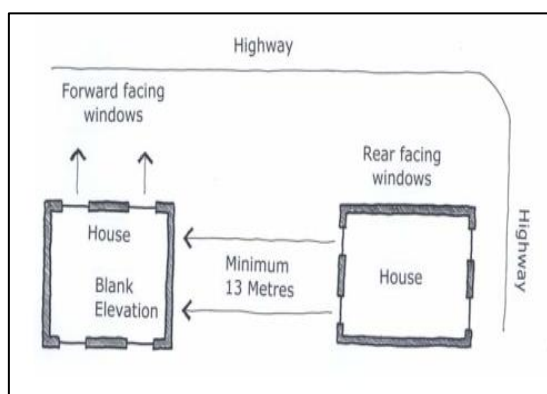


Figure 7 Protection of outlook

- Balconies / roof terraces – These should be sited carefully and designed to prevent any overlooking of principal habitable rooms; or the gardens of neighbours at a distance of not less than 10m. Such impacts could be mitigated through solid screens being erected to the sides of balconies / terraces to prevent any direct overlooking of adjacent habitable windows or immediate patio areas.

17 NOTE:

- Increased separation distances will be required where there are significant variations in ground level between new development and existing development. As a general guide, the distance separation between proposed development and existing development should be increased by 2 metres for every 1 metre rise in ground level, where the proposed development would be at are on a higher ground level.(Figure 8).

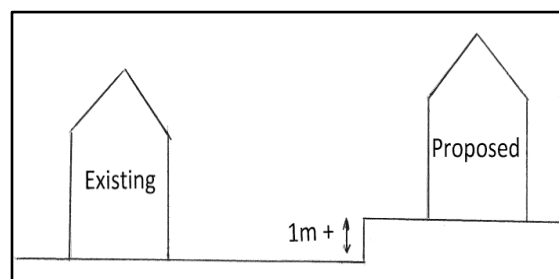


Figure 8 – In this example due to the proposal being on higher ground additional separation is required if the proposal is either face to face with existing development, or if existing development faces the side of the proposed development, due to an increased impact.

- Additional separation is not required where proposals are side by side with existing development; or where proposals are on lower ground to when compared to existing development.

Private Amenity/Garden Space

18 The provision of garden space for dwellings is important in order to provide activities connected with outdoor residential use, such as gardening; drying / washing; children's play space, together with some space for garden stores/ sheds. Both new and extended dwellings should allow for an acceptable provision of these uses.

19 All private amenity space should be a minimum of 10 metres in length and the total area of the garden should be a minimum of:

- 45 square metres for dwellings with 2 or less bedrooms;
- 65 square metres for dwellings with 3 and 4 bedrooms;
- 100 square metres for dwellings with 5 or more bedrooms;
- 10 square metres per unit for flats/apartments provided in shared amenity areas.

20 NOTE:

- Flexibility may be applied in relation to the above garden length standard, depending upon the site orientation.
- Also, with regard to garden/private amenity areas for new dwellings or in relation to conversion schemes, flexibility will be applied depending upon the individual merits of the development proposal, including the proximity to existing public open space.
- In terms of extending older properties the surrounding context would also be taken into consideration.

Other Considerations: Right to Light Legislation

21 The right to light is a legal right which one property may acquire over the land of another. If a structure is erected which reduces the light to an unobstructed property to below sufficient levels, this right is infringed. A right to light can come into existence if it has been enjoyed uninterrupted for 20 years or more, granted by deed, or registered under the Rights of Light Act 1959.

22 Planning permission does not override a legal right to light. There also may be instances where development built under permitted development rights compromises light levels to an existing window.

23 In both instances, where a right to light is claimed, this is a matter of property law, rather than planning law. It will therefore be for the parties affected to seek a legal remedy separate from the planning application process. The Council will have no role or interest in any private dispute arising and it will be for the owner or occupier affected to seek a legal remedy. Impact on right to light will not therefore justify a reason to refuse planning permission.

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Planning Enforcement Resource

Agenda Item 6

Cabinet Member: Councillor I Pritchard

Date: 12 November 2018

Contact Officer: Claire Billings

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Key Decision? No

Local Ward Members All Ward Members



**ECONOMIC GROWTH,
ENVIRONMENT AND
DEVELOPMENT (OVERVIEW
AND SCRUTINY) COMMITTEE**

1. Executive Summary

- 1.1 The purpose of this report is to advise Members of the current planning enforcement status (workload) and resource, including a comparison to that of other Councils in Staffordshire.

2. Recommendations

- 2.1 That the Committee:
- i) Note the current status and resource of the planning enforcement team;
 - ii) Consider the implications of such resource in the context of the delivery of the Local Enforcement Plan and government policy set out in the National Planning Policy Framework (NPPF).

3. Background

- 3.1 Planning Enforcement per se could be considered as discretionary, however, the investigation of an alleged breach of planning control is not, and therefore the Council has a duty to do this. The Council therefore has to investigate and make decisions on whether it is expedient or not to take enforcement action as part of its role.
- 3.2 The National Planning Policy Framework (NPPF) sets out that, *“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged case of unauthorised development and take action where appropriate.”* The Council adopted its first Enforcement Plan in April 2013 and is in the process of being updated at the current time. This sets out the how the Council will deal with planning enforcement matters, including the service standards that we aim to achieve and what cases will be prioritised.
- 3.3 The planning enforcement team is an integral part of the development management (planning) team. The current resource within the team includes 2 FT officers, including a Principal Planning Officer (Enforcement) who is required to be a chartered town planner and also an Enforcement Assistant; which is a non-qualified officer role. Both of these posts are currently filled and this level of resource/2 FTE has been as such since July 2016.

- 3.4 The composition of the planning enforcement team has changed over the last 10 years, notably including that from approximately April 2009 up until July 2016 the team included the Principal Planning Officer; a Planning Assistant; and an Enforcement Assistant. Although, it is be noted that the Planning Assistant role also dealt with planning applications and therefore the resource was 2.5FTE dedicated to planning enforcement at such time. Also, prior to April 2009 the team did comprise 3 FTE, including a Principal Planning Officer (Enforcement); Planning/Senior Planning Officer; and Enforcement Assistant- therefore included 2 qualified officers and one non-qualified officer.
- 3.5 Members of this Committee receive regular (6-monthly) performance briefing papers with regard to Development Management (planning) performance. The latest briefing paper was circulated in September. This report includes information about the planning enforcement team workload and performance levels. The latest performance briefing paper was circulated in September 2018.
- 3.6 Enforcement performance is not measured nationally (no national indicators), although this is monitored locally in terms of the number of notices served and cases received and closed. The table below sets out the status of performance/workload for the last 3 financial years:

Notices served & Number of Enf. Cases	APR 15 – MAR 16	APR 16 – MAR 17	APR 17 – MAR 18	APR 18 – AUG 18
Planning Contravention Notice	16	27	6	1
Enforcement Notice	3	3	3	1
LB Enforcement Notice	0	0	0	0
Breach of Condition Notice	1	0	0	0
S.215 Notice	0	1	1	1
Temporary Stop Notice	1	2	2	3
Stop Notice	0	0	0	0
Requisition for Information	1	0	1	0
Hedge Removal Notice	0	0	0	0
High Hedge Remedial Notice	0	1	1	0
Enf. Cases Received / Closed	300 / 282	285 / 249	213 / 143	129 / 36

- 3.7 The above information does identify that over the last 3 years the number of cases/reports of alleged unauthorised development received has reduced; most notably in the last financial year. Although balanced against this the level/amount of cases per officer is high (approximately 133 per officer if averaged) which could imply that the enforcement cases received are less straight forward or take more time to resolve. At the moment (as of September 2018) there are 231 open enforcement cases, with the Principal Planning Officer/PPO (Enforcement) having a caseload of approximately 50 cases and the Enforcement Assistant approximately 180 cases. The PPO tends to deal with matters of a more controversial nature and/or cases needing more planning policy or legislation assessment. The PPO also deals with any cases where formal notices are served/to be served and any subsequent appeal work related thereto.
- 3.8 As part of this review, a basic benchmarking exercise has been undertaken to compare with other Staffordshire authorities. The results of this exercise and the data collected is set out in Appendix A and B. This shows, at Appendix A that whilst the workload of the officers within the Councils' enforcement team is high, this is comparable to that of other Staffordshire authorities. In terms of the comparable mean average level of enforcement cases per officer over 7 Authorities in Staffordshire, it shows that it would equate to approximately 129 cases per officer, whereas currently in Lichfield we have a mean average of 133 cases per officer.
- 3.9 As part of the benchmarking exercise Stafford BC has provided a more comparable set of data. It shows that Stafford BC receive approximately 120 more enforcement cases per year compared to Lichfield,

and based on their planning enforcement resource levels it equates to approx. 109 cases per officer per year, against 133 at Lichfield. Therefore, to have a more comparable resource level to Stafford the Council would require 2.5 FTE planning enforcement case officers; whereas the current resource is 2FTE at Lichfield.

3.10 With regard to the type of resource i.e. qualified as opposed to non-qualified officers, this varies from Authority to Authority, although the greater resource does appear to be that of unqualified officers supported or managed by a qualified planning enforcement officer; as is the case at Lichfield.

3.10 With regard to the amount of Notices served by the planning enforcement team, it is difficult to directly compare to others without knowing the complexity or issues arising, furthermore adopted policies vary from authority to authority i.e. other authorities may promote resolution by negotiation or retrospective application approval, rather than taking enforcement action than others. However, Appendix B includes some data for Stafford and Staffordshire Moorlands combined with High Peak, against that of Lichfield- this shows that Lichfield has comparably served more notices in the last 3 years compared to that of others including 22 Notices per year, as opposed to 15 in Stafford and 7 in Staffordshire Moorlands/High Peak combined.

Alternative Options	1. N/A
Consultation	1. None
Financial Implications	1. The planning enforcement does not generally generate a fee to deal with matters; other than in relation to High Hedges or where retrospective applications or certain appeals have been submitted following investigations. Therefore, it is not a high income generating element of the development management service. Nevertheless, it is an important area of the planning service and the Council would be severely criticised (including by the Local Government Ombudsman) if it did not deal with matters related to alleged planning breaches and is an important element of the development management/planning service area, to ensure development is implemented appropriately and thereby ensure a quality environment with an approach that follows the Council's adopted Enforcement Plan and local and national planning policy. If the Council did not have a planning enforcement team, then the Council would not receive the respective planning application fees and could be at risk of compensation claims through the LGO complaints process. This would impact on the planning application budget, part of which is offered up annually to support the corporate budget.
Contribution to the Delivery of the Strategic Plan	1. Investigating and seeking to resolve alleged breaches of planning control through retrospective applications/resolving breaches facilitates the delivery of development within the District in line with the Local Plan Strategy, which is relevant to all of the Council's ambitions identified in the Strategic Plan where they have a spatial element.
Equality, Diversity and Human Rights Implications	1. It is important that matters related to equality, diversity and human rights are duly considered in all planning enforcement matters. The adopted Enforcement Plan sets out how decisions are made in an open, consistent and transparent way.
Crime & Safety Issues	1. None.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Not meeting local service targets, including those set out within the Enforcement Plan and also impact on the Council's reputation in not resolving unauthorised development in a swift and effective manner.	Managers review workloads and status of enforcement caseload regularly including reports to O&S committee on performance. Also, internal audit report recommendations adhered to. Also, seek to keep complainants and other informed with priority given in line with standards in the adopted Enforcement Plan.	Yellow.

Background documents

1. Development Management Performance Briefing Paper Sept 2018
2. Enforcement Plan (adopted 2013)
3. National and Local Planning policy and guidance.

Relevant web links

<https://www.lichfielddc.gov.uk/Council/Planning/Planning-enforcement/Downloads/Planning-Enforcement-Plan-2013.pdf>

Appendix A - Benchmarking with other Local Planning Authorities.

(Figures relate to recent staffing figures but workload for some LPAs relate to 2017 status rather than ave. over last 3 years therefore these figures should only be used as a rough guide to workload level comparison)

Authority	Qualified Planners	Other Officers	Dedicated Admin Y/N	Total FTE	Ave No. Enforcement Cases pa.	Ave cases per officer
Cannock	0	1	No	1	No data	N/A
Stoke	1	2	No	3	350	117
South Staffs*	2.5	1	Y (0.6 FTE)	3.5	550	157
Stafford	1	2.5	No	3.5	381	109
Lichfield	1	1	No	2	266	133
Tamworth	0	1	No	1	87	87
Newcastle	1	1	No	2	220	110
Staffs Moorlands & High Peak combined	2.5	2 inc 1 temp	No	4.5	551**	122

*note that South Staffordshire Council operate a different enforcement service model to those of others in Staffordshire in that it is a joint enforcement service including community safety, planning enforcement, environmental crime, licensing of scrap metal dealers/sites and car parking enforcement- although figures above have tried to reflect only the planning elements of the team, yet the manager and admin resource is shared.

**stats relate to figure for last financial year only.

Appendix B- Benchmarking with Stafford BC in terms of number and type of Notices served and cases received over last 3 financial years is as follows:

SBC- Stafford BC

LDC- Lichfield DC

Notices served & Number of Enf. Cases	APR 15 – MAR 16		APR 16 – MAR 17		APR 17 – MAR 18	
	SBC	LDC	SBC	LDC	SBC	LDC
Planning Contravention Notice	3	16	6	27	1	6
Enforcement Notice	9	3	4	3	3	3
LB Enforcement Notice	0	0	0	0	4	0
Breach of Condition Notice	1	1	6	0	7	0
S.215 Notice	0	0	0	1	0	1
Temporary Stop Notice	0	1	0	2	0	2
Stop Notice	0	0	0	0	0	0
Requisition for Information	N/A	1	N/A	0	N/A	1
Hedge Removal Notice	0	0	0	0	0	0
High Hedge Remedial Notice	0	0	0	1	0	1
Total No. of Notices served	13	22	16	31	15	14
Enf. Cases Received / Closed*	406	300 / 282	416	285 / 249	321	213 / 143

*data only for LDC on closed cases

In terms of total of combined Notices served in Staffordshire Moorlands & High Peak for the last 3 years this includes:

2015/16 - 8 Notices

2016/17- 10 Notices

2017/18- 4 Notices

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Enforcement Plan Update

Cabinet Member: Councillor I Pritchard

Date: 12 November 2018

Contact Officer: Peter Gittins

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Email: peter.gittins@lichfielddc.gov.uk

Key Decision? No

Local Ward Members N/A.



**ECONOMIC GROWTH,
ENVIRONMENT AND
DEVELOPMENT (OVERVIEW
AND SCRUTINY) COMMITTEE**

1. Executive Summary

- 1.1 This report relates to an update proposed to the Planning Enforcement Plan dated April 2013.
- 1.2 Whilst largely a technical update, ensuring that government policy references and changes to Council's departmental and personnel structure are up-to-date, there has been opportunity to also make some changes to our processes, in line with current best practice and advice on the contents of enforcement plans as set out in a document entitled "Towards a pro-active enforcement service: making the most of the tools in the box" prepared by PAS (Planning Advisory Service) in conjunction with NAPE (the Network for Planning Enforcement).

2. Recommendations

- 2.1 That the Committee,
 - i) Note and endorse the contents of this report and;
 - ii) Recommend that the Planning Committee approve the proposed updated Local Enforcement Plan, as attached at Appendix 1.

3. Background

- 3.1 The Council had an Enforcement Policy which was adopted in January 2005, updated in 2007 and again in 2010. In April 2013 the current planning Local Enforcement Plan was adopted, which replaced the Enforcement Policy, in order to accord with the provisions of the National Planning Policy Framework (2012). This Enforcement Plan is some five years old and so is now due for review and update, in order to reflect the updated NPPF (July 2018), changes within the team personnel and also, in order to reflect more recent best practice.
- 3.2 The proposed draft, revised Local Enforcement Plan essentially is a proposed technical update to the current document, ensuring that government policy references and changes to Council's departmental and personnel structure are up-to-date. However, whilst the current update shares the original evidence base of the 2013 Local Enforcement Plan and there is considered to have been little change to the Council's planning enforcement related priorities since such time, the opportunity to include some changes to our processes, in line with more recent best practice and latest advice from the Planning Advisory Service (PAS) in conjunction with NAPE, are also included. The more significant, proposed changes are summarised below.
- 3.3 It is proposed that the Local Enforcement Plan explicitly states how it will deliver the objectives of the Lichfield District Local Plan, by ensuring that where unauthorised development does not accord with the specific policies of the Local Plan it is effectively remedied.

- 3.4 Reference is also included to the possibility of undertaking proactive enforcement projects, subject to the availability of resources.
- 3.5 The performance standards within the draft updated Enforcement Plan have been altered, in order to reflect the model enforcement plan standards promoted by PAS. In particular, it is considered that to 'seek to close 80% of all cases within 12 weeks from the date of receipt' will be an effective and reportable measure of the team's performance and therefore has been included.
- 3.6 The potential for chargeable services has been further considered. Whilst charging directly for planning investigation services is not considered appropriate because the Local Planning Authority has a duty to investigate and deal effectively with breaches of planning control, there are a number of income streams that are attributable to effective and well-resourced planning investigation service which may be considered.
- 3.7 Currently, fee income may be derived from retrospective planning applications; lawful development certificates fees; appeal fees and costs; prosecution and caution costs; and recovered cost from direct action. In some cases where there has been an unauthorised change of use of land there may have been an underpayment of council tax and this is then brought to the attention of the council tax team. In addition, the proposed revised draft plan also aims to raise the profile of the potential for large sums linked to successful prosecutions and the award of a Confiscation Order, where the investigation and prosecuting authority would keep 37.5% of any award by the Court.
- 3.8 The proposed revised (draft) Local Enforcement Plan is included at Appendix 1.

Alternative Options	<ol style="list-style-type: none"> 1. Not update the current Enforcement Plan; although it is noted this is already 5-years old and contains incorrect information regarding personnel within the Council and requires updates to reflect change in guidance and best practice. 2. Not have an Enforcement Plan- although this would not be in line with best practice or the government endorsed approach. 3. Undertake further consultation with the Parish and Town Councils prior to the adoption of the updated local Enforcement Plan to re-establish priorities, although it is envisaged that this will not have changed significantly in the last 5/6 years' time and would delay the adoption of an up to date Enforcement Plan.
Consultation	<ol style="list-style-type: none"> 1. There has been no consultation related to this revised document for the reasons stated.
Financial Implications	<ol style="list-style-type: none"> 1. As set out at paragraphs 3.6 – 3.7 of this report there are opportunities to generate income from planning enforcement investigations and any subsequent action taken. 2. An up to date adopted Enforcement Plan ensures a consistent and transparent approach to planning enforcement that would minimise any upheld Corporate Council and Ombudsman complaints.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The review of the Local Enforcement Plan will assist in delivering the objectives of the Local Plan which is all part of the objective to ensure that the district is clean, green and welcoming place to live.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. The policies and procedures in the draft Local Enforcement Plan are such that they do not discriminate, or disadvantage any group protected under the legislation. 2. The proposals as set out in this report are considered to be compatible with the Human Rights Act 1998.

Crime & Safety Issues	1. The recommendation will impact positively on our duty to prevent crime. The draft Local Enforcement Plan identifies the tools and procedures that will be used to prevent crime and to effectively deal with planning crimes should they occur.
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GDPR/Privacy Impact Assessment	1. The draft Local Enforcement Plan states that we will keep customers personal details confidential at all times, unless required to disclose them as part of court proceedings, or to the Local Government Ombudsman (LGO), and that only necessary information will be kept indefinitely, unless the Council receives an erasure request. It is considered necessary to keep customers' personal information on file, as the Council may be required to provide information to the LGO should there be a complaint about the lack of enforcement action, or the process we follow. It will not be possible to predict what information will be needed. The immunity period from planning enforcement action is ten years for unauthorised uses and it is possible that a case could be referred to the LGO sometime after this period. Therefore, it is considered that the retention of information indefinitely is justified for the Council to fulfil its statutory duty in the case of planning enforcement.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Not updating the Local Enforcement Plan is likely to affect the efficiency of the service to some degree.	Refer to national policy and guidance and provide other information on planning and enforcement on the Councils website.	Risk is considered to be tolerable (Green).
B			
C			
D			
E			

Background documents The adopted Planning Enforcement Plan (April 2013)
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Relevant web links https://www.lichfielddc.gov.uk/Council/Planning/Planning-enforcement/Downloads/Planning-Enforcement-Plan-2013.pdf

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LICHFIELD DISTRICT COUNCIL

LOCAL ENFORCEMENT PLAN

DRAFT REVISED VERSION

NOVEMBER 2018

1.0 Introduction

- 1.1 All planning decisions - from deciding whether to build a new shopping centre; to whether to approve a new housing development or even an extension to an existing house- are assessed against a framework.
- 1.2 This type of framework is called a local plan. It helps to make sure the district is developed in the right way, including building the right number and types of houses, developing the right kind of shopping and recreation facilities, getting the right office and industrial spaces, creating opportunities for local jobs to be nurtured and protecting our wildlife, landscapes and heritage1.3 The Enforcement Plan sets out how the planning enforcement service will be delivered, and how it will contribute to the delivery of these objectives, by ensuring that where unauthorised development does not accord with the specific policies of the Lichfield District Local Plan it is effectively remedied.
- 1.3 Complaints and enquiries are received about alleged breaches of planning control, from a variety of sources. The integrity of the development management process depends on our readiness to take proportionate enforcement action when it is considered expedient to do so. We recognise the importance of establishing effective controls over unauthorised development, where it assists in the preservation and enhancement of the qualities of both the built and natural environment and to protect public amenity. 1.5 Paragraph 58 of the National Planning Policy Framework (July 2018) states that:
- 1.4 “Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate.”
- 1.5 This Enforcement Plan sets out the Council’s approach to planning enforcement. The main legislative powers are explained and how enquiries will be prioritised and pursued is also set out in this document.

