

# Special Planning Committee

29 April 2021

## Agenda Item 4

Contact Officer: Claire Billings

Telephone: 01543 308171

## Report of the Head of Economic Growth and Development

### 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**

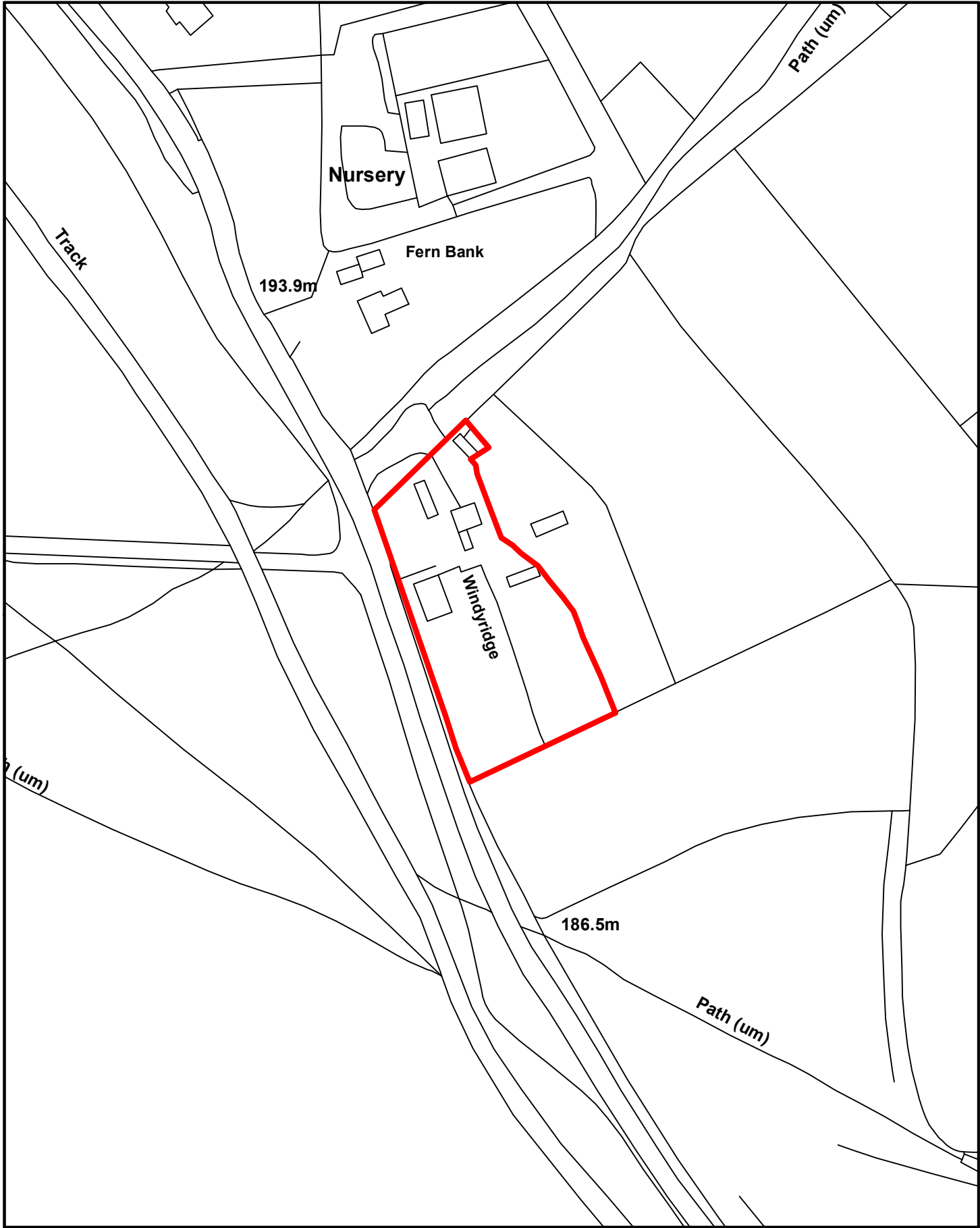
#### **APPLICATIONS FOR DETERMINATION BY COMMITTEE: FULL REPORT**

**29 April 2021**

Case No.	Site Address	Parish/Town Council
20/01085/FUL	Windy Ridge, Commonside, Gentleshaw	Longdon
20/00932/FUL	The Grange, Church Street, Chasetown	Burntwood

NOTE: An extract of the Supplementary from the 12<sup>th</sup> April 2021 Planning Committee for both of the above planning applications follows at the end of the agenda.

<div><div>Lichfield</div><div>district council</div><div>www.lichfielddc.gov.uk</div><div>District Council House</div><div>Frog Lane</div><div>Lichfield</div><div>Staffs</div><div>WS13 6YY</div><div>Telephone: 01543 308000</div><div>enquiries@lichfielddc.gov.uk</div></div>	<div>LOCATION PLAN</div> <div>20/01085/FUL</div> <div>Windy Ridge Commonsides</div> <div>Gentleshaw Rugeley</div>	Scale: 1:1,250	Dated: March 2021	<div><div>N</div><div>W</div><div>E</div><div>S</div></div>
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**20/01085/FUL**

**Demolition of existing dwelling to be replaced by erection of a 4 bed dwelling and associated works**

**Windy Ridge, Commonside, Gentleshaw, Rugeley  
FOR Mr & Ms I & J Toddington & Harrison**

Registered **01/10/2020**

**Parish: Longdon**

**Note:** This application is being reported to the Planning Committee due to a call in by Councillor Strachan on 4.11.2020 for the following reasons:

- design and block form of this proposed development would be incongruous in the street scene and not in keeping with the rural aesthetic of this part of Gentleshaw
- potential detrimental impact upon the surrounding Green Belt and Area of Outstanding Natural Beauty (AONB).

**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 COMMENCEMENT:**

3. Before the development hereby approved is commenced, full details of proposed site levels and finished floor levels, including full details of the site access and road levels and gradient, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
4. Before the development hereby approved is commenced, a Construction Environment Management Plan and Habitat Management Plan shall be submitted to and approved by the Local Planning Authority in writing. The plans shall include details of the following:
  - a. parking for of vehicles of site personnel, operatives and visitors
  - b. loading and unloading of plant and materials
  - c. storage area of plant and materials used during the construction of the development.
  - d. Revised Biodiversity Metric detailing measurable net gain to biodiversity including a location plan.
  - e. Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulfur).
  - f. Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilized for habitat creation.
  - g. Details of both species composition and abundance (% within seed mix etc.) where planting is to occur
  - h. Proposed management prescriptions for all habitats for a period of no less than 25 years.

- i. Assurances of achievability.
- j. Timetable of delivery for all habitats.
- k. A timetable of future ecological monitoring to insure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.
- l. These approved details shall be provided and maintained during the construction of the development.

**ALL OTHER CONDITIONS TO BE COMPLIED WITH:**

- 5. Within 6 months of the development proposal being occupied, a landscaping scheme/plan detailing of hard and soft landscaping as well as compensatory planting shall be submitted to and approved in writing by the Local Planning Authority. As part of the landscaping scheme/plan, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details. Development shall thereafter be undertaken in accordance with the approved details.

- 6. No development shall commence above ground floor slab level until details of the following to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority.

- a) The bricks to be used in the construction of the external walls,
- b) The exterior roof materials,
- c) Exterior finish of windows and doors (including roof lights and garage doors),
- d) A sample panel of the mortar mix, colour, gauge of jointing and pointing and the brick bond to be used,
- e) Any proposed eaves detailing,
- f) Design and materials of rainwater goods, and
- g) Boundary treatments (other than those agreed for the front boundary).

The development shall thereafter be implemented in accordance with the approved details and retained as such for the life of the development.

