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District Council House, Frog Lane  
Lichfield, Staffordshire WS13 6YU

Customer Services 01543 308000  
Direct Line 01543308075

28 January 2022

Dear Sir/Madam

## PLANNING COMMITTEE

A meeting of the Planning Committee has been arranged to take place **MONDAY, 7TH FEBRUARY, 2022 at 6.00 PM IN THE COUNCIL CHAMBER, FROG LANE, LICHFIELD** District Council House, Lichfield to consider the following business.

Access to the Council Chamber, Frog Lane, Lichfield is via the Members' Entrance.

The meeting will be live streamed on the Council's [YouTube channel](#).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Christie Tims'.

Christie Tims  
Chief Operating Officer

## To: Members of Planning Committee

Councillors Marshall (Chair), Baker (Vice-Chair), Anketell, Barnett, Birch, Checkland, Cross, Evans, Ho, Humphreys, Matthews, Ray, Salter, Tapper and S Wilcox



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## AGENDA

1. **Apologies for Absence**
2. **Declarations of Interest**
3. **Minutes of Previous Meeting** 3 - 6
4. **Planning Applications** 7 - 54



**PLANNING COMMITTEE**

**26 JANUARY 2022**

**PRESENT:**

Councillors Marshall (Chair), Baker (Vice-Chair), Anketell, Barnett, Birch, Checkland, Cross, Evans, Humphreys, Matthews, Ray, Salter and S Wilcox

**25 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Ho and Tapper.

**26 DECLARATIONS OF INTEREST**

Councillors Anketell, Baker and Matthews declared personal interests in application nos. 20/1374/FULM & 20/01375/LBC as they had attended a presentation relating to these applications at Lichfield City Council but advised they were not predetermined nor predisposed.

Councillors Baker and Marshall declared personal interests in application nos. 20/1374/FULM & 20/01375/LBC as they had previously attended a pre-application meeting relating to these applications and site visit some time ago but advised that they were not predetermined nor predisposed.

Councillor Checkland declared a personal interest in application nos. 20/1374/FULM & 20/01375/LBC as CT Planning are assisting with a planning application on his behalf elsewhere.

**27 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on Monday 29 November 2021 previously circulated were taken as read, approved as a correct record and signed by the Chair.

**28 PLANNING APPLICATIONS**

Applications for permission for development were considered with the recommendations of the Head of Economic Growth and Development and any letters of representation and petitions of observations/representations received together with the supplementary report of observations/representations received since the publication of the agenda in association with Planning Applications 20/01374/FULM & 20/01375/LBC, 21/01261/FUL & 21/01262/LBC and 21/01901/FUH

20/01374/FULM & 20/01375/LBC - Land and Buildings at Angel Croft & Westgate, Beacon Street, Lichfield, Staffordshire. WS13 7AA

20/01374/FULM: Refurbishment, extension and conversion of Westgate House (Grade II listed) to create 4 no. apartments and 1 no. townhouse, conversion and extension of existing outbuilding to create 1 no. detached dwelling, conversion and extension of Westgate Cottage

(Grade II listed) to provide boutique hotel (12 no. guest suites) and spa and 6 no. apartments, erection of detached apartment building to provide 13 no. apartments, erection of 3 no. dwellings and detached garages, erection of garaging and 2 no. apartments over, basement car parking, bridge over Leomansley Brook, hard and soft landscaping, access and associated works

**RESOLVED:** That this planning application be approved, subject to, deferring for the detail of the planning conditions and planning obligations to be agreed at a future Planning Committee meeting.

20/01375/LBC: Refurbishment, extension and conversion of Westgate House (Grade II listed) to create 4 no apartments and 1 no townhouse; conversion and extension of existing outbuilding (curtilage listed) to create 1 no detached dwelling; conversion and extension of Westgate Cottage (Grade II listed) to provide boutique hotel and spa and 6 no apartments and ancillary alterations to associated curtilage listed building works to boundary wall between Westgate House and Westgate Cottage (amended description)  
FOR: Angel Croft Developments Ltd

**RESOLVED:** That this listed building application be approved, subject to, deferring for the detail of the planning conditions to be agreed at a future Planning Committee meeting.

(Prior to consideration of the application, representations were made by Mr Jamie Christie, Supporter, Councillor Andrew Smith, Ward Councillor and Mr Will Brearley of CT Planning (Applicant's Agent)).

21/01261/FUL & 21/01262/LBC - 36a Bore Street, Lichfield, Staffordshire, WS13 6LU  
Conversion of existing residential accommodation on the first and second floor to form 5 self-contained studio apartments  
FOR: Mr Gareth Davies of Lichfield District Council

21/01261/FUL – 36a Bore Street, Lichfield, Staffordshire, WS13 6LU

**RESOLVED:** That this planning application be approved subject to the conditions contained in the report of the Head of Economic Growth and Development.

21/01262/LBC – 36a Bore Street, Lichfield, Staffordshire, WS13 6LU

**RESOLVED:** That this listed building application be approved subject to the conditions contained in the report of the Head of Economic Growth and Development.

21/01901/FUH - 1 Bulldog Lane, Lichfield, Staffordshire, WS13 7LN  
Erection of first floor front extension, balcony to front and inverted balcony to rear, loft conversion and internal alterations  
FOR: Cllr Joanne Grange

**RESOLVED:** That this planning application be approved subject to the conditions contained in the report of the Head of Economic Growth and Development.

(The Meeting closed at 8.17 pm)

CHAIR

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# Agenda Item 4

## Planning Committee

7 February 2022

Agenda Item 4

Contact Officer: Claire Billings

Telephone: 01543 308171

### Report of Chief Executive

#### LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT, 1985

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

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

#### FORMAT OF REPORT

Please note that in the reports which follow

- 1 'Planning Policy' referred to are the most directly relevant Development Plan Policies in each case. The Development Plan comprises the Lichfield District Local Plan Strategy 2008-2029 (2015), Lichfield District Local Plan Allocations 2008-2029 (2019), any adopted Neighbourhood Plan for the relevant area, the Minerals Local Plan for Staffordshire 2015-2030 (2017) and the Staffordshire and Stoke on Trent Joint Waste Local Plan 2010-2026 (2013).
- 2 The responses of Parish/Town/City Councils consultees, neighbours etc. are summarised to highlight the key issues raised. Full responses are available on the relevant file and can be inspected on request.
- 3 Planning histories of the sites in question quote only items of relevance to the application in hand.

**ITEM 'A'** Applications for determination by Committee - **FULL REPORT**

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

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

## **AGENDA ITEM NO. 4**

### **ITEM A**

#### **APPLICATIONS FOR DETERMINATION BY COMMITTEE: FULL REPORT**

7 February 2022

#### **CONTENTS**

Case No.	Site Address	Parish/Town Council
19/01707/FUL	Elford Sports And Social Club 13 The Beck Elford	Elford
21/00790/COU	Land Adjacent 7B Wissage Road Lichfield	Lichfield

### **ITEM C**

**APPLICATIONS FOR DETERMINATION BY THE COUNTY COUNCIL ON WHICH OBSERVATIONS ARE REQUIRED (IF ANY); CONSULTATIONS RECEIVED FROM NEIGHBOURING LOCAL AUTHORITIES ON WHICH OBSERVATIONS ARE REQUIRED (IF ANY); AND/OR CONSULTATIONS SUBMITTED IN RELATION TO CROWN APPLICATIONS IN ACCORDANCE WITH THE PLANNING PRACTICE GUIDANCE ON WHICH OBSERVATIONS ARE REQUIRED (IF ANY).**

#### **CONTENTS**

Case No.	Site Address	Authority
21/02119/SCC (SCC/21/0057/VOC)	Alrewas Quarry Croxall Road Alrewas Burton Upon Trent	Staffordshire County Council



# LOCATION PLAN

19/01707/FUL  
Elford Sports And Social Club  
13 The Beck  
Elford

Scale: 1:1,250

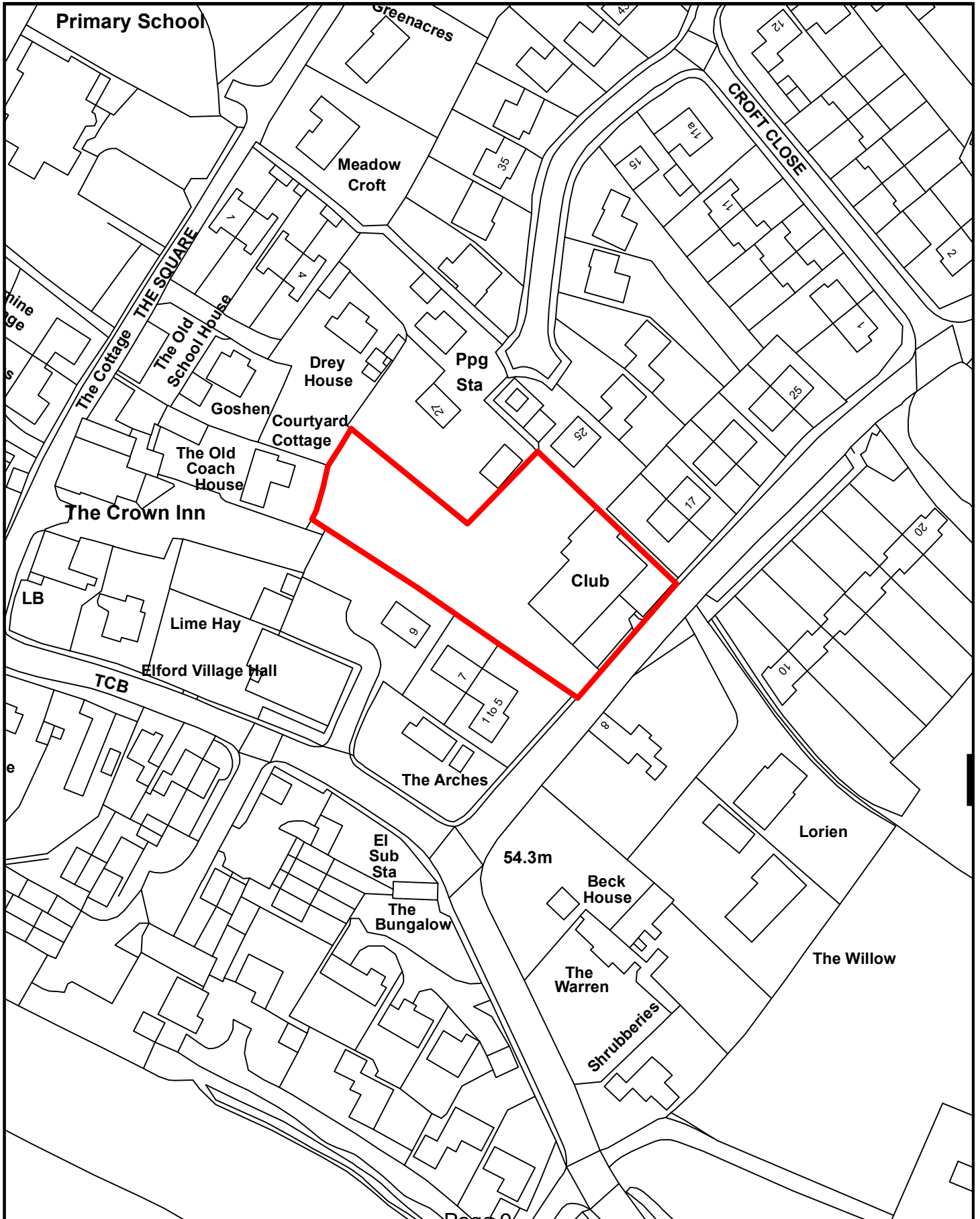
Dated: February 2022

Drawn By:

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## 19/01707/FUL

**Demolition of existing social club and subsequent erection of 7no dwelling houses (affects footpath 'Elford 6')**

**Elford Sports And Social Club, 13 The Beck, Elford, Tamworth  
FOR Mr P Jackson**

Registered **14/01/2020**

**Parish: Elford**

**Note:** This application is being reported to the Planning Committee due to conflict with Policy LS2 of the Elford Neighbourhood Plan. The proposals involve the loss of the Elford Social Club which is a named facility under Policy LS2. Loss of named facilities will only be supported where they can demonstrate that they will provide an equal or better facility within an appropriate location within the village in compensation.

### **RECOMMENDATION:**

**(1) Subject to the owners/applicants first entering into a S106 to secure a contribution towards:-**

- i. Improvement works to the Elford Cricket Club;**
- ii. And a financial contribution to offset the loss of the Social Club.**

**(2) If the S106 legal agreement is not signed/completed by 1<sup>st</sup> March 2022 or the expiration of any further agreed extension of time, then powers to be delegated to officers to refuse planning permission, based on the unacceptability of the development, without the required contributions and undertakings, as outlined in the report.**

**Approve, subject to the following conditions:**

### **CONDITIONS**

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

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

- 3 Before the development hereby permitted is first commenced, details showing the existing and proposed land levels of the site including site sections and the finished floor levels, ridge and eaves heights of all buildings hereby permitted with reference to the finished floor levels, ridge and eaves heights of neighbouring buildings shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in strict accordance with the approved details.
4. Before the development hereby approved is commenced, including any demolition or site clearance works, a Construction Management Plan (CMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved CMP shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities

including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CMP for the duration of the construction programme.

5. Notwithstanding any description/details in the application documents, before the development hereby approved is commenced, excluding demolition and ground works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:
  - i. The bricks to be used in the construction of the external walls;
  - ii. The exterior roof materials;
  - iii. Full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all external joinery including fenestration and doors and proposed exterior finish;
  - iv. Full details of the porches;
  - v. Full details including a sample panel of the mortar mix, colour, gauge of jointing and pointing;
  - vi. Full details of the eaves and verge detailing;
  - vii. Full details of rainwater goods, their materials and designs; and
  - viii. Full details of all boundary treatments to include hedgehog friendly fencing.

Development shall thereafter be undertaken in accordance with the approved details, and retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.

6. Before the development hereby approved commenced, excluding demolition, full drainage plans for the disposal of foul and surface water flows shall be submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
7. Before the development hereby approved, including any demolition, the application site shall be subject to a detailed scheme for the investigation and recording of any contamination of the site and a report shall be submitted to and approved in writing by the Local Planning Authority. The report shall identify any contamination on the site, the subsequent remediation works considered necessary to render the contamination harmless and the methodology used. The approved remediation scheme shall thereafter be completed and a validation report submitted to and approved in writing by the Local Planning Authority within 1 month of the approved remediation being completed, unless otherwise agreed in writing by the Local Planning Authority.
8. Before the development hereby approved is commenced, the trees and hedgerows that are to be retained as part of the approved landscape and planting scheme for that phase of the development shall be protected in accordance with BS 5837:2012 and with details to be first submitted to and approved in writing by the Local Planning Authority. The agreed tree/hedge protection measures shall be put in place, prior to the commencement of any construction works within a particular phase and, shall be retained for the duration of construction works within that phase (including any demolition and / or site clearance works). No fires, excavation, change in levels, storage of materials, vehicles or plant, cement or cement mixing, discharge of liquids, site facilities or passage of vehicles, plant or pedestrians, shall occur within the protected areas. The approved scheme shall be kept in place until all parts of the development within that phase have been completed, and all equipment; machinery and surplus materials have been removed for that phase of development.