- 1.6 Lichfield District Council is committed to the Government's Enforcement Concordat and the Regulators' Compliance Code (see Appendix A). The principles set out in these codes are intended to ensure:
- Openness about how we carry out our work
 - Helpfulness in terms of providing advice and assistance
 - Proportionality i.e. any action we take will be proportional to the harm caused, and,
 - Consistency i.e. our duties will be carried out in a fair and consistent manner.
- 1.7 This Enforcement Plan helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improves regulatory outcomes without imposing unnecessary burdens on individuals or businesses. This is in accordance with the Regulators' Compliance Code (see Appendix A).
- 1.8 This document covers all enforcement activities carried by Development Services staff. Its purpose is to provide an enforcement standard that respects the principles of the Enforcement Concordat and the Regulators' Compliance Code and meets with the requirements of all other relevant legislation (see Appendix B) and guidance published by central government. The Enforcement Plan can be viewed on the Council's website at www.lichfielddc.gov.uk. Individuals and businesses will be notified of this policy through officer verbal advice, the distribution of summary leaflets (Appendix C) or in conjunction with formal letters and notices.
- 1.9 With regard to the preparation of the original Enforcement Plan (April 2013) Parish and Town Councils were consulted and asked to identify their top five enforcement priorities. The results of the consultation are shown in graph form at Appendix H.
- 1.10 Four Councils identified Green Belt as a top priority, eleven identified development in Conservation Areas as one of their priorities and nine identified highway issues as one of their priorities. This is reflected in the priorities given to cases in Section 6.
- 1.11 Ten Councils identified development not in accordance with approved plans as one of their priorities. Section 8 of the Plan sets out how the implementation of development and compliance with conditions will be monitored.

2.0 Enforcement Activities

2.1 The enforcement activities referred to in this document relate to the following principal Acts of Parliament:

- Town and Country Planning Act 1990 (as amended)
- Localism Act 2011
- Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)
- Part 8 of the Anti-Social Behaviour Act 2003
- The Proceeds of Crime Act 2002
- Together with Regulations, Orders and guidance produced under these Acts, and European Directives; as set out in Appendix D.

2.2 The overarching responsibility for planning enforcement lies with the Director of Place and Community. The majority of planning enforcement related functions are delegated to Officers as detailed in the Council's Constitution under the approved Scheme of Delegation; copy available on the Councils' website.

2.3 The day-to-day general planning enforcement activities are mainly undertaken by a small team that reports to the Planning Development Manager.

2.4 The enforcement team work closely with colleagues in Development Management; Conservation and Urban Design; Arboriculture Officers and, Spatial Policy & Delivery, in relation to the submission and determination of planning applications for unauthorised development; the monitoring and discharge of conditions; formal high hedge complaints, unauthorised works to listed buildings and protected trees. The Enforcement Officers also work closely with the Council's Solicitor who provides support and advice. This ensures that decisions taken about whether or not to pursue enforcement action are consistent with current planning case law.

2.5 This Enforcement Plan will be reviewed when there are significant changes in national planning policy, the law, and following any operational experience and feedback from individuals and businesses.

2.6 The Council may from time to time identify priority areas where proactive enforcement could really benefit. For example, area based action on untidy land and buildings; targeting illegal advertisements; or a Conservation Area project to coincide

with the making of an Article 4 direction. However, Senior Officer and Member 'buy in' will be crucial in the identification and proper resourcing of such projects if they are to be effective.

3.0 Definitions of Enforcement Action

3.1 In this document enforcement action means:

- Serving Statutory Notices
- Serving of Injunctions
- The issue of a Simple Caution
- Legal proceedings in a Court of Law, including the consideration of a Confiscation Orders under the Proceeds of Crime Act 2002
- Taking Direct Action

4.0 Performance Standards

4.1 We will:-

4.2 Investigate all alleged breaches of planning control reported to the Council either in writing, by e-mail, by telephone or in person;

4.3 Keep personal details confidential at all times, unless required to disclose as part of court proceedings, or to the Local Government Ombudsman. Necessary information will be kept indefinitely, unless the Council receives an erasure request. It is considered that the retention of information is justified so that the Council can fulfil its statutory duty in dealing with breaches of planning control.

4.4 Register a complaint and provide an acknowledgement within 5 working days, which will include a reference number and named officer as the point of contact;

4.5 Seek to carry out a site visit within 10 working days of receipt of a complaint;

4.6 Keep any complainant informed of the progress of the case and of any decisions made with regard to whether to take action or of what action will be taken and likely timescales involved;

- 4.7 Actively pursue a complaint to a satisfactory conclusion;
- 4.8 Investigations into alleged breaches of planning control may take some time however we will seek to close 80% of all cases within 12 weeks from the date of receipt;
- 4.9 In cases where there may be a technical breach of planning control but the harm caused is insufficient to warrant formal action, we will notify the complainant of the reason for not taking formal action and close the case;
- 4.10 Negotiate with those responsible for any breach of planning control, allowing them the opportunity to resolve the matters of concern before serving a formal notice, unless the breach is so serious it warrants immediate action or where negotiations become protracted with no real likelihood of success.
- 5.0 **Targeting**
- 5.1 Taking formal enforcement action can be complex, time consuming and expensive. Where unauthorised development occurs resources will be targeted primarily towards development which gives rise to serious harm to public interests.
- 5.2 In deciding whether to take enforcement action the Council will have regard to national planning policy, the development plan and any other material considerations. Enforcement action will only be taken where it is expedient to do so and, the action taken will be proportionate to the nature of the breach. Where a trivial or small technical breach of planning control has occurred consideration will be given to the impact of the unauthorised development on public amenity and/or interests. In taking a decision on whether or not to pursue enforcement action, each case will be assessed in accordance with its individual merits.
- 5.3 Perceived harm caused to private interests, for example, the loss of value of a neighbouring property; competition to or from another business; loss of an individual's view or trespass onto someone else's land are not matters which can be taken into account by the planning system, although in certain circumstances there may be redress through civil laws.

6.0 Enforcement Priorities

6.1 When complaints and enquiries are received in respect of alleged unauthorised development they will be prioritised according to the criteria set out below. A case may be given a higher or lower priority once a site visit has been undertaken depending on the nature of the breach

6.2 **Priority 1 This applies where the breach relates to unauthorised development which poses a serious threat to the environment or public amenity, for example, by causing a serious traffic hazard, or poses permanent damage to the environment, for example, unauthorised work affecting a Listed Building or the loss of a protected tree.**

We will visit the site as soon as practicable (within 24 hours) after the receipt of the enquiry to identify the appropriate course of action; which could be commencing injunctive or legal proceedings or issuing statutory Notices.

6.3 **Priority 2 If the breach relates to development where planning permission is unlikely to be granted without substantial modification or removal, for example development in Sites of Special Scientific Interest, Green Belt and Conservation Areas.**

We will contact the relevant owners and occupiers as soon as possible (within 5 working days) to arrange to meet to discuss the matter and negotiate a solution. Enforcement action will be pursued if negotiations fail to address the harm arising from the development.

6.4 **Priority 3 Development which gives rise to problems that may be resolved by limited modification, for example, by the imposition of conditions on a planning approval, where the complaint relates to untidy land or buildings and breaches of conditions on existing planning permissions.**

We will contact the owners and occupiers and give advice on what measures are required to address the issues, and give a reasonable timescale (usually 28 days) for them to carry out any necessary work or submit a planning application.

6.5 **Priority 4 Breaches of a minor nature which do not raise any planning issues.**

We will contact owners and occupiers, where appropriate or necessary. Advice may be given about the difficulties of selling the property in the future if the breach is not resolved.

7.0 How Investigations Will Be Managed

- 7.1 Officers will visit the site and establish if a breach is occurring. Advice will be given regarding the need for planning permission and/or compliance with conditions, where appropriate. This will be followed up in writing and timescales will be set for any relevant actions, for example, ceasing any activity; removing the development; or submitting a planning application.
- 7.2 In the correspondence, informal advice will be given about:
- the case officer dealing with the matter and their contact details
 - the nature of the breach and ways in which it can be resolved
 - follow up actions and timescales
 - relevant planning policies
 - the likelihood of planning permission being granted
 - the type of enforcement action which could be pursued and the penalties for non-compliance.
- 7.3 Where a breach of planning control cannot be resolved and the unauthorised development is causing material harm, formal enforcement action may be taken, in line with the Councils' procedures and delegated powers. The action will be proportionate to the breach occurring. The details of the types of Notices and the rights of appeal, and other powers which may be used, are set out in Appendix E.
- 7.4 Where it is appropriate we will try to resolve the matter through negotiation or by the submission of a planning application, which can control the impact of the development through the imposition of conditions. If further information is required about the ownership of the land or the nature of the breach, a Planning Contravention Notice or Requisition for Information may be served.
- 7.5 Where a breach of planning control is occurring, but there is no resulting harm to public amenity or interests, a decision may be taken that, it is not expedient to take enforcement action, in line with the Councils' procedures and delegated powers. Ward Members will be notified of these decisions. The approach set out above is consistent with Government guidance as contained in Planning Practice Guidance- Ensuring Effective Enforcement. . All investigations will be carried out in accordance with other relevant legislation, which cover privacy, surveillance and evidence, as set

out in Appendix B. A flow chart to show the Enforcement Process is attached at Appendix F.

8.0 Potential for Chargeable Services

8.1 Whilst charging for enforcement investigation services has been considered, this is not appropriate as the Local Planning Authority has a duty to investigate and deal effectively with breaches of planning control.

8.2 However, income can be generated through investigations that result in retrospective planning applications and Lawful Development Certificates; appeal fees and costs; prosecution and caution costs and recovered cost from direct action.

8.3 In some cases where there has been an unauthorised a change of use of land there may have been an underpayment of Council Tax and this is then brought to the attention of the Revenues & Benefits team. There may well be instances where the unauthorised activity has occurred for a considerable period of time and there could be circumstances where this charge can be applied retrospectively.

8.4 The Proceeds of Crime Act is potentially where large sums of money can be obtained. This would apply when it is proven that development has persisted unlawfully contrary to the requirements of a planning enforcement notice and the owner, or developer has then profited from the illegal activity. In appropriate cases, and as part of a prosecution proceedings, the Local Authority can request that a Confiscation Order is made. If successful, the investigating and prosecuting authority are entitled to keep 37.5% of any confiscation order made through the Court.

9.0 Monitoring the Implementation of Planning Permissions.

9.1 Many planning permissions are granted subject to conditions which are required to be complied with before development commences on site. Compliance with these conditions is important as they can have a major impact on the form of the completed development. These conditions may include, for example:

- the erection of protective fencing around important trees, shrubs and hedges which are to be retained as part of the development

- the approval of external materials
- the approval of joinery details, mortar, external finishes and materials (particularly for Listed Buildings and in Conservation Areas)
- the removal of contaminated material on brownfield sites
- protected species mitigation measures.

9.2 Officers will identify sites with important pre-commencement conditions and write to the developer to advise about the importance of complying with the conditions before work commences on site. Officers will also carry out checks when they are in the area to see if works have commenced and use information from the Council's Building Control Service to monitor the commencement of development.

9.3 Where works commence without pre-commencement conditions being complied with, the developer will be contacted and may be advised that works should cease, depending on the nature of the breach of condition for example, if tree protection in the form of protective fencing is required for trees covered by a Tree Preservation Order and the continuation of the works threatens the long term life of the trees or if the works affect a Listed Building or a Conservation Area. If the works do not cease voluntarily then the issue of a Temporary Stop Notice may be considered. The action taken will be proportionate to the breach and an explanation will be given why action is being considered or pursued.

10. **Prosecutions**

10.1 Failure to comply with any requirement of a statutory Notice is a criminal offence. There are a number of options available to the Council depending on the harm caused and the circumstances of the case, which include prosecution, an injunction, or direct action. Prosecution will be the most common form of initial further action, but there may be circumstances where direct action, or an injunction, may be preferred and it does not necessary follow that the Council will always chose to prosecute first, before considering the other options available.

10.2 The Council will always consider what form of further action should be taken in these circumstances. Key questions in considering whether or not to take further action and

what form that action should take are: would the action be proportionate to the breach of planning control?; is the action in the public interest?; would the action be likely to resolve the issue?; and whether or not there is sufficient evidence to progress the case.

10.3 Powers are delegated to Officers to instigate legal proceedings. This will involve discussions with the Council's Solicitor. However, the use of direct action will require authorisation from the Council's Planning Committee (see paragraph 12 below).

10.4 Further action will normally be taken against persons or companies who blatantly disregard the law, where their actions severely affect public amenity or put the environment at risk. The circumstances that warrant such action will normally be characterised by one of the following:

1. Where the alleged offence involves a flagrant breach of the law which has destroyed the fabric of a historic building or involved the removal of a protected tree.
2. Where the alleged offence involves a flagrant breach of planning law, which is continuing to affect public amenity or the environment, for example, where advertisements are displayed without Advertisement Consent, particularly in relation to where these are attached to Listed Buildings or in Conservation Areas.
3. Where the alleged offence involves failure to comply with Enforcement Notices and the offender has been given a reasonable opportunity to comply with its requirements.
4. Where there is a history of similar offences related to the risk to the protection of the environment.

10.5 The District Council must make the decision on whether or not to take further action having regard to public interest.

10.6 In addition, when prosecuting for a planning offence, the Council will also consider the provisions of the Proceeds of Crime Act 2002 in relation to securing a Confiscation Order where there is evidence that an offender has benefited financially

from a breach of planning control. Where it is considered that a Confiscation Order may be appropriate, financial investigations by a qualified financial investigator will be commissioned at the outset of the process.

11.0 Simple Cautions

11.1 The “Simple Caution” (see Appendix G), may be used, in certain circumstances, as an alternative to prosecution (Home Office guidance, Circular 016/2008 visit: <http://www.homeoffice.gov.uk>)

11.2 Simple Cautions are used to:

- deal quickly and simply with less serious offences,
- divert less serious offences away from the Courts,
- reduce the chances of repeat offences.

11.3 In order to safeguard the offenders’ interests, the following criteria must be satisfied:

- Sufficient evidence must be available to prove the case;
- The offender must admit the offence;
- It must be in the public interest to use a Simple Caution
- The offender must be 18 years old or over

11.4 We will also take into account the following when making our decision:

- The offender should not have received a Simple Caution for a similar offence within the last 2 years.

11.5 A record of the Formal Caution will be sent to the Office of Fair Trading and the Local Authorities Coordinators of Regulatory Services (LACORS) as appropriate, and will be kept on file for 2 years. If the offender commits a further offence, the Formal Caution may influence our decision to take a prosecution. If during the time the Caution is in force the offender pleads guilty to, or is found guilty of, committing another offence anywhere in England and Wales, the Caution may be cited in Court, and this may influence the severity of the sentence that the court imposes (see Appendix G).

12.0 Direct Action

- 12.1 Provision is made in the Town and Country Planning Act 1990 (as amended), under Section 178 in relation to unauthorised development, and Section 219 in relation to Notices served to require the maintenance of land, for the District Council to take 'Direct Action' to enter the land and remedy the problem.
- 12.2 Direct Action will only be taken after consultation with and authorisation from the Council's Planning Committee. Reports to Planning Committee on such matters will be held in private session to ensure that staff safety is not compromised. However, all avenues will be explored with the contravener to avoid having to take such action. No prior notice of the date and time of such action needs to be given to the offender.
- 12.3 If Direct Action is taken the cost to the Council can be considerable. A charge in favour of the Council for the cost of the action will be registered on the land to ensure that money raised by any future sale will be used to recoup the Councils' costs. The monetary charge on the land would also be subject to favourable annual interest increases.

13.0 Review of the Enforcement Plan

- 13.1 In common with most formal documents, regular reviews of this enforcement plan will be necessary to ensure its status remains current, within the framework of the most up-to-date legislation and guidance issued by the Government.
- 13.2 Reviews will take place when:
- Current legislation and/or guidance changes or;
 - When comments received from residents, customers, businesses and visitors to the District can improve how the policy is being developed and used.

14.0 **Help Us To Help You!**

14.1 We are constantly looking at ways to improve our services and welcome comments on this Enforcement Plan or any other matter relating to our services. Contact details are below:-

Head of Development Services
Lichfield District Council
District Council House
Frog Lane
Lichfield
Staffordshire
WS13 6YZ
Tel: 01543 308000
E-mail: devcontrol@lichfielddc.gov.uk

Specific enquiries relating to a particular case should be referred to the case officer or his/her immediate line-manager.

Further information on Planning Enforcement can be found by visiting the Councils' website www.lichfielddc.gov.uk and on the Planning Portal at www.planningportal.gov.uk.

APPENDIX A

Our Commitment to the Regulators Compliance Code & the Enforcement Concordat

Lichfield District Council is committed to good enforcement practice.

Our work is primarily to protect the public interests and the environment. Carrying out this work in a fair, practical and helpful manner helps to achieve this while promoting a thriving local economy. We will encourage economic progress and only intervene in the operation of a business when there is a clear case for protection.

1. Information & Advice

- We provide information setting out our approach to enforcement both in general and in particular areas.
- Clear, concise and accessible information, advice and guidance, will be provided to help individuals and businesses meet their legal obligations.
- Clear distinctions will be made between legal requirements and guidance

If you need advice or assistance on a planning enforcement issue, either ring or ask for general help or take the question up with the case officer. Full contact details will be given on any correspondence.

2. Resources

Resources will be targeted towards development which gives rise to serious harm to public interests.

3. Visits

- No inspection will take place without reason.
- Some visits will be advisory and we will give you help to meet your obligations by suggesting and advising.
- Where appropriate, this will include giving you a chance to discuss and remedy problems before action is taken.
- When action is required, then you will be given proper details of the action and fully advised of any right of appeal or review of the matter. Sometimes such action is required immediately for public protection and if it is, we will need to take it straight away.

- If a prosecution is required the Council will normally consider whether it is in the public interest to proceed. Where it is appropriate you will be given the opportunity to contribute information to help us reach an informed decision.

6. Our Complaints Procedure

Details of the District Councils' Corporate Complaints Procedure is available by speaking to a member of Staff or on the Council's website.

7. Proportionality

We will only require or take action that is proportionate to the risks involved and where we have taken account of all the circumstances of the case to minimise the costs of compliance. However, we must comply with the law where necessary.

8. Consistency

All of our planning enforcement work will aim to be consistent and transparent, although we will have due regard to the circumstances of each individual case. This will be achieved through the use of our enforcement plan and procedures.

Regulators' Compliance Code, Statutory Code for of Practice for Regulators 17 December 2007, Department for business Enterprise and Regulatory Reform.

Website: <http://bre.berr.gov.uk/regulation>

APPENDIX B

Other Relevant Legislation and Codes of Practice

Police and Criminal Evidence Act 1984

Regulation of Investigatory Powers Act 2016

Criminal Procedure and Investigations Act 1996

Human Rights Act 1998

General Data Protection Regulation 2018

Data Protection Act 2018

Freedom of Information Act 2000

Code of Practice of Crown Prosecutors

Planning Enforcement

A guide to our approach to Planning Enforcement

The purpose of this leaflet is to provide a guide to residents, businesses, property owners and planning agents about our enforcement standards in Development Services.

Principal Acts that relate to the policy are:

- Town and Country Planning Act 1990 (as amended)
- Listed Buildings and Conservation Area Act 1990 and subordinate Regulations.