- 7. The development hereby permitted shall take place in full accordance with the recommendations and methods of working detailed within the Ecological Impact Assessment (reference 2020-12(03)) produced by Ecolocation in January 2021.
- 8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any order revoking or re-enacting that Order with or without modification, no development contained within Parts 1, 2 and 40 of Schedule 2 of the Order shall be carried out.
- 9. Within one month of completion, a bat box shall be installed on one of the new dwelling in accordance with details submitted to and approved by the Local Planning Authority in writing. The bat box shall thereafter be retained as such for the life of the development.
- 10. The development hereby permitted shall not be brought into use until parking and turning areas have been provided in accordance with details submitted to and approved by the Local Planning Authority in writing. The parking and turning areas as approved shall thereafter be retained at all times for their designated purposes.
- 11. The existing frontage hedgerow along Commonsides will be retained and maintained at a minimum height of 3 metres and 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 Policy BE1 of the Local Plan Strategy and the National Planning Practice Guidance.
3. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
4. In the interests of highway safety in accordance with Policy ST2 of the Local Plan Strategy and relevant guidance set out within the National Planning Policy Framework and in order to encourage enhancements in biodiversity and habitat, in accordance with Core Policies 3 and 13 and Policy NR3 of the Local Plan Strategy and government guidance contained in the National Planning Policy Framework.
5. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
6. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
7. In order to encourage enhancements in biodiversity and habitat, in accordance with Core Policies 3 and 13 and Policy NR3 of the Local Plan Strategy and government guidance contained in the National Planning Policy Framework.
8. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
9. In order to encourage enhancements in biodiversity and habitat, in accordance with Core Policies 3 and 13 and Policy NR3 of the Local Plan Strategy and government guidance contained in the National Planning Policy Framework.
10. To prevent indiscriminate parking and obstruction of the highway in the interests of highway safety, in accordance with Policy ST2 of the Local Plan Strategy and relevant guidance set out within the National Planning Policy Framework.
11. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.

## **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).
5. A Public Bridleway runs adjacent the site access of Commonside and no works should be undertaken which might adversely affect the rights of users.
6. No demolition work hereby approved shall be commenced, until a Natural England / DEFRA Bat License has been approved and mitigation completed where appropriate. Once the license has been approved it shall be presented to the Local Planning Authority prior to the commencement of works.

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## **PLANNING POLICY**

### **National Planning Policy**

National Planning Policy Framework

National Planning Practice Guidance

### **Local Plan Strategy**

Policy H1 – A Balanced Housing Market

Policy NR4 – Trees, Woodland and Hedgerows

Policy NR3 – Biodiversity, Protected Species and their Habitats

Policy BE1 – High Quality Development

Policy NR7 – Cannock Chase Special Area of Conservation

Core Policy 1 – The Spatial Strategy

Core Policy 2 – Presumption in Favour of Sustainable Development

Core Policy 3 – Delivering Sustainable Development

Core Policy 6 – Housing Delivery

Policy ST2 – Parking Provision

Policy NR2 – Development in the Green Belt

Policy NR7 – Cannock Chase Special Area of Conservation

Policy Rural 1

Policy Rural 2

### **Local Plan Allocations**

N/A

### **Longdon Neighbourhood Plan**

Policy 4 - Landscape and Built Environment

Policy 7 - Housing Policies

Policy 8 - Supporting Development.

### **Supplementary Planning Document**

Sustainable Design SPD

Trees, Landscaping and Development SPD

## Local Plan Review: Preferred Options (2018-2040)

### RELEVANT PLANNING HISTORY

19/01477/FUH      Two storey extension to side      Approve      09/12/2019

### CONSULTATIONS

**Longdon Parish Council** - No objections/comments - (14th October 2020)

#### **Ecology Team - LDC**

##### Bats

The Ecology Team are satisfied with the methodology and the information provided within the submitted Bat and Bird Surveys and attached Ecological Impact Assessment in relation to Bats. The Ecology Team concurs with the conclusions of the survey in that (given the data provided) it can now be considered that the status of the roosts are known and that the presence of protected species (brown long eared bats) and the extent that they may be affected by the proposed development has been established and satisfactory measures have been recommended (outline mitigation/compensation and method statement) to protect the species identified as well as enhancements. It is understood that a bat loft will be included in the new dwelling.

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).

However, all recommendations and methods of working detailed within the Bat Survey and Ecological impact Assessment must be made a condition of any future planning approval i.e. obtaining a Natural England License for bats including submission to the LPA prior to commencement of works and new roosting provision.

In such instances where a bat mitigation licence is considered to be required a clear case of how the three license tests to destroy a roost must be satisfied as part of the planning application and decision making process. This is to assure the planning authority of the likelihood that any conditioned licence will be granted by Natural England.

The applicant needs to demonstrate three tests in the licence application to a high standard of proof; that the development will:

- 'preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';
- 'that there is no satisfactory alternative'; and
- 'that the development 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

These are the three tests that will be asked for by Natural England should a legal case be brought as a result of any public inquiry, failure to deliver these by Lichfield District Council as the Planning Authority will result in partial liability resting with the Authority.



## Ecological Impact Assessment

The Ecology Team is satisfied with the methodology and the information provided within the submitted Ecological Impact Assessment. The Ecology Team concurs with the conclusions 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) in a manner as defined as an offence under the Conservation of Natural Habitats Regulations (Habitat Regs.) 1994 (as amended 2017); or upon a protected or priority species or habitat, as defined by the Wildlife and Countryside Act 1981 (as amended 2016); The Protection of Badgers Act 1992 or listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006). This is subject to adherence with the suggested measures of avoidance, mitigation and compensation outlined in the EIA.

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).

However, all recommendations and methods of working detailed within the Ecological Impact Assessment must be made a condition of any future planning approval (i.e. Section 5. Avoidance, Mitigation and Compensation).

## Submission of CEMP and HMP

Due to the close proximity of Gentleshaw Common SSSI and proposed habitat creation, it is imperative that a Construction Environment Management Plan and Habitat Management Plan be submitted as part of a planning condition. This is to further reduce any potential impacts such as pollution, run off, dust, unnecessary light spillage, protected species avoidance measures as detailed in the EIA etc.

With regards to the proposed habitat creation of lowland meadow, the ecology team considers heathland creation or acid grassland creation to be more appropriate as the site is directly adjacent to Gentleshaw Common which is nationally recognized lowland heathland. The development footprint is also identified as being within the heathland corridor of the Nature Recovery Network Mapping that forms part of the local Plan evidence base.

The applicant will need to submit to the LPA a Construction Environment Management Plan (CEMP) and a Habitat Management Plan (HMP) detailing, in full, the future habitat creation works (and sustained good management thereof). This information can become a pre-commencement condition of any future planning approval.

Within the combined CEMP/HMP documents the following information will need to be provided so that the LPA can assess the likelihood of any proposed habitat creation works being successful in achieving both desired habitat type and condition.

Information submitted within the CEMP/HMP should and expand upon the information provided within Ecology Impact Assessment and must detail:

- Revised Biodiversity Metric detailing measurable net gain to biodiversity including a location plan.
- Current soil conditions of any areas designated for habitat creation and detailing of what conditioning must occur to the soil prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulfur).
- Descriptions and mapping of all exclusion zones (both vehicular and for storage of materials) to be enforced during construction to avoid any unnecessary soil compaction on area to be utilized for habitat creation.

- Details of both species composition and abundance (% within seed mix etc.) where planting is to occur
- Proposed management prescriptions for all habitats for a period of no less than 25 years.
- Assurances of achievability.
- Timetable of delivery for all habitats.
- A timetable of future ecological monitoring to insure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.

In addition to the Ecology Team's comments detailed above the applicant is advised to consult the Biodiversity and Development Supplementary Planning Document (SPD) and take account of all advice detailed within where it may relate to their application. (1st March 2021)

**Ecology Team - LDC** – The team relate to previous comments regarding the requirement for an updated bat survey that is in context with the scheme (including mitigation/compensation requirements) and a PEA for the site due to the high presence of protected/priority species and the close proximity to the SSSI.

In addition to the Ecology Team's comments detailed above the applicant is advised to consult the Biodiversity and Development Supplementary Planning Document (SPD) and take account of all advice detailed within where it may relate to their application. (26th January 2021)

#### **Ecology Team - LDC -**

##### Full Ecological Assessment

Based on the sites location, the habitats apparently there present or adjacent (Gentleshaw Common SSSI) and due to the high amount of protected/priority species records with 2km (as shown by SER) it will be required that the applicant submits a Preliminary Ecological Appraisal for the site.