**CONDITIONS to be complied with BEFORE the first occupation of the development hereby approved:**

9. Before the development hereby approved is first occupied, the existing accesses made redundant as a consequence of the development hereby approved, shall be permanently closed with the access crossings reinstated as footway with full height kerbs in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

10. Before the development hereby approved is first occupied, the proposed site access shall be completed within the limits of the public highway as a vehicle access crossing. The surface of the access to the rear of the carriageway edge should be constructed with a porous bound material for a minimum of 5m. Visibility splays shall be kept free of all obstructions to visibility over a height of 0.6m above the adjacent carriageway level. The access and visibility splays shall then be retained for the life of the development.
11. Before the development hereby approved is first occupied, the access, parking and manoeuvring areas broadly indicated on the submitted Block Plan 3v, shall be completed and surfaced in a porous bound material which shall thereafter be retained for the life of the development.
12. Before the development hereby approved is first occupied a surface water drainage interceptor, connected to a surface water outfall, shall be provided across the access immediately to the rear of the highway boundary, unless otherwise agreed in writing by the Local Planning Authority.
13. Before the development hereby approved is first occupied the bin presentation point as shown on the the submitted Block Plan 3v shall be provided and retained for the lifetime of the development.

**All other CONDITIONS to be complied with:**

14. The garage accommodation hereby approved shall be used for the garaging of private vehicles and/or for ancillary domestic storage purposes only and shall not be used to provide additional living accommodation without the prior written permission, on application, to the Local Planning Authority.
15. If during the course of development hitherto unknown sources of contamination are identified then the development shall stop and a revised contamination report, to identify and control that contamination, shall be submitted to and approved in writing by the Local Planning Authority. This shall include a phased risk assessment carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 2A, and appropriate remediation proposals, and shall be submitted to the Local Planning Authority without delay. The approved remediation scheme shall thereafter be completed and a validation report submitted to and approved in writing by the Local Planning Authority within 1 month of the approved remediation being completed, to ensure that all contaminated land issues on the site have been adequately addressed prior to the first occupation of any part of the development, unless otherwise agreed in writing by the Local Planning Authority.
16. No gates shall be erected within 5 metres of the highway boundary and any gates and shall open away from the highway.
17. In the event that it is proposed to import soil onto site in connection with the development, the soil to be imported shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical Testing of Soil Scheme for all parameters previously agreed in writing with the Local Planning Authority, the results of which shall be submitted to and shall be approved in writing with the Local Planning Authority.
18. During the period of construction of any phase of the development, no works including deliveries shall take place outside the following times: 0730 - 1900 hours Monday to Friday and 0800 - 1300 hours on Saturdays and not at any time on Sundays, Bank and Public holidays (other than emergency works).
19. Before the development hereby approved is occupied, full details of safe, secure and weatherproof cycle parking facilities, shall be submitted to and approved in writing by the

Local Planning Authority. The cycle parking, shall be constructed prior to the first occupation of the building and thereafter be retained for the life of the development.

20. All planting, seeding or turfing shown on the drawing RefLP-1 A Landscape Plan shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
21. The development hereby approved shall be carried out in strict accordance with the methods of working, which are detailed in Section 5 of the Protected Species and Habitat Surveys. The measures shall be implemented prior to first use of the development hereby approved and shall thereafter be retained for the life of the development.
22. Within one month of completion, 1 No. bird and 1 No. Bat box shall be installed within the site. The bat and bird boxes shall thereafter be retained as such for the life of the development.
23. The development hereby approved shall be carried out in strict accordance with the submitted flood risk assessment (ref 2422/RE/12-19/01 Revision A dated February 2021) and the following mitigation measures it details:
  - Finished floor levels shall be set no lower than 55.17 metres above Ordnance Datum (AOD).
  - Protection to the culvert in the form of temporary metal plates is to be provided for the duration of the works.
  - There shall be a post works CCTV inspection of the Culvert to ensure any damage caused by the works is identified and rectified.These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 2015 (as amended), (or any Order revoking and re-enacting the Order with or without modification) the dwelling(s) hereby approved shall not be enlarged or extended without the prior written permission, on application, to the Local Planning Authority.
25. All new dwellings hereby approved shall be provided with Electric Vehicle Charging Points or, as a minimum, the electrical cabling to allow future installation of such facilities. The works shall thereafter be retained for the lifetime of the development.
26. Before the development hereby approved is first occupied, the side ground floor windows of plots 2 and 3 shall be fitted with obscure glazing (to a minimum level 3) and non-opening unless the parts of the window which can be opened are more than 1.7m above the floor of the room in which the window is installed. The windows shall thereafter be retained as such for the life of the development.

## **REASONS FOR CONDITIONS**

- 1 In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
- 2 For the avoidance of doubt and in accordance with the applicant's stated intentions, in order to meet the requirements of Policies CP1, CP3, CP5, CP6, CP13, CP14, IP1, ST1, ST2, H1, NR3, NR4, and BE1 of the Lichfield Local Plan Strategy, Policy BE2 of the Lichfield Local Plan Allocations Document, the Sustainable Design SPD, the Historic Environment SPD, the Rural

Development SPD, the Biodiversity and Development SPD, the Elford Neighbourhood Plan and the National Planning Practice Guidance and the National Planning Policy Framework.

3. To ensure that the development does not adversely affect the residential amenities of adjoining properties and the visual amenities of the Elford Conservation Area in accordance with Policies CP3, CP14 and BE1 of the Lichfield Local Plan Strategy, Policy BE2 of the Lichfield Local Plan Allocations Document, the Sustainable Design SPD, the Historic Environment SPD, and the National Planning Policy Framework.
4. In the interests of highway safety and to safeguard the amenities of occupiers of adjoining properties in accordance with Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
5. To ensure the satisfactory appearance of the development and to safeguard the character and appearance of the Elford Conservation Area, in accordance with Policies CP3, CP14 and BE1 of the Lichfield Local Plan Strategy, Policy BE2 of the Local Plans Allocations Document, the Historic Supplementary Planning Document, the Elford Neighbourhood Plan and the National Planning Policy Framework.
6. To ensure the provision of satisfactory means of drainage, to reduce the risk of creating or exacerbating flooding issues and to minimise the risk of pollution and to ensure that sustainability and environmental objectives are met, in accordance with the provisions of Policies CP3 and BE1 of the Lichfield Local Plan Strategy and the National Planning Policy Framework.
7. To ensure that all contaminated land issues on the site have been adequately addressed and to safeguard future residential amenity, in accordance with the requirements of Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
8. To ensure the satisfactory appearance of the development and to ensure the retention of trees within the site, in accordance with Policies CP3, CP14, NR3 and NR4 of the Lichfield Local Plan Strategy, the Sustainable Design SPD, the Trees Landscaping and Development SPD, the Elford Neighbourhood Plan and the National Planning Policy Framework.
9. In the interests of highway safety in accordance with the requirements of Policies BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
10. In the interests of highway safety in accordance with the requirements of Policies BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
11. In the interests of highway safety in accordance with the requirements of Policies BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
12. In the interests of highway safety in accordance with the requirements of Policies BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
13. In the interests of residential amenity and highway safety in accordance with the requirements of Policies CP3, BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.

14. In the interests of highway safety in accordance with the requirements of Policies BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
15. To ensure that all contaminated land issues on the site have been adequately addressed and to safeguard future residential amenity, in accordance with the requirements of Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
16. In the interests of highway safety in accordance with the requirements of Policies BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
17. To ensure that all contaminated land issues on the site have been adequately addressed and to safeguard future residential amenity, in accordance with the requirements of Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
18. In the interests of residential amenity and highway safety in accordance with the requirements of Policies CP3, BE1, ST1 and ST2 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
19. To promote the use of sustainable modes of transportation in accordance with the requirements of Policies BE1 and ST1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.
20. To ensure the satisfactory appearance of the development and to ensure the landscaping scheme is implemented in a timely manner, in accordance with Policies CP3, CP14, NR3 and NR4 of the Lichfield Local Plan Strategy, Policy BE2 of the Local Plan Allocations Document, the Sustainable Design SPD, the Trees Landscaping and Development SPD, the Elford Neighbourhood Plan and the National Planning Policy Framework.
21. In order to encourage enhancements in biodiversity and habitat, in accordance with the requirements of Policy NR3 of the Lichfield Local Plan Strategy, the Biodiversity and Development SPD and the National Planning Policy Framework.
22. In order to encourage enhancements in biodiversity and habitat, in accordance with the requirements of Policy NR3 of the Lichfield Local Plan Strategy, the Biodiversity and Development SPD and the National Planning Policy Framework.
23. To reduce the risk of flooding to the proposed development and future occupants and to ensure the structural integrity of the existing Culvert thereby reducing the risk of flooding, in accordance with the provisions of CP3 and BE1 of the Lichfield Local Plan Strategy, the Elford Neighbourhood Plan and the National Planning Policy Framework.
24. To ensure the satisfactory appearance of the development and in order to protect neighbour amenity in accordance with policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD, the Elford Neighbourhood Plan and the National Planning Policy Framework.
25. To promote the use of sustainable modes of transportation in accordance with the requirements of Policies BE1 and ST1 of the Lichfield Local Plan Strategy, the Supplementary Planning Document Sustainable Design and the National Planning Policy Framework.
26. To safeguard the amenity of neighbouring occupiers of the development in accordance with the requirements of Policy BE1 of the Lichfield Local Plan Strategy and Government guidance contained within the National Planning Policy Framework.

## NOTES TO APPLICANT:

1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and Lichfield District Local Plan Allocations (2019) and Elford Neighbourhood Plan (2019).
2. The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £34 for a householder application or £116 for any other application including reserved matters. Although the Council will endeavour to deal with such applications in a timely manner, it should be noted that legislation allows a period of up to 8 weeks for the Local Planning Authority to discharge conditions and therefore this timescale should be borne in mind when programming development.
3. The development is considered to be a sustainable form of development which complies with the provisions of paragraph 38 of the NPPF.
4. Please be advised that Lichfield District Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 19th April 2016 and commenced charging from the 13th June 2016. A CIL charge applies to all relevant applications. This will involve a monetary sum payable prior to commencement of development. In order to clarify the position of your proposal, please complete the Planning Application Additional Information Requirement Form, which is available for download from the Planning Portal or from the Council's website at [www.lichfielddc.gov.uk/cilprocess](http://www.lichfielddc.gov.uk/cilprocess).
5. Severn Trent Water advise that there may be a public sewer located within the application site. Although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note that there is no guarantee that you will be able to build over or close to any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to or divert our assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is vital therefore that you contact Severn Trent Water at the earliest opportunity to discuss the implications of their assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.
6. Severn Trent Water advise that there is a pumping station close to the site and any new development must not restrict their access to the Sewage Pumping Station (SPS). They will require free access to the SPS at all times in order to complete any programmed routine maintenance tasks and also for any emergency reactive visits in case of failure.
7. The applicant is advised that prior to the access being constructed and making good of existing drop kerbs, a Section 184 Notice of Approval from Staffordshire County Council is required. Please email [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk) for further details. The link below provides an overview of the permissions and licences required for undertaking work on or adjacent to the adopted highway:  
<https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx>
8. The applicant is advised that Staffordshire County Council as Highway Authority would not formally adopt the proposed development; however, the development will require approval under Section 7 of the Staffordshire Act 1983. The applicant is requested to contact



StaffordshireCounty Council to ensure that approvals and agreements are secured before commencement of works. It will, therefore, be necessary for maintenance/ management arrangements for the access road and internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standards, the roadways within the site will still need to be constructed to be 'fit for purpose'.

9. The applicant/developer should contact the clerk at Elford Parish Council via email clerk@elfordparish.co.uk to arrange for the payment for the relocation of the bus shelter.
10. The County Councils Definitive Map of Public Rights of Way shows that Public Footpaths Elford 6 and Elford 5 route through, adjacent or within the vicinity of the application site. The attention of the applicant shall be drawn to the existence of this routes and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).
11. The applicants attention is drawn to the Architectural Liaisons Officers comments date 03/02/2021.
12. The applicant is advised that this permission does not imply consent for the relocation of the bench and bus shelter to the Walled Garden.

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## **PLANNING POLICY**

### **National Planning Policy**

National Planning Policy Framework  
National Planning Practice Guidance  
The National Design Guide  
The National Model Design Code  
Manual for Streets

### **Local Plan Strategy**

Core Policy 1 - The Spatial Strategy  
Core Policy 2 - Presumption in Favour of Sustainable  
Core Policy 3 - Delivering Sustainable Development  
Core Policy 5- Sustainable Transport  
Core Policy 6 - Housing Delivery  
Core Policy 7 – Employment and Economic Development  
Core Policy 14 - Our Built & Historic Environment  
Policy SC1 – Sustainability Standards for Development  
Policy SC2 – Renewable Energy  
Policy BE1 - High Quality Development  
Policy ST1 - Sustainable Transport  
Policy ST2 - Parking Provision  
Policy H1 - A Balanced Housing Market  
Policy NR3 - Biodiversity, Protected Species & their  
Policy NR4 - Trees, Woodland, and Hedgerow  
Policy RURAL1 - Rural Areas  
Policy IP1 - Supporting & Providing our Infrastructure

### **Local Plan Allocations**

BE2 – Heritage Assets

## **Supplementary Planning Document**

Rural Development SPD

Trees Landscaping and Development SPD

Sustainable Design SPD

Biodiversity and Development SPD

Historic Environment SPD

## **Elford Neighbourhood Plan (2019)**

SP1 – Parish Strategic Policy

LS2 - Community Facilities

HD1 - Housing Types Mix

HD2 – Infill Policy

DH1 – Design of New Development

DH2 – Heritage Assets

MD1 – Parking Standards

MD3 - Sustainable Design and Construction

MD4 – Flood Risk Management

MD5 - Traffic

E4 – Biodiversity

## **Other**

Settlement Sustainability Study 2018

## **Emerging Lichfield District Local Plan 2040**

The emerging Lichfield District Local Plan 2040 has recently completed its Regulation 19 public consultation stage (August 2021) and is awaiting final updating and submission to the Secretary of State for the Department for Communities and Local Government for appointment of an independent Planning Inspector to undertake a public examination of the draft Local Plan. At this stage limited weight is given to the draft Emerging Local Plan Policies.

## **RELEVANT PLANNING HISTORY**

07/01002/CLP	Certificate of Lawfulness (Proposed): Erection of bus shelter	20/11/2007
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## **CONSULTATIONS**

**Elford Parish Council – Final Comments**- Elford Parish Council supports the revised plans which show a repositioning of the access road, now with a property to the left of this. The changes to the designs of the frontages will sit better with the conservation area and although the properties sit higher with raised floor levels due to flood precautions this complements the building opposite which is a taller dwelling.

The houses have been designed so that windows do not overlook nearby homes to affect neighbouring householders. The designs are an improvement and complement the village location.