The fundamental Principles of Good Enforcement

- We recognise the importance of establishing effective controls over unauthorised development to assist in the preservation and enhancement of the qualities of both the built and natural environment and to protect public amenity.
- Each case is unique and will be considered on its own facts and merits. In arriving at a decision to recommend formal enforcement action officers will be **fair, independent and objective**.

We will act in a way which is:

- Open about how we carry out our work.
- Helpful in providing advice.
- Proportional in relation to the scale and impact of the breach.
- Consistent in carrying out our duties in a fair and consistent manner, in line with policies set out in the Development Plan.

Unauthorised Development

The types of enquiries which can be dealt with by Development Services include building works or changes of use, advertisements, non-compliance with conditions imposed on planning approvals, the felling of protected trees and the removal of hedgerows, works to Listed Buildings and demolition in Conservation Areas. Where enquiries are received which cannot be dealt with by Development Services advice will be given on which Service area or other agencies may be able to provide assistance.

If you make an enquiry about unauthorised development

If you enquire about development which may not have planning permission your details will be kept confidential. Your enquiry will be acknowledged and you will be given advice about the enforcement process and what action can be taken. You will be advised of progress on the matter.

If you carry out development without planning permission

Our staff will ensure that you understand what you are required to do and why and explain the enforcement process.

Officers will try to negotiate to resolve the problem. The majority of the enforcement investigations are resolved without the need for formal enforcement action.

You will be encouraged to discuss the matter with Officers and given advice on whether planning permission is likely to be granted for the development.

If formal enforcement action is taken

Depending upon the circumstances formal action may sometimes be necessary. Where it is necessary to take enforcement action, the owner, occupier or developer will be advised in writing on the course of action to be pursued, setting out the type of action to be taken. The advice will include what rights of appeal are applicable and the penalties for non-compliance.

Where it is necessary to serve formal enforcement notices, the content of the notice will clearly state what is required and why action is being taken. Information will also be given on how to make an appeal against the issuing of the notice.

- Where there is a history of similar offences related to the risk to the protection of the environment.

Prosecution

Failure to comply with any requirement of a statutory notice is a criminal offence. The Council will always consider whether legal proceedings should be instigated in these circumstances. The circumstances that warrant prosecution will normally be characterised by one of the following:

Where the alleged offence involves

- A flagrant breach of the law which has destroyed the fabric of a historic building or involved the removal of a protected tree.
- A flagrant breach of law which is continuing to affect public amenity or the environment, for example where advertisements are displayed without Advertisement Consent, particularly in relation to where these are attached to Listed Buildings or in Conservation Areas.
- Failure to comply with Enforcement Notices and the offender has been given a reasonable opportunity to comply with its requirements.

All general enquiries about the Enforcement Plan should be referred to:

**The Director
Of Place and Community
Lichfield District Council
District Council House
Frog Lane
Lichfield
WS13 6YZ**

If you wish to contact the **Enforcement Team** on **01543 308205, 01543 308274 or 01543 308197** or email devcontrol@lichfielddc.gov.uk

A full copy of this Enforcement Plan is available on the Council's website at www.lichfielddc.gov.uk

Planning Enforcement

A Guide to our approach to
Planning Enforcement

Development
Services

APPENDIX D Schedule of Legislation

The enforcement activities referred to in this document relate to the following principal Acts of Parliament:

Town and Country Planning Act 1990 (as amended)

Planning and Compensation Act 1991

Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Planning and Compensation Act 2004

Localism Act 2011

The Proceeds of Crime Act 2002

Together with Regulations, Orders and guidance produced under these Acts, and European Directives, as set out below:

Town and Country Planning (Control of Advertisements) Regulations 2007

Town and Country Planning (General Permitted Development) Order 2015, as amended.

Town and Country Planning (Use Classes) Order 1987, as amended

Local Government (Miscellaneous Provisions) Act 1982

Caravan Sites and Control of Development Act 1960

Town and Country (Tree Preservation) Regulations Order 2012

Hedgerow Regulations 1997

Cleaner Neighbourhood and Environment Act 2005

APPENDIX E – Statutory Notices, Powers and Penalties

Statutory Notices are legal documents, normally requiring the recipient to carry out works to ensure compliance with an Act of Parliament.

Main Definitions

The main definitions and Notices referred to below, relate to the principal legislation used by Development Services.

Planning Contravention Notice (PCN)

Served under Section 171C of the Town and Country Planning Act 1990. Used where the District Council considers there may be a breach of planning control and further information is required about the development or the ownership of land. It requires responses to specific questions about the development. A PCN can be used to establish the facts of a case and let the owner/occupier/operator know that the Council is seriously concerned about an alleged breach. It is intended to act as both an information-gathering tool and a statement of intent. It is a criminal offence not to respond to the Notice and a fine of up Level 3 can be imposed on summary conviction, for not responding to the Notice and up to Level 5 for giving false or misleading information.

Requisition for Information Notice (RFI)

Used to obtain information about the ownership of land. Served under Section 330 of the Town and Country Planning Act 1990, in relation to Listed Buildings and the Display of Advertisements (for which a Planning Contravention Notice cannot be used). It is a criminal offence not to respond to the Notice and a fine of up Level 3 can be imposed on summary conviction, and liable on summary conviction to a fine not exceeding the statutory maximum or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine, or both.

Breach of Condition Notice

Served under Section 171A of the Town and Country Planning Act 1990. Used where conditions imposed on the grant of planning permission have not been complied with or a limitation set out in Regulations has been exceeded. It sets out requirements to be complied

with and a timetable for the required works to be carried out. There is no right of appeal to a Breach of Condition Notice, other than to the High Court on a point of law. The Notice must be served on the person responsible for the breach. Where there is any doubt about who is responsible or where human rights issues may arise due to the inability to appeal it may be more appropriate to serve an Enforcement Notice. It is a criminal offence not to comply with the requirements of the Notice and a fine of up to Level 4 can be imposed on summary conviction.

Enforcement Notice (EN)

Served under Section 187A of the Town and Country Planning Act 1990 where development is carried out without planning permission and gives a list of requirements and a schedule of reasons for issuing the notice. There is a right of appeal to the Secretary of State on 7 grounds:

- a) that planning permission should be granted for what is alleged in the Notice
- b) that the breach has not occurred as a matter of fact
- c) that there is not a breach of planning control
- d) that the development is immune from enforcement action
- e) that the copies of the Notices have not been correctly served
- f) that the requirements of the notice are excessive to remedy the breach
- g) that the compliance period is too short.

If an appeal is submitted action against the notice is suspended until the appeal has been heard. It is a criminal offence not to comply with the requirements of the Notice and a fine of up to £20,000 can be imposed on summary conviction or an unlimited amount on summary indictment.

Stop Notice (SN)

Served under Section 183 of the Town and Country Planning Act 1990 where there is a breach of planning control that is causing serious harm, or has the potential to cause serious or irrevocable harm to amenity. It may be served with an Enforcement Notice as set out above or before an Enforcement Notice has taken effect, but requires the relevant activity to cease immediately and it cannot continue whilst an appeal against an enforcement notice is in progress. In certain circumstances the District Council may be liable to pay compensation to the recipient of a Stop Notice. It is a criminal offence not to comply with the requirements

of the Notice and a fine of up to £20,000 can be imposed on summary conviction or an unlimited amount on summary indictment.

Temporary Stop Notice (TSN)

Served under Section 171E of the Town and Country Planning Act 1990. This may be served where it appears that there is a breach of planning control occurring and it prevents that development or activity taking place, for a period of up to 28 days. It gives the Council and the contravener the opportunity to consider further how to deal with the matter. It is a criminal offence not to comply with the requirements of the Notice and a fine of up to £20,000 can be imposed on summary conviction or an unlimited amount on summary indictment.

Listed Building Enforcement Notice (LBEN)

Served under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Notice may require the building to be brought back to its former state, or other works specified in the Notice to alleviate the effects of the unauthorised works, or the building to be brought back to a state it would have been in if the terms of any Listed building Consent had been observed, within a timescale specified in the Notice. There is a right of appeal against a LBEN. It is a criminal offence not to comply with the requirements of the Notice and a fine of up to £20,000 can be imposed on summary conviction

Unauthorised works to a listed building is an offence under Section 9 of the Planning (Listed Building and Conservation Areas) Act 1990. A person who is guilty of such an offence will be:

- liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding the statutory maximum or both
- liable on conviction on indictment to imprisonment for a term not exceeding 12 months or a fine or both

Listed Building Urgent Works and Repairs Notices

Served under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives Local Authorities the power to carry out works to unoccupied or partly occupied Listed Buildings. At least 7 days notice must be given to the owner. Section 55 of the Act allows for reasonable costs to be recovered. Section 48 of the Act gives the power to serve

a Repairs Notice specifying works which are considered necessary for the proper conservation of the Listed Building. Section 47 of the Act allows for a Local Authority to compulsorily purchase any Listed Building where a Repairs Notice is not complied with. These powers do not relate to ecclesiastical buildings or ancient monuments.

Conservation Area Enforcement Notice

As above, but relates specifically to demolition in a Conservation Area. Served under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Notice under Section 215

Served Under Section 215 of the Town and Country Planning Act 1990. Used to require the maintenance of untidy land. There is a right of appeal to the Magistrates Court. It is a criminal offence not to comply with the requirements of the Notice and a fine of up Level 3 can be imposed on summary conviction.

Injunctions

The District Council can apply to the High Court or County Court for an Injunction requiring works to cease where they consider it expedient to do so. Failure to comply with an Injunction can lead to proceedings in the County Court where an unlimited fine or prison sentence can be imposed.

Discontinuance Notice

Requires the discontinuance of the display of any advertisement, or the use of a site for the display of an advertisement, which has the benefit of deemed consent under the Control of Advertisements Regulations where the Council is satisfied it is necessary to do so to remedy a substantial injury to the amenity of the locality or a danger to members of the public. Served under Regulation 8 of the Town and Country Planning (Control of Advertisements) Regulation 1995. It is a criminal offence not to comply with the requirements of the Notice and a fine of up Level 5 can be imposed on summary conviction.

Unauthorised Display of Advertisements

It is a criminal offence to display an advertisement, which requires Advertisement Consent, without consent being obtained. A fine of up to Level 3 can be imposed on summary conviction.

Contravention of a Tree Preservation Order

Under section 210(1) or (4) it is a criminal offence to cut down, lop, top or wilfully destroy any tree which is the subject of a Preservation Order. A fine of up to the statutory maximum can be imposed on summary conviction or an unlimited fine on summary indictment.

Completion Notice

Served under Section 94 of the Town and Country Planning Act where development has commenced and where the Local Planning Authority is of the opinion that that a development will not be completed in a reasonable period. It must be served on any owner and occupier, stating that a planning permission will cease to have effect at the end of a further period, of at least 12 months. It only takes effect after confirmation by the Secretary of State and there is an opportunity for those served with the Notice to be heard at a Public Local Inquiry. It does not require any development already carried out under the planning permission to be removed, nor does it guarantee that a development will be completed, but merely takes away planning permission for any further development once the period stated on the Notice has expired.

High Hedge Remedial Notices

Served under Section 69 of the Anti-Social Behaviour Act 2003 to require the reduction of an evergreen hedge. There is a right of appeal against a Notice and also by the complaint if no Notice is served. It is a criminal offence not to comply with any requirement of High Hedge Remedial Notice and a fine of up to Level 3 can be imposed on summary conviction.

Powers of Entry

Enabled by Sections 196A 196B and 196C of the Town and Country Planning Act 1990, to enter land specifically to investigate alleged breaches of planning control.

Section 74 of the Anti-Social Behaviour Act 2003 to enter land specifically to in relation formal High Hedges complaints

Section 88 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to enter land specifically to in relation to alleged breaches of Listed Building Consent.

Officer have rights of entry under the Council's Scheme of Delegation, as set out in the Constitution.

New Enforcement Provisions brought in under Localism Act 2011:

Power to decline to determine retrospective planning applications

Insertion of Section 70C to the Town and Country Planning Act 1990, the power to decline to determine a retrospective planning application in relation to land where an enforcement notice has been served prior to the receipt of the application and would involve granting planning permission for the matters specified as the alleged breach of planning control.

Time limits for enforcing concealed breaches of planning control

Insertion of Section 171BA to the Town and Country Planning Act 1990, the power to apply to the magistrates court for a planning enforcement order, to extend the period for immunity in relation to an apparent breach where the court is satisfied, on the balance of probabilities, that the apparent breach has deliberately been concealed.

Power to remove structures for the unauthorised display of advertisements

Insertion of Section 225A of Town and Country Planning Act 1990, the power to serve a removal notice and dispose of any display structure used for the unauthorised display of advertisements. There is a right of appeal to the magistrates court against the issue of a removal notice.

Insertion of section 225C of the Town and Country Planning Act 1990, the power to serve an action notice in relation to the persistent display of unauthorised advertisements on any surface. There is a right of appeal to the magistrates court against the issue of an action notice.

NOTE:

Level of fines at February 2013:

Level 3 - not exceeding £1,000

Level 4 – not exceeding £2,500

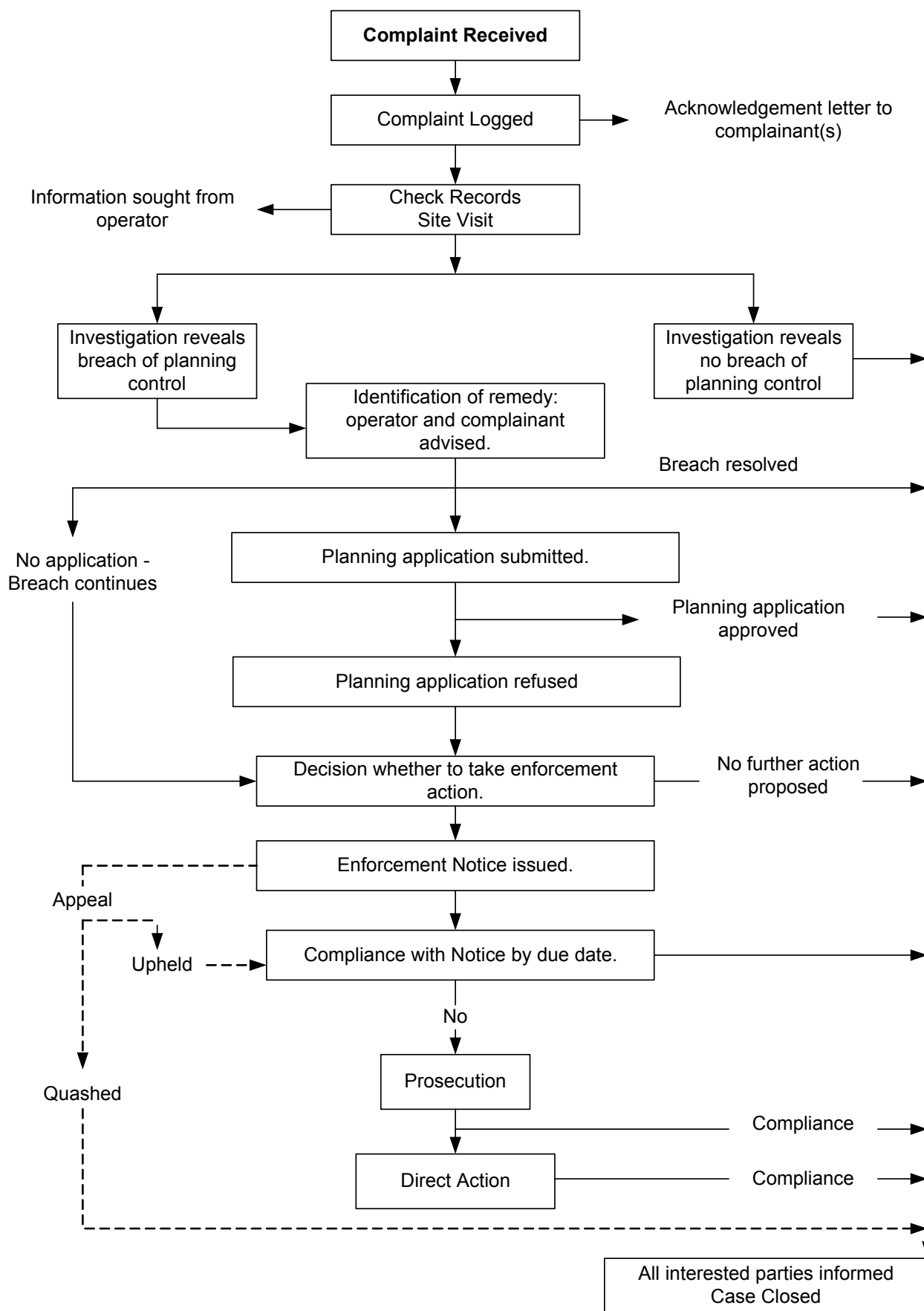
Level 5 – not exceeding £5,000

Statutory maximum fine - £20,000

Summary Conviction – in the Magistrates Court

Conviction on Indictment – in the Crown Court

ENFORCEMENT FLOWCHART



APPENDIX G The Simple Caution



SIMPLE CAUTION (COMPANY) HOME OFFICE CIRCULAR 16/2008

CASE REFERENCE:	
COMPANY NAME:	
COMPANY REGISTERED ADDRESS:	
COMPANY REGISTERED NO:	
DATE of OFFENCE(S):	
PLACE of OFFENCE(S):	
BRIEF CIRCUMSTANCES of OFFENCE(S):	

Please read the declaration below and make sure you understand it before you sign.

1. The company admits to committing the offence(s) shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on any national convictions databases.
2. If new evidence comes to light suggesting that the offence(s) the company has committed are more serious, you might still take legal action against the company.
3. If there are any victims as a result of these offences, they might still take civil action against the company and you might give the name and address of the company's registered office to the victims so they can do this.
4. If the company is charged with another offence and we go to court, you will tell the court that the company has received this simple caution.

5. If the company applies for certain licences connected with the business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision whether to issue any licence.
6. I also understand that in some circumstances the company may be under a duty to disclose the existence of this Caution.

DECLARATION

**I have read and understand all this information.
I hereby declare that I**

I am authorised by the company to admit the offence(s) described above and agree to accept a Caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should the Company be found to be infringing the law in the future. I further understand that this Caution may be cited should the Company subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances the company may be under a duty to disclose the existence of this Caution.

NAME (*Block capitals*) _____

SIGNED: _____

POSITION WITH THE COMPANY _____

DATED THIS _____ **DAY of** _____ **20**

SIMPLE CAUTION (INDIVIDUAL)
HOME OFFICE CIRCULAR 16/2008

CASE REFERENCE: OFFENDER'S SURNAME: FORENAME(S): NATIONAL INSURANCE No.: ADDRESS: DATE of BIRTH:	
DATE of OFFENCE(S): PLACE of OFFENCE(S): BRIEF CIRCUMSTANCES of OFFENCE(S):	

Please read the declaration below and make sure you understand it before you sign.

- 1 I have admitted to committing the offence(s) shown above. A simple caution is not a criminal conviction, but I understand that details of the caution may be kept on any national convictions databases.
- 2 If new evidence comes to light suggesting that the offence(s) I have committed are more serious, you might still take legal action against me.
- 3 If there are any victims as a result of these offences, they might still take civil action against me and you might give my name and address to the victims so they can do this.
- 4 If I am charged with another offence and I go to court, you will tell the court that I have received this simple caution.
- 5 If I apply for certain licences connected with my business, e.g. under the Consumer Credit Act 1974 or Licensing Act 2003, this caution may be taken into account in any decision whether to issue me with a licence.

- 6 If I already work in a job which is included in the list of notifiable occupations (these are jobs where you are in a position of trust or responsibility, for example, teachers, care workers, taxi drivers, soldiers and doctors), you might tell my employer about this simple caution. (I can ask you for a copy of the full list of notifiable occupations.)
- 7 If I apply for certain jobs, either paid or unpaid, that need me to have a criminal records check (CRB check), you might give my new employer information about this simple caution. (CRB checks are needed for nearly all jobs where you work with children or vulnerable adults, as well as for other sensitive jobs involving a high level of trust.)
- 8 I understand that accepting this simple caution may mean that some countries will not allow me to live there permanently, and some may not allow me to visit (for example, on business, for a holiday or as a student).

DECLARATION

**I have read and understand all this information.
I hereby declare that I**

admit the offences described above and agree to accept a caution in this case. I understand that a record will be kept of this caution and that it may influence a decision to institute proceedings should I be found to be infringing the law in the future. I further understand that this caution may be cited should I subsequently be found guilty of an offence by a Court of Law. I also understand that in some circumstances I may be under a duty to disclose the existence of this caution.