The Appraisal should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. The survey should be informed by the results of a search for ecological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on and where appropriate around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan

The assessment should identify and describe potential development impacts likely to harm designated sites, priority habitats or other listed biodiversity features (these should include both direct and indirect effects both during the construction phase and operational phase). Where harm is considered likely, evidence must be submitted to show:

- How alternatives designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.
- A biodiversity metric must be included to demonstrate no net loss to biodiversity. A net gain to biodiversity (20% habitat replacement ratio) must be demonstrated.

If PEA recommends further survey effort, it is essential that these be conducted prior to submission of a planning application.

The applicant must be able to display to the LPA the extent (if at all) that the proposed development scheme will impact upon protected and priority species (i.e. those defined under the Wildlife and Countryside Act 1981 (as amended 2016), The Conservation of Natural Habitats Regulations (Habitat Regs.) 1994 (as amended 2017), The Protection of Badgers Act 1992 or listed under section 41 of the Natural Environment and Rural Communities (NERC) Act 2006).

It is also important to establish whether protected species may be affected by the proposed development scheme at an early stage to allow this information to be considered when planning the developments design and timescales of work. All surveys should be completed in accordance with Natural England's Standing Advice for Protected Species and current best practice guidelines.

Where it is determined that protected or priority species are to be impacted upon by a proposed scheme the mitigation hierarchy must be adhered to: all attempts must be made for impacts to first be avoided; failing that the scale of the impact should be mitigated against; and if there still remains a residual negative effect this should be compensated for as part of the development scheme.

Failure by the applicant to recognise a development's impact on protected and/or priority species, avoid these impacts as far as is possible and/or incorporate suitable mitigation and compensation within a proposed scheme will likely result in refusal of the application at determination.

Surveys must therefore be completed, impact assessments carried out and all mitigation and compensation required to protect the species and its habitat incorporated into the scheme before preparation of final plans and/or permissions are sought.

### Bats

The buildings proposed for demolition show a number of features which would allow for their utilisation by bats as a place of shelter (roost). These included: slipped or raised roof tiles; and cracks/gaps along the roof ridge; all of which provide ingress opportunity to bats. The main house is known to be a bat roost for BLE bats.

The likelihood of bat utilisation is further increased by the numerous records (provided via the SER) of bat presence within the local vicinity of the proposed development (<2km). Additionally foraging areas of known high value to bats (i.e. the water courses, woodland spinneys, mature hedgerows, etc.) are located in close proximity to the planning application site. It is considered that the site of proposed development is linked to these high-value bat foraging habitats. A network of established linear features within the area (hedgerows) provides easily navigable routes for the commuting bats; further increasing the value of the habitat surrounding the development to bats and so the likelihood of utilisation of the building in question by them in some manner.

For the reasons aforementioned the applicant must conduct a Bat Assessment/survey that is in context with the scheme and submit it to the LPA for scrutiny prior to the determination of this application.

The Ecology Team are aware that a previous bat survey has been done at this site, however it could not be resubmitted as it is not in context with the current proposals neither is the mitigation proposed. The LPA would therefore not be able to satisfy the three licensing tests based on this information, thus not discharge our legal responsibilities.

For more information on Lichfield district Council's Bat Survey/Assessment requirements please see below.

### Bats

Due to the nature of the development particularly the features displayed upon the building, its location and the presence of bat species in the area the Ecology Team recommends that a bat survey be carried out that will confirm the presence and location of all bat roosts, commuter routes and foraging ground with regards to trees, hedgerows and all buildings prior to any planning decision being made. All Bat

surveys must meet the standards of the Bat Conservation Trust (BCT) Bat Surveys Good Practice Guidelines 2016 and Natural England's Standing Advice on Protected Species.

Where detailed visual assessment surveys are insufficient to ascertain bat usage of a building or feature then full emergence surveys must be conducted. Please note, unless otherwise specified or agreed, Lichfield District Council requires the survey effort for bat emergence surveys (i.e. dusk emergence and dawn re-entry surveys) must correspond to those set out in Table 7.3 of the BCT Bat Survey Good Practice Guidelines 2016. The survey effort must correspond to the level of roost suitability of a structure as determined by the Authority.

Following BCT guidance a Preliminary roost assessment can be carried out at any time of year, following this the Ecologist/LPA will determine whether further surveys are required.

All emergence/re-entry surveys must be completed during the optimal survey period of May to August (inclusive), unless prior approval has been received from the Ecology Team for surveys to be conducted in sub-optimal periods (April, September). Survey reports must also be accompanied by sonogram analysis. If the proposal is likely to disturb or damage a bat roost, a bat mitigation licence will be required to be attained by the applicant from Natural England as a condition of planning permission. Where a licence is required the applicant will need to provide to the planning authority a detailed method statement including reasonable avoidance and a full mitigation plan, in order to limit potential impacts to bats. This information is required prior to determination of the application.

In such instances where a bat mitigation licence is considered to be required a clear case of how the three license tests to destroy a roost will be satisfied must be submitted as part of the planning application to the planning authority. This is to assure the planning authority of the likelihood that any conditioned licence will be granted by Natural England.

The applicant needs to demonstrate three tests in the licence application to a high standard of proof; that the development will:

- preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment';
- 'that there is no satisfactory alternative', and
- 'that the development 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range'.

These are the three tests that will be asked for by Natural England should a legal case be brought as a result of any public enquiry, failure to deliver these by Lichfield District Council as the Planning Authority will result in partial liability resting with the Authority.

Full information will be necessary to assess bat presence on site, impacts from development and lighting and provide mitigation/enhancement proposals prior to the decision. Advice may also be sought from Natural England prior to submission of the application to ensure that they are also happy with proposals.

In addition to the Ecology Team's comments detailed above the applicant is advised to consult the Biodiversity and Development Supplementary Planning Document (SPD) and take account of all advice detailed within where it may relate to their application. (23rd October 2020)

**Western Power Distribution** - No Comments Received - (9th October 2020)

**South Staffs Water** - No Comments Received - (N/A)

**Severn Trent Water - All Staffordshire** - As the proposal has minimal impact on the public sewerage system, the team have no objections to the proposals and do not require a drainage condition to be applied. (20th October 2020)

**Central Networks** - No Comments Received - (N/A)

**Staffordshire County Council (Highways)** – There are no objections on Highway grounds to the proposed development subject to planning conditions, which relate to the implementation of parking and turning areas and the submission of a Construction Management Plan. (22nd October 2020)

**Staffordshire County Council (Flood Risk Officer)** – No objections. (23rd October 2020)

**Tree Officer - LDC** - Whilst the site is not within any designated conservation area and currently there are no TPO's, there are some trees but none of note, but the frontage hedgerow is clearly an important aspect of the street scene.

Whilst there are no arboricultural grounds for any objection to this proposal in its current form we do ask that if you were minded to approve this that a condition is placed on any permission that may be forthcoming that requires the retention of all the curtilage hedges. (12th October 2020)

**Cannock Chase AONB Unit** – The openness of the Green Belt in and around the AONB is an important element of the landscape and scenic beauty of the designated area, and sensitive development in the AONB critical to conserving and enhancing the natural beauty of the AONB.

The AONB does not object to the principle of replacing the dwelling and approved extension with a new, albeit slightly larger property, however there are a number of more detailed issues that I request are dealt with via Conditions to ensure that the proposal conserves and enhances the landscape and natural beauty of the AONB. (27<sup>th</sup> October 2020)

**Spatial Policy and Delivery Team** – The site falls within the rural area of Gentleshaw but is not located within an identified village settlement boundary. The development is located in the Green Belt and is within 15km of the Cannock Chase SAC. The proposed development falls within the designated Longdon Neighbourhood Plan area.

It is noted the site benefits from permission for the erection of a two storey side extension [Application Reference: 19/01477/FUH].