Elford Parish Council has no objection to the diversion of Right of Way 6, which will need to be achieved as a modification order by Staffordshire County Council. The Parish Council does not believe that the route attracts anti-social behaviour as claimed by Bromford, as the only issues the Parish Council has been made aware of are a tenant objecting to other residents using the legal Right of Way. This has been in existence for many more than the 20 years required under the Wildlife and Countryside Act, local residents have used the Right of Way as a route to and from other areas of the village throughout the lifetimes of many older residents, and the Parish Council would therefore strongly object to the extinguishing of the Right of Way. However, a diversion along the side of the new dwellings would be acceptable.

Elford Parish Council notes that the Social Club was already closed before the site was purchased and there was no prospect of it being reopened, therefore the only viable use for the site was for housing. As a result the inclusion of the Social Club in the list of facilities to be retained in the Neighbourhood Plan can no longer be relevant. However the offer of a financial contribution towards improved facilities at the Cricket Club pavilion to enable it to be used by other community groups is welcome to the Parish Council (09/08/2021).

Further comments: The Parish Council is happy to support this application. It provides housing on a site that is no longer required for a Social Club, where attendance had dwindled for some years, few villagers were regular users and the Club had become unsustainable. The amended plans have been carefully designed to complement the Conservation Area and to address previous concerns raised during consultation. They conform with Elford Neighbourhood Plan policies HD1 on housing mix and HD2 on infill development. The Parish Council approves of the designs. There is a mix of housing in a small development which will meet a housing need in Elford evidenced in the Neighbourhood Plan. Elford Parish Council has agreed that the bus shelter will be re-sited as a seat and shelter for visitors to Elford Walled Garden and would be grateful for the assistance of the developer in the removal. The bus stop is no longer used due to the withdrawal of subsidies by Staffordshire County Council around three years ago.

Right of Way 6 is not shown on the Block Plan. The Parish Council has agreed that the Right of Way can be modified by being diverted from the front of the site, along the road into the site and then exiting the site by joining the existing path leading to the rear of the Village Hall.

The Parish Council has agreed to the Social Club being demolished even though it is a named facility in policy LS2 of the Elford Neighbourhood Plan. It was not economically viable and there is no need for a replacement club in the village as the Village Hall and Crown Inn can provide residents with some of the social needs of the former club. However, to compensate for the loss of the Club, the Parish Council supports the provision of an improved facility at the Sportsfield which will benefit the whole community with improved social and sporting facilities for a wide range of ages. A contribution by the developer to the refurbishment of the Cricket pavilion at the Sportsfield will support policy LS2 which reads 'proposals which make improvements to the community facilities listed in this policy will be supported'. Policy LS3 also states that 'development which provides for improvements to existing sports, recreational and leisure facilities in the Parish will be supported'. The Parish Council welcomes a financial contribution by the developer and will support entering into a Section 106 agreement to confirm this. A disability access audit would be required to confirm the exact cost of the renovations, but an initial visit has suggested the sum of £10,000 or equivalent work in lieu would be realistic and achievable (10/02/2021).

Further comments: The Parish Council has considered the amended plans entitled 3j provided on 26th May 2021. The plan still does not show the route of Right of Way 6 and the Parish Council reiterates its comments in paragraph 4 of its response of February 2020. There has been an established Right of Way across the site since before the Social Club building was constructed and since then the public have walked around the building, from The Beck alongside 15 The Beck then behind the building to join the route as shown on the Definitive Map. The Parish Council expects the route of Right of Way 6 to be retained and to be shown on the plans for the site, and therefore objects to the revised plan. The Parish Council notes from the amended plans that it is now proposed to build 7 dwellings and that plots 1-3 will now face the access road to improve the frontage onto The Beck in line with the Conservation Officer's comments; this is supported (02/06/2020).

Further to the updated information received in March 2020 the Parish Council comments as follows; Firstly with regards to the Planning, Sustainability and Heritage Statement and the comments on P. 12 -13 regarding provision of alternative village facilities at the Village Hall and The Crown pub, the Parish Council agrees that these provide similar facilities to those previously offered by the Social Club but would welcome a contribution from the developer towards improved recreational facilities such as playground equipment or improvements to the cricket pavilion or towards a new classroom planned for the school. All of these would benefit the 8 new households.

Regarding sustainability, the bus service from Elford to Tamworth provided by Staffordshire County Council ceased in March 2018. The Parish Council contributed to a twice weekly coach/ minibus hire jointly with Edingale Parish Council for a further year and then to a twice weekly taxi for older residents who did not drive from March 2019. This remains under regular review to monitor usage. The information quoted in the Planning, Sustainability and Heritage Statement (P.14-15) is well out of date and has now been removed from the website. The bus shelter will be relocated to a site near Croft Close following agreement from the Highways Authority and at the developer's expense, if this condition can be agreed.

The Parish Council agrees with the comments regarding sustainability in 6.7 ' 6.9.

With regards to the Conservation Area, please note there is no Main Street or Church Street but Church Road. As previously stated, the Parish Council agrees with the comments of the Conservation Officer that an improved frontage of hedging/fences/low wall would be more in keeping with the style of properties in The Beck.

The route of Right of Way 6 referred to in the section on Community Benefits 6.18 is not shown on the plan entitled 3g although a revised route for Right of Way 5 is shown there.

Secondly, the Parish Council has sought the views of Elford's Flood Warden on the Drainage Report and this is viewed positively. The storm run-off rates and quantities will be greatly reduced as some will go to soakaways and some will soak into the newly formed gardens and through permeable surfacing.

The proposal separates storm water from foul meaning the Severn Trent's foul water pumping station will be greatly relieved of unnecessary water as the existing combined system allows flood water to easily enter the foul system putting the small foul pumps under pressure and contaminating the storm water.

This proposal will significantly improve the general drainage position in that area but there is also an opportunity to improve action during flooding by providing a double opening lid on the culvert chamber next to the site to enable the Flood Warden/Environment Agency to open it during flood events and to feed surcharging flood water directly into the culvert thus by-passing the gullies with (23/03/2020).

Initial comments: The Parish Council, although broadly supportive of the improvement to the site, notes that the application contains out of date information and errors and is therefore concerned about the accuracy of the information supplied. However, the Elford Neighbourhood Plan, to be taken into account when making planning decisions, states in Policy LS2 that development of change of use to residential will not be supported unless alternative community facilities are provided. There is no mention in the application of any contribution towards the provision of such facilities elsewhere in Elford, although the Parish Council would welcome this.

Policy HD2 supports infill development providing that it is of an appropriate size, scale and density to existing properties. The Parish Council welcomes a mix of properties but in addition would support some properties for older residents, similar to the neighbouring bungalows, as referred to in policy HD1. Right of Way 6 as shown on the Definitive Map is in a location which has not been used since the Social Club building was constructed and there is no explanation as to whether the applicants intend to modify or re-route it.

The Conservation Officer has commented that the boundary treatment of the site along The Beck does not reflect the character and appearance of the conservation area. The Parish Council requests that hedging, walls or low fencing should be provided at the front of plots 1 - 4 to form a border at the rear of the footway along The Beck rather than the incongruous paved car parking spaces which do not fit in with Elford's street scene and the conservation area.

The development should provide contributions towards measures to improve traffic safety at the junction of The Beck, Church Road and The Shrubbery as set out on policy MD5 of Elford Neighbourhood Plan.

Severn Trent have commented that a sewer runs through the site and should not be built over. Development should not restrict access to the pumping station.

The Planning Statement should be updated as the document refers to a bus service, which has not run for nearly two years. The bus shelter provided by the Parish Council is only used by school children and it is expected to be relocated elsewhere in the village (14/02/2020).

**Staffordshire County Council (Flood Risk Officer)** – According to our data and information we note the site intersects with the 1 in 100 year zone on the Risk of Flooding from Surface Water Map. This risk may be mitigated by ensuring that finished floor levels and surrounding ground levels are designed in accordance with building regulations, hence directing surface water away from dwellings. Setting floor levels an appropriate level above surrounding ground levels may provide further mitigation. We also note that the site intersects with Flood Zone 2, with the main risk of flooding from the River Tame (Main River). As the Environment Agency are statutory consultees upon all proposed developments within Flood Zones 2 and 3, we recommend that the Environment Agency are consulted to review the submitted Flood Risk Assessment and provide comment (26/01/2021).

Initial Comments: As non-major development, we are non-statutory consultees. Therefore we have no comments to offer (23/01/2020).

**Severn Trent Water – Final Comments-** The drainage plan isn't very clear; can a clear plan please be provided that clearly shows: foul sewage discharge point, surface water discharge point and proposed discharge rate (with supporting calculations) and also confirmation that the public sewer is not being built over or close to (without a prior agreement). We await the final drainage plan as requested (11/08/2021 & 24/08/2021).

Further comments: We are awaiting drainage plans for this site as per my comments March 2020. We do not appear to have received amended plans to date, so would request the condition remains (14/05/2021).

Further comments: We would not permit the public sewer to be built over; regardless that the demolished building previously did this. As per my comments 17/03/2020, I await final drainage proposals, which show the sewer in question diverted and agreed with Severn Trent, and then will provide further comment on the drainage proposals (23/03/2020).

Further comments: The submitted drainage plan shows the existing public combined sewer to be built over; we would not permit this, and a sewer diversion will be required. I await final drainage proposals, which show the sewer in question diverted and agreed with Severn Trent, and then will provide further comment on the drainage proposals (17/03/2020)

Initial comments: No objections subject to a condition requesting drainage plans for the disposal of foul and surface water flows (17/01/2020).

**Environment Agency** – We received an updated Flood Risk Assessment on the 25th February 2021. No objection subject to the development being carried out in accordance with the submitted Flood risk Assessment (ref 2422/RE/12-19/01 Revision A dated February 2021) and conditions in respect of floor levels; protection of the culvert; and post works inspection of the culvert (08/03/2021)

Further comments: I have looked at the updated docs and there does not seem to be a new version of the FRA, therefore our objection response dated 5th Feb 2020 still stands (27/01/2021).

Initial comments: In the absence of an acceptable Flood Risk Assessment (FRA) we object to this application and recommend that planning permission is refused (05/02/2020).

**Architectural Liaison Officer – Final Comments-** No objections. Whilst not ideal, re-orientating the Dwelling to Plot 7 will help to provide valuable natural surveillance over this area of the proposals and help to reduce opportunities for crime to occur (08/02/2021)

Initial Comments: Objection to the proposed layout of Plots 7 & 8 and recommend that the guidance and recommendations aimed at reducing opportunities for crime and ensuring that high level of physical security is incorporated in this development (20/02/2020).

**Staffordshire County Council (Highways) –**No objections subject to conditions. The proposal is to demolish the existing building and to erect seven (previously nine and then eight) dwellings off a new private access and drive from The Beck. It is not considered that the proposed development would have a significant impact on the surrounding highway network. The proposed change of use at the application site would result in fewer vehicular trips generated than the extant use as a Sport and Social Club. Therefore, there are no objections on Highway grounds to the proposed development subject to conditions (19/10/2021).

Further comments: No objections subject to conditions. The current access road to The Beck would continue to be used following the development and will serve plots 5 to 8 with plots 1 to 4 fronting and directly having access onto The Beck. From the plan and site visit there is more than adequate space for car parking within the site curtilage. According to Lichfield District Council parking standards, two parking spaces would be required for a dwelling up to 4 bedrooms. No cycle parking provision is proposed. There is ample space within the site curtilage for vehicles to turn and exit onto The Beck facing forwards (03/03/2020, 05/06/2020 & 08/02/2021).

Further comments: The amended plans did not address the previously raised concerns (12/02/2020).

**SCC Rights Of Way Officer SCC – Final Comments-** Further to my previous comments concerning these matters dated the 3rd and 11th February 2020. The amended documentation and plans still fail to mention the footpath known as Public Footpath No 6 Elford Parish, of which runs through the application site. Therefore, I reiterate that my previous comments and the advice given concerning the footpath still stands as It is evident from the planning documents that the development proposals will directly impact on the public rights of way (26/01/2021).

Initial comments: The application documents recognise the existence of Public Footpath No. 6 Elford Parish which runs through the proposed application site. The definitive line of this footpath shows it passing through the existing building from The Beck and then leaving the site mid-way along the south western boundary where it then routed through the property known as number 9 Church Road. It therefore appears from the planning documents that the development proposals will directly impact on the public rights of way. It is noted that in section 9 of the application, the applicant states that there is no requirement to provide any new Public Rights Of Way within or adjacent to the proposed development and states further that the proposal require a diversion/extinguishment and or a creation of a Public Rights Of Way. However the applicant has not mentioned or shown how this is going to be achieved in the Planning Statement or Site Plan. The attention of the applicant should be drawn to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development (03/02/2020)

**Area Footpath Secretary Ramblers Association Staffordshire -** No objection, subject to there being no obstruction of the line of the Public Footpath No.7 Elford Parish, which should be available for safe public access at all times (03/02/2020).

**LDC Spatial Policy and Delivery Team – Final Comments-** There is still conflict with the Elford Neighbourhood Plan Policy LS2 that requires the applicant to demonstrate that an equal or improved

community facility is provided within an appropriate location in the village for the proposed development to be supported from a policy perspective. As such, the proposal as it stands could result in the loss of a community facility which conflicts with Local and Neighbourhood policy and should be resisted (10/02/2021).

Further comments - Updated planning statement - In regard to Elford Neighbourhood Plan Policy LS2: Community Facilities, I note that the applicant makes the argument that whilst the Sports and Social Club was a community facility when it was operational its closure signifies that the village of Elford is unable to sustain the Social Club alongside the Village Pub and Village Hall which are both licensed facilities. However, it is my view that this does not demonstrate sufficient evidence to outweigh the policy conflict in that the demolition of the social club would be considered a loss of a named community facility within Policy LS2 of the Elford Neighbourhood Plan.

The applicant states that there is no identified shortfall of community facilities within the village, however as previously stated in a policy response from the Spatial Policy and Delivery team dated 4th February 2020, Elford is considered as a 'low scoring' settlement in the Lichfield District Council Settlement Sustainability Study (2018) with generally having very few services and facilities, alongside poor access to employment and other centres due to lack of sufficient public transport. The loss of a public facility could therefore be considered to have a significant negative impact upon this small and relatively isolated settlement, increasing social isolation, reducing the places the community has to meet locally, and reducing opportunities for local employment despite the current redundant status of the Social Club.

There is conflict with the Elford Neighbourhood Plan Policy LS2 that requires the applicant to demonstrate that an equal or improved community facility is provided within an appropriate location in the village. As such the proposal as it stands could result in the loss of a community facility which conflicts with Local and Neighbourhood policy and should be resisted (31/03/2020).

Initial Comments: In summary, the principle of residential development is supported by national policy however there is some conflict in terms of local policy. Policy IP1 of the Local Plan Strategy considers that it needs to be demonstrated that the facilities are surplus to the requirements of the community. Furthermore, Paragraph 3.10 of the Rural Development SPD states that any loss of service or facility will need to be justified with guidance as to the level of evidence required. It is considered that the evidence currently provided within the planning statement is insufficient in terms of demonstrating that the Social Club is surplus to the requirements of the community.

Continuing with this there is conflict with the Elford Neighbourhood Plan Policy LS2 that requires the applicant to demonstrate that an equal or improved community facility is provided within an appropriate location in the village. As such the proposal as it stands could result in the loss of a community facility which conflicts with Local and Neighbourhood policy and should be resisted (04/02/2020).