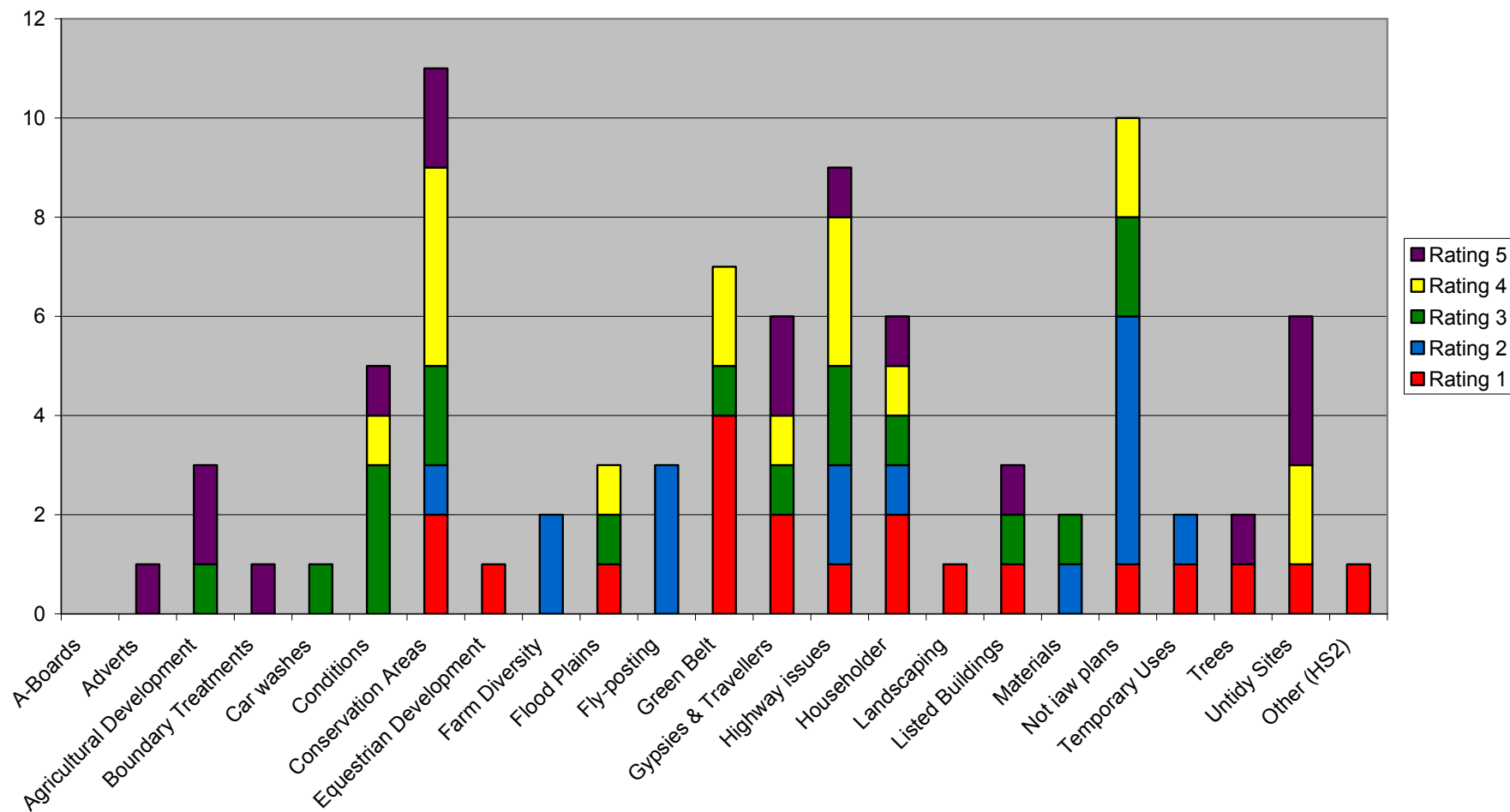
NAME (*Block capitals*) _____

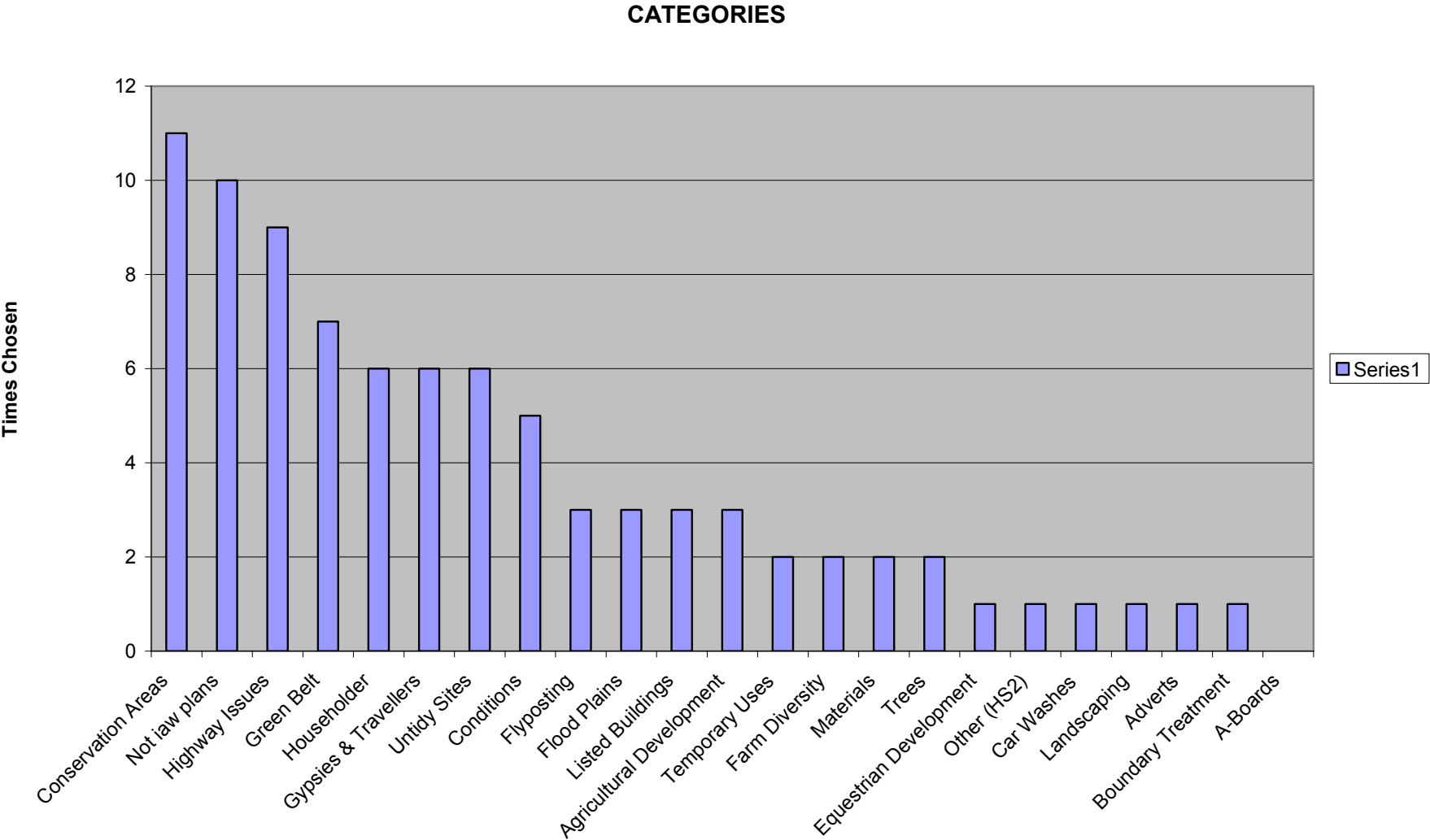
SIGNED: _____

DATED THIS _____ **DAY of** _____ **20**____

Appendix H – Consultation with Town and Parish Councils.

FREQUENCY OF RATINGS





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DESIGNATION OF A NEW CONSERVATION AREA FOR DRAYTON BASSETT

CLlr Ian Pritchard

Date: 12th November 2018

Contact Officer: Claire Hines

Tel Number: (01543) 308188

Email: Claire.hines@lichfielddc.gov.uk

Key Decision? **NO**

Local Ward Members Bourne Vale ward - Cllr Brian Yeates



**Economic Growth,
Environment and
Development
Overview & Scrutiny**

1. Executive Summary

- 1.1 To inform the Economic Growth, Environment and Development (Overview and Scrutiny) Committee of the results of the public consultation on the proposals to designate a new Conservation Area in Drayton Bassett. To request Committee's support for the designation of the Drayton Bassett Conservation Area, to request Committee's support for the final, amended appraisal and management plan for Drayton Bassett Conservation Area, and to seek Committee's support for the addition of the relevant buildings to the Councils 'Local List' all of which will be recommended for approval to the Cabinet and Full Council.

2. Recommendations

- 2.1 That the Committee notes the results of the consultation as per Appendix A of this report and supports the designation of a new Conservation Area in Drayton Bassett as shown in Appendix B and recommends submission to the Cabinet and Full Council for approval.
- 2.2 That the Committee notes the results of the consultation as per Appendix A of this report and supports the final appraisal and management plans and recommends submission to the Cabinet and Full Council for approval.
- 2.3 That the Committee notes the properties proposed for addition to the Register of Buildings of Special Local Interest as listed in Appendix C of this report and supports these additions to the Register, and recommends submission to the Cabinet and Full Council for approval.

3. Background

- 3.1 Under Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the local planning authority;
- '(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
- (b) shall designate those areas as conservation areas.'

Following discussions with both the Drayton Bassett Parish Council and Tamworth and District Civic Society, the Conservation and Urban Design Team carried out an assessment of the village and considered that there was an area of sufficient historic and architectural interest that warranted designation as a conservation area.

- 3.2 A more detailed survey of the area was then carried out and a draft conservation area appraisal and management plan was written. Once a conservation area is designated, Conservation Area Appraisals and Management Plans should be undertaken regularly on a rolling programme. They are an essential part of the process which aims to preserve and enhance the character and appearance of the conservation area and provide a foundation for future decision making.

The understanding of an area gained through undertaking an appraisal can help to inform policy and decision making through the Development Management process. Conservation Area Appraisals and Management Plans can also help to form a framework for Development Management guidelines. They can provide a sound defence on appeal in relation to various policies and Development Management decisions.

A Conservation Area Management Plan can provide the basis for developing management proposals which aim to preserve or enhance the conservation area. Under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a duty 'from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas'. The management proposals take the form of mid- to long-term strategy, setting objectives for addressing the issues and recommendations for action arising from the appraisal and identifying any further or more detailed work needed for their implementation.

- 3.3 The consultation process followed the protocol for the adoption of conservation area appraisals and management plans which has been previously established as part of the ongoing programme of appraisals and management plans which has previously received the support of this Committee. In line with national and regional advice, the Council has chosen to adopt the appraisal, and subsequent management plan, documents as Council documents, as opposed to supplementary planning documents (SPDs). This affords the documents 'material planning consideration' status in the decision-making process, but excludes them from the Local Plan timetable. Nevertheless, the adoption process is rigorous and comprises the following stages:

- seeking permission from the Cabinet to consult on a draft Appraisal and Management Plan;
- a 6 week consultation period, including letters to all residents residing within and adjacent to, the relevant conservation area, the Parish Council, local civic groups and agents, with documents being made available over the internet and paper copies provided on request;
- full consideration of representations received and amendment of the document, as necessary;
- presentation of the document at a public meeting, generally a meeting of the relevant Parish or Town Council;
- a report to this Committee, taking on board comments received, and seeking approval of the revised document;
- if agreed, the report and document are returned to Cabinet and subsequently Full Council for formal ratification.

3.4 The required consultation has been carried out and the proposals to designate a new conservation area as well as the draft Conservation Area Appraisal and Management Plan were presented at a meeting of Drayton Bassett Parish Council on Tuesday 20th March.

The initial six week consultation period ran from 5 March to 16 April but following suggested amendments to the proposed boundary, and in response to a request from the Parish Council the consultation period was extended for a further 6 weeks until 4 June.

3.5 The representation responses have now been duly considered and all relevant amendments incorporated into the final documents. The representations and responses are contained within Appendix A of this report. A map of the proposed boundary is included in Appendix B and the buildings to be added to the Register of Buildings of Special Local Interest within Appendix C of this report.

3.6 The documents are available electronically on the District Council web-site at:
http://www.lichfielddc.gov.uk/info/511/conservation_areas/526/conservation_areas_in_lichfield_district/2

3.7 There are certain planning restrictions that will come into force following designation as a conservation area. They are summarised as follows;

- Local Authorities are required by S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when drawing up plans or considering development proposals both within the designated area and outside it if they would affect the setting or views into or out of it.
- The conservation area is considered to be a designated heritage asset under the NPPF therefore there is a national presumption in favour of their conservation.
- There are some restrictions on permitted development rights where development might be visible from the public domain.
- Planning permission is required for the demolition of a building in a conservation area. It remains a criminal offence to fail to obtain planning permission prior to demolition.
- Under S211 of the 1990 Planning Act anyone proposing to cut down, top or lop a tree within a conservation area (with the exception of trees under a certain size, or those that are dead, dying or dangerous) is required to give 6 weeks notice to the local planning authority. The purpose of this requirement is to give the authority the opportunity to make a tree preservation order which then brings any works permanently under control.

Alternative Options	1. The alternative option is not to designate the conservation area. This would not allow the local planning authority to seek to preserve or enhance the special character and appearance of the area when considering planning applications.
Consultation	1. Ward Councillors have been e-mailed advising them of submission of this report and with a copy of the draft report. 2. The details of the consultation process are contained in points 3.3 & 3.4
Financial Implications	1. The cost of production of the documents and consultation exercises will be met from existing budgets.

	<ol style="list-style-type: none"> The implementation of recommendations in the management plan will either utilise existing resources and existing budgets or be funded from external bodies. The designation of a new conservation area will result in a small increase in the number of planning applications received and the number of tree applications received. Both these increases will be very minor and can be accommodated with the existing resources.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> These proposals support the aims of the District Council's Strategic Plan 2016 -20 to be a clean, green and welcoming place to live and specifically to maintain and enhance our heritage.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> In designating a new conservation area and creating documents which contribute to the understanding and management of this conservation area, the Council is seeking to preserve and enhance this area for all future generations.
Crime & Safety Issues	<ol style="list-style-type: none"> The recommendations will have no discernible impact on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988).

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to designate the new conservation area	The historical and architectural character of the area will not be recognised and not be protected.	Yellow
B	Designation of conservation area but failure to adopt appraisal and management plan.	Without adoption of the appraisal and management plan there is no demonstrable basis on which the decision to designate the area has been made on.	Yellow
C			

Background documents <ul style="list-style-type: none"> Final conservation area appraisal and management plan for Drayton Bassett

Relevant web links

Appendix A

Consultation representations and responses

Drayton Bassett Conservation Area

Comment Ref	Consultee	Comments	Response
DBCAA1	W. Spencer (Connectivity Strategy Officer, Staffordshire County Council) (E-mailed 15/03/18)	<p>We have considered the Drayton Bassett Conservation Area Appraisal and Management Plan and liaised with colleagues in our Community Liaison team. The report only really refers to public realm improvements from a transport planning point of view and that these are implemented to an appropriate standard which we would support.</p> <p>We have no further comments from a transport planning perspective at this stage but do wish to be kept informed if a Neighbourhood Plan is produced covering this area.</p>	These comments are noted. No amendments are proposed.
DBCAA2	D. Taylor (Historic Environment Advisor, Staffordshire County Council) (E-mailed 21/03/18)	<p>Thank you for consulting this office on the proposed designation of Drayton Bassett Conservation Area. Please find below the comments of the Environmental Advice Team.</p> <p>Historic Environment</p> <p>The proposed designation of Drayton Bassett Conservation Area is to be supported. With reference to Paragraph 1.5.1: Drayton Manor of the Conservation Area Appraisal, I would just note that whilst the moated site (HER record MST3720) is not marked on the first edition Ordnance Survey map substantial archaeological remains attesting to occupation of the site from the 11th to 14th-15th</p>	These comments are noted. It is proposed to amend the 4 th sentence to read. 'While the manor house does not appear on the first edition Ordnance Survey Map, substantial archaeological remains attesting to occupation of the site from the 11 th to 14 th -15 th centuries were recovered during excavations carried out in the late 1980s. A new manor house was built in the 16 th century on a new site to the north.'

centuries was recovered during excavations carried out in the late 1980s.

Landscape

The proposed Conservation Area Appraisal and Management Plan is supported.

According to *Planning For Landscape Change* the proposed Drayton Bassett Conservation Area lies on the transition between the character types Lowland village Farmlands and Riparian Alluvial Lowlands in Trent Valley Washlands. *Planning For Landscape Change* derived a landscape policy objective of Landscape Restoration for the landscape to the south and east and west; Landscape Enhancement to the north. This indicates that many features characteristic of the Types have been lost, and to halt further deterioration there is a need to encourage new planting and management.

Proposals in Action 7 are supported to maintain and contribute to the setting of the Conservation Area, at the same time projects that encourage positive management and enhancement of the landscape setting of the village would be welcomed.

Rights of Way

I have no comment to make regarding this Proposed Conservation Area as no public rights of way appear to be affected.

Should you have any queries regarding the content of this letter, please do not hesitate to contact me and I look forward to receiving the amended documents in

		due course.	
DBCAA3	Anne Derby (Area Planner (West Midlands) Canal and River Trust) (E-mail 4/4/18)	Thank you for your consultation on the proposed designation of Drayton Bassett Conservation Area. I can confirm that the Trust have no comments to make in this instance.	These comments are noted. No amendments are proposed.
DBCAA4	K. Acton (resident) (E-mail 4/4/18)	<p>I note that the proposed Drayton Bassett conservation area does not include the historic site at the rear of St Peters Church in Old Manor Close? The redevelopment of this grassed area was declined when archaeologists found evidence of the ruins of the old Drayton Manor. It was deemed an historic site and planning permission for redevelopment was declined?</p> <p>It is therefore my recommendation that the grassed area known as the historical site located at the rear of St Peters Church in Old Manor Close also be included within the proposed conservation area?</p>	These comments have been noted. Following the request to include these areas, the proposed boundary was revised and all residents were re-consulted. The revised boundary now includes the area of land mentioned.
DBCAA5	Mr D. Biggs (Chairman, The Tamworth and District Civic Society) (e-mail 23/4/18)	<p>Dear Claire, It was very good to meet you and Ed Higgins at the Drayton Bassett Parish Council meeting re the proposed Conservation Area for the village on 20th March.</p> <p>As mentioned then, The Tamworth and District Civic Society hasn't actually received any correspondence or consultation from you on this matter since I e-mailed you below on 20th October 2017. We only knew about the council meeting and the current plan via the Parish Council. We still haven't received anything since we spoke to you on the 20th March.</p>	<p>These comments are noted. Following the request to include the school, the proposed boundary was revised and all residents were re-consulted. The revised boundary now includes the school and the neighbouring properties to ensure the boundary makes sense on the ground and is logical and defensible.</p> <p>TDCS were written to as part of the re-consultation, we received an e-mail response on 27/4/18 see DBCAA7.</p> <p>The incorrect date of demolition has been corrected.</p>