#### National Planning Policy Framework (NPPF)

In terms of national guidance, the NPPF includes a presumption in favour of sustainable development and this is echoed in Core Policy 2 of the Local Plan. 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. The NPPF gives examples of such policies, which include areas where policies relating to sites identified under the Birds and Habitats Directives and within the Green Belt.

Paragraph 143 of the NPPF states that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that the construction of new buildings should be regarded as inappropriate in the Green Belt, however it lists a number of exceptions to this which includes the replacement of a building, provided the new building is in the same use and is not materially larger than the one it replaces, this is relevant to this application.

Within the planning statement the applicant makes the case that the proposed development meets this exception, and compares the volume, footprint and floor area of the proposed development with the existing dwelling and permitted extension [Application Reference: 19/01477/FUH] to conclude the replacement building not materially larger. However, it is worth noting that the planning permission for the extension has not been implemented and therefore I will leave it to the case officer to

determine if the development is considered to 'not be materially larger than the one it replaces'. If the development is not considered to meet this exception then the proposed development would be inappropriate development within the Green Belt and very special circumstances would need to be demonstrated. The planning statement sets out what the applicant considers are very special circumstances which include the fallback position of implementing the permitted extension.

#### Local Plan Strategy and Allocations Document

The Lichfield District Local Plan Strategy was adopted 17th February 2015 and the Local Plan Allocations was adopted in July 2019 and provides up to date policies for the area.

Core Policy 1: The Spatial Strategy sets out the how Lichfield District will contribute to the achievement of sustainable development and to deliver housing in the most sustainable settlements, making best use of and improving existing infrastructure. The policy refers to smaller villages accommodating housing to meet local needs, mainly within identified village boundaries, unless supported as a rural exception site.

Core Policy 3: Delivering Sustainable Development lists a number of key issues that development should address in order to ensure sustainable development. The following key issues are relevant 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 re-use of previously developed land in the most sustainable locations.

Policy NR2: Development in the Green Belt, replicates national planning policy in relation to Green Belt, states that development within the Green Belt must 'retain its character and openness', and that inappropriate development 'will not be approved except in very special circumstances'. It also states that 'The construction of new buildings is regarded as inappropriate in the Green Belt, unless it is for one of the exceptions listed in the National Planning Policy Framework'.

#### Longdon Neighbourhood Plan

The site lies within the designated boundary of the Longdon Neighbourhood Plan area. The plan became 'made' on the 9 October 2018. Policies of relevance to this application are Policy 4: Landscape and Built Environment, Policy 7: Housing Policies and Policy 8: Supporting Development.

#### Contributions

The following contributions should be sought if the District Council is minded to support this proposal:

##### a) Community Infrastructure Levy:

The District Council adopted its Community Infrastructure Levy (CIL) on 19th April 2016 and commenced charging on 13th June 2016. A CIL charge will apply to all relevant applications determined after this date. The application site lies within the Higher Value Zone of the CIL Charging Schedule, and would be charged at a rate of £55 per square metre.

##### b) Cannock Chase SAC

The Regulation 123 list adopted on the 22nd February 2017 states that CIL payments secured may be spent on measures for preventing harm to the CCSAC. In addition, the Regulation 123 list goes on to identify measures to enable developments within the 0-8km Zone of influence, to satisfy Habitats Regulations. Developments exempt from a CIL contribution will be required to mitigate against harm through either a S106 or unilateral undertaking.

In conclusion, the applicant argues that the proposed development meets the exceptions listed in the NPPF as it is a replacement dwelling which is not materially larger than the one it replaces, however this is when compared to the existing dwelling and permitted extension. The team will leave it to the case officer to determine whether the development meets this exception and if not whether very

special circumstances have been demonstrated to outweigh the harm to the green belt. (27th October 2020)

### **LETTERS OF REPRESENTATION**

1 letters of representation have been received in respect of this application. The comments made are summarised as follows:

- The proposal will have a detrimental impact upon the character of the surrounding area.
- The proposal will have a negative ecological impact.
- The proposal will have a detrimental impact upon the surrounding Green Belt and AONB.

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

DrNo 5359.99 Location Plan, A, DrNo 5359.01 Existing Site Plan, A, DrNo 5359.02 Proposed Site Plan, A, DrNo C5.01.01.19 Existing Floor Plan, A, DrNo C5.01.02.19 Existing Elevations, DrNo C5.01.03.19 Existing Elevations, DrNo C5.100.01.20 Proposed 4 Bed Detached House, A,

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### **OBSERVATIONS**

#### **Site and Location**

The application site relates to Windy Ridge, located on the eastern side of Commonsides. The existing house is a two storey three bedroom detached dwelling built in a mixture of stone and render. It is a poor state of repair. There are a number of single storey outbuildings on the site, the majority of which are constructed of corrugated iron sheets. Access is achieved via a gated access taken from Commonsides to the west. The application site is located to the east of the existing dwelling and comprises a lawned area, with mature trees and hedgerows located at its boundaries.

The surrounding area is predominantly rural, with low density residential development located along Commonsides. Neighbouring properties are characterised by large detached dwellings set within spacious plots.

The application site is located within Green Belt and the Cannock Chase Area of Outstanding Natural Beauty.

#### **Background**

Planning permission was granted in December 2019 (planning reference 19/01477/FUH) for the erection of a two storey side extension. The extension has not been implemented.

#### **Proposals**

This application seeks permission for the demolition of the existing detached dwelling and erection of a 4no bedroom dwelling and associated works comprising access and parking areas.

The new dwelling will be located to the south-east of the existing dwelling to be demolished. The new dwelling will be of traditional design, with a stacked chimney breast, protruding gables and a canopy porch at the front elevation. The on-site outbuildings will also be removed as part of the development scheme.

Vehicular access to the application site will utilise the existing vehicular access on to Commonsides. There is an existing area of hardstanding that can accommodate a minimum of four vehicles.

#### **Determining Issues**

1. Policy & Principle of Development

2. Design and Layout
3. Residential Amenity
4. Access and Highway Safety
5. Impact on Trees
6. Ecology
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 2008-2019.
- 1.2 Core Policy 1 of the Local Plan Strategy seeks to locate new growth in sustainable settlements and identifies 5 key rural settlements to accommodate growth. Huddlesford does not have a designated settlement boundary and is not identified as a key rural settlement.
- 1.3 Core Policy 6 of the Local Plan Strategy expands upon Core Policy 1 with regard to the provision of housing within the District. The policy identifies Lichfield City, Burntwood and the key rural settlements as the focus for residential development.
- 1.4 Policy Rural 1 states that smaller villages will deliver housing to accommodate local needs and that 5% of the District's housing will be met within the village boundaries through the conversion of existing buildings and to meet identified local needs on rural exception sites. These sites will be considered through the Local Plan Allocations and community led plans. Policy Rural 2 states that support will be given to small scale development to meet local needs where the need is clearly and robustly evidenced by the local community.
- 1.5 The site is located outside a designated settlement boundary and is not allocated for residential development via the Local Plan Allocations Plan. However, the proposed development does not comprise the erection of a new dwelling, instead the redevelopment of previously developed land of which is in residential use. As such, it must therefore be concluded that the proposed development, comprises appropriate development in housing policy terms and comprises with relevant policies as contained within the Development Plan.

## Green Belt Considerations

### *Green Belt Policy*

- 1.6 The application site is located within the West Midlands Green Belt and outside of the settlement boundary therefore is subject to a stricter degree of control in order to ensure that any development preserves the special characteristics and openness of the area. Local Plan Policy NR2 replicates national planning policy in relation to Green Belt.
- 1.7 Paragraph 145 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate development in the Green Belt. An exception to this is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- 1.8 The proposed development will remain in residential use. The volume of the existing dwelling comprises 427 m<sup>3</sup>, increasing to 560 m<sup>3</sup> once the volume of the permitted two storey extension is included of which comprised 127 m<sup>3</sup> giving an overall total of 554 m<sup>3</sup>. The proposed dwelling has a volume of 560 m<sup>3</sup>, this being 6m<sup>3</sup> (1%) greater than the existing dwelling together with its permitted extension. In respect of this, the development is not considered to be materially larger than the dwelling it is replacing and so is compliant with paragraph 145 of the National Planning Policy Framework.