**LDC Economic Development** – No objection. As the current community asset has been derelict for sometime and no further action has been undertaken on the site to bring it back to active use, on economic development grounds we are supportive of the erection of 9 dwellinghouses. The new residential provision shall support the topic of 'Sustainable Housing' within the Lichfield District Economic Development Strategy, delivering new homes to meet the needs of the district and developing wealth within local community services and facilities through their increased use within a greater local population. As a similar commercial use to the social club is in close proximity, a public house, with two community assets neighbouring each other it could be detrimental to both commercial uses. Overall I would support this application for the erection of 9 dwellinghouses onto the site at Elford on Economic Grounds (04/02/2020).

**LDC Environmental Health Team – Final Comments-** No objections. I can confirm that I accept the findings of the Geoenvironmental report. The report identifies in section 8.4 that further site investigation works are required. As a result of this submission, I would like to replace my proposed conditions in regards potential risk from contaminated land (26/05/2021).

Further comments: No objections subject to conditions in relation to a contamination investigation and risk assessment; in the event that it is proposed to import soil onto site in connection with the development, the soil to be imported shall be sampled at source and analysed; time restriction on works/deliveries on site (09/02/2021 & 12/08/2021).

Further comments: I can confirm that I have no further comments in respect of the amendments (16/02/2020)

Initial comments: No objections subject to conditions in relation to a construction management plan And time restriction on works/deliveries on site (05/02/2020).

**LDC Tree Officer – Final Comments-** No objections, the amended landscape plan and tree pit details are now acceptable (17/12/2021).

Further comments: We note that the current deposit of a landscape plan does not contain the tree pit details we requested. This is of particular importance for those trees adjacent to hardstanding as we consider there may be insufficient soil volume to grow the detailed species. We further note that the landscape plan will need to show planting densities and numbers, stock details, planting techniques, cultivation, husbandry and aftercare details for all the proposed plants. 66% of the tree species are from the same family and this will require amending to meet current best practice advice. We have no details at all for the native hedge. There are only three species of ground cover shrubs promoted and we would ask for this to be more diverse across the site. We will require the details of the drainage to be overlaid as we consider there may be some conflict.

Therefore, we are not yet able to support this proposal on the grounds of insufficient and conflicting detail (27/07/2021, 30/07/2021, 10/11/2021).

Further comments: We have again reviewed the most recent submissions but were unable to identify any information relating to our previous responses (ref 24th January 5th and 13th February and the 21st May) other than the deposit of a tree pit plan. The tree pit detail is insufficient for us to consider as it does not deal with those trees in the hardstanding. Additionally it appears there is insufficient soil volumes to grow the trees as described to maturity and the bundle planting tree pit is not detailed correctly as it appears the root rain system only affixes to one tree? We would also ask that the requirements for fertilizer and substantial soil amendment be reconsidered and that the trees be shown to be planted at the correct depth. We have also tried to scale from the drawings and we realise that this is sometimes not accurate but the tree rootballs appear to be shown as 30cm wide and the tree is stated as 3.8m tall. We do not consider that this allies to the current standards for such trees but would welcome confirmation of this.

Therefore, we are not yet able to support this proposal on the grounds of insufficient and conflicting detail (22/01/2021).

Further comments: Thank you for your re-consultation regarding this ongoing application. We have reviewed the most recent submissions but were unable to identify any information relating to our previous responses (ref 5th and 13th February). Therefore, we would ask that you consider the previous response as germane and we restate that we are not yet able to support this (21/05/2020).

Further comments: We note the recent submissions do not deal with the outcomes of our consultation response of the 5th February and those matters are restated (13/02/2020)

Further comments: In order to meet the requirements of our SPD we will need to see tree pit details suitable for the size of trees finally selected. Also required are husbandry and aftercare details and a demonstration that the tree canopy will exceed 20% at year 20. We consider that the selected species are at best medium sized and possibly even small (the Prunus). Bundle planting further reduces the potential canopy of the individual tree, and although the individual tree numbers look high the effect is foreshortened. They do not have the capacity to meet our requirements and we would ask that this is considered by the applicant. Therefore, at this present time we are not able to agree the landscape plan in its current form (05/02/2020).



Initial comments: There is no objection in principle to the scheme. A fully detailed landscaping and planting plan should be submitted prior to determination to ensure that all components can be suitably and sustainably accommodated (24/01/2020).

**LDC Conservation Team – Final Comments-** There are no further conservation objections to the proposed scheme. Amendments have been made to plots 6 & 7 providing the buildings with a more traditional pitch (in line with previous conservation comments). These new details are acceptable. In general terms the layout is acceptable in terms of impact upon the character of the conservation area.

Based upon the details of the bricks provided online there are no objections to the choice. It is noted that the details provided in the form of a sample panel appear slightly different. A site visit will need to be carried out to confirm this (18.11.2021).

Further comments: At present there are still some concerns and missing details so we are not in a position to support this application at this stage. Amended plans have been submitted which address many of the previous concerns and comments. Some minor amendments are still needed as well as some clarifications and further details (12/08/2021).

Further comments: It remains the case that, while there are no objections in principle to the demolition of the current building and its replacement, the current application is not considered either preserve or enhance the character or appearance of the conservation area. Therefore it is not considered to be in accordance with the S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), relevant paragraphs of Chapters 12 and 19 of the NPPF or the relevant Local Plan Strategy and Local Plan Allocations policies. Given that there is no objection in principle, the comments below suggest further information and amendments that could be made in order to overcome this current objection (08/02/2021).

Further comments: A revised block plan has formally been submitted. Informally, by e-mail a drawing showing proposed plans and elevations for Units 1 and 2 has been provided along with a photo of this house type as built. It remains the case that, while there are no objections in principle to the demolition of the current building and its replacement, there is still insufficient information in the current application to demonstrate that the development would preserve or enhance the character or appearance of the conservation area. Therefore it does not demonstrate that it is in accordance with the relevant paragraphs of the NPPF or the relevant Local Plan Strategy and Local Plan Allocations policies (09/06/2020).

Further comments: The amended plans show the properties facing The Beck being turned 90 degrees to face the access road. Plot 1 will be dual aspect. I assume that this would allow for an improved boundary treatment which would reflect the characteristic boundary treatments elsewhere in the Conservation Area, however, this is not marked on the plan. The plan also seems to show the bus stop in its existing location, when I understand from the Parish Council's response that this would be moved as part of this development.

The plans still show ramps up to plots 1, 2 and 3, for which there is still no explanation. I would presume as a new build development the levels could be amended to ensure a complex system of ramps was not required to access these properties. This would also free up space for improved landscaping.

Further information is required before more comments can be made. Elevations and a streetscene should be provided. A revised and adequately detailed Heritage Statement should be submitted as well as a revised Design and Access Statement. These should address how the smaller amount of built form facing The Beck will preserve or enhance the Conservation Area and how this development takes the opportunities available to it improving the character and quality of the area (NPPF para 130) or to provide development that is a result of a good layout or are sympathetic to the local character (NPPF para 127).

Therefore it remains the case that, while there are no objections in principle to the demolition of the current building and its replacement, there is insufficient information in the current application to demonstrate that the development would preserve or enhance the character or appearance of the conservation area. Therefore it does not demonstrate that it is in accordance with the relevant paragraphs of the NPPF or the relevant Local Plan Strategy and Local Plan Allocations policies (22/05/2020).

Further comments: Throughout the conservation area there are consistent boundary treatments at the front of properties, mainly on the back of pavement and these provide a strong sense of enclosure which is an important part of the character and appearance of the conservation area. The amended block plan and the streetscene plan show the retention of some front boundary but still much less than currently exists therefore there will still be a loss of the sense of enclosure. The loss of the sense and the means of enclosure along the front of this site would be detrimental to the conservation area. Neither drawing show the existing bus stop, if it is to be re-located then this should be confirmed in writing. There is no explanation for the substantial ramps leading up to the front doors of plots 1-4. Given that these are new build, and the site is relatively flat would it not be possible to adjust the levels to avoid the need for ramps.

A revised and adequately detailed Heritage Statement should be submitted.

There are other issues raised in my previous comments that have not been addressed:

A side window(s) should be included on plot 4 so a blank elevation is not facing onto the access drive. The pitch of the roofs is very shallow, a steeper roof would be more traditional and in keeping with the historic properties in the conservation area. Where properties share a chimney stack there should be a pot per house, as per plots 1-4 but this also needs to be done for plots 7 & 8.

Some other points that are observations only are that, notwithstanding overlooking issues, would it be preferable to bring units 5 & 6 forwards slightly, to give them more private rear garden space and to create a closer relationship between these units and numbers 7 & 8. Units 7 & 8 could also be brought forward slightly. Also, a suggestion would be in order to remove the need for a substantial turning head to allow access to a refuse lorry, a bin collection point could be provided, possibly to the north-west side of the tree shown on the southern point of the site. It would only need to serve units 5-8.

Some minor points relating to the drawings are that most of the drawings have the wrong address on them in the Project name and address box. Also it would be useful to have a site plan that did not include the footprint of the existing building (24/02/2020).

Initial Comments: While there are no objections in principle to the demolition of the current building and its replacement, the current proposals do not respond well to the prevailing character of the conservation area. In particular the total loss of any boundary treatment along the front of the site would harm the character and appearance of the conservation area.

The proposals are considered to cause harm to a designated heritage asset (NPPF para 196) and not to enhance it or to preserve those elements that make a positive contribution to it (NPPF para 200). The proposals are also not considered to take all the opportunities available for improving the character and quality of an area (NPPF para 130) or to provide development that is a result of a good layout or are sympathetic to the local character (NPPF para 127) (04/02/2020).

**LDC Ecology Team – Final Comments-** No objection. The Ecology Team is satisfied with the measures outlined within the Habitat Management Plan and Biodiversity Off-setting Report and is assured that a net gain to biodiversity will be provided by the plans. All recommendations contained within the report should be conditioned and the recommendations carried out in full. As per previous comments, the Ecology Team is satisfied with the methodology and the information provided within the submitted Protected Species and Habitat Surveys. The Ecology Team concurs with the conclusions of the Protected Species and Habitat Surveys in that (given the data provided) it can now be considered

unlikely that the proposed works would negatively impacting upon a European Protected Species (EPS) (bats). No further ecological survey effort is required from the applicant at this time (18/03/2020 & 08/02/2021, 27/07/2021).

Initial comments: The Ecology Team is satisfied with the methodology and the information provided within the submitted Protected Species and Habitat Surveys. The Ecology Team concurs with the conclusions of the Protected Species and Habitat Surveys in that (given the data provided) it can now be considered unlikely that the proposed works would negatively impacting upon a European Protected Species (EPS) (bats). No further ecological survey effort is required from the applicant at this time. However, adherence by the applicant to all recommendations and methods of working detailed within Section 5 of the Protected Species and Habitat Surveys must be made a condition of any future planning approval.

Under policy NR3 of the adopted Lichfield District Council Local Plan a net gain to biodiversity must be incorporated into all developments.

Due to the nature and location of the proposed development it is recommended that this net gain could be best achieved via the inclusion of a bat box or bird box (or bat brick, swallow cup etc.) within the development (within the applications red line, where applicable) (29/01/2020 & 22/05/2020).

### **LETTERS OF REPRESENTATION**

Neighbouring occupiers have been notified of the application and press and site notices were posted. Neighbouring occupiers and interested parties were also renotified regarding amendments made to the scheme in a further two rounds of re consultation. 9 letters of representation raising objections and concerns to the scheme have been received in respect of this application from neighbouring occupiers and local residents. The objections and comments made are summarised as follows:

4 letters received in relation to the original submission:

- Concerns regarding health implications to the dust created through the demolition;
- No objection to the scheme however would like to comment on the closure of the footpath known as 'elford 6'. The footpath has caused distress to residents so its closure to aid the development is welcomed;
- Concerns raised in relation to the relocation of the bus stop. Although there are no official bus route running to Elford at the moment there are the twice weekly community bus/taxi along with the Denstone, Rawlett and other school buses which all collect/drop off directly in front of the social club site;
- Driveway access to residents houses is a concern, and would request that some form of road marking be put directly in front of our driveway entrance to allow us to have easy access to our property;
- Concerns regarding an existing tree and a request to have it pollarded
- Concerns over the siting of any stiles on the footpath;

4 letters received in relation to further amendments:

- Object to plot 1 to 3 which will directly look at neighbours property, in particular the bedroom and landing;
- Anti-social behaviour associated with the public right of way;
- Concerns over the siting of any stiles on the footpath;

1 letter of representation received on the latest amendments to the scheme:

- The re- siting of the bus stop in the Walled Gardens should be rejected. Firstly it moves the location away from local residents which may wish to use the amenity to an arrival destination. Secondly the road systems through the Church gates are not sufficiently sized to facilitate a bus route. Thirdly the approach to the Walled Gardens once past the car park is not wide enough for a bus and walkers that regularly use the Walled Gardens. Finally there is not a safe turning circle for a bus in the location suggested, there is a blind spot caused by a hedge which could cause accidents.

## **OTHER BACKGROUND DOCUMENTS**

Design & Access Statement  
Arboricultural Survey/Report  
Ecological Appraisal  
Flood risk Assessment (ref 2422/RE/12-19/01 Revision A dated February 2021)  
Planning Sustainability and Heritage Statement  
Construction Management Plan  
Road Safety Audit Stage 1  
Marketing Statement (ref RDC/KS/R27124 dated 16 April 2019)

## **PLANS CONSIDERED AS PART OF THIS RECOMMENDATION**

7 - Existing Elevations  
5c - Plots 4 & 5  
17 - Plot 2  
19 – Plot 6 & 7 Plan  
18 - Plot 6 & 7  
3v – Block Plan  
14a - Plot 1  
12e – Streetscene Plan  
15a - Plot 3  
22 - Block Plan  
Lp-1 A - Landscape Plan

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## **OBSERVATIONS**

### **Site and Location**

The application site relates to Elford Social Club, a single storey building, measuring approximately 7m in height, located on the Western side of the Beck, Elford. The site is located within the village boundary of Elford which can be seen on Inset 10 of the Local Plan Strategy Policy Maps. The sites also falls within the Elford Conservation Area and Flood Zone 2.

The site comprises some 0.27 hectares of land. The current vehicle access into the site is from the Beck and is located adjoining to the South western boundary. The site also has a public right of way (Elford 6) crossing the site. The definitive line of this footpath shows it passing through the existing building from The Beck and then leaving the site mid-way along the south western boundary where it then goes through number 9 Church Road.

The land is currently vacant having previously been operated as the Elford Sports and social Club. The Social Club has not been in use since June 2019.

The site is surrounded on all sides by existing residential development along with a limited extent of boundary with the Crown Inn Public House to the west and is also close to but not adjoining the Elford Village Hall to the south west. In addition to the club building the remainder of the site is down to concrete hardstanding which will be removed.

The application site lies within the Elford Conservation Area and the Social Club is a named community facility under Policy LS2 of the Elford Neighbourhood Plan.

### **Proposals**

This application seeks permission for the demolition of existing social club and subsequent erection of 7no two storey dwelling houses. The original scheme had sought permission to erect 9 dwellings but through negotiations the number of units have been reduced and the scheme, including the proposed layout has been redesigned.