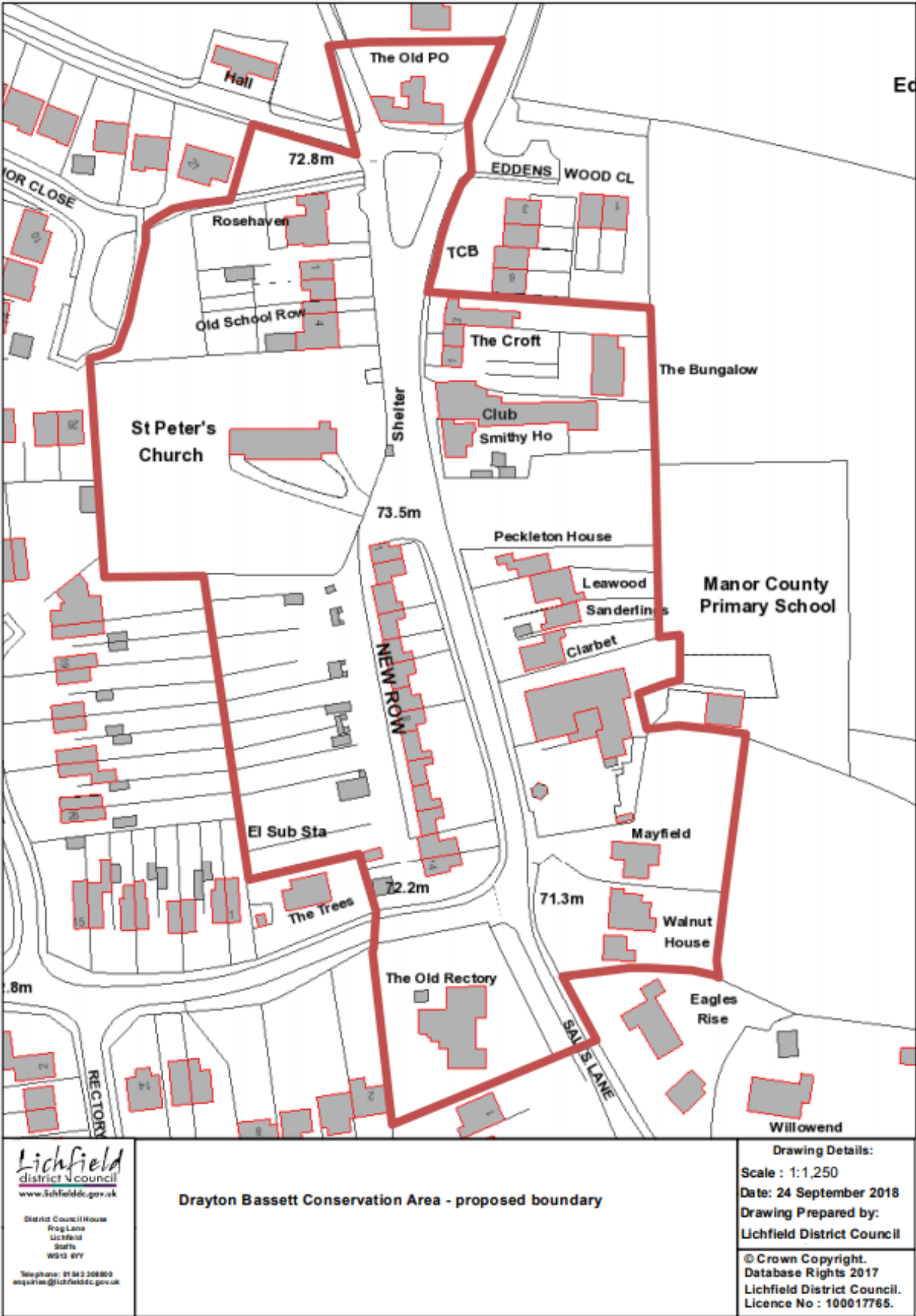
		<p>Can you please check your consultation list and e-mail addresses so that TDCS is included?</p> <p>As you know the suggestion of a Conservation Area originated from TDCS, with the support of parish councillors, so we are keen to be included in this worthy proposal to recognise, protect and enhance the historic core of Drayton Bassett village with a conservation area.</p> <p>As mentioned on the 20th we are happy with the plan for proposed Area except for the exclusion of the Manor School. Our TDCS Committee site visit on the 20th, in advance of the parish council meeting, strongly confirmed our opinion (expressed below on 9th October last) that the exclusion of the historic school buildings fronting the main road makes no sense geographically, historically, or visually, and furthermore that their exclusion would actually detract considerably and noticeably from the integrity and value of, the proposed Conservation Area now and in the future.</p> <p>Please note the formal submission and recommendation by TDCS that the school site - and certainly in so far as it includes the original school buildings - be included and incorporated within the proposed Conservation Area.</p> <p>I also take the opportunity to reiterate an error spotted in your supporting documentation. Drayton Manor, with the exception of the Clock Tower and Estate Office (which survive to this day) was demolished in 1926, not after WW2.</p> <p>We look forward to hearing from you please. Thank</p>	
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		you.	
DBCAA6	Mr & Mrs Heath (residents) (e-mail 12/4/18)	<p>We wish to respond in relation to the proposed conservation area in the core of Drayton Bassett village.</p> <p>We believe this is an important and positive step forward which will preserve the character and integrity of the village centre and fully support the proposals.</p>	These comments are noted and welcomed. No amendments are proposed.
DBCAA7	Mr D. Biggs (Chairman, The Tamworth and District Civic Society) (e-mail 27/4/18)	Thank you for taking on board our TDCS comments about the school. We shall send a formal response to the revised consultation period in due course.	These comments were received following the re-consultation on the revised boundary which included the school. These comments are noted. We did not receive any further response from TDCS.

Appendix B

Map of proposed boundary for Drayton Bassett Conservation Area

Please note this map has been re-sized and is not to scale.



Appendix C

Schedule of properties proposed for addition to the Local List

Drayton Bassett Conservation Area

Road	Property or structure
Drayton Lane	1 – 14 New Row Walnut House 4 Old School Row War Memorial

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CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS FOR WALL AND WIGGINTON



CLlr Ian Pritchard

Date: 12th November 2018

Contact Officer: Claire Hines

Tel Number: (01543) 308188

Email: Claire.hines@lichfielddc.gov.uk

Key Decision? NO

Local Ward Members
Hammerwich with Wall Ward:- Cllr K. Humphreys and Cllr D. Pullen
Whittington and Streethay Ward:- Cllr D. Leytham, Cllr R. Strachan, Cllr A. White.

**Economic Growth,
Environment and
Development
Overview & Scrutiny**

1. Executive Summary

- 1.1 To inform the Economic Growth, Environment and Development (Overview and Scrutiny) Committee of the results of the public consultation on the draft Conservation Area Appraisals and Management Plans for Wall Conservation Area and Wigginton Conservation Area, and to request Committee's support for the final, amended appraisals and management plans and their recommendation for approval to the Cabinet and Full Council. Furthermore to seek Committee's support for the addition of the relevant buildings to the Councils 'Local List'.

2. Recommendations

- 2.1 That the Committee notes the results of the consultation as per Appendix A of this report, supports the final appraisal and management plans and recommends them to be submitted to the Cabinet and Full Council for approval.
- 2.2 That the Committee supports the proposed boundary changes to the Conservation Areas as shown on the maps in Appendix B and recommends them to be submitted to the Cabinet and Full Council for approval.
- 2.3 That the Committee supports the proposal to add the properties listed in Appendix C of this report to the Register of Buildings of Special Local Interest and recommends these additions to the Register, to be submitted to the Cabinet and Full Council for approval.

3. Background

- 3.1 A programme of appraisal and management plan work was approved by this committee in June 2006 and members will recall that in March 2013, they were provided with an update on the Council's proposed programme for the implementation of conservation area appraisals and management plans across the District.

3.2 As part of this ongoing work, officers have established a protocol for the adoption of conservation area appraisals and management plans, of which this report forms an integral part. In line with national and regional advice, the Council has chosen to adopt the appraisal, and subsequent management plan, documents as Council policy, as opposed to supplementary planning documents (SPDs). This affords the documents 'material planning consideration' status in the decision-making process, but excludes them from the Local Plan timetable. Nevertheless, the adoption process is rigorous and comprises the following stages:

- seeking permission from the Cabinet to consult on a draft Appraisal and Management Plan;
- a 6 week consultation period, including letters to all residents residing within and adjacent to, the relevant conservation area, the Parish Council, local civic groups and agents, with documents being made available over the internet and paper copies provided on request;
- full consideration of representations received and amendment of the document, as necessary;
- presentation of the document at a public meeting, generally a meeting of the relevant Parish or Town Council;
- a report to this Committee, taking on board comments received, and seeking approval of the revised document;
- if agreed, the report and document are returned to Cabinet and subsequently Full Council for formal adoption.

3.3 The required consultation has been carried out and the Conservation Area Appraisals and Management Plans were presented at a meeting of Wall Parish Council Wednesday 16th May and Hopwas and Wigginton Parish Council on Thursday 7th June.

3.4 The representation responses have been duly considered and all relevant amendments incorporated into the final documents. The representations and responses are contained within Appendix A of this report and the buildings to be added to the Register of Buildings of Special Local Interest within Appendix C of this report.

3.5 The documents are available electronically on the District Council web-site at:

http://www.lichfielddc.gov.uk/info/511/conservation_areas/526/conservation_areas_in_lichfield_district/2

Alternative Options	<ol style="list-style-type: none">1. The alternative option is not to undertake conservation area appraisals. This would weaken the local planning authority's ability to seek to preserve or enhance the special character and appearance of the area when considering planning applications.2. An alternative would be not to carry out such robust public consultation and adoption process. This is not considered to be best practise and the final documents would not carry the same amount of weight in the planning process.
Consultation	<ol style="list-style-type: none">1. Ward Councillors have been e-mailed advising them of submission of this report and with a copy of the draft report.2. The details of the consultation process are contained in points 3.2-3.4

Financial Implications	<ol style="list-style-type: none"> 1. The cost of production of the documents and consultation exercises will be met from existing budgets. 2. The implementation of recommendations in the management plan will either utilise existing resources and existing budgets or be funded from external bodies.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. These proposals support the aims of the District Council's Strategic Plan 2016 -20 to be a clean, green and welcoming place to live and specifically to maintain and enhance our heritage.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. In creating documents which contribute to the understanding and management of this conservation area, the Council is seeking to preserve and enhance this area for all future generations.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. The recommendations will have no discernible impact on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988).

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Draft appraisal and management plans may not stand up to testing at appeal	By means of thorough consultation, based on best practice with robust processes, we can minimise the risk of challenge.	Yellow
B			

Background documents
<ul style="list-style-type: none"> • Final conservation area appraisal and management plan for Wall • Final conservation area appraisal and management plan for Wigginton

Relevant web links

Appendix A

Consultation representations and responses

Wall Conservation Area

Comment Ref	Consultee	Paragraph	Comments	Response
WACAA1	Mr P. Young (Parish Clerk, Wall Parish Council)	1	Consultation response from Wall Parish Council Wall Parish Council welcomes the recognition and protection given to the Wall Conservation Area as an area of “special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance”.	These comments are noted and welcomed. No amendments are proposed.

		2	<p>Section 1 - Appraisal</p> <p>The Wall Scheduled Monument site is of national importance and its historic significance forms a major element in the justification of the Conservation Area status. The Appraisal should therefore include:</p> <ul style="list-style-type: none"> • greater detail on the Scheduled Monument • how the Scheduled Monument relates to the Conservation Area • how Conservation Area policies will assist in enhancing and preserving the Scheduled Monument • how Scheduled Monument policies complement Conservation Area policies. In particular, the Plan showing the boundary of the Conservation Area should have superimposed upon it the boundary of the Scheduled Monument site, in order to show the inter-relationship between the two. 	<p>The settlement of Wall is considered to be of sufficient special architectural and historic interest to merit designation as a conservation area. The Roman history of the site gives it additional interest but is only one of a number of factors leading to its designation. Greater detail will be included on the Scheduled Monument in Appendix C. This will include the full scheduling description as well as information provided by Historic England regarding Scheduled Monuments. It should be clarified that there is no legal or planning policy related relationship between scheduled monument and conservation area designations. They are covered by different legislation (Ancient Monuments and Archaeological Areas Act 1979 and Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) respectively). Proposals to designate new scheduled monuments or conservation areas, to amend the boundaries of existing scheduled monuments and conservation areas and applications for works affecting scheduled monuments and conservation areas are processed by two separate bodies (Historic England and the Local Planning Authority respectively). Therefore conservation area policies will not help in enhancing and preserving the scheduled monument. They can only help to preserve or enhance the conservation area itself. A map showing the scheduled monument boundary</p>
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		3	Section 1 should also include reference to the Green Belt and the level of planning protection this affords.	<p>A reference to Green Belt will also be included in section 1.2. The text will read; <i>'It should be noted that the whole of the settlement of Wall falls within the West Midlands Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (NPPF 2018 para 133). '</i></p> <p>It should be noted that Green Belt legislation and policy is also separate from conservation area legislation and policy although applications for works within both designations are processed by the Local Planning Authority.</p>
		4	Para 1.6 The recognition of the importance of the re-used Roman stonework in the wall at Castle Croft fronting onto Watling Street is welcomed. This wall makes a positive contribution to the character of the Conservation Area and the protection against demolition provided by Conservation Area status is needed because, somewhat incongruously, this small section of the north side of Watling Street is not within the Scheduled Monument site.	These comments have been noted. It is proposed to include this section of wall on the local list. The schedule of properties in Appendix B will be updated to reflect this.
		5	The Plan as a whole would benefit from proof-reading to correct spellings, typos and punctuation errors etc. e.g. page 48 <i>"historic assets that are cleverly worthy of protection"</i> ; page 25 <i>"The major issue is to carefully manage any future development where it would be potentially crowd and physically impact on the value of the Roman remains and the character of the listed buildings"</i> ; and the two paragraphs on page 28 which are an exact repetition of text on page 18.	These comments are noted. The various errors will be corrected and the duplicate paragraphs removed.

		6	<p>Section 2 – Management Plan</p> <p>Action 1 The boundary of the current Conservation Area should remain unchanged.</p> <p>1. There is no reason to include the additional areas proposed:</p> <p>a. The houses at The Butts were built in the 1920's and 1950's and have little (if any) historic merit. They are not part of the Scheduled Monument site and have little impact on views or the main streetscene. Inclusion of these properties within the Conservation Area would impose unjustifiable and unnecessary planning restrictions on them by removal of certain permitted development rights, and with the additional burdens of requiring formal consent for any pruning or felling of trees etc.</p> <p>b. The land to the north of Castle Croft is an open field and it is inconsistent to propose adding this to the Conservation Area when elsewhere fields are proposed to be removed from the Conservation Area.</p> <p>c. The land to West of Wall Lane is mainly an undistinguished row of early 20th century terraced housing so there is little reason to add this to the Conservation Area. The existing Conservation Area boundary along Wall Lane provides a far more logical and clearly-defined boundary.</p>	<p>The comments in relation to the houses in The Butts have been noted and these properties are no longer proposed for inclusion in the Conservation Area.</p> <p>The land to the north of Castle Croft is proposed for inclusion as the physical boundary, presumably a hedge, which was present when the conservation area was designated in 1974 has now unfortunately been lost. Therefore in order to have a logical and legally defensible boundary to the conservation area it is necessary to move the boundary to the next physical boundary which is what has been proposed. It is intended to retain this amendment as proposed.</p> <p>Land west of Wall Lane. These comments have been noted and it is no longer proposed to include the land to the east of Wall Lane in the conservation area due to a number of consultees objecting to this part of the proposals. Conservation area designation would have provided some control over the erection of large agricultural building which appears to be favoured by the parish council in paragraph 8.</p>
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		7	<p>2. There is no reason to remove any areas from the current Conservation Area. The Conservation Area provides a much needed and additional layer of protection against development, over and above that afforded by Scheduled Monument designation or Green Belt. The boundary of a Scheduled Monument can potentially be changed by English Heritage and so is not within local planning control. As regards Green Belt, the experience within Lichfield District is that it only protects land from small-scale development such as single dwellings or home extensions. When major development is proposed (such as 1,500 new houses on land bordering Wall to the south of Lichfield), then land is simply removed from Green Belt. Nor does existing Green Belt provide protection against large-scale commercial development. For example, on land north of Wall Island a major business park and its forthcoming extension have been granted consent, even though in full Green Belt and despite any policy for development of this site appearing in the Local Plan. Previously the Wyevale Garden Centre (including its many non-garden retail units) was granted consent just south of Wall Island, even though in confirmed Green Belt.</p>	<p>Of the three areas proposed for removal from the conservation area the area to the west of the Butts and to the south of Watling Street do not form part of the settlement and appear only to have originally included because they are within the scheduled area. However, as previously explained conservation area designation is entirely separate from scheduled monument designation so there is no justification to retain these two areas within the conservation area. In terms of the land to the north of The Butts, the boundary that existing when the conservation area was originally designated, presumably a hedge, has now been lost therefore in order to maintain a logical and legally defensible boundary the boundary has been moved to the closest physically definable boundary. Therefore it is still proposed to remove these areas from the conservation area.</p> <p>It should be noted that conservation area designation provides no additional layer of protection against development over and above that afforded by scheduled monument or green belt designation. Scheduled monument designation offers the highest level of protection that can be afforded to a heritage asset. It is at the discretion of Historic England (not English Heritage) to amend the boundary of the scheduled monument. The following advice has been provided by Historic England regarding amendments to scheduled monument boundaries.</p> <p><i>'In broad terms, any new review or amendment to the designation would need to be based on clear evidence; however this would not necessarily be brand new information. The monument at Wall is a Minor Enhanced Old County Number. This basically</i></p>
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				<p><i>means it's an early scheduling (Wall was first scheduled in 1955 and amended in 1999) and the information on which it was based is probably not as detailed or comprehensive as some of our modern and more complex schedulings (https://historicengland.org.uk/listing/the-list/list-entry/1006108). It is therefore possible that there is additional information out there (new and historic archaeological evaluations, surveys, APs, antiquarian reports, field-walking results, amateur investigations etc.) which might not have been considered when it was originally scheduled (or later amended), and might be able to shed new light or provide clarification on its nature, extent and significance. Whilst that could result in an increase in the size of the scheduled area, it could just as easily result in a decrease – for example if investigations have proven that there is no archaeology or significance to a particular area.</i></p> <p><i>I'll caveat all of that by saying any change to the scheduled area would need clear and convincing justification and our Listing team would need an application (which can be done online) with all the relevant supporting information attached. Should an application for an amendment or new designation be proposed, our Listing Team would consult with the affected landowners, as well as us in the West Midlands Office and (I think) the County Archaeologist / HER. I'm not sure if they consult with the Parish Council or LPA - if you want to know for certain it would probably be worth dropping them a line (General Enquiry number is: 0370 333 0607 or by email: listing.enquiries@HistoricEngland.org.uk)'</i></p> <p><i>In terms of the comments on Green Belt the following advice has been received from our Spatial Policy and Delivery Team Manager. "Green Belts are</i></p>
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				<i>given great importance at a national and local level. This importance does not mean development cannot occur within the Green Belt. However there significant policy hurdles to pass when allocating land, or applying for planning permission within the Green Belt. At the national level the National Planning Policy Framework (NPPF) contains a detailed section at paragraphs 133 – 147 relating to the importance of Green Belt. At the local level the council also have policy NR2 within the adopted Local Plan Strategy which seeks to support the national policy position.”</i>
		8	It should also be noted that under the National Planning Policy Framework, new agricultural buildings, which may be both large and unsightly, are not classed as “inappropriate development” within the Green Belt. The Conservation Area designation is therefore a key factor in the control of such developments in the proximity of Wall village which might otherwise have a detrimental effect on the historic character of the village or the views from it.	This appears to contradict the request in paragraph 6 not to include the area to the east of Wall Lane where conservation area designation would provide the LPA with some degree of control over the erection of future agricultural buildings. It is no longer proposed to include the land to the east of Wall Lane in the conservation area due to a number of consultees objecting to this part of the proposals.
		9	Action 2 and Action 3 It is noted that an Article 4 direction (removing certain permitted development rights) can only apply to residential properties, and that these are listed in Appendix A. The list in Appendix A should not therefore include Wall Village Hall as it is not a residential property. Consideration should also be given as to whether The Trooper Inn would qualify as a ‘residential’ property, as it is also listed in Appendix A.	The Village Hall is proposed for Local Listing only as is The Trooper. Given that neither building is a residential dwelling and therefore not eligible for an Article 4. The schedule of properties in Appendix A will be corrected.

		10	Action 4 The Council welcomes the list of buildings for 'local listing' given in Appendix B but the terminology of "local listing" is confusing with formal designation of Listed Buildings.	The term Local List is used nationally including by Historic England and by the Ministry of Housing, Communities and Local Government in its National Planning Policy Guidance. Appendix B explains the difference between the two designations. No amendments to the text are proposed.
		11	Action 5 Action 5b which is to "review and if necessary modify the management proposals" is too vague, particularly since the current Conservation Area has not been reviewed for over 40 years. This action point should therefore set out the frequency and timescale for future reviews.	The frequency and timescales of any future reviews of Wall Conservation Area is dependent on a number of factors, therefore it is not possible to set timetables for these. Lichfield District Council currently has 21 conservation areas and has a rolling programme of Conservation Area Appraisals and Management Plans which started in 2008 and is due for completion in 2019/20 at which point it will start reviewing each conservation area again. No amendments to the text are proposed.
		12	Action 6 states that, "The Council will ensure that all proposed advertisements accord with policy set out in the emerging Local Plan". The Local Plan was adopted by Lichfield District Council in February 2015, so the word "emerging" should be deleted.	The text will be amended to reflect the current position on the Local Plan.
		13	Action 7 As for Action 6, the reference should be to the Local Plan which has already been adopted, and not the "emerging Local Plan".	The text will be amended to reflect the current position on the Local Plan.