### *Impact on Openness*

- 1.9 The development does not constitute isolated development, given that the site currently comprises residential development and is heavily screened from the surrounding area by mature vegetation. Although the application proposal would result in development on land which is currently free from built form, the plot is not remote and isolated from areas of hardstanding would share a visual and functional relationship with buildings and hardstanding in the area. Views of the proposed development would be limited from Commonside, as it is located behind hedgerows and so would not appear visually prominent from the public highway and would be viewed in the context of the existing residential site. Therefore, it is considered that the proposal will have a limited impact on openness and accords with Paragraph 146 of the NPPF and Policy NR2 of the Lichfield District Local Plan.

### AONB

- 1.10 In respect of the application site's location within the Area of Outstanding Beauty (AONB), the Cannock Chase AONB Partnership team have been consulted and requested to provide formal comments on the acceptability of the scheme. The team concluded that they have no objections, subject to conditions which will ensure that the proposal conserves and enhances the landscape and natural beauty of the AONB. As such, the development proposal is considered to be acceptable on these grounds and will not have a detrimental impact upon the character and wider landscape of the AONB.

## 2. Design and Layout

- 2.1 Policy BE1 of the adopted Local Plan Strategy requires development proposals to ensure that a high quality sustainable built environment can be achieved. Development will be permitted where it can be demonstrated that it will have a positive impact on the significance of the historic environment and reducing carbon emissions. New development should carefully respect the character of the surrounding area and development in terms of layout, size, scale, architectural design and public views must have a positive impact upon amenity by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance.
- 2.2 Core Policy 3 of the Local Plan Strategy requires development to contribute to the creation and maintenance of sustainable communities. To achieve this, development should protect and enhance the character and distinctiveness of Lichfield District and its settlements; protect the amenity of our residents and seek to improve their overall quality of life through the provision of appropriate infrastructure, services and facilities; be of a scale and nature appropriate to its locality; encourage the re-use of previously developed land in the most sustainable locations, and encouraging the reuse of buildings as a sustainable option; ensure that all new development conversion schemes are located and designed to maximise 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; and maximise opportunities to protect and enhance biodiversity, geodiversity and green infrastructure and utilise opportunities to facilitate urban cooling.
- 2.3 Whilst there are no properties immediately adjacent to the site, dwellings along Commonside are characterised by 1950s detached properties, a number of which have been modified and extended. It is considered that the proposal will not have a detrimental impact upon the character and appearance of the existing street scene and the proposal, in respect of its high quality and sustainable design, will raise the standard of development within the area more generally. As such, in respect of design, the proposal is considered to comply with policies BE1 and CP3 of the Local Plan Strategy, guidance contained within the Sustainable Design SPD and relevant guidance contained within the National Planning Policy Framework.

- 2.4 As such, it is considered that the proposed dwellings in term of design, appearance and layout make a positive contribution to the street scene and improve the quality of built development in the area more generally. It is therefore considered that the proposal complies with Policy BE1 and CP3 and relevant policy contained within the NPPF.

### 3. Residential Amenity

- 3.1 The Sustainable Design SPD includes recommendations for dwellings and amenity standards in order to ensure residential privacy is preserved. These include a minimum distance separation of 21m between facing principal windows; 10m from first floor windows to boundaries shared with neighbours' private amenity space; 6m from ground floor windows to site boundaries except where no overlooking is demonstrated; and a minimum of 13m between principal windows and blank two storey elevations of neighbouring dwellings.
- 3.2 Separation distances are considered to be in accordance with policy requirements, with no overlooking of neighbouring properties. It is considered that overall the proposal would provide future users with an adequate level of amenity and would not result in an unacceptable detrimental impact on the amenity of current and future occupiers of surrounding residential dwellings in accordance with the Sustainable Design SPD; the amenity space of each dwelling exceeds requirements set out in the SPD with 65sqm for 3-4 bedroom dwellings and 100sqm for 5 bedroom dwellings. As such, the proposal will accord with the Development Plan and the National Planning Policy Framework in this regard.
- 3.3 As the property does not have any immediate adjoining properties, it is considered that the proposal's impact upon neighbouring occupier's amenity will be minimal and there will be no undue impact in terms of overlooking or overshadowing. Furthermore, it is considered that the scheme provides an adequate level of occupier amenity and therefore complies with Policy BE1, Core Policy 3 and guidance contained within the Sustainable Design SPD.
- 3.4 As such it is considered that the proposal, in terms of residential amenity, complies with the requirements of Policy BE1 of the Local Plan Strategy and guidance set out in the Sustainable Development SPD.

### 4. Highways and Access

- 4.1 Policy ST2 of the Local Plan Strategy requires appropriate provision to be made for off street parking in development proposals in accordance with its maximum parking standards set out in the Sustainable Design SPD, which requires 3 vehicle spaces for 5 or more bedroom dwellings.
- 4.2 The Staffordshire County Council Highways Team have been consulted and now have no objections to the scheme. Conditions have been suggested, relating to the implementation of the access points which will be attached to any forthcoming permission. As such, the proposals are considered to comply with Policy ST2 of the Local Plan Strategy and relevant guidance contained within the NPPF.

### 5. Ecology

- 5.1 Policy NR3 of the Local Plan Strategy states that development will only be permitted where it protects, enhances, restores and implements appropriate conservation management of the biodiversity and/or geodiversity value of the land and buildings minimises fragmentation and maximise opportunities for restoration, enhancements and connection of natural habitats (including links to habitats outside Lichfield District) and incorporates beneficial biodiversity and/or geodiversity conservation features, including features that will help wildlife to adapt to climate change where appropriate.

- 5.2 The Ecology Team have been consulted and have no objections to the proposal, following the submission of a Preliminary Ecological Appraisal which concludes that the development proposal is unlikely to detrimentally impact upon protected on site species. A pre-commencement condition will be imposed on any forthcoming permission requiring the submission of a Construction Environment Management Plan and a Habitat Management Plan as well as requiring proof that a bat license for the works has been obtained by Natural England of which will also be conditioned. As such, the proposal is considered to be acceptable on ecological grounds and complies with Policy NR3 of the Local Plan Strategy.

## 6. Arboriculture

- 6.1 Policy NR4 of the Local Plan Strategy states that Lichfield District's trees, woodland and hedgerows are important visual and ecological assets in our towns, villages and countryside. In order to retain and provide local distinctiveness in the landscape, trees, veteran trees, woodland, ancient woodland, and hedgerows, are of particular significance. Trees and woodland will be protected from damage and retained, unless it can be demonstrated that removal is necessary and appropriate mitigation can be achieved.
- 6.2 The Arboricultural Officer is satisfied with the submitted landscaping scheme and tree protection plan and has no objections to the development proposals. However, the officer notes the importance of the frontage hedgerow and its' contribution to the street scene. As such, a condition is proposed which requires the retention of this hedgerows and therefore the proposal will meet the requirements of Policy NR4 of the LDLPS and the NPPF.