To the front of the site there will be 3 detached dwellings fronting onto The Beck, with an access road into the site. Towards the rear of the site, plots 4 and 5 again will be both detached dwellings facing the frontage of the site with plots 6 and 7 towards the eastern boundary being semi-detached dwellings set perpendicular to the adjacent proposed dwellings. Each residential dwelling will have its own private rear amenity space and off street parking.

The dwellings are simple and traditional in design and would have brick elevations with gable roofs over. Chimney features and traditional arched window details are included on each property, and plots 4 and 5 to the rear of the site include a gable feature to the frontage along with an integral garage. Plots 1-3 which front onto the Beck would benefit from a parking area within the site to the rear of the gardens. The frontage of plots 1-3 would include a landscaped garden area. A bin presentation point is included at the entrance to the site.

The access road into the site would remain as a private driveway. Existing footpaths cross the site, these would be repositioned as part of the proposal.

### **Determining Issues**

1. Policy & Principle of Development
2. Housing Mix
3. Design and Impact upon the Character and Appearance of the Surrounding Area
4. Residential Amenity
5. Access and Highway Safety
6. Impact on Trees
7. Ecology
8. CIL / Planning Obligations
9. Other Issues
10. Human Rights

#### **1. Policy & Principle of Development**

1.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for Lichfield District comprises the Local Plan Strategy (2008-2029), adopted in February 2015 and the Local Plan Allocations Document (2008-2029), adopted in July 2019. The Local Plan Policies Maps form part of the Local Plan Allocations Document. In this location, the Elford Neighbourhood Plan was also made in 2019 and as such, also carries full material weight.

1.2 The emerging local plan, the Local Plan 2040, has completed its Regulation 19 consultation in the summer of 2021. The adopted Local Plan Allocations document sets the timeframe for the submission of the Local Plan 2040 to the Secretary of State by the end of 2021. Given that the plan has yet to be submitted for its examination it is suggested that very limited material weight can be given to the policies within the emerging Local Plan 2040 and therefore, whilst noted below, they are not specifically referenced elsewhere in the report.

#### **The Local Plan**

1.3 Core Policy 1: The Spatial Strategy states that growth will be located at the most accessible and sustainable locations in accordance with the Settlement Hierarchy. Elford is included within the hierarchy under other rural which will accommodate housing to meet local needs, mainly within identified village boundaries, unless supported as a rural exception site.

1.4 Core Policy 6: Housing Delivery states that smaller villages will accommodate housing to meet local needs, mainly within the identified village boundaries. Policy Rural 1: Rural Areas states that approximately 5% of the Districts housing will be met within the village settlement

boundaries of smaller villages and that smaller villages will only deliver housing to accommodate local needs. The site is located within the village settlement boundary as identified on the adopted policies maps.

- 1.5 Core Policy 3: Delivering Sustainable Development provides a number of key issues that development should address in order to ensure sustainable development. The policy includes the following key issues which are of relevance to this application: Protect and enhance the character and distinctiveness of Lichfield District and its settlements; Be of a scale and nature appropriate to its locality; Encourage the reuse of previously developed land in the most sustainable locations, and encourage the reuse of buildings as a sustainable option; and Ensure that all new development and conversion schemes are located and designed to maximize energy efficiency and utilise sustainable design and construction techniques appropriate to the size and type of development using local and sustainable sources of building materials wherever possible.
- 1.6 Policy IP1: Supporting and Providing Our Infrastructure states that applications that result in a loss of an existing infrastructure service or facility will not be permitted, unless it can be demonstrated that the facility is surplus to the requirements of the community. It is noted that within the planning statement the applicant makes the case that the Social Club whilst a community facility whilst it was operational, has since closed as it was a surplus facility in the community when considering the presence of a pub and a village hall. However, it has been duly noted from the information submitted that the Social Club was in use until July 2019 and as such had only been vacant for under 6 months when the application was originally submitted.
- 1.7 Policy Rural 1: Rural Areas states that approximately 5% of the District's housing will be met within the village settlement boundaries of smaller villages and that smaller villages will only deliver housing to accommodate local needs. The site is located within the village settlement boundary as identified on the adopted policies maps.
- 1.8 Policy BE1: High Quality development is in place to ensure that all development provides a high quality sustainable built environment. The following bullet points are of relevance to the application;
  - The significance of the historic environment, such as archaeological sites, sites of historic landscape value, listed buildings, conservation areas, locally listed buildings and skylines containing important historic, built and natural features (in conjunction with Policy NR5).
  - New developments 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.

#### Elford Neighbourhood Plan

- 1.9 The Elford Neighbourhood Plan was made on 15 January 2019. Of relevance to this application is Policy LS2: Community Facilities which supports the retention of businesses, enterprise and retail units in the village. Policy LS2 states "The Neighbourhood Plan will support the retention of businesses, enterprise and retail units in the village. Where planning permission is required, the Neighbourhood Plan will not support the change of use of these to residential use unless an appropriate alternative community facility is provided as part of the proposed development". The Policy goes on to read that "new development proposals which result in the loss of named facilities in the village will only be supported where they demonstrate that they will provide an equal or better facility within an appropriate location within the village in comparison". The Sports and Social club is one of the named facilities in regards to this policy.

## Other Documents

- 1.10 The Rural Development Supplementary Planning Document SPD Chapter 3: Services and Facilities at Paragraph 3.10 states that changes of use which result in the loss or reduction of a service or facility will need to be justified and guidance of the evidence required to justify planning proposals is within the guidance section at para 3.17.
- 1.11 The Settlement Sustainability Study 2018 rated Elford as a low scoring settlement in terms of the few services and facilities which remain locally, the Sports and Social Club was not included within this study. The loss of a public facility could therefore be considered to have a significant negative impact upon this small and relatively isolated settlement, increasing social isolation, reducing the places the community has to meet locally, and reducing opportunities for local employment despite the current redundant status of the Social Club.

## Assessment

- 1.12 The permanent loss of a community facility (the Social Club) is an important consideration in the assessment of this application, as the existing Club House would be demolished and replaced by residential development. Policy IP1 of the Local Plan Strategy provides support for the retention of community facilities such as the Social Club and Policy LS2 seeks to prevent the loss of community facilities. A second important consideration in assessing the principle of the proposal is whether or not the requirements of Elford Neighbourhood Plan Policy LS2 is met, in that *'an appropriate alternative equal or better community facility'* is provided as part of the proposed development.
- 1.13 Turning first to the loss of the Social Club. Following advice provided by Calders Chartered Surveyors to the Trustees of the Elford Social Club, the Social Club building and its grounds were marketed for a period of 6 weeks between April and June 2019. This followed the end of an existing tenancy and lack of any interest for the premises being taken on by any other parties. The marketing particulars which have been provided in support of this application included the Club Building, confirming it had been well maintained and set out that there was potential for redevelopment of the wider site. The submissions confirm that target mailings (electronic and paper) were sent to known developers/ investors across the UK and regional property agents and press adverts in three local papers were placed inviting offers. Whilst three offers were received, none of these included retaining the Club House as a going concern. Calders have confirmed that the Club House was thoroughly and comprehensively exposed to the open market inviting bids for consideration by any party for any form of usage. It was also confirmed that no interest whatsoever was received either in terms of enquiries or in terms of firm bids to continue the existing community use.
- 1.14 The Club has been closed since 7<sup>th</sup> June 2019. The agent for the application confirmed via email on 26 November 2020 that the Trustees sold the site following the marketing exercise referred to above. It is noted that the club had ceased trading some 9 months prior to the first National Coronavirus Lockdown in March 2020. Furthermore, the Parish Council confirmed in their initial consultation response *'The Parish Council accepts that it is highly unlikely that the Social Club could re-open and therefore it prefers the site to be utilised rather than to be left vacant and in an unsightly state as at present. It has been unused for over a year and marketing did not result in a sale for the premises on a similar basis.'*
- 1.15 In view of the information provided, Officers acknowledge the concerns regarding the ongoing viability of the Social Club. The Councils Economic Development Officer has confirmed support for the current proposals and overall re use of the site, and also points out that there is a similar commercial use to the social club in close proximity within the village of Elford, and having two such uses could be detrimental to the future viability both of them.

- 1.16 Whilst the loss of the Social Club is unfortunate, in economic terms it is clearly unviable and has been closed since 2019. Whilst Policy LS2 of the Elford Neighbourhood Plan seeks to protect community facilities and names the Social Club as a facility to be retained, at present the facility is closed and has no prospect of re opening. The Club has been proven to be unviable with a lack of market or future interest. In addition, it is noted that Elford is well served in terms of social and community infrastructure. This point is confirmed in the Neighbourhood Plan where other facilities are listed including the Crown Public House, the Village Hall and the Cricket Club. It is concluded that the loss of the Social Club, which has now been vacant for over two years would not be to the detriment of services on offer in the village or the quality of life enjoyed by existing and future residents.
- 1.17 Turning to the requirements of Elford Neighbourhood Plan Policy LS2. Elford Neighbourhood Plan Policy LS2 supports the retention of community facilities, including the retention of businesses, enterprise and retail units in the village. The Neighbourhood Plan does not support the change of use of existing facilities to residential unless it is demonstrated that an equal or better facility is provided within an appropriate location within the village in compensation. The policy also provides support for improvements to existing community facilities listed in the policy.
- 1.18 Within the planning statement there is no evidence to demonstrate that an equal or better facility within the village would be provided. However, as set out above the existing facility is closed and has been for some time. The applicant has agreed to fund improvement works which include a disabled ramp, entrance doors and male and female/disabled toilets to the local cricket club as part of this scheme, which would be secured by means of a S106 agreement. A financial contribution to offset the loss of the Social Club as a community facility is also proposed. On balance, taking into consideration the viability (or lack of) of the existing Social Club as an ongoing enterprise, the existing community facilities available to residents of Elford and the proposed improvements to the existing Cricket Club building, that the scheme would meet with the objectives of Policy IP1 of the Local Plan Strategy and LS2 of the Elford Local Plan. In principle, the proposal is therefore considered to be acceptable.

## 2. Housing Mix

- 2.1 Policy H1: A Balanced Housing Market, of the Local Plan Strategy seeks the delivery of a balanced housing market through an integrated mix of dwelling types, sizes and tenures based on the latest assessment of local housing need. This reflects the approach in the NPPF, which sets out that Local Planning Authorities should deliver a wide choice of high quality homes with a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Policy H1 states that there is currently an imbalance of dwelling types within the District. To address this Policy H1 mentions that the District Council will actively promote the delivery of smaller properties, particularly 2-3 bedroom houses and 2 bedroom apartments to increase local housing choice and contribute to the development of mixed and sustainable communities. Therefore a scheme which includes a range of properties, particularly 2 and 3 bed dwellings would be sought and supported by the Local Plan.
- 2.2 Policy HD1 (Housing Types Mix) of the Elford Neighbourhood Plan seeks to support development proposals which deliver housing mixes that meet the needs of the community and contribute to the diversification of the Parish's housing stock, subject to other policies in the Plan, including properties specifically designed for older persons, including bungalows; properties suitable for first time buyers; and smaller family homes.
- 2.3 The dwelling mix identified under the requirements of Local Plan Strategy Policy H1, as necessary to address the imbalance in the District's housing stock is 5% one bedroom, 42% two bedroom, 41% three bedroom and 12% four bedroom and above. The mix identified for this application is for 4no four bed dwelling (57%), 1no three bed dwelling (14%) and 2no two bed dwellings (29%). Whilst this mix does not strictly meet with the housing mix required



under Policy H1, Officers are of the view that in this instance, given the smaller scale of the development that the precise mix set out in Policy H1 would be difficult to achieve, and given the site area could result in an over intensive form of development. Consequently the proposed mix of 2, 3 and 4 bedroom homes in this instance is considered to be acceptable and would provide a good choice of quality housing within the Conservation Area.

### 3. Design and Impact upon the Character and Appearance of the Surrounding Area

- 3.1 The NPPF 2021 (Section 12) advises that *“good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”*. The document continues to state that *“permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*.
- 3.2 The NPPF also attaches great importance to the design of the built environment, which should contribute positively to making places better for people. As well as understanding and evaluating an area’s defining characteristics, it states that developments should:
- function well and add to the overall quality of the area;
  - establish a strong sense of place;
  - respond to local character and history, and reflect local surroundings and materials;
  - create safe and accessible environments; and
  - be visually attractive as a result of good architecture and appropriate landscaping.
- 3.3 The National Design Guide and the National Model Design Code illustrate how well designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. The underlying purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities. The National Design Guide addresses the question of how we recognise well designed places, by outlining and illustrating the Government’s priorities for well-designed places in the form of ten characteristics. The NPPF sets out that the National Design Guide and National Model Design Code should be used to guide decisions on applications in the absence of locally produced guides or codes. These documents provide guidance on what constitutes well-designed and beautiful places as well as providing a default checklist of issues that schemes will be expected to address.
- 3.4 Local Plan Strategy Policy BE1 advises that *“new development... should carefully respect the character of the surrounding area and development in terms of layout, size, scale, architectural design and public views”*. The Policy continues to expand on this point advising that good design should be informed by *“appreciation of context, as well as plan, scale, proportion and detail”*.
- 3.5 In terms of Elford Neighbourhood Plan, Policy DH1 Design of New Development seeks to ensure all new development are of high quality in design and use materials and respond positively to the surrounding built character and natural landscape.
- 3.6 The proposed development is comprised of 7, 2 storey dwellinghouses. The Beck, which would provide the site frontage and access is characterised by mixed styles of residential development. However, the predominant character of the area is one of dwellings fronting the road. It is appreciated that the local style and layout of development has some variation and there is no requirement to duplicate existing built forms. Also, as the site lies within the Elford Conservation Area due regard has had to be had to the developments impact on its character, appearance and setting.
- 3.7 Beyond planning considerations, given the schemes impact upon the Elford Conservation Area, careful consideration against local and national planning policies specific to the historic environment are also relevant.