		14	Action 8 Para 2.3.1 on page 40 refers to “works to historic buildings within Drayton Bassett Conservation Area” and appears to have been ‘cut and pasted’ from some other Conservation Area Plan. It would be helpful if the Wall Conservation Area Plan referred only to Wall and not to any other villages in the District.	This is an oversight and the text will be corrected.
		15	In order not to unduly raise expectations of the grant funding which owners of properties within the Conservation Area can apply for, it would be useful to set out in Action 8 the level of such funding which is available annually within the District	Section 2.3.1 reads: <i>‘The Council currently administers a small grants scheme available for works to historic buildings which are considered to be at risk.’</i> The text will be amended to read: <i>‘The Council currently administers a small grants scheme (giving grants of 25% of the total cost of eligible works, up to a maximum of £5,000) available for works to listed buildings which are considered to be at risk.’</i>
WACAA2	Friends of Letocetum)	1	Comments from Friends of Letocetum who manage Wall Roman Site & Museum on behalf of National Trust and English Heritage The Friends of Letocetum is a voluntary group that mans the Museum at Wall and publicises and promotes awareness of the Roman baths and mansio and other archaeological remains in Wall. We welcome the recognition given by the document to the archaeological importance of Wall.	These comments are noted and are welcomed. No amendments are proposed to the document.
		2	1.4 Location and Setting We welcome the statement about the importance of views across the mansio and bath house to the church.	These comments are noted and are welcomed. No amendments are proposed to the document.

		3	1.6 Architectural Quality and Built Form We welcome the statement about the tourism and educational importance of the archaeological remains. We welcome the statement about the importance of the reused Roman stonework forming part of the boundary between Castle Croft and Watling Street (pp21-22). We strongly urge that this wall should be retained because of the positive contribution it makes to the character of the Conservation Area.	These comments are noted and are welcomed. It is proposed to add this section of wall to the local list. The Schedule of properties in Appendix B will be amended.
		4	1.7 Public Realm, Open Spaces and Trees para 2: We strongly recommend that this be reworded to read: “ There are areas...” because its currently wording suggests that it relates to the features mentioned In the previous paragraph, which positively contribute to the character of the Conservation Area and do not require change or improvement. If there are considered to be areas which provide opportunities for change or improvement then they should be identified in the document.	The text will be re-worded to read: ‘ <i>There are also areas...</i> ’.
		5	11 Maps Both of these maps should show the extent of the scheduled monument because scheduling is mentioned in 1.3 as part of the significance of the Conservation Area, and because the extent of the scheduled area is slightly different from that of the Conservation Area.	Maps in section 11 will be amended to include the scheduled area

	6	<p>2.1.1 Boundary changes</p> <p>We acknowledge that the proposed boundary changes will result in a more logical boundary to the Conservation Area. We welcome the proposed extensions. We strongly recommend that it should be made clear that the proposed boundary changes to the Conservation Area do not affect the extent of the scheduled monument and that those areas of the scheduled monument which it is proposed to remove from the Conservation Area (north and east of The Butts, west of The Butts and south of Watling Street to the north of the A5 Wall Bypass) will remain subject to scheduled monument controls in addition to planning requirements. We note that while bullet point 3 under Action 1 says scheduled area, bullet points 1 and 6 do not acknowledge that they also refer to land is within the scheduled area. We therefore recommend that the words “scheduled area” be added to the descriptions in these bullet points. Because of the extent of the scheduled monument at Wall we strongly recommend that the document should contain information about scheduling (not just a website reference). Historic England should be asked for advice on appropriate wording.</p>	<p>Additional text will be added to clarify that the proposed changes will have no impact on the extent of the scheduled area or the protection it provides. The text will read; <i>‘It should be noted that the amendments to the conservation area boundary have no impact on the extent of the scheduled area or the protection it provides for the archaeological remains.’</i></p> <p>The text in Action 1 will be amended to read; <i>The District Council will amend the boundary of the Conservation Area in the following areas, as shown on maps in section 11;</i></p> <ul style="list-style-type: none"> • <i>Exclusion of the field to the west of The Butts, exclusion of the area to the North and East of The Butts and exclusion of land to the south of Watling Street to the North of the A5 Wall Bypass, all of which are included in the scheduled area.</i> • <i>Inclusion of land to North of Castle Croft, to follow the boundary from close to Littlefield House Cottage to Wall Lane</i> <p>An additional appendix (Appendix C) will be added which will include the full scheduling description and information about schedule provided by Historic England.</p>
	7	<p>We also recommend that the document should state that there are other archaeological remains outside the area of the scheduled monument and that archaeological works are likely to be required as a condition of planning permission.</p>	<p>Additional text will be included in section 1.2 to read; <i>‘While not directly related to planning policy much of the settlement of Wall is a Scheduled Monument. Furthermore there are likely to be archaeological remains outside of the scheduled area and archaeological works are likely to be</i></p>

				<i>required as a condition of any planning permission.'</i>
		8	Schedule of properties for local listing We suggest that the Museum building, Watling Street, should be added to this list because of its long-standing association with the Roman remains. The boundary wall at Castle Croft as shown on page 22 should also be added to the local list as an example of the re-use of Roman masonry in the post- Roman period, which adds to the character and special interest of the area.	The Museum building and the section of wall at Castle Croft will both be proposed for the local list. The schedule of properties in Appendix B will be amended.
WACAA3	S A Shelley (local resident) 17/5/18 by e-mail		I attended the meeting at the village hall last night. I wish to state my objection to the proposed conservation changes I do not see the need to change what is in place If the main reason is establishing the boundary then they should be moved to the hedge and not moved to be near buildings Please take note of my objections your sincerely	These comments are noted. The Historic England document 'Conservation Area Designation, Appraisal and Management' states in paragraph 66 that; ' <i>... in almost all situations the conservation area boundary runs around rather than through a space or plot. It will generally be defined by physical features and avoid for example running along the middle of a street...</i> ' Where the physical boundary that once informed the location of the boundary of the conservation area has been lost and therefore the boundary cuts through the centre of a field, the boundary is proposed to be moved to follow the nearest physical boundary that is visible on the ground. The intention is to form a logical and legally defensible boundary.
WACAA4	Mrs A Perry (local		I don't have access to a computer but I do wish to comment on the above.	These comments are noted. The concern is that in some areas the present boundary is no longer easily defined. Where the physical boundary that once

	resident) 6/6/18 By letter		<p>After attending the public meeting and hearing the proposals, I see no good reason for altering what is already in place. In particular the argument for changing the boundaries of the present conservation area seems an unnecessary exercise as the present boundary is easily defined.</p> <p>As for including the houses in The Butts, Manor Cottages and a potato store, I think this may be acceptable depending on how the individual property owners feel.</p> <p>Please add my comments to the consultation.</p>	<p>informed the location of the boundary of the conservation area has been lost and therefore the boundary cuts through the centre of a field, the boundary is proposed to be moved to follow the nearest physical boundary that is visible on the ground. The intention is to form a logical and legally defensible boundary.</p> <p>The comments on the inclusion of areas are welcomed. Although it is no longer proposed to include the properties in The Butts or the properties and land to the east of Wall Lane within the conservation area.</p>
WACAA5	W.J. & A.J.W. Ryman (local residents) 4/6/18 By letter		<p>I wish to object to any changes in the existing boundaries and in particular the proposal to make the land and cottages to the East of Clay Pit lane a conservation area, this is a farm working area with a 1950's potato store, general farm use and farm cottages. This is certainly not an 'area of special architectural or historic interest the character and appearance of which it is desirable to preserve or enhance.'</p> <p>The existing Eastern edge of the area quite satisfactorily follows Clay Pit Lane in a straight Northerly Line and no change is justified.</p>	<p>The road referred to here is Wall Lane and only becomes Claypit Lane further north.</p> <p>It is no longer proposed to include the land to the east of Wall Lane in the conservation area due to a number of consultees objecting to this part of the proposals.</p>
WACAA6	J.C & V.J. Hollins (local residents)		<p>With reference to the above mentioned draft plan, my wife and I attended the Annual Parish of Wall meeting held on 16th May 2018 and listened with interest to the address by Claire Hines and her colleague from the conservation department of the district council.</p>	<p>The amendments to the conservation area boundary will not affect the scheduled monument designation and will not remove any protection from the archaeological remains of the Roman settlement. Conservation area designation is intended to protect the character and appearance of an area and not to</p>

	18/5/18 by letter		<p>Our views are as follows:</p> <ul style="list-style-type: none"> a. With reference to the proposal to move the boundary to within yards of the existing roman site is totally wrong. It does not preserve or enhance the site in any way and in fact removes a layer of protection to the field to the north of the site below which I am led to believe are the remains of the old roman village. We understand that concern has been raised by the fact that the existing conservation boundary now runs across open fields with no obvious boundary. Apparently in the past the boundary followed hedge rows but these have been removed to make larger fields. We therefore suggest that instead of reducing the area, it be extended outwards to the next hedgerow, which not only protects the area, it also gives a clear indication of the boundary. b. The area to the west along the A5 could, we feel be reduced without detrimental effect. We have no observations about the boundaries to the south and east. c. The other observation we wish to make is to leave the existing boundaries as they are as they appear to have worked well for quite a number of years. If a thing is not broken, why mend it, and that appeared to the opinion of the majority of persons and the previously named meeting. 	<p>protect archaeological remains which in this instance have the highest level of protection as a scheduled monuments. In the case of the area to the north of The Butts we cannot move the boundary outwards as the next field boundary is far too far north so we have proposed instead to follow the edge of the built development which is common in conservation area designations.</p> <p>Comments regarding areas to the west, south and east are noted.</p> <p>In terms of leaving the boundary where it is. LPA's are required under the legislation to review their conservation areas from time to time and when we do we have to review the boundaries. Conservation areas are not stagnant and do change over time so the proposed boundary changes reflect this.</p>
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Wigginton Conservation Area

Comment Ref	Consultee	Comments	Response
WICAA1	<p>Mrs M. Jones</p> <p>(Clerk to Wigginton and Hopwas Parish Council)</p> <p>20/6/18 by e-mail</p>	<p>Wigginton and Hopwas Parish Council are supportive of the Plan and grateful that it has been re-evaluated and updated since the previous version has been in place for many years. It is appreciated that this has provided an opportunity to engage local people with the character and appearance of their community.</p> <p>The Parish Council notes the pressure from development on the parish and feels the plan will offer some protection against coalescence with Tamworth by continuing Wigginton's designation as a heritage asset.</p> <p>It welcomes the emphasis on preserving the rural nature of Wigginton's setting and the key views into and out of the village.</p> <p>The conservation area will remain very similar to the existing area, with minor changes to the boundary, and there is no objection to these changes.</p> <p>The information on the special character and appearance is of great interest to anyone connected to Wigginton. It points out matters that local people may just take for granted, including its hilltop location linear form, and views; it also gives information about the historic hollow way and shifted medieval settlement that may not be well known to some. It is important to protect this historic area from development as there may be a future opportunity for archaeological investigation.</p>	<p>The comments in the first to fifth paragraphs are noted.</p> <p>In line with comments in the 6th paragraph the text on page 9 will be amended as follows; 'The village does not have a clear centre but landmarks and focal points include Wigginton Manor, St Leonards Church and Post Office Farmhouse on the corner of Main Road and Syerscote Lane. They also include the small open space with the War Memorial at the junction of Main Road and Comberford Lane which is a feature in common with other nearby settlements including Comberford.'</p> <p>The amendment proposed in the seventh paragraph will be included.</p> <p>In respect of the eighth paragraph, the sentence on page 20 will be amended as follows; 'The substantial brick wall that runs along the east side of Main Road north of Manor Cottages is an important feature of the conservation area and positively contributes to the streetscene.'</p> <p>The sentence on page 28 (p29 in the final version) will be amended as follows; '- to the north of the conservation area the boundary will be amended to include the whole of the site associated with Wigginton Manor Farm.'</p> <p>The comments in the ninth to eleventh paragraphs are noted.</p>

		<p>It could perhaps be noted that the small triangular grassed area on which the war memorial is sited is a similar feature to that found in other local villages, such as Comberford and Hopwas.</p> <p>We would point out that the reference to Wigginton Fields Farmhouse on page 12 should be amended to Wigginton Manor, as Wigginton Fields is beyond the village on the road to Harlaston.</p> <p>Other minor points to note - the sentence about the brick wall at the top of page 20 isn't complete and on page 28 of the management plan, there is no conclusion to the final sentence in Action 1. Small amendments would serve to clarify these points.</p> <p>The Parish Council supports the action points in the Management Plan, and particularly Action 6. This reflects policy WHC3 in the Wigginton, Hopwas and Comberford Neighbourhood Plan which stresses the importance of protecting the heritage assets of the parish.</p> <p>Wigginton and Hopwas Parish Council has no objection to the inclusion on Lichfield's Local List of the buildings referred to in Appendix B, as this will protect against unauthorised changes that may affect the conservation area. Residents occupying such properties will have the opportunity during the process of appraisal to submit their own views on such an inclusion.</p> <p>The Parish Council supports the draft document and looks forward to its final adoption. Should there be significant amendments made following public feedback we would be</p>	
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		grateful to see these and have a further opportunity to comment.	
WICAA2	Mr P. Boland (Historic Places Advisor, Historic England) 28/6/18 by e-mail	<p>Thank you for consulting Historic England on the above draft appraisal. Whilst recognizing that the local planning authority is responsible for conservation area designation you may wish to note the following observations.</p> <p>The Appraisal follows a logical format that is fully in line with national guidance. There is a clear articulation of the conservation areas special interest, its buildings, the contribution made by open spaces, trees and other vegetation and of views to the adjacent rural landscape setting. There is a succinct and insightful analysis as to how all of this this currently contributes to the areas character and appearance.</p> <p>Both positive and negative aspects of the conservation area are carefully itemized and clear prescriptions for management are suggested. The conservation area boundary changes suggested have equally clearly been arrived at after thoughtful analysis.</p> <p>As a very minor observation please note the incorrect use of the word “compliment” rather “complement” throughout the document.</p> <p>I hope you find these comments helpful.</p>	The comments are noted and the proposed spelling correction will be carried out.
WICAA3	Julia Banbury (Principal Landscape Officer,	Please find below Staffordshire County Council’s Environmental Advice Team response to the Draft Wigginton Conservation Area Appraisal and Management Plans	The bullet point on page 7 will be amended as follows; ‘There is a strong relationship between the village and the surrounding field pattern and surviving earthworks which provide fossilised evidence of agriculture and former settlement.’

	<p>Staffordshire County Council)</p> <p>25/6/18 by e-mail</p>	<p>Historic Environment</p> <p>I am happy that the Historic Development section of the Appraisal has provided an appropriate overview which highlights the archaeological interest of the Conservation Area and its setting. For clarity page 7 bullet point 2 may wish to specify that the earthworks in question relate to both fossilized agricultural evidence and former settlement.</p> <p>Page 6: to assist users of the document to find the Staffordshire Historic Environment Record it is advise that the web-link be changed to www.staffordshire.gov.uk/historic-environment-record</p> <p>Ecology No comments</p> <p>Landscape No comments</p> <p>Rights of Way We welcome the information within the plan and would encourage that recognition is given to improve accessibility on the walking and cycling networks throughout the Parish. However, there needs to be some recognition that this coincides with reduced finding for rights of way work and there will be an increased need for parishes to become more heavily involved in the maintenance of their local path network.</p> <p>The desire to increase the levels of physical activity is also welcomed and the public rights of way network should be integral to any schemes that are developed to promote this. The Rights of Way team would be happy to provide</p>	<p>The web-link on page 6 will be amended accordingly.</p> <p>All the other comments are noted.</p>
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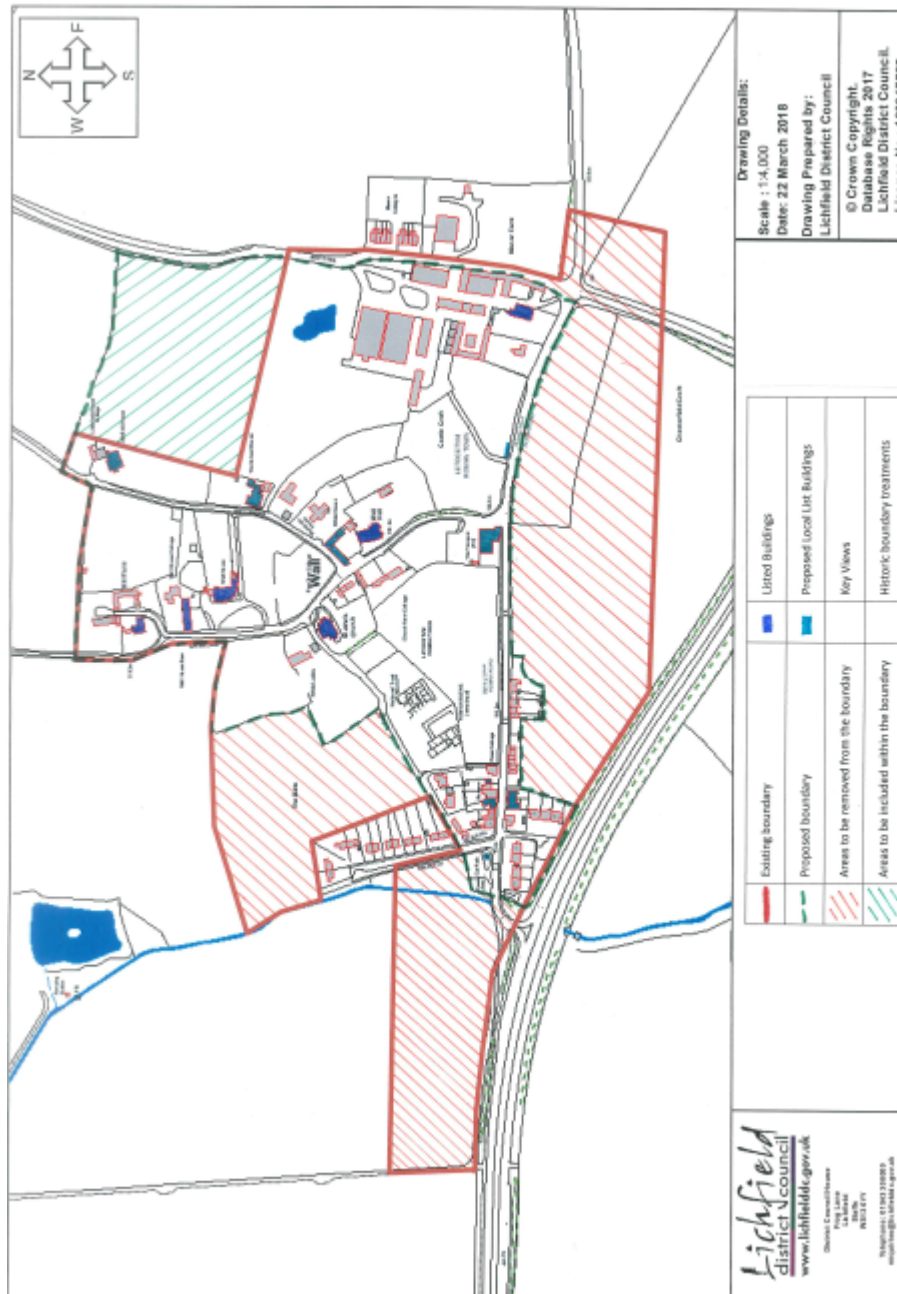
		<p>advice and work together on any schemes which benefit through improvements to the path network.</p> <p>The Parish Council should also encourage developers to enhance the existing path network where possible in line with Staffordshire County Council's Rights of Way Improvement Plan. This could include the creation of public bridleways or the upgrading of public footpaths to bridleways to improve provision for horse riders and cyclists. The creation and promotion of short circular walks to promote the health benefits of walking the replacement of stiles with gaps (where there are no stock) or gates (where there are) in line with Staffordshire County Council's Least Restrictive Principle for path furniture. The County Council is able to provide further advice and guidance as and when required.</p>	
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Appendix B

Maps and schedule of boundary changes

Wall Conservation Area

The proposed boundary changes are shown on the map below and described in the schedule. The rest of the boundary is unchanged.