## 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 principle of residential development at this site is acceptable. The development would not have an adverse impact upon the character or appearance of the surrounding area, the amenity of neighbouring residents, and would provide an acceptable level of amenity for future occupants. There would not be a detrimental impact on highway safety, or ecology. As such the proposal accords with the Development Plan and NPPF. Therefore, it is recommended that this application be approved, subject to the conditions set out above

# LOCATION PLAN

20/00932/FUL

The Grange Church Street  
Chasetown

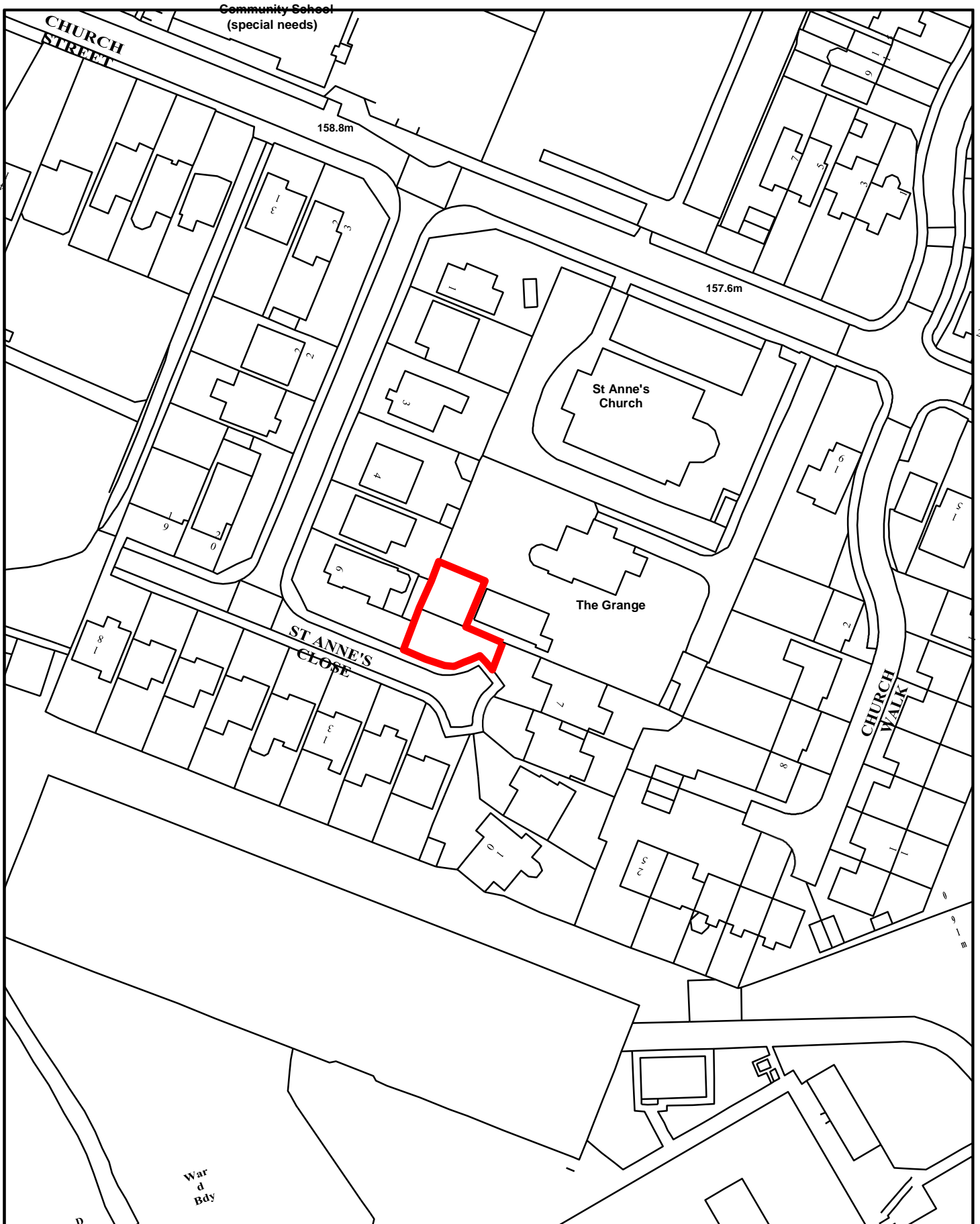
Scale:  
1:1,000

Dated:  
March 2021

Drawn By:

Drawing No:

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100017705



## **20/00932/FUL**

**Erection of 2 bedroom bungalow (resubmission of application 20/00331/FUL)  
The Grange, Church Street, Chasetown, Burntwood  
FOR Mr & Mrs Scott Wright**

**Registered:** 11/09/2020

**Parish:** Burntwood

**Note:** This planning application is being reported to the Planning Committee due to the comments of objection received from Burntwood Town Council and also the volume of neighbourhood objections which have been received. Burntwood Town Council have presented comments of objection on the grounds of:

- detrimental impact on the openness of the street scene
- loss of open space and amenity in the area
- increases the density of the residential buildings
- increases the associated vehicle use at the location

### **RECOMMENDATION:**

1. **Subject to the owners/ applicants first entering into a Unilateral Undertaking under the Town and County Planning Act 1990 (as amended), to secure contributions/ planning obligations towards:**
  - **The mitigation against adverse effects on the integrity of Cannock Chase Special Area of Conservation as outlined by Natural England. Subject to the relevant planning conditions.**
2. **If the Unilateral Undertaking is not signed/ completed by the 31 May 2021 or the expiration of any further agreed extension of time, then powers be delegated to officers to refuse planning permission based on the unacceptability of the development without the required contributions and undertakings as outlined within the report.**

**Then 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 hereby approved 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.
3. The materials and finishes for the proposed external walls, roof and windows shall accord with the descriptions/ details outlined within the approved documentation of this planning permission.
4. Before the first occupation of the dwelling hereby approved, the site access, within the limits of the public highway and the access drive within shall be completed. The driveway shall be formed in a porous bound material.

5. The proposed development must be undertaken in adherence to all recommendations and methods of working detailed within the Tree Report - Ref: BALDS017-20 and the Tree Protection Plan - Ref: BALDS017-20 TPP.
6. The proposed development must be undertaken in adherence to all recommendations and methods of working detailed within the Preliminary Bat Roost Assessment & Bird Survey - Ref: SK 0432 0797. IE. Removal of vegetation outside of bird nesting season March ' end of August, installation of a brick built bat box at the gable apex of north west elevation on the new dwelling, bat sensitive lighting, installation of two Sparrow terraces on the north west and south east gable elevations and strict adherence to the provided method of working. These features must be retained for the lifetime 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 Policy BE1 of the Local Plan Strategy and the National Planning Practice Guidance.
3. To ensure the satisfactory appearance of the development in accordance with the requirements of Policy BE1 of the Local Plan Strategy and the National Planning Policy Framework.
4. In the interest of highway safety in accordance with Policy BE1, Policy ST1 and Policy ST2 of the Local Plan Strategy, the Sustainable Design Supplementary Planning Document, and the National Planning Policy Framework.
5. To ensure the retention of trees within the site, in accordance with Policy BE1, Policy CP3, Policy NR3 and Policy NR4 of the Local Plan Strategy, the Sustainable Design Supplementary Planning Document, the Trees Landscaping and Development Supplementary Planning Document, and the National Planning Policy Framework.
6. To ensure an uplift in the site's biodiversity value in accordance with Policy BE1, Policy CP3, Policy NR3 and Policy NR4 of the Lichfield District Local Plan Strategy, the Biodiversity & Development Supplementary Planning Document, the Sustainable Design Supplementary Planning Document, the Trees Landscaping and Development Supplementary Planning Document, and the National Planning Policy Framework.

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

1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and 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).
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## **PLANNING POLICY:**

### **National Planning Policy**

National Planning Policy Framework

National Planning Practice Guidance

### **Lichfield Local Plan Strategy 2008-2029**

BE1 - High Quality Development

CP1 - The Spatial Strategy

CP2 - Presumption in Favour of Sustainable Development

CP3 - Delivering Sustainable Development

CP4 - Delivering our Infrastructure

CP6 - Housing Delivery

CP13 - Our Natural Resources

CP14 - Our Built & Historic Environment

NR3 - Biodiversity, Protected Species & their Habitats

NR4 - Trees, Woodland & Hedgerows

NR5 - Natural & Historic Landscape

NR7 - Cannock Chase Special Area of Conservation

SC1 - Sustainable Standards for Development

SC2 - Renewable Energy

ST1 - Sustainable Travel

ST2 - Parking Provision

### **Lichfield Local Plan Allocations 2008-2029**

BE2 - Heritage Assets

Policy Burntwood 1: Burntwood Environment

### **Supplementary Planning Documents**

Biodiversity & Development SPD

Developer Contributions SPD Historic

Environment SPD Sustainable Design

SPD

Trees Landscape & Development SPD

### **Neighbourhood Plans**

Neighbourhood Area Plan - Burntwood Town

### **Local Plan Review: Preferred Options (2018-2040)**

## **RELEVANT PLANNING HISTORY:**

20/00331/FUL	Erection of a two bedroom bungalow and garage with access and parking facilities	Withdrawn	23/06/2020
L6896	Alterations and Extensions	Approve	08/05/1980