- 3.8 Paragraph 197 of the NPPF states that in determining planning applications that may affect the historic environment, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and,
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.9 Paragraph 199 of the NPPF then goes on to say that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.
- 3.10 The Council has adopted policies governing developments affecting heritage assets and the NPPF provides an overarching approach to decision taking and heritage assets, which includes balancing public benefits against harm to significance, where appropriate.
- 3.11 Policy BE2 of the Local Plan Allocations documents advises that development proposals which conserve and enhance our historic environment will be supported where the development will not result in harm to the significance of the heritage asset or its setting. To enable the effect of an application on the historic environment to be assessed, any application which could impact on a heritage asset (designated or non-designated) including its setting should be accompanied by a Heritage Statement which should include an assessment of its significance, and an assessment of the impact of the proposals on the significance.
- 3.12 The proposal has been significantly revised during the course of the application and there have been numerous revisions to the scheme, following concerns raised by Officers. The number of units have been reduced from 9 to 7, and units within the layout have been re-orientated. Through these amendments a smaller amount of built form faces The Beck, which will subsequently preserve and enhance the Conservation Area. The amended scheme takes the opportunities available to it improving the character and quality of the area, in line with the NPPF para 130 and provides development that is a result of a good layout or are sympathetic to the local character (NPPF para 127).
- 3.13 Turning to the design of the proposed dwellings as set out in the originally submitted scheme, these initially had a shallow roof pitch which did not reflect the local vernacular and the solid to void ratio was also not reflective of traditional dwellings in the area. The proposed streetscene was also entirely unsuitable in the Conservation Area. It was advised that the layout should show the frontage properties with the roof rather than a gable facing the road, as this would present a more suitable streetscene. In terms of the whole site more traditional detailing needed to be incorporated. Generally steeper roof pitches should be used. Architectural detailing such as the dentil course would need to be more prominent, and timber windows should be set well into the reveal and be reflective of the traditional Staffordshire casements. This will provide some much needed relief into these elevations. All these details will then combine to create a high quality design that reflects the character and appearance of the surrounding Conservation Area and thus would meet the objective of preserving and enhancing the locality.
- 3.14 The initial boundary treatments proposed comprised of a dwarf brick wall with brick pillars and some form of railings or fencing between the pillars. The applicant was advised that this is not a traditional or characteristic boundary treatment and this aspect of the proposal should be amended to better reflect the character and appearance of the Conservation Area. A condition requiring full details of boundary treatments is recommended to ensure the development integrates well with its surroundings.

- 3.15 It was also identified that details of landscaping, both soft and hard are key factors in demonstrating how the proposals would preserve or enhance the character and appearance of the Conservation Area. Landscaping is addressed later on in the report.
- 3.16 The proposed dwellings, being two storey are greater in height than the existing social club. Plots 1, 2 and 3 have an overall height of 8.6m, plots 4 and 5 measure 9.2m in height and plots 6 and 7 are 9.9m in height. Whilst it is appreciated these heights are greater than the existing social club, it is considered having a more traditional pitch roof for these dwellings would sit more comfortably within the streetscene and would respond better in heritage terms. Furthermore, the neighbouring properties to either side of the site include two storey dwellings, and bungalows, therefore the introduction of two storey properties along this part of The Beck would not be out of keeping or be detrimental to the character and appearance of the Elford Conservation Area.
- 3.17 A suitably worded condition is recommended to ensure that appropriate high-quality materials are used in the development. Permitted development rights are also recommended to be removed in order to control future extensions/ alterations to the properties and to ensure that the parking spaces for each property is retained long term.
- 3.18 It is considered that Social Club has little architectural merit and its loss in principle and its replacement with some well-designed dwellings, will have positive impact on the character and appearance of the surrounding Conservation Area.
- 3.19 In conclusion the development, as revised will provide a unified and coherent form of development along this part of The Beck and is not considered to result in a detrimental impact upon the character or appearance of the Elford Conservations Area. As such, the scheme is considered to be acceptable on design grounds, in accordance with the requirements of the Development Plan, the NPPF and the National Design Guide in this regard.

#### 4. Residential Amenity

- 4.1 Local Plan Strategy Policy BE1 seeks to protect amenity by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance. This Policy is supplemented by the Council's Adopted Supplementary Planning Document: Sustainable Design, which sets out the Council's guidelines for 'Space about Dwellings'.
- 4.2 The Sustainable Design Supplementary Planning Document sets out a minimum distance to which facing habitable windows should be separated. These indicate that dwellings should not have habitable windows facing each other at a distance of less than 21m. If there is an intervening screen (i.e. fence or wall) the distance between ground floor facing windows can be reduced to 15 metres and 13 metres in the case of bungalows.
- 4.3 With regards to plots 1-3 which front The Beck, principle windows are to be inserted at ground floor within the north (rear facing) and south (front) facing elevation. It is also noted that plot 3 will have a ground floor side facing window in the east elevation, and plot 2 will have a ground floor side facing windows in the west elevation. These side facing windows in plots 2 and 3 will look out onto the highway access into the site. As the separation distance between these two plots is 7.6m it is considered in order to safeguard future neighbouring amenity that these windows should all be obscure glazed. Similarly it is noted that at first floor plot 2 has two principal windows serving the bedrooms. However, unlike at ground floor plot 3 only has a landing window within its side elevation. Therefore the 21m rule in this instance does not apply.
- 4.4 With regards to overlooking, the SPD advises that windows in side elevation at first floor level to serve principal habitable rooms will not generally be supported, where neighbouring

properties exist. Whilst the first floor windows in plot 2 serve principal rooms, they do not directly overlook any private amenity space, therefore in this circumstance it is not considered there are sufficient overlooking issues to warrant a reason for refusal. The windows within the side elevations were also a design feature at the recommendation of the Conservation Officer to reduce a solid to void ratio.

- 4.5 With regards to plots 4, 5, 6 and 7 all other separation distances as set out in the Sustainable Design SPD are achieved and the Council is satisfied that the scheme achieves adequate separation with regards to the 21m rule.
- 4.6 The SPD further advises that there should be at least 6m between a primary principal habitable room window and private neighbouring amenity space except where there is no overlooking demonstrated. There are no issues in this respect.
- 4.7 The SPD provides guidance on suitable garden sizes commensurate with the needs of future occupants, advising that all private amenity space should be a minimum of 10m and that for dwelling with 2 or less bedrooms private amenity space should measure 45sqm and for dwellings with 3 and 4 bedrooms 65sqm. There is well in excess of the recommended private amenity area for each dwelling.
- 4.8 Due regard has also been had to planning application 19/00186/FUL which granted permission for the erection of 1 three bed dormer bungalow within the garden of number 27 Croft Close. This proposed bungalow lies adjacent to the northern boundary of the site and would be in closest proximity to plot 6. It is noted that the proposed dormer bungalow is to be orientated so that its front elevation faces in an easterly direction, and the rear in a southerly direction, leaving its side gable elevation in closest proximity to the boundary shared with plot 6. In this side elevation will be a bathroom window at ground floor and an en-suite window at first floor. Therefore, it is considered that the amenity of the proposed dwelling at 27 Croft Close and that of plot 6 will not be duly compromised. The proposed development therefore site comfortably with the approved adjacent residential development.
- 4.9 Overall, the whole, the proposal would provide an acceptable level of residential amenity whilst causing no unacceptable harm to the existing amenities, such as light and privacy enjoyed by neighbouring occupiers. As such the development would be in accordance with the requirements of the Development Plan, the Council's adopted Supplementary Planning Documents and NPPF, in this regard.

## 5. Access and Highway Safety

- 5.1 Paragraph 110 of the NPPF requires that consideration should be given to the opportunities for sustainable transport modes, that safe and suitable access to a development site can be achieved for all people, and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Paragraph 111 goes on to state that development should only be refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development are severe.
- 5.2 Core Policy 3 of the Local Plan Strategy advises that the Council will seek to reduce the overall need to travel, whilst optimising choice of sustainable modes of travel, particularly walking, cycling and public transport. Core Policy 6 advises that residential development will be expected to contribute towards the achievement of sustainable communities.
- 5.3 Existing access to the application site is via a wide vehicle access crossing from The Beck, approximately 8m in width, located to the south-west of the application site. Public footpath 'Elford 6' crosses the site; to which records show the Footpath routeing through the existing building. The application site is sustainably located within walking and cycling distance of the amenities located in Elford including a post office, pub, bakery and a primary school. The

closest bus stop to the application site is located on The Beck in front of the existing Sports and Social Club building within the application site; however, there is no bus service running in Elford at the current time.

- 5.4 Through this scheme a single access to the site will be created off The Beck, with vehicles passing between plots 3 and 2. The access will measure 3m in width with a maximum width of 4.8m which allows for pedestrian pavements either side as you access the site. The suitability of the point of access has been considered by Staffordshire County Council (Highway Authority), who consider that it is appropriate to ensure safe access and egress to the site.
- 5.5 The Council's adopted car parking standards, are set out in Appendix D of the Supplementary Planning Document: Sustainable Design. These standards set the maximum amounts of parking spaces required, although in accordance with Local Plan Strategy Policies ST1 and ST2, they will be applied in a flexible manner. For 3 and 4 bed accommodation 2 car parking spaces are required per dwelling, and for 2 bed accommodation 1 space per dwelling plus 1 space per 3 dwelling for visitors. Plots 1, 2, 4, and 5 are provided with 3 car parking spaces each, with plots 3, 6 and 7 each having 2 spaces each. With regards to cycle parking 2 spaces as a minimum are required per 3 bed plus dwelling. Cycle storage is demonstrated within the confines of each site, details of which will be conditioned as part of any planning application. As such the scheme accords with the Development Plan and the National Planning Policy Framework in this regard.
- 5.6 During the course of the application, the scheme has been revised, to ensure the development meets the design requirements of the Conservation Officer and also the Highways Department. It is proposed that vehicular and pedestrian access to the site will be by way of an unadopted shared surface, with a junction onto The Beck. A Road Safety Audit has been produced by the applicant which identified several problems, but also makes recommendations in which to overcome them. A construction management plan has also been provided by the applicant, but at the time of writing this report its acceptability has yet to be agreed. A condition to ensure appropriate information regarding Construction Management, to be agreed with the County Highway Authority is recommended.
- 5.7 Local Plan Strategy Policies ST1 and ST2 state that the Council, when considering the appropriate level of off street car parking to serve a development, will have regard to the *"provision for alternative fuels including electric charging points"*. Thus, it is considered acceptable to request that the dwellings are provided with Electric Vehicle Charging Points or, as a minimum, the electrical cabling to allow future installation of such facilities and their implementation will be secured via the use of a condition.

#### Public Rights of Way

- 5.8 Public footpath 'Elford 6' currently runs through the application site from the southern boundary of The Beck, north through the site and then west toward number 9 Church Road. It is proposed to divert footpath 'Elford 6' to the south west of application site so that it remains available for use by the general public. The wider footpath network would remain unaffected.
- 5.9 The concerns of residents regarding the siting of any stiles on the footpath are noted, as well as any anti-social behaviour associated with the public right of way. However, the siting of the public footpath and any stiles is not a planning matter.
- 5.10 It should be noted that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path and that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed

development. A note to applicant has been included to ensure correct permissions are sought in order to divert this public right of way.

- 5.11 It is not considered that the proposed development would have a significant impact on the surrounding highway network. The proposed change of use at the application site would result in fewer vehicular trips generated than the extant use as a Sport and Social Club. Therefore, it is considered the proposal accords with the development plan with regard to access/egress and parking provision, and is acceptable in this regard.

## 6. Impact on Trees

- 6.1 Paragraph 180 of the NPPF advises that permission should be refused for development resulting in the loss of aged or veteran trees, unless the benefits of the development outweigh the harm. Core Policy 13 of the Local Plan Strategy also seeks to protect veteran trees, whilst Core Policy 14 seeks to ensure that there is no net loss to trees in conservation areas. Policy NR4 and the Trees, Landscaping and Development Supplementary Planning Document seek to ensure that trees are retained, unless their removal is necessary and appropriate mitigation is proposed. The SPD also seeks to ensure that a minimum 20% canopy cover is achieved on development sites.

- 6.2 Policy NR4 of the Local Plan Strategy identifies the ecological and visual importance of trees and hedgerows across the District. Trees which are of particular significance will be protected and retained where possible, and the removal of large mature species and their replacement with smaller short lived species will be resisted. The policy also acknowledges the need to retain sufficient space to allow for sustainable growth and looks to retain the important tree cover in the District as a whole.

- 6.3 Full landscaping details have been submitted to the Local Planning Authority, along with structural soil tree pit details. The landscaping scheme consists of a mixture of tree species, which are heavy standard species. Landscaping is to be introduced to the front of the site, as well as within the internal layout. The landscaping proposal is considered acceptable by the Councils Arboricultural Officer, and as such, are recommended to be secured via condition.

- 6.4 Tree protection details are recommended to ensure the retention of the trees during building works. These recommendations have been endorsed by the Council's Arboriculturalist and are considered reasonable and necessary and as such, are recommended to be secured via condition.

- 6.5 Given the above considerations, with reference to arboriculture considerations, this development is considered to comply with the requirements of the Development Plan and NPPF, in this regard.

## 7. Ecology

- 7.1 Local Plan Policy NR3 requires all development within the district to provide a net gain to biodiversity. Should an application be submitted full regard must be had to any protected/priority species which may be affected. Details of any avoidance of harm/mitigation/compensation/habitat improvements must be incorporated within the proposed development.

- 7.2 The site is currently, in the main hardstanding along with the Social Club building, and therefore offers limited opportunities for biodiversity enhancement. The Council's Ecologist has considered the scheme and concludes that the proposed works are unlikely to negatively impact upon protected or priority species or habitats. The LPA is therefore in a position to demonstrate compliance with regulation 9(3) of the Habitat Regs. 1994 (as amended 2017), which places a duty on the planning authority when considering an application for planning permission, to have regard to its effects on European protected species. It is also deemed that

the LPA has sufficient understanding to discharge its Biodiversity Duty (as defined under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006).

7.3 However, it is recommended via a suitably worded condition that all recommendations and methods of working detailed within Section 5 of the Protected Species and Habitat Surveys are adhered to. Furthermore, it is recommended that a condition is included on any permission which requires a bat/bird box to be installed within the application site prior to the first occupation of the new dwellings, in accordance with Local Plan Policy NR3.

7.4 In respect of the above, the development proposal is considered to be acceptable on ecological grounds and is compliant with Policy NR3 of the Local Plan Strategy as well as relevant guidance contained within the NPPF.

## 8. CIL / Planning Obligations

8.1 Lichfield District Council began charging the Community Infrastructure Levy (CIL) on 13th June 2016. The proposed development falls within a high market value area and therefore residential development is charged at £55 per square metre.

### S106

8.2 The applicant has agreed to fund improvement works which include a disabled ramp, entrance doors and male and female/disabled toilets to the local cricket club as part of this scheme, which would be secured by means of a S106 agreement. A financial contribution to offset the loss of the Social Club as a community facility is also proposed.

## 9. Other Issues

### Flooding

9.1 Section 14 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.

9.2 The site intersects with the 1 in 100 year zone on the Risk of Flooding from Surface Water Map. This risk may be mitigated by ensuring that finished floor levels and surrounding ground levels are designed in accordance with building regulations, hence directing surface water away from dwellings. Setting floor levels an appropriate level above surrounding ground levels may provide further mitigation. It is also noted that the site intersects with Flood Zone 2, with the main risk of flooding from the River Tame (Main River).

9.3 The Environment Agency Flood Map shows that there is a culverted watercourse, known as The Beck, which is located either within the red line boundary of the site or along the access point for this site. Although this watercourse is designated as a Main River, it is maintained and owned by the Local Authority. It is noted that on Church Road/Junction of The Beck there is a pumping station which the Environment Agency maintains. The pumping station pumps flood water from the village back into the River Tame to prevent the village of Elford from flooding when the river is in flood. Therefore the culvert and pumping station are considered to be an important part of the flood defence system for the village and so it is important that these structures are protected to prevent this system from failure as a result of the development.

- 9.4 Consequently as part of this application a revised Flood Risk Assessment was required, which demonstrated that no development would be within 8m of the culvert and how the structural integrity of the culvert would be protected. The revised FRA addressed the points raised by the Environment Agent and details have been agreed subject to condition.