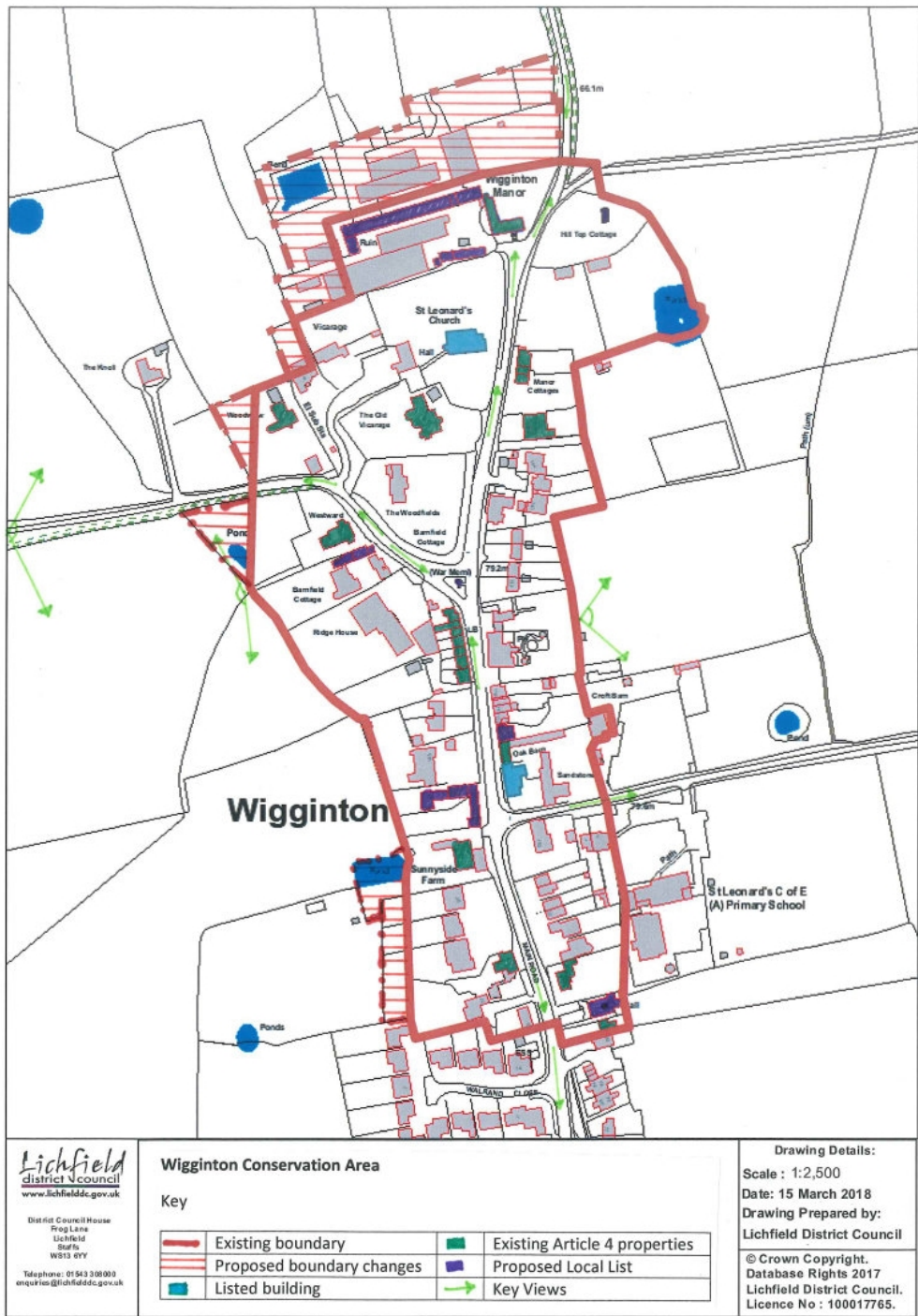


Schedule of boundary changes

- Removal of the field to the west of The Butts
- Exclusion of the scheduled area to the North and East of The Butts
- Inclusion of land to North of Castle Croft, to follow the boundary from close to Littlefield House Cottage to Wall Lane
- Exclusion of land to the south of Watling Street to the North of the A5 Wall Bypass.

Wigginton Conservation Area

The proposed boundary changes are shown on the map below and described in the schedule. The rest of the boundary is unchanged.



Schedule of Boundary changes

- to the west of the conservation area the boundary will be amended to include all of the rear gardens of numbers 93, 95 and 97 Main Road and Sunnyside Farm.
- on Comberford Lane the boundary will be amended to include the whole field adjacent to Westward and the whole of the garden of Woodview and the whole of the rear garden of Churchlands.
- to the north of the conservation area the boundary will be amended to include the whole of the site associated with Wigginton Manor Farm.

Appendix C

Schedule of properties proposed for addition to the Local List

Wall Conservation Area

Road	Property or structure
The Butts	K6 Telephone Kiosk
Green Lane	Pear Tree Cottage
Market Lane	School House Littlefield House
Watling Street	The Trooper Inn The Seven Stars, 12 Watling Street Wall Village Hall Stone wall to north side of Watling Street English Heritage Museum

Wigginton Conservation Area

Road	Properties
Main Road	Wigginton Village Hall 84 86 (Wigginton Cottage) 91 99 (Sunnyside Farm), 101 (The Secret House) 103 Oak Barn 108 (The Old Police House) Numbers 111, 113, 115, 117, 119, 121 & 123 (Poplar Cottage) War Memorial The Old Vicarage 146 Numbers 150 & 152 Wigginton Manor

	Range of barns to the north-west of Wigginton Manor Range of barns to the south-west of Wigginton Manor Hill Top Cottage
Syerscote Lane	Oak Barn
Comberford Lane	Barnfield Cottage Westward Woodview

Economic Development Performance

Cabinet Member - Cllr Ian Pritchard

Date: 12th November 2018

Contact Officer: Jonathan Percival

Tel Number: 01543 308149

Email: Jonathan.Percival@lichfielddc.gov.uk

Key Decision? No

Local Ward Members All



Economic Growth, Environment & Development (Overview & Scrutiny) Committee

1. Executive Summary

- 1.1 This report provides an overview of Lichfield District's current economic development performance and the impact of the Council's Economic Development service's activities in this area.

2. Recommendations

- 2.1 That the Committee notes the current performance of Lichfield District's economy and the actions being undertaken to support this and local business including by the District Council.

3. Background

- 3.1 Lichfield District Council's Economic Development Strategy (2016 – 2020) seeks to help deliver one of the three priorities, a vibrant and prosperous economy, contained within the Strategic Plan by 2020. The strategic priorities covered in the Economic Development Strategy are based on three key themes:

- Place
- Business
- People

Policies and actions are intended to meet the following objectives set out in the Strategic Plan:

- More local jobs and more people in employment
- More new businesses in the district
- More successful businesses
- More visitors and more visitor spend
- A regenerated Lichfield City Centre and improved retail offer in Burntwood

- 3.2 To support the delivery of the strategy and encourage job and business growth in the district, the Council's Economic Development service undertakes activities with strategic partners and is a delivery

partner in European funded programmes. The Council works closely with Tamworth Borough Council who aid and help deliver the Council's activities to support business and the local economy.

District Economic Profile

3.3 In 2016, Lichfield District was home to 5,210 active enterprises, the highest within Staffordshire (Staffordshire County average of 4,110 per local authority area). The spatial distribution of enterprises throughout the district can be seen in **appendix 1** with the majority concentrated in the two main urban centres of Lichfield City and the town of Burntwood. Other employment concentrations can also be found at Fazeley along the A5, Fradley and Alrewas situated on the A38, Shenstone and Little Aston towards the southern part of the district, and Armitage and Handsacre to the north.

3.4 **Table 1** shows employment and activity rates for the district and compares these to regional and national rates.

Based on September 2018 figures, Lichfield District contains a low percentage of universal credit and job seeker's allowance claimants, 1.3%, compared to the West Midlands region, 2.9%, and Great Britain, 2.2%. Values have increased from previous results due to universal credit now supporting residents that are in work and wouldn't have been entitled to job seeker's allowance previously due to earnings.

By analysing the latest figures, June 2018, on Lichfield District's economically active population, a similarity can be made with Great Britain by having 78.2% and 78.4% respectively, higher than the West Midlands percentage of 76.6%. These statistics show that Lichfield District's community are more actively engaged in or seeking employment then the overall region.

	Claimant count (September 2018)	Economically active (June 2018)
Lichfield District	1.3%	78.2%
West Midlands	2.9%	76.6%
Great Britain	2.2%	78.4%

Table 1: Claimant count and economically active population comparison with regional and national statistics

The economic development service engages with the Lichfield Into Work Group who support people to get back into work. The group's representatives are listed in **appendix 2**.

Skills and training development providers attend, raising awareness with the service and implementing courses to upskill residents to gain a qualification or employment. Most recently in September 2018, Juniper Training who provide traineeships and apprenticeships, located within Lichfield City, meeting with the service to distribute information and aid publicity of their offer to the local community.

The service has undertaken coordinated working with the local job centre to provide information on start-up business advice to claimants who are seeking to become self-employed. The local South Staffordshire College has engaged with the service regarding aiding students to develop an understanding of the support on offer for entrepreneurs.

3.5 Lichfield District is an attractive area for new business enterprises due to its quality built and natural environment, excellent transport links and resident's skills and abilities. **Appendix 3** provides information on the following business characteristics of the district, compared with neighbouring authority areas and the Staffordshire County average:

- Active enterprises
- Enterprise births
- Enterprise deaths
- 5 year survival rate (2011 births) (%)

Enterprise start-ups, failures and survival

- 3.6 In 2016, 760 new businesses were established in the district, the highest in Staffordshire. **Table 2** shows how this figure compares with other Southern Staffordshire authorities:

	Enterprise births
East Staffordshire	565
Cannock Chase	425
Tamworth	355
Lichfield District	760

Table 2: Southern Staffordshire area comparison of enterprise births in 2016

The economic development service works with other service areas within the Council as well as external partners to support new enterprises and those who are considering setting up a new business. Such support includes start up programmes, like the GBSLEP Enterprise for Success programme, which the Council is a delivery partner in and makes a financial contribution toward. **Appendix 4** is a case study of a Lichfield District resident who has received support from the programme.

Under this programme and as of September 2018, 218 businesses or individuals within or looking to start a business in Lichfield District have signed up for support, creating 23 jobs. In comparison to other Southern Staffordshire authorities, as shown in **table 3**, Lichfield District is above average in both enquiry and job creation outputs. The spatial distribution of enquiries are outlined within **appendix 5**.

	Number of enquiries	Jobs created
East Staffordshire	173	16
Cannock Chase	243	25
Tamworth	160	18
Lichfield District	218	23
<i>Southern Staffordshire average</i>	<i>199</i>	<i>21</i>

Table 3: Southern Staffordshire comparison of the Enterprise for Success programme outputs as of September 2018

- 3.7 Although Lichfield District has a high start-up rate, there is a correlation with enterprise deaths as the district contains the highest amount of enterprise deaths, 490, against a County average of 396. If a comparison is made with the 5 year survival rate of Lichfield District businesses, using 2011 births, the district has a higher percentage, 47.8%, compared to 45.30% across the County.
- The above statistics show that a high start-up rate exists within Lichfield District, with the programmes on offer providing start up support, developing the possibility of long term survival. As shown by the 5 year survival rate being higher than the county average.
- 3.8 The high enterprise deaths rate recognised within Lichfield District isn't an anomaly, as shown within **Figure 1**, with neighbouring authorities and the County average being consistent in terms of the births to deaths ratio. Lichfield District's comparable rate is good with logic stating that the more businesses beginning creates the level of failures to increase, with the key value being the ratio of survivals against failures which is a great margin within our area.

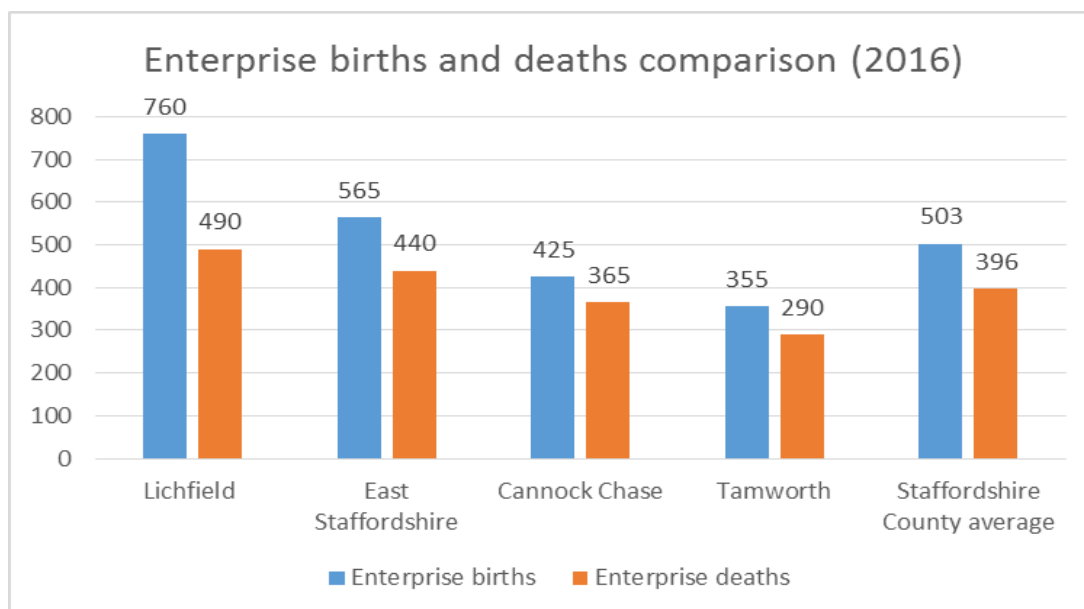


Figure 1: Enterprise births and deaths comparison of County average and neighbouring authorities

Further investigation is needed to understand why there is a sharp demise of enterprises within the district and how the service can offer support to overcome the issues which enterprises are having. The resulting case that maybe presented is that businesses aren't aware of the support on offer with enterprises that gain suitable help sustaining long term prosperity and survival. A key priority in the economic development service's role is to disseminate and raise awareness of the support and advice that is available to the local business community and residents.

Growing existing businesses and attracting inward investment

- 3.9 With the launch of the Lichfield District Investment Prospectus earlier this year, having been circulated to developers, local strategic partners and commercial agents, this promotes the district to a wider regional and national audience.

The economic development service works with Make it Stoke-on-Trent and Staffordshire, and the West Midlands Growth Company attracting businesses to locate in or expand their activities into Lichfield District. Through greater inward investment and an increasing number of businesses locating in the district it establishes further economic growth to take place, creating jobs and growing the overall economy.

- 3.10 Businesses seeking financial assistance to support their expansion plans can receive grant funding from the Business Growth Programme, which Lichfield District Council is a delivery partner in. The programme offers up to 60% grant support for existing business to business SME's ready to grow and a condition being to create jobs. So far 14 Lichfield District businesses have benefited from a grant offered by the programme, one business receiving two successful grants, creating 35 jobs. A range of local businesses from varying sectors have been successful from manufacturing to a 3D imagery company, spatially distributed across the district, as shown in **appendix 6**.

When comparing the Lichfield District results to neighbouring authorities within the Southern Staffordshire area, as shown in the **table 4**, the average amount of successful businesses per authority area is 14, with 46 jobs created. Although Lichfield District is performing below average within Southern Staffordshire's jobs created output, the programme extension next year provides the opportunity for further businesses to receive monetary support and create additional jobs.

Appendix 7 provides an example of a business, BCS Corrugated, who expanded their production into the district and having received the funding created 6 jobs. A case study of an existing Burntwood based business who received support, Addfield Environmental Services, can be found in **appendix 8**. At the time of the case studies publication, 5 additional roles have been created due to the companies continued growth and support from the grant being received.

	Successful businesses	Jobs created
East Staffordshire	14	51
Cannock Chase	19	60
Tamworth	10	39
Lichfield District	14	35
<i>Southern Staffordshire average</i>	<i>14</i>	<i>46</i>

Table 4: Southern Staffordshire comparison of the Business Growth Programme outputs as of September 2018.

With all partnership working, the economic development service works with local commercial agents and developers in reviewing all possible options for businesses looking to expand or move to the district. A concern which has become apparent within enquiries is that a common theme of popular premises is viewed causing the demand to outweigh the supply and businesses unable to locate within the district. This issue can create investment to potentially seek locations outside of the district.

Digital Communications

- 3.11 With a very rural setting in the district, digital connectivity could be seen as an issue. The economic development service work with Superfast Staffordshire to provide district wide commercial rollout of superfast broadband to premises. As of October 2018, 96.07% of premises within Lichfield District are superfast UK (>24 Mbps) enabled, higher than the UK coverage being 95.7%. The service in partnership with Superfast Staffordshire are investigating options for the percentage which aren't covered by the rollout contract. An open market review is currently taking place which will provide more accurate data to identify alternative options for these premises.

High Streets, Viability

- 3.12 A suffering national high street is publicised weekly with vacant shops dominating city high streets, this isn't the case with Lichfield District's urban centres. In July 2018, Lichfield City and Burntwood Town's vacancy rates were 5.6% and 4.5% respectively. These percentages are a positively low value in comparison to the West Midlands, 10.2%, and UK, 9.9%, as seen in **table 5**, showing the active and vibrant high streets which have developed within the district's urban centres.

The economic development service work with local business groups to understand their member's needs and issues, to develop further business intelligence, supporting their growth and long term survival. When inward investment enquiries are received, the service review the suitability of vacant premises with local commercial agents, working towards developing minimal vacancies within the district.

	Vacancy rates (July 2018)
Lichfield City	5.6%
Burntwood	4.5%
West Midlands	10.2%
UK	9.9%

Table 5: Urban centres vacancy rates compared with regional and national rates

Overview

- 3.13 Overall Lichfield District has a relatively prosperous economy, with a promising enterprise start-up rate, low claimant count, high economically active population and low vacancy rates providing a bustling and vibrant business environment. The support offered by the economic development service with strategic partners provides the opportunity for individuals to start up, local business expansion, creating and safeguard jobs, assist the location of new enterprises into the district, which further develops local economic growth.
- 3.14 There are issues facing the area and that need to be addressed by the Council, businesses and other bodies. These include:

Brexit

The uncertainty regarding Brexit, especially with local business trade arrangements, growth market deals and their supply chains, & international businesses already located in the district concerned with their future. The service are looking to gain further understanding of our local economy, gathering local businesses views within documents and engagement. If a commonality is seen in views overall or within a certain sector, we shall investigate how to act upon this.

Skills gap

A skills gap is being seen within certain sectors, especially in the STEM (Science, Technology, Engineering and Mathematics) sector, where a lack of graduates or apprenticeships undertaking these professions. We are currently working more collaboratively with universities within our catchment area on understanding the skills gap and sectors regionally. An EU funded programme is currently in place, Higher Level Skills Match, with Lichfield District Council being a delivery partner. The Council is working with Birmingham based universities on finding solutions to local SMEs short and long term specific business skills requirements.

The struggle of the high street

Although Lichfield District's urban centres do relatively well with vacancy rates, how do we sustain this, especially with national high street chain closures. The economic development service is working with internal services on reviewing the discretionary business rate relief policy to support businesses and seeking to develop more footfall within the city and town centres for high street retailers.

Inward Investment

With the growth and appeal of neighbouring authority areas, we need to be able to compete and keep attracting new and expanding enterprises to the district. The economic development service is engaging with developers and commercial property agents, to further understand our commercial property market and the national market. Through engagement this shall allow the service to develop knowledge on businesses workforce and commercial requirements.

Collapse of enterprises

As shown in the above statistics, regionally there's an issue with the amount of declining enterprises. Greater local business intelligence is essential to recognising how to resolve or mitigate this issue. The economic development service is engaging with local businesses to develop knowledge on enterprises concerns and build awareness of the support on offer to improve their long term survival.

Alternative Options	1. There are no alternative options to this report as it's a review of economic development performance.
Consultation	1. No consultation was undertaking to produce this report. 2. All data was provided by strategic partners who deliver business support locally, collected by the economic development service or is produced by central government.