L2667	Building for swimming pool	Approve	18/10/1976
L10277	Extension to existing dwelling	Approve	24/10/1983

### **CONSULTATIONS:**

**Burntwood Town Council:** Objection on the basis that this will have a detrimental impact on the street scene with loss of open space and amenity in the area. The removal of the garage does not mitigate the negative impact previously raised as a concern by Burntwood Town Council. The development itself and placing of another dwelling on the site increases the density of the residential buildings and increases the associated vehicle use at the location. This impacts negatively on the openness of the street scene and the enjoyment of local residents. (12 January 2021)

Previous Comments: Objection on the basis that this will have a detrimental impact on the street scene with loss of open space and amenity in the area. (24 September 2020)

**Ecology Team:** In addition to the previous comments the applicant is advised to consult the Biodiversity and Development Supplementary Planning Document (SPD) and take account of all advice detailed within where it may relate to their application. (18 January 2021)

Previous Comments: Satisfied with the methodology and the information provided within the submitted Preliminary Bat Roost Assessment and Bird Survey. Concurs with the conclusions of the assessment. 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 the Preliminary Bat Roost Assessment and Bird Survey must be made a condition of any future planning approval (i.e. Removal of vegetation outside of bird nesting season March ' end of August, installation of a brick built bat box at the gable apex of north west elevation on the new dwelling, bat sensitive lighting, installation of two Sparrow terraces on the north west and south east gable elevations and strict adherence to the provided method of working by all contractors). (14 October 2020)

**Conservation & Design Team:** The application site is within the setting of the Grade II\* listed St Anne's Church. A Heritage Statement has been supplied as part of this application that meets the requirements of the NPPF and Policy BE2. The Heritage Statement follows the Historic England guidance in assessing the setting of the Heritage Asset, how this contributes to the significance of the Heritage Asset and the potential impact of the proposed development on this significance. The Heritage Statement concludes that the proposed development would not harm the setting of the Heritage Asset and would not harm its significance. The proposals are therefore considered to comply with the relevant paragraphs of Section 16 of the NPPF and the relevant Local Plan policies including CP14, BE1 and BE2. (08 October 2020 & 12 January 2021)

**Natural England:** No objection subject to appropriate mitigation being secured. The application would have an adverse effect on the integrity of Cannock Chase Special Area of Conservation. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required. A suitable developer contribution should be secured, consistent with adopted local plan policy NR7 - Cannock Chase SAC and the Council's supporting document 'Cannock Chase SAC - Guidance to mitigate the impact of residential development'. An appropriate planning condition or obligation shall be attached to any planning permission to secure these measures. (07 October 2020 & 13 January 2021)

**Environmental Health Team:** No objection to the proposal in principle. Applicant advised that the proposed development is within a smoke control area. They should consider the following guidance if considering a solid fuel heating appliance <https://www.gov.uk/smoke-control-area-rules>. (19 October 2020 & 18 January 2021)

**Flood Risk Team (Staffordshire County Council):** As this application relates to a non-major development, we are a non-statutory consultees. No comments to offer. (25 January 2021)



**Highways (Staffordshire County Council):** There are no objections on highway grounds subject to the following conditions being included on any approval: 1) The development hereby permitted shall not be brought into use until the access to the site, within the limits of the public highway, has been completed. 2) The development hereby permitted shall not be brought into use until the access drive within the site has been surfaced in a porous bound material. (12 October 2020 & 21 January 2021)

**Severn Trent Water:** As the proposal has minimal impact on the public sewerage system there are no objections to the proposal and no drainage conditions required. (14 October 2020 & 19 January 2021)

**Arboricultural Officer:** Whilst the site is not within any designated conservation area there are a number of TPO'd, and as such the requirements of policies BE1, NR3&4 and the associated SPD are germane here. As such the applicant has provided us with a tree report to the required standard. We can confirm that the findings of the report are agreed. If you were minded to approve this proposal we would ask that a tree protection condition is placed on any permission that may be forthcoming that cites the tree report and TPP from Braemar. (24 September 2020 & 05 January 2021)

**Environment Agency:** No Comments Received.

#### **LETTERS OF REPRESENTATION:**

Nine different addresses have provided comments of objection in respect of this application. The comments made are summarised as follows:

- Out of keeping development
- Impact on the street scene
- Loss of openness, landscaping and trees
- Overdevelopment and increase in density
- Loss of amenity space
- Impacts on neighbouring amenity
- Increase in vehicle use
- Flood risk issues
- Historic context of existing site and surroundings

Throughout the consultation process the applicant has submitted for consideration further comments with the aim of addressing concerns arisen and reassuring neighbours.

On 17 February 2021 a neighbourhood collective response was received and considered by the Local Planning Authority.

#### **OTHER BACKGROUND DOCUMENTS:**

The following documents were submitted in support of this application:

Tree Report - BALDS017-20

Preliminary Bat Roost Assessment & Bird Survey - SK 0432 0797

Design & Access Statement - JMD 53-10

Heritage Report

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

Application Form

Existing Site Plan

Tree Protection Plan - BALDS017-20 TPP

Site Location Plan - JMD 498 02A Rev B

## **OBSERVATIONS:**

### **Site and Location**

The application site comprises of a parcel of land under the address of The Grange, Church Street, Chasetown, Burntwood. The parcel of land is accessed north from the St Anne's Close cul-de-sac, and sits between the properties of No.6 and No.7 St Anne's Close which are situated to the west and east of the application site respectively. The premises of The Grange and St Anne's C of E Church are situated to the north and the east of the application site. The existing surfaces of the application site currently comprise of turf, shrubs, bushes and gravel.

The locality of St Anne's Close is residential in nature comprising of a mixture of detached bungalows and detached two storey dwellings. The detached two storey dwelling houses are found to the south of the cul-de-sac with the remaining comprising of detached bungalows. The existing bungalows present a plot to site ratio of a fairly uniformed nature. Generally the rear gardens of the existing bungalows on St Anne's Close facilitate widths typically greater than the depths.

### **Proposal**

This application seeks planning permission for the proposed erection of a two bedroomed detached bungalow. Alterations to the scheme of development have been received since the application was initially submitted. The initial proposal also incorporated a detached garage on the frontage of the site. This element has since been removed from the scheme of development which is hereby under consideration. A full re-consultation has been undertaken on the latest scheme of development.

The proposed detached bungalow presents a maximum width of approximately 8.0m and a maximum depth of approximately 9.3m. This proposed footprint has been presented as sitting behind (to the east of) the detached garage which serves the neighbouring property of No.6 St Anne's Close. A pitched roof design is presented sloping down forwards and backwards from a centrally situated ridge. A proposed ridge height has been presented at approximately 4.5m in height and a proposed eaves height has been presented at approximately 2.5m in height. In terms of the overall street scene the ridge height of the proposed bungalow has been set down from the ridge height of No.6 St Anne's Close. A front facing gable ended feature is presented above the existing front doorway and to the western side of the front elevation. The proposed floor plan presents a centrally situated front entrance with a bedroom at either. A bathroom with an east facing side elevation window is presented centrally. An open plan lounge, dining and kitchen area, served by rear facing bi-folding doors, a window and three rooflights is presented at the rear of the proposed bungalow. The applicant has stated within the submitted documentation that the proposed materials and finishes shall include red brown facing brickwork walls, brown concrete roof pantiles and white up windows.

A private amenity area of approximately 10.0m by 5.1m (width by depth), totalling approximately 51sqm, is presented to the rear of the property. The frontage of the application site has been designed to accommodate two off-street car parking spaces as well as also detailing landscaping.