#### Contaminated Land

- 9.5 Paragraph 183 of the NPPF advises that “Planning decisions should ensure that; a site is suitable for its proposed use taking account of ground conditions any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment) arising from that remediation”.
- 9.6 The scheme has been considered by the Council’s Environmental Health Team, who offer no objections to the development on these grounds, and therefore, it is recommended that, subject to conditions, the proposal complies with the requirements of the Development Plan and NPPF, in this regard.

#### Drainage

- 9.7 Within their initial response Severn Trent Water had raised no objections subject to the submission of drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. However, due to subsequent revisions the drainage for the site has altered. The drainage plan which was submitted in support of the scheme is not sufficient enough to agree prior to commencement, therefore it is recommended a suitably worded condition is included on any planning permission.
- 9.8 It is acknowledged that there is a public sewer located within the application site, and this constraint has largely informed the site layout. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. The layout of the scheme has ensured that the sewer is not being directly built over.
- 9.9 Severn Trent Water have advised that there is a pumping station close to the site and any new development must not restrict their access to the Sewage Pumping Station (SPS). They will require free access to the SPS at all times in order to complete any programmed routine maintenance tasks and also for any emergency reactive visits in case of failure. The applicant has been made aware.
- 9.10 In addition Severn Trent Water have advised that due to the close proximity of the proposed new development to the existing Sewage Pumping Station compound that the occupants may experience noise and/or smell pollution. In order to minimise disruption to any future occupant(s), STW would advise that all habitable buildings are constructed a minimum of 15metres from the curtilage of the SPS compound. It should be noted that all new dwellings are in excess of 15m from the compound.

#### Relocation of the Bus Shelter

- 9.11 The bus service from Elford to Tamworth provided by Staffordshire County Council ceased in March 2018. The Local Authority is advised that the Parish Council contributed to a twice weekly coach/ minibus hire jointly with Edingale Parish Council for a further year and then to a twice weekly taxi for older residents who did not drive from March 2019. Consequently the bus stop to the front of the site is surplus to requirements but its removal will need relevant consents from SCCH.
- 9.12 The bus shelter which is situated outside the Social Club will be relocated with the Elford Walled Gardens. The concerns of a resident are noted about how this should be rejected due



to the Walled Gardens not being suitable for a bus route/turning circles etc. However it is not the intention to re-route a bus service through the village to the Walled Gardens, but to relocate the shelter, as a public bench for example. Although its relocation into the Walled Gardens is likely to require consent.

## 10. Human Rights

- 10.1 The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

## **Conclusion**

The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the suitability of development proposals.

It is fully appreciated that whilst there is a conflict with planning policy, in particular Policy LS2 (Community Facilities) of the Elford Neighbourhood Plan and Policy IP1 of the Local Plan Strategy (Supporting & Providing our Infrastructure) the Local Planning Authority consider that when weighed in the planning balance that the redevelopment of the site for residential purposes would be considered acceptable. The applicant has provided sufficient information to confirm that the on going use of the Social Club as a community facility is unviable, which is supported by the Parish Council.

With regard to the specifics of design and layout, the application provides a scheme, which will integrate successfully into the existing local character and context and provides sufficient information to demonstrate that a high quality development will be achieved. Environmentally, the site lies within the Elford Conservation Area, but it has been determined that the scheme, will cause less than substantial harm to the character and appearance of the Conservation Area. The development of this site, will see the introduction of new landscaping. Economically the development will facilitate a moderate size development project and introduce additional residents to the area to aid in supporting local facilities and businesses. Socially, the development, will offer a suitable site for future occupants, whilst not significantly impacting upon the reasonable amenity of existing residents.

Given the above assessment it is recommended that this application be approved, subject to conditions, as set out above and the signing of a S106 Legal Agreement to secure enhancements to the Elford Cricket Club.

# LOCATION PLAN

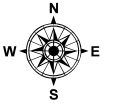
21/00790/COU  
Land Adjacent 7B Wissage Road  
Lichfield

Scale: 1:1,000

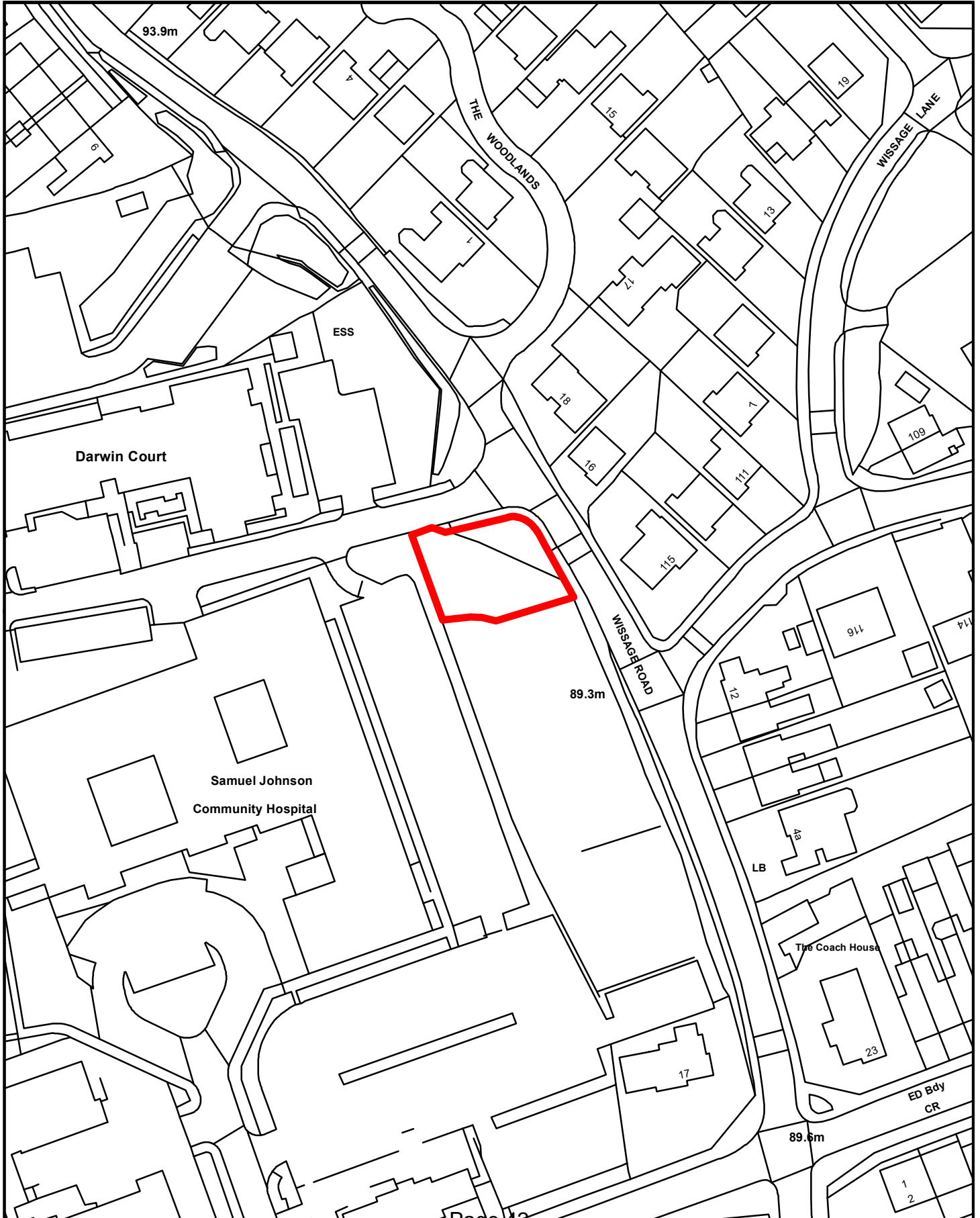
Dated: February 2022

Drawn By:

Drawing No:



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## 21/00790/COU

**Change of use of open amenity space to residential garden and erection of a 2m high boundary fence  
Land Adjacent 7B Wissage Road, Lichfield, Staffordshire, WS13 6SP  
FOR Ms H Brett**

Registered **06/07/2021**

**Parish: Lichfield City**

**Note:** This application is being reported to Planning Committee due to a Call-in request by Cllr Colin Greateorex on the basis of the loss of open amenity, which was *'agreed as a condition on the planning application 17/01455/FUL which was granted for the house building'*.

**RECOMMENDATION: Approve, subject to the following conditions:**

### **CONDITIONS**

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

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

3. Before the development hereby approved is commenced, a detailed landscape and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall give full regard to the provisions of application reference 21/00730/TPO and include full details of low level planting fronting Wissage Road. The approved landscape and planting scheme shall thereafter be implemented within eight months of the development being brought into use, unless otherwise agreed in writing by the Local Planning Authority.

**All other CONDITIONS to be complied with:**

4. The scheme hereby approved shall take place in full accordance with the recommendations and methods of working detailed within the Phase 1 Preliminary Ecological Appraisal produced by Dr Bodnar in September 2021.
5. Any tree, hedge or shrub planted as part of the approved landscape and planting scheme (or replacement tree/hedge) on the site and which dies or is lost through any cause during a period of 5 years from the date of first planting shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

### **REASONS FOR CONDITIONS**

1. In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.
2. For the avoidance of doubt and in accordance with the applicant's stated intentions, in order to meet the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Practice Guidance.

3. To maintain the character and appearance of the area and to avoid any undue impact upon the street scene, in accordance with Policy BE1 and Core Policy 3 of the Local Plan Strategy and relevant guidance contained within the National Planning Policy Framework.
4. In order to encourage and enhance the site's biodiversity net gain in accordance with Policy NR3 of the Local Plan Strategy and relevant guidance contained within the National Planning Policy Framework.
5. To maintain the character and appearance of the area and to avoid any undue impact upon the street scene, in accordance with Policy BE1 and Core Policy 3 of the Local Plan Strategy and relevant guidance contained within the National Planning Policy Framework.

#### **NOTES TO APPLICANT:**

1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and Lichfield District Local Plan Allocations (2019).
2. The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £34 for a householder application or £116 for any other application including reserved matters. Although the Council will endeavour to deal with such applications in a timely manner, it should be noted that legislation allows a period of up to 8 weeks for the Local Planning Authority to discharge conditions and therefore this timescale should be borne in mind when programming development.
3. The development is considered to be a sustainable form of development which complies with the provisions of paragraph 38 of the NPPF.
4. Please be advised that Lichfield District Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 19th April 2016 and commenced charging from the 13th June 2016. A CIL charge applies to all relevant applications. This will involve a monetary sum payable prior to commencement of development. In order to clarify the position of your proposal, please complete the Planning Application Additional Information Requirement Form, which is available for download from the Planning Portal or from the Council's website at [www.lichfielddc.gov.uk/cilprocess](http://www.lichfielddc.gov.uk/cilprocess).

#### **PLANNING POLICY**

##### **National Planning Policy**

National Planning Policy Framework  
National Planning Practice Guidance

##### **Local Plan Strategy**

Core Policy 1 - The Spatial Strategy  
Core Policy 2 - Presumption in Favour of Sustainable Development  
Core Policy 3 - Delivering Sustainable Development  
Core Policy 4 - Delivering our Infrastructure  
Core Policy 5 - Sustainable Transport  
Core Policy 6 - Housing Delivery  
Core Policy 10 - Healthy & Safe Lifestyles  
Core Policy 13 - Our Natural Resources  
Policy SC1 - Sustainability Standards for Development  
Policy IP1 - Supporting & Providing our Infrastructure  
Policy ST1 - Sustainable Travel

Policy ST2 – Parking Provision.  
Policy H1 - A Balanced Housing Market  
Policy H2 - Provision of Affordable Homes  
Policy HSC1 - Open Space Standards  
Policy HSC2 - Playing Pitch & Sport Facility Standards  
Policy NR3 - Biodiversity, Protected Species & their Habitats  
Policy NR4 - Trees, Woodlands & Hedgerows  
Policy NR5 - Natural and Historic Landscapes  
Policy NR6 - Linked Habitat Corridors & Multi-functional Greenspaces  
Policy NR7 - Cannock Chase Special Area of Conservation  
Policy BE1 - High Quality Development  
Policy Lich1 – Lichfield Environment  
Policy Lich4 – Lichfield Housing

### **Local Plan Allocations**

Policy BE2

### **Supplementary Planning Document**

Sustainable Design  
Biodiversity and Development  
Trees, Landscaping and Development

### **Other**

Lichfield City Neighbourhood Plan

### **RELEVANT PLANNING HISTORY**

21/00730/TPO	Remove to floor level of 1No Downy Birch (T03), remove to floor level of 1No Cherry Plum (T07) and removal of dead wood or remove to floor level of 1No Downy Birch (T04)	02/06/2021
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### **CONSULTATIONS**

**Lichfield City Council** – No objections raised. (22/7/2021)

**Tree Officer - LDC** - Initial Comments: Raise concern in respect of the TPO'd trees and the number of large trees to be affected. Note that there is a permission to remove some of the trees, but also note that there is an extant condition requiring these to be replanted and this is not noted on the application plans. Whilst the team have no issue generally with the development proposal, it is considered that the installation of a large fence will potentially impact the delivery of tree planting as well as give a detrimental impact upon the street scene. As such, any planning conditions relating to landscaping will be required to include this to soften the appearance on the fence. (19/7/2021)

**Tree Officer - LDC** - Following the submission of indicative landscaping plans, the team can now agree the outline proposals. If the Council is minded to approve the planning application, a landscaping plan should be made a condition of any forthcoming permission. (28/7/2021)

**Ecology Team - LDC - Initial Comments**- Prior to full comments being provided, the team will require a Preliminary Ecological Appraisal, due to the sites location, the habitats present and due to the amount of protected/priority species recorded within 2km and previously agreed mitigation and biodiversity enhancement measures. (2/8/2021)

**Ecology Team - LDC** - Satisfied with the methodology and the information provided within the submitted Preliminary Ecological Appraisal. The Ecology Team concurs with the conclusions of the PEA in that; the Construction Zone is of mostly of 'low ecological value' consisting primarily of improved,

amenity grassland with surrounding hedges and trees of moderate ecological value, and that none of the trees have bat roost potential.

The team supports this application as long as the new garden space replicates the same provision for these species. The mitigation and enhancements outlined within the submitted PEA are sufficient enough to do this successfully. (13/10/2021)

**Environmental Health Team - LDC** - No objections raised. (4/8/2021)

**Staffordshire Historic Environment Officer (Archaeology)** - The Staffordshire Historic Environment Record (HER) identifies the proposal site as being located within the site of the 19th century Lichfield Workhouse and Infirmary. The proposal site is located away from the core areas of the workhouse and infirmary. Furthermore, the site is located within Historic Urban Character Area (HUCA) 28: North Side Trent Valley Road of the Lichfield Extensive Urban Survey (EUS). This HUCA has been identified as having an overall low potential for encountering archaeological remains. Consequently, the team have raised no further archaeological concerns regarding this application. (3/8/2021)

**Staffordshire County Council (Highways)** – No objections. (4/8/2021)

**Spatial Policy and Delivery Team** –The scheme is in accordance with guidance contained within the National Planning Policy Framework and relevant policies contained within the Lichfield Local Plan Strategy. (16/8/2021)

**Lichfield Civic Society** - No comment. (13/10/2021)

#### **LETTERS OF REPRESENTATION**

8 letters of objection have been received. The comments made are summarised as follows:

- Local residents consider the site to be an area of Open Amenity Space, used in particular by the local community and hospital staff members. Photographic evidence has been submitted of people using the space.
- The scheme will result in the loss of a promised Open Amenity Space.
- The proposed fencing will have a detrimental impact upon the street scene.
- The plans submitted in support of the planning application are misrepresentative of the actual property and details.
- Concerns were raised in respect of highway safety and the impact on the site's ecology.