Financial Implications	1. There are no financial implications from this report.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the delivery of a Vibrant & Prosperous Economy as the economic development service contributes towards creating more local jobs and new businesses locating in the district. The service supports people gaining employment and providing an improved retail offering throughout the district. 2. Supports the priority of Healthy and Safe Communities as increasing the district's economic prosperity improves the quality of life for communities. 3. Supports the priority of Clean, Green & Welcoming places to live by improving the commercial offering of the district for local residents and visitors.
Equality, Diversity and Human Rights Implications	1. The Economic Development service through the delivery of the Economic Development Strategy aligned with the Council's Strategic Plan priority of a Vibrant and Prosperous Economy supports job creation and retention into the District. Allowing unemployed people the opportunity to become employed and upskill, also safeguarding current jobs. By increasing development and investment into the District, especially within town centres it secures existing and attracts new businesses, offering more services and activities for the local community.
Crime & Safety Issues	1. There are no crime and safety issues.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That Lichfield District's economic development performance starts underperforming, creating a decline in economic growth.	The economic development service with strategic partners shall consider actions to improve the district's economic performance to establish an improvement in economic growth.	Green

Background documents:

[Lichfield District Council Economic Development Strategy 2016-2020](#)

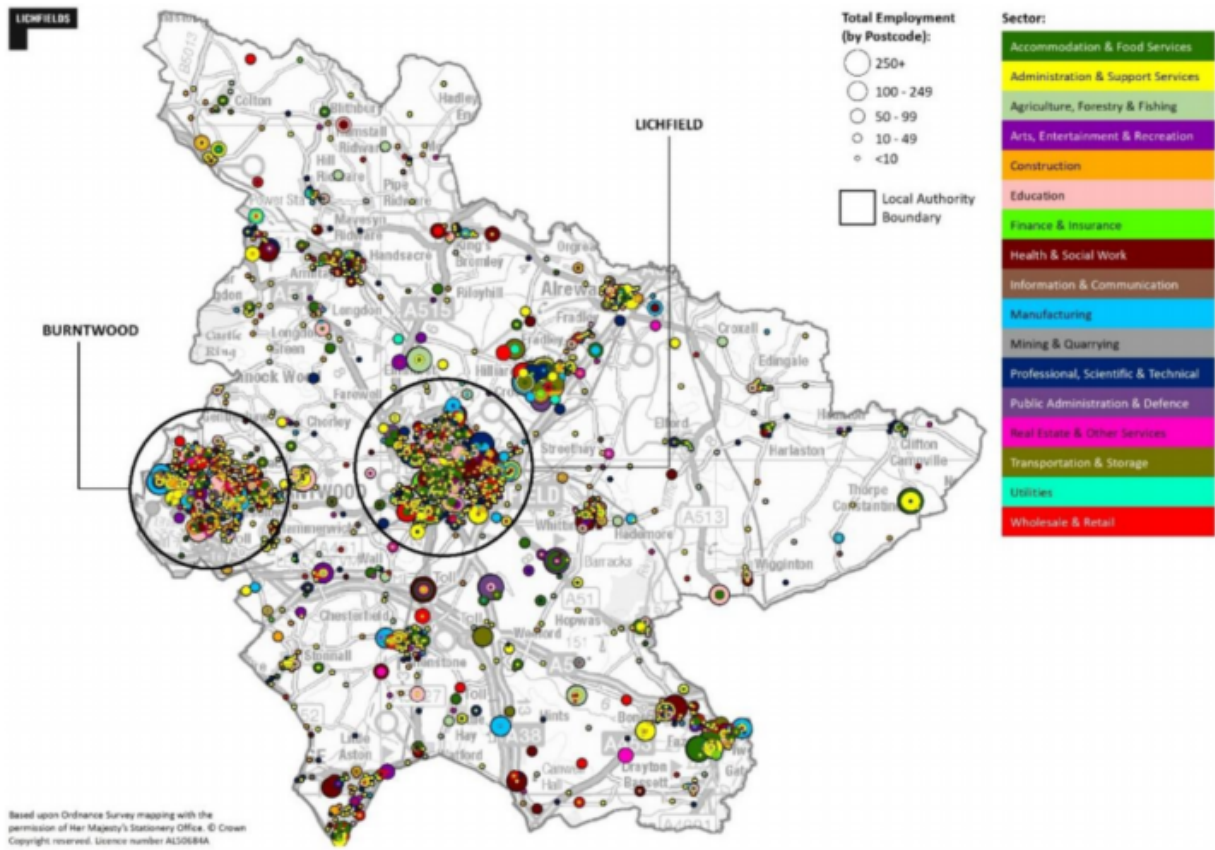
Relevant web links:

Lichfield District Council's Economic Development Strategy (2016-2020) - <https://lichfielddc.gov.uk/Business/Economic-Development-Strategy-2016-2020.pdf>

Enterprise for Success programme - www.enterpriseforsuccess.co.uk

Business Growth Programme - www.birmingham.gov.uk/bgp

Appendix 1: The spatial distribution of businesses throughout Lichfield District



Source: ONS (2018) / Lichfields' analysis

Appendix 2: Lichfield into Work Group representatives


- Talent Match Staffordshire
- Staffordshire County Council
- Groundwork
- Department for Work and Pensions
- South Staffordshire College
- South East Staffordshire Citizens Advice Bureau
- Staffordshire Library Service
- BDS Learning
- Shaw Trust
- Juniper Training
- APM – NU Futures

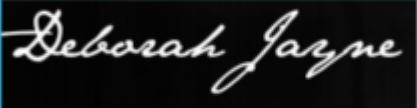
Appendix 3: Comparison of business demography statistics with neighbouring authorities and the Staffordshire County average

	<u>Active Enterprises</u>	<u>Enterprise Births</u>	<u>Enterprise Deaths</u>	<u>5 year survival rate (2011 births) (%)</u>
Lichfield	5,210	760	490	47.80%
East Staffordshire	4,615	565	440	49.40%
Cannock Chase	3,695	425	365	40%
Tamworth	2,620	355	290	43.50%
Staffordshire County Average	4,110	503	396	45.30%



CASE STUDY





Lichfield Has a Sparkling New Business

Deborah Jayne has been trading for a few years, and specialises in taking vintage pieces and updating them with precious stones. Makes items to sell online and at events, and also takes commissions. They also provide special pieces for weddings and other occasions.


Having traded for a short while, Deborah enquires with the Enterprise for Success programme to get some help and clarity on a number of areas including financial planning, Tax and Vat guidance as well as some general Marketing support to help her promote her business and its services more effectively.


A dedicated Business Advisor was deployed who as well as assisting with some financial planning and forecasting for the business, also sign posted the Tax and expenses queries through to HMRC to get the most up to date and accurate information. The Advisor also completed a thorough diagnostic on the business, pin pointing where there were gaps in some of the Marketing Strategies, linking into the development of some of the businesses product offers.

The Business has now launched a new "bundle package" for Wedding customers as well as having a made some new, useful contacts within the wedding sector.



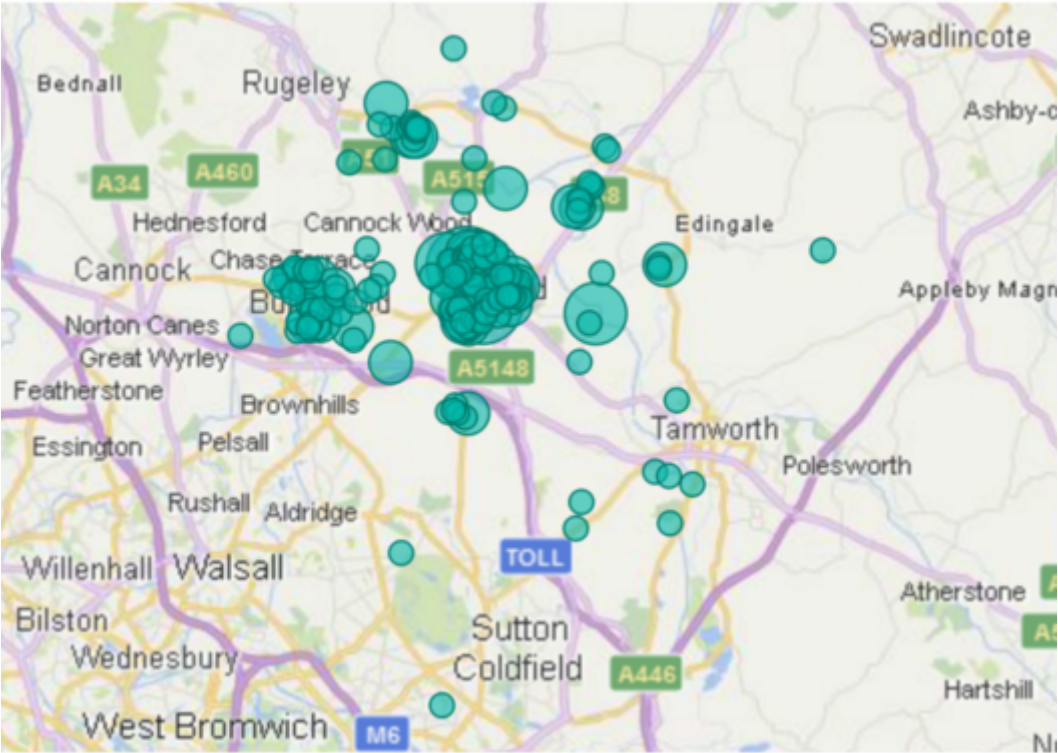
T. 01905-676773
E. startup@blueorchid.co.uk



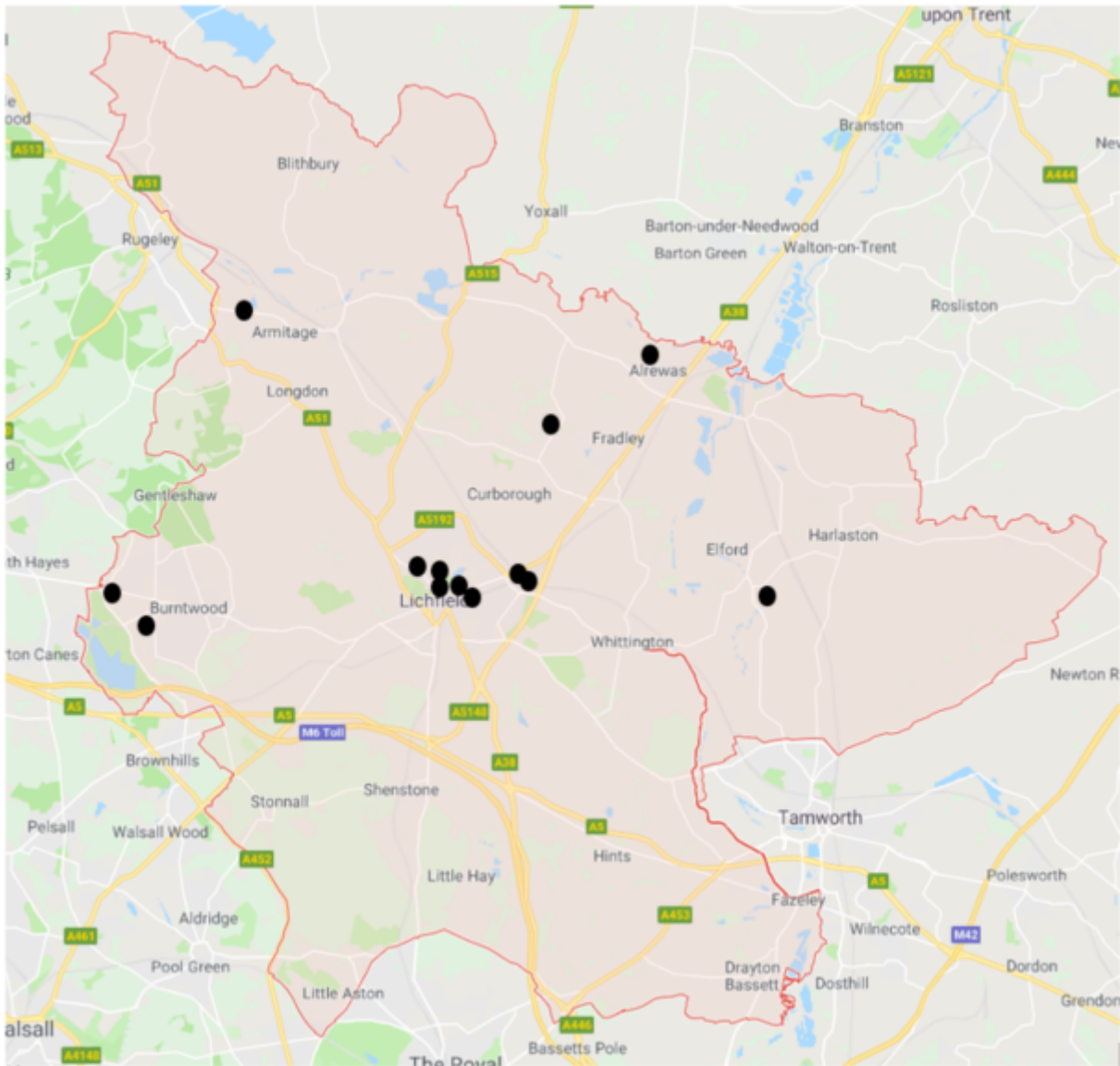


European Union
European Regional
Development Fund

Appendix 5: The location of enquiries received for Lichfield District within the Enterprise for Success programme



Appendix 6: The position of Lichfield District businesses who have been successful in receiving a Business Growth Programme grant



Appendix 7: BCS Corrugated expanding to the district

A case study of a business who expand to Lichfield District and received grant support is BCS Corrugated, who are located in Elford. The machinery manufacturer and designer expanded from Bedfordshire as they struggled to find the skill sets required and production was limited by the available workforce. With the grant assistance they grew into Lichfield District, locating within an industrial unit where they have initially created 6 jobs and are able to meet their demand.

Appendix 8: Burntwood business benefits from the Business Growth Programme

Lichfield District based Addfield Environmental Services are expanding thanks to support from the Business Growth Programme (BGP) and Birmingham City Council.

Addfield Environmental Systems Limited are specialists in the thermal processing of solid waste, rapidly becoming the industry leaders in sustainable waste management for the future.

In May 2017, they decided to move all their manufacturing facilities under one roof in Burntwood as previously it was spread across five locations. Having invested into a new location, they started to look into further investment opportunities, the company received a grant of £30,000 to improve their organisational operation, increasing efficiency and reducing overheads by purchasing bespoke CRM and production management software.

The new software system being developed by Orderwise is being rolled out across each department, supporting the businesses growth by helping develop a more streamlined production line, enabling them to produce more machines and lead to a continued expansion creating more jobs.

Although the investment has only been in place for a short amount of time, 5 people have recently been employed in new roles due to their continued growth with 3 jobs to be created from the project. Additionally working with the sales and marketing team to develop an integrated CRM system that works in synergy with production allows them to more accurately forecast upcoming builds and rapidly convert a query, into a sale and transferring the sale straight into the production line increasing efficiency.

Mr Steve Lloyd, Managing Director at Addfield Environmental Services said:

“The Addfield success is due to the fact that we are always looking to improve on how we manage our business. From streamlining our production methods, raising the bar on Quality Assurance to improving our customer’s journey with us, these all contribute to making Addfield a better Company.

As such the opportunities that were made available through investing alongside the ‘Business Innovation Programme’ into our new business management software system have been invaluable.

We now have an advanced system in place that will handle every stage of the sale/production process all the way through the delivery and commissioning. When you are already distributing to over 95 countries you need to be able to monitor all of these elements seamlessly in one place.

Receiving the grant has enabled continuous growth with the company already creating a number of permanent positions from early 2018, with several more planned throughout the year and into 2019 as future expansion plans are realised.”

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Overview & Scrutiny Task Group

Meeting Notes



Review topic BRS Working Group	Date of Meeting 4 th Oct 2018

Attendance	Venue
Members: Cllr Marshall Cllr Strachan Cllr O'Hagan Cllr Boyle Cllr Ball Cllr Ray Cllr Warfield Apologies Cllr Smith Officers: Craig Jordan Helen Bielby Christine Lewis Advisors: Andrew Hayward – BHB Architects Andrew Buckman – Kingstons CPC David Crump – Greenwoods Projects	Committee Room

Areas Discussed
<ul style="list-style-type: none"> • Councillor Marshall was elected Chairman and Councillor Strachan as Vice-Chairman of the group. No declarations of interest were received. • The scope of the working group and terms of reference were approved • Update on current position with the site was discussed and noted that now the Police Station was owned by the Council, the whole site belonged to LDC. Noted that the bus station was still in use and in need of maintenance to ensure it was fit for purpose in the short to medium term. Also reported and noted that areas of the site including kiosks and Police Station required works to make safe and prevent squatters. Multi-storey car park is checked every 3 months and last report did not flag significant concern. Tempest Ford site

has contaminated land and shafts from tanks which were uncovered during demolition but site has been made safe but remediation works will be required.

- Short-Medium term proposals were discussed. There was some support for the principles behind this approach however members raised the issue of costs. It was agreed by some of the group that if progressed these proposals should be seen as a Phase 1 and should incorporate remediation of land in preparation for longer term re-development plans. Group wished for new toilets along with a food/drink stall and cultural offering using reusable and sustainable materials that can could still be used elsewhere in the district at events once a permanent development of the site had occurred.
- Key issues and next steps – it was agreed that there was an opportunity with the Birmingham Road site to review the whole city centre and as part of this look at all development sites in the area as a whole and not in isolation. This would assist in determining what role the Birmingham Road site could play going forward in providing for suitable uses. This should be the focus of the next meeting of the Task Group.
- In respect of other key issues, members identified a remaining desire for a leisure offering including a cinema as it was noted that residents had indicated to Members their wish for one in the City. The group also agreed that there could be scope for mixed architecture on the Birmingham Road site that could aid tourism.

Outcomes

It was agreed that stage 1 should consist of temporary development and remediation works at the same time. This should include illustrated hoardings around the Tempest Ford site that could possibly be designed by local community groups and schools.

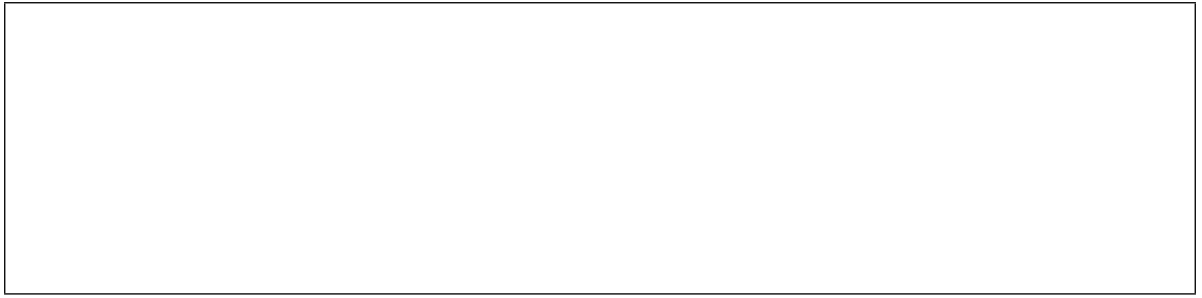
Details of potential temporary development proposals have been requested for the next meeting.

Further Work Required/Next Steps:

The group asked for a city wide plan to be prepared for its next meeting to help understand the relationship between the Birmingham Road site and other plans/policies for the broader area.

The next meeting will look at the plans and policies that inform development across the city centre including the Local Plan, Lichfield Neighbourhood Plan and City Centre Development Strategy.

The group will meet again on the 25th October 2018.



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Overview & Scrutiny Task Group

Meeting Notes



Review topic BRS Working Group	Date of Meeting 25 th Oct 2018

Attendance	Venue
Members: Cllr Marshall Cllr O'Hagan Cllr Boyle Cllr Ball Cllr Ray Cllr Smith Cllr Warfield Apologies Cllr Strachan Officers: Craig Jordan Helen Bielby Christine Lewis Advisors: Andrew Hayward – BHB Architects Andrew Buckman – Kingstons CPC David Crump – Greenwoods Projects	Committee Room

Areas Discussed
<ul style="list-style-type: none"> • No Declarations of Interests • Updates following the previous meeting were given and it was noted that a contractor had been to assess the former Tempest Ford site regarding the removal of tanks and remedial works and Officers were awaiting report. It was also reported that the demolition of the Police Station had been investigated further and it would require a full tender process but would be a separate contractor and not a developer. The group were reminded that as the site is in a conservation area, planning permission would be required for demolition that included a plan for what would be developed in its place. It was advised that the Conservation Officer may not find plans for a temporary

development acceptable and would want the final site proposals to recommend approval for any such application.

There had been instances of people accessing the Tempest Ford site but it had now been made secure and no damage had been caused.

- The Group received a presentation on defining a vision and a strategy which could help inform the development of a masterplan for the redevelopment of the Birmingham Road site. It was emphasised that this should look at the wider city centre to ensure that any scheme for the BRS could be optimised. Some Members felt any such exercise should include sites outwith the city centre including for example at Trent Valley however it was reported that whilst those sites were important the focus should be on the city centre given the physical location of the BRS and the clear emphasis of national and local guidance in directing services and facilities to city centre locations where possible. It was advised that it would be unlikely that there would be a conflict of desired development between the city and out of city areas as the market was showing that leisure offerings were working well in cities and more bulky retail and office offerings were more successful out of town.

The Group felt there was a need for a greater balance of activities for younger people and families but to also keep the essence of the historic centre of the city.

Outcomes

It was agreed that a vision and a strategy for the city as a whole was required as this would help inform what would best suited for development on the BRS site.

Further Work Required/Next Steps:

The next meeting will be a workshop type meeting developing a SWOT analysis along with Members top desires to be seen in the city and BRS site.

The group will meet again on the 13 November 2018.

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