#### **PLANS CONSIDERED AS PART OF THIS RECOMMENDATION**

PEA, 1261-P02, 1261-P01, 1261 SLP Location Plan 1:250,

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#### **OBSERVATIONS**

##### **Site and Location**

The application site is located on the western side of Wissage Road close to its junction with Trent Valley Road and opposite the junction with Valley Lane. The site is bounded by residential dwellings to the east, south and north-east; Samuel Johnson Community Hospital to the west and a residential home and school to the north with houses beyond. The site currently comprises an area of grassland and TPO'd trees.

##### **Proposals**

This application seeks permission for the change of use of the existing open amenity space to a private residential garden and the erection of a 2m high close boarded feathered edge timber palisade boundary fence. Low level planting is proposed between the proposed fence and pavement.

## Background

The site is subject to determined application reference 21/00730/TPO, which approved the removal of trees; T03, T04 and T07.

## Determining Issues

1. Policy & Principle of Development
2. Impact on the Street Scene
3. Arboriculture
4. Ecology
5. Highway and Access Safety
6. Archaeology
7. Human Rights

### 1. Policy & Principle of Development

- 1.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for Lichfield District comprises the Local Plan Strategy (2008-2029), adopted in February 2015 and the Local Plan Allocations Document (2008-2029), adopted in July 2019. The Local Plan Policies Maps form part of the Local Plan Allocations Document. In this location, the Lichfield City Neighbourhood Plan was also made in 2018 and as such, also carries full material weight.
- 1.2 The emerging Local Plan (2040) is currently subject to Regulation 19 pre-submission public consultation, completing this stage on August 30 2021 with submission to the Secretary of State expected in autumn 2021. Given this document and the policies therein are within the early stage of the adoption process, they carry minimal material planning weight and therefore, whilst noted within the above report, are not specifically referenced elsewhere.
- 1.3 The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development and this is echoed in Core Policy 2 of the Local Plan Strategy. Furthermore the NPPF advises local authorities to approve development proposals that accord with the development plan without delay; and where development plan policies are out of date advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of NPPF as a whole, or specific policies in the NPPF indicate that development should be restricted.
- 1.4 Paragraph 8 details the three overarching objectives of sustainable development in the planning system (economic, environmental and social), with the social objective being: 'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.'
- 1.5 Paragraph 99 states that 'Existing open space' should not be built on unless:
  - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.'

- 1.6 Core Policy 3 of the Lichfield Local Plan Strategy states that development proposals should protect and enhance the character and distinctiveness of Lichfield District and its settlements and be of a scale and nature appropriate to its locality.
- 1.7 Policy BE1 seeks to ensure that a high quality sustainable built environment can be achieved.
- 1.8 Core Policy 10 states that 'the loss of existing recreational open spaces (both extent and quality) will be resisted where it can be shown that there is an existing or future need unless it can be clearly demonstrated that alternative spaces of an equivalent or higher standard are being provided in a location which is equivalent or better, improves access and results in no loss of amenity or environmental quality or quantity.
- 1.9 A number of neighbour concerns relate to the loss of the site of which they consider to be a community asset which is an accessible open space. Whilst noted, the application site is not identified as formal open space within the Council's Open Space Assessment (2020). Furthermore, the development scheme does not comprise any building works and so complies with the provisions of Paragraph 99 of the National Planning Policy Framework.
- 1.10 Neighbour representations state that the application site was promised to be retained as an area of open amenity space under planning consent reference 17/01455/FUL. The Committee Report for planning application reference 17/01445/FUL at paragraph 5.5 states "*to the northern corner of the site lies an area of trees, many of which are TPO'd. These are shown to be retained through this proposal*". The retention of the onsite trees is shown on approved plans reference 30766/02/REV C and Drawing no. 2 Rev A (Landscape Proposals), the latter of which only states that the 'existing (maintained) grassed area is to be retained'. Whilst it is noted that the onsite trees and grassed area is to be retained, there was no obligation as part of the consent under 17/01445/FUL for the developer to create an area of open amenity space. Furthermore, no planning condition applied to the decision notice refers to the application site being retained as a public amenity space. It is therefore considered there would be no loss of amenity space.

## 2. Impact Upon the Street Scene

- 2.1 Policy BE1 of the Local Plan Strategy states that all development proposals should ensure that a high quality sustainable built environment can be achieved. Development will be permitted where it can clearly and convincingly demonstrate that it will have a positive impact on the built vernacular and amenity.
- 2.2 Whilst neighbour concerns in respect of the potential detrimental impact on the street scene caused by the fence are noted, the fence will be set back from the footpath at a distance of 2.3 metres with low level planting introduced to soften the appearance of the fence. As such, it is considered that the proposed fence would not have a detrimental impact upon the street scene or the character and appearance of the surrounding area. A planning condition is furthermore recommended to require a suitable landscaping scheme to enhance the area. As such, subject to the conditions, the scheme is considered to be acceptable in regards to Policy BE1 and impact on the surrounding area.

## 3. Arboriculture

- 3.1 Policy NR4 of the Local Plan Strategy states that the District's trees, woodland and hedgerows are important visual and ecological assets.
- 3.2 Following the submission of indicative landscape proposals, the Tree Officer is satisfied that the development scheme will not have a detrimental impact upon the onsite TPO'd trees and considers that the previous approved landscaping works can be achieved, subject to a landscaping condition. As such, the development proposals are considered to be acceptable on arboricultural grounds.



#### 4. Ecology

- 4.1 Local Plan Strategy Policy NR3 requires that a net gain to biodiversity should be delivered through all development.
- 4.2 The Council's Ecologist has considered the scheme and, following the submission of a Preliminary Ecological Appraisal, concludes that they are satisfied that the proposed works are unlikely to negatively impact upon protected or priority species or habitats.
- 4.3 A planning condition is recommended requiring the applicant to comply with the recommendations and methods of working stated within the submitted PEA. On this basis, the development proposal is considered to be acceptable on ecology grounds.

#### 5. Access and Highway Safety

- 5.1 Neighbours have raised concerns in respect of the proposal's impact on highway safety. Whilst noted, the Staffordshire County Council Highways Officer has assessed the scheme and has confirmed that they have no objections and require no planning conditions to be imposed on any forthcoming planning consent. As such, the scheme is considered to be acceptable on highway grounds.

#### 6. Archaeology

- 6.1 Core Policy 14 of the Local Plan Strategy states that the District Council will protect and improve the built environment and have special regard to the conservation and enhancement of the historic environment through positive action and partnership working.
- 6.2 Policy BE2 of the Local Plan Allocations Document states that development proposals which conserve and enhance our historic environment will be supported where the development will not result in harm to the significance of the heritage asset or setting.
- 6.3 Due to the site's location within the 19<sup>th</sup> century Lichfield Workhouse and Infirmary, albeit away from the core areas of it, the SCC Archaeology Officer was consulted on the development scheme. They had no objections due to the overall low potential for encountering archaeological remains. As such, the scheme is considered to be acceptable on archaeological grounds.

#### 7. Human Rights

- 7.1 The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

### **Conclusion**

The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the suitability of development proposals.

The scheme is considered to be an appropriate and sustainable form of development in this location that will not have a detrimental impact upon the street scene or character and appearance of the

surrounding area. There are no outstanding material considerations and concerns raised by the Arboriculture Officer have been sufficiently addressed. Consequently, it is recommended that this application be approved, subject to conditions, as set out above.

## ITEM C

APPLICATIONS FOR DETERMINATION BY THE COUNTY COUNCIL ON WHICH OBSERVATIONS ARE REQUIRED (IF ANY); CONSULTATIONS RECEIVED FROM NEIGHBOURING LOCAL AUTHORITIES ON WHICH OBSERVATIONS ARE REQUIRED (IF ANY); AND/OR CONSULTATIONS SUBMITTED IN RELATION TO CROWN APPLICATIONS IN ACCORDANCE WITH THE PLANNING PRACTICE GUIDANCE ON WHICH OBSERVATIONS ARE REQUIRED (IF ANY).

7 February 2022

### CONTENTS

Case No.	Site Address	Authority
21/02119/SCC (SCC/21/0057/VOC)	Alrewas Quarry Croxall Road Alrewas Burton Upon Trent	Staffordshire County Council

# Submission to Planning Committee

07 February 2022

Agenda Item 4C

Contact Officer: Caroline Burn

Telephone: 07929 793599

## Report of Chief Executive

**Staffordshire County Council Consultation (SCC/21/0057/VOC)**  
**Our ref: 21/02119/SCC**

**Planning application No.SCC/21/0057/VOC to vary (not comply with) conditions 1 (definition of consent) and 8 (limits to extraction) of planning permission L.19/03/817 MW for a minor amendment to extraction limit at Alrewas Quarry, Croxall Road, Alrewas, DE13 7LR**

### **1. Purpose of Report**

- 1.1 To seek Members comments regarding the information for application SCC/21/0057/VOC submitted to Staffordshire County Council as the determining body and noting an extension of the consultation period until the 10<sup>th</sup> February 2021 for Lichfield District Council to provide comments.

### **2. Site and Background**

- 2.1 The application relates to land to the west of Whitemoor Lakes, to the west of Whitemoor Haye Farm and Barley Green Lane, north of Roddige Lane, east of the A38 and south of Ridget Lane, within Alrewas Parish. The application relates to a small area of land of c. 0.85 hectares, which is immediately adjacent to Phase 4A of the existing operational quarry. The site is currently agricultural land with a soil bund of 2.5m height located to the west of Whitemoor Haye Farm.
- 2.2 The existing operational quarry is permitted under planning permission L.19/03/817 MW for the "*application not to comply with (to vary) Conditions 11 (the quantity of exported sand and gravel), 12 (the quantity of imported inert restoration material), 24 (the operating hours) and 38 (the number of HGV movements) of planning permission L.14/03/817 MW at Alrewas Quarry, Croxall Road, Alrewas*". There are 66 planning conditions associated with this permission, a number of which require submission of schemes and details prior to commencement.
- 2.3 In addition, planning consent L.19/09/817 MW granted on 21<sup>st</sup> June 2021 allows a southern extension to the site which is yet to be implemented.
- 2.4 The mineral reserves in Phases 1, 2 and 3 are already worked out save for small areas. Operations are currently situated in Phase 4, where Phase 4C is largely worked out and operations are now focused on extraction of minerals from Phases 4B and 4A.

### **3. The Proposal**

- 3.1 The proposal is to extend the area of extraction by c. 0.85 hectares on land that is immediately adjacent to Phase 4A, within the red line boundary for the existing planning consents. The sand and gravel deposit in this area has a typical depth of c. 2.5m and it is estimated that if the area were to be extracted this would release c. 30-35,000 tonnes. The extent of the area equates to less than 1% of the already consented scheme in floorspace and tonnage.
- 3.2 In planning terms, the above proposal would be achieved by varying the following conditions attached to planning consent L.19/03/817 MW:
- Condition 1 (Definition of the consent)  
Condition 8 (Limits to extraction)
- 3.3 A full description of the proposal is provided within the application documents which can be viewed on the County Council's website here:  
<https://planning.agileapplications.co.uk/staffordshire/application-details/28399>

### **4. Determination, consultation & notification process**

- 4.1 Staffordshire County Council is the determining authority for this application in accordance with Paragraph 1 of Schedule 1 of the 1990 Act which states that "*county matter*" means in relation to any application, order or notice –
- (a) the winning and working of minerals in, on or under land (whether by surface or underground working) or the erection of any building, plant or machinery*
- (i) which it is proposed to use in connection with the winning and working of minerals or with their treatment or disposal in or on land adjoining the site of the working;*
- And,
- (f) the erection of any building, plant or machinery which it is proposed to use for the coating of roadstone or the production of concrete or of concrete products or artificial aggregates, where the building, plant or machinery is to be erected in or on land which forms part of or adjoins a site used or proposed to be used*
- (i) for the winning and working of minerals.*
- 4.2 Lichfield District Council have been consulted on this application under the County Council's statutory requirements. The District Council received the consultation notification for the above application on 23<sup>rd</sup> December 2021, the consultation period was for 21 days. Notification was sent to the Councillors of Alrewas and Fradley Ward on 7<sup>th</sup> January 2022. On 11<sup>th</sup> January 2022, the Councillors requested that this application be discussed at the District Council's Planning Committee. Following this request Staffordshire County Council agreed to extend the consultation period to 10<sup>th</sup> February 2022, so that the consultation may be discussed at Planning Committee on the 7<sup>th</sup> February 2022 and any comments be incorporated into the District Councils response.

### **5. Planning Policy**

#### *Minerals Local Plan*

- 5.1 The site is located within the 'mineral safeguarding area' for sand and gravel drift on Lichfield District Councils mapping system. The Staffordshire County Council's 'Minerals Local Plan for Staffordshire 2015 to 2030' is the key planning policy document for this application. The site falls within an area identified as an 'Existing Permitted Sand and Gravel Site' on Inset 6 of the Minerals Local Plan.

- 5.2 Policy 4 of the Minerals Local Plan states the environmental considerations that must be taken into account when determining proposals for mineral development. Staffordshire County Council as the determining authority will determine the application against the Minerals Local Plan.

#### *Local development plan*

- 5.3 The local development plan comprises the Lichfield District Local Plan Strategy, Local Plan Allocations; and the Alrewas Neighbourhood Plan.
- 5.4 The Lichfield District Local Plan Strategy states in Core Policy 3 (Delivering Sustainable Development) and Core Policy 13 (Natural Resources) that development should avoid sterilisation of mineral resources. The local development plan contain policies with regards to design, residential amenity, highway safety, ecology, arboriculture, and heritage. Staffordshire County Council will have regard to the local development plan when determining the application.

## **6. Other**

### **Environmental Health**

- 6.1 Lichfield District Council's Environmental Health Officer has been consulted and states that:

*"I am satisfied that the impacts of the minor amendments would not, in the main, be sufficient to be considered significant and observe in regards noise and dust impacts.*

*There is however some uncertainty as to whether Whitemoor Haye Farm will be occupied during the extended operations. If a residential element of the farm is still to be occupied, then I would advise that a noise impact assessment should be submitted by the applicant to take account of this and demonstrate whether impacts are acceptable, prior to permission being granted".*

## **7. Recommendation**

- 7.1 **No objection:** Lichfield District Council raise no objections in principle to the proposed variation of the planning consent, provided that the County Council are satisfied that the proposals will not impact on traffic/transport, residential amenity (in particular those enjoyed by the occupiers of Whitemoor Haye Farm) or protected species.
- 7.2 The Planning Committee should review the application documents submitted to the County Council and provide comments on this consultation that may be referred to the County Council for their consideration. Any comments should be based on material planning considerations.