### **Determining Issues**

1. Policy & Principle of Development
2. Design and Impact upon the Character and Appearance of the Surrounding Area
3. Residential Amenity
4. Access and Highway Safety
5. Impact on Trees
6. Ecology

- 7. Other Issues
- 8. Human Rights

1. Policy & Principle of Development

- 1.1 The NPPF sets out a presumption in favour of sustainable development, this is echoed in Core Policy 2 of the Lichfield District Local Plan Strategy 2008-2029. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. 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 the Lichfield District comprises of the Lichfield District Local Plan (1998) (saved policies) and the Local Plan Strategy 2008- 2019, and the adopted Neighbourhood Plans.
- 1.2 Paragraph 177 of the NPPF however states that “the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 1.3 In this case the site falls within the catchment of the Cannock Chase Special Area of Conservation (SAC), therefore it is necessary for the development to demonstrate it has satisfied the Habitats and Species Regulations in that the integrity of the Cannock Chase SAC will not be adversely affected, having regard to avoidance or mitigation measures.
- 1.4 As outlined above the application site is situated within a residential setting. A review of the planning history and the above referenced relevant planning policy context suggests the proposed residential development would be appropriate subject to other considerations. As such it is considered that there is no objection to the principle of the development subject to satisfying matters related to the general development criteria, which is discussed below.

2. Design and Impact upon the Character and Appearance of the Surrounding Area

- 2.1 Core Policy 3 of the Local Plan Strategy states that development should protect and enhance the character and distinctiveness of the Lichfield District, while development should be of a scale and nature appropriate to its locality. Policy BE1 underlines the fact 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 upon this point advising that good design should be informed by appreciation of context, as well as plan, scale, proportion and detail.
- 2.2 The NPPF attaches great importance to design of the built environment and sets out that high quality and inclusive design should be applied to all development, including individual buildings, private spaces and wider area development schemes. It also states that development should respond to local character and history, and reflect the identity of local surroundings. This sentiment is echoed in Policy BE1 of the Local Plan Strategy.
- 2.3 The Local Planning Authority acknowledges that design related concerns and objections have been presented by Burntwood Town Council and local residents and due regard to this matter is given below.
- 2.4 The scale and design of the proposed detached bungalow is considered to be acceptable in relation to the size of the plot, the surrounding neighbouring residential properties, and architectural style of the surrounding wider locality. The surrounding built form includes detached bungalows of similar footprints and built form on similar plots sizes, and of similar overall designs and styles to that hereby under consideration.

- 2.5 The application site is within the setting of the Grade II\* listed St Anne's Church. The Local Planning Authority have consulted the Conservation & Design Team at Lichfield District Council with regards to this development proposal. The Conservation & Design Team have since responded stating that the submitted Heritage Statement meets the requirements of the NPPF and Policy BE2. The Heritage Statement follows the Historic England guidance in assessing the setting of the Heritage Asset, how this contributes to the significance of the Heritage Asset and the potential impact of the proposed development on this significance. The Heritage Statement concludes that the proposed development would not harm the setting of the Heritage Asset and would not harm its significance. The proposals are therefore considered to comply with the relevant paragraphs of Section 16 of the NPPF and the relevant Local Plan policies including CP14, BE1 and BE2.
- 2.6 Overall, the proposed scheme of development is considered by the Local Planning Authority to be acceptable and in accordance with the relevant above mentioned national and local level planning policy with regards to design, character and appearance.
3. Residential Amenity
- 3.1 Policy BE1 of the Local Plan Strategy states that development should have a positive impact upon amenity by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance. Core Policy 3 also states that development should protect the amenity of residents and seek to improve overall quality of life. When assessing the impact of development on the neighbouring properties reference should be made to Appendix A of the Sustainable Design Supplementary Planning Document (SPD). Contained within this are guidelines which assess the impact of development on the ability of neighbouring properties to receive daylight and sunlight.
- 3.2 Due to the context of the site and the surroundings the main concerns with regards to potential impact upon neighbouring amenity is with regards No.5 and No.6 St Anne's Close which border the application site to the west. The main rear elevation of No.5 St Anne's Close, albeit behind an existing garage, is situated approximately 8.0m away from the proposed bungalow. The proposed bungalow is situated approximately 10.0m away from the rear elevation of No.6 St Anne's Close at the closest point. The premises of The Grange and St Anne's C of E Church border to the north and to the east. The bungalow of No.7 St Anne's Close, situated at the end of the cul-de-sac and to the east of the proposed bungalow, is located approximately 16.4m away from the proposed bungalow. Potential amenity concerns have been considered on all surrounding addresses.
- 3.3 The orientation of the proposed bungalow and the surrounding properties, the screening including that of the neighbouring garage, and the separation distances facilitated as referenced above ensure the development proposal hereby under consideration does not result in a loss of daylight and/ or sunlight to the detriment of neighbouring residential amenity. The relatively low level nature of the development, with a proposed ridge height at approximately 4.5m and a proposed eaves height at approximately 2.5m, and the nature of the surrounding built form together also helps to ensure this. The proposed scheme is considered to accord with the 25 degree assessment guidelines as outlined with the Appendix A of the Sustainable Design Supplementary Planning Document (SPD) with regards to potential impact opposite a neighbouring window. The development proposal is considered by the Local Planning Authority to be acceptable on loss of daylight and/ or sunlight grounds.
- 3.4 Any potential privacy and outlook implications of the development proposal have been carefully considered and it is noted that there are no principal habitable room windows facing directly towards neighbouring residential properties. This, together with the low level nature of the proposed bungalow and the surrounding neighbouring bungalows, together

with the screening of the proposed bungalow to the west by the neighbouring garage of No.6 St Anne's Close, is considered to ensure that privacy and outlook are not compromised.

3.5 With regards to private amenity and proposed garden space, although like many other properties with the St Anne's Close cul-de-sac a desired 10.0m depth of rear garden is not facilitated, a private rear amenity space of approximately 51sqm is proposed to serve the two bedroomed bungalow. This provision of private amenity area exceeds that set out within the Sustainable Design SPD guidance for a two bedroomed property. A consideration of the proximity of the application site to nearby public open space has also been given. Overall, it is considered that the development proposal complies with the requirements of the Development Plan in this regard.

3.6 Due to the siting of the development proposal and the relationship with the neighbouring properties the proposed scheme is considered not to give rise to any amenity issues relating to loss of daylight, loss of sunlight, overbearing, and overshadowing on the nearby neighbouring properties or the neighbouring private amenity areas. No major amenity issues would arise as a result of the proposed development.

#### 4. Access and Highway Safety

4.1 Policy BE1 of the Lichfield District Local Plan Strategy 2008-2029 seeks to protect the amenity by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance. Further to this Policy ST1 - Sustainable Travel and Policy ST2 - Parking Provision of the Local Plan Strategy are also relevant. It is important to also consider the Council's Adopted Sustainable Design Supplementary Planning Document (SPD) as well as the NPPF, particularly paragraph 109 which states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.2 The proposed scheme of development under considered incorporates two off-street car parking spaces presented within the Red Line plan and forming part of this planning application. These spaces are accommodated on the frontage of the application site to serve the proposed two bedroomed bungalow.

4.3 This provision of two off-street car parking spaces as presented is considered to represent a reasonable provision of off-street car parking for the proposed scheme of development in accordance with the requirements outlined within Appendix D of the Sustainable Design Supplementary Planning Document.

4.4 The County Highways team have no objections to the proposed scheme of development subject to the incorporation of planning conditions. These conditions are as follows:

- The development hereby permitted shall not be brought into use until the access to the site, within the limits of the public highway, has been completed.
- The development hereby permitted shall not be brought into use until the access drive within the site has been surfaced in a porous bound material.

4.5 It is acknowledged that highways related concerns and objections have been presented by Burntwood Town Council and local residents. Following the receipt of the professional County Highways advice it would however be unreasonable to suggest that the scheme of development would be unacceptable on highways related grounds. Therefore the proposed scheme of development is acceptable on access and highway safety grounds subject to the incorporation of the above mentioned planning conditions should planning approval be recommended.

#### 5. Impact on Trees

5.1 The Council's Arboricultural Officer advises that the Tree Report provided by the applicant is to the required standard and the findings of the Tree Report are agreed with. In order to ensure the future retention of protected trees within the site the Tree Report and the Tree Protection Plan is recommended to be secured by planning conditions.

5.2 On this basis, the proposed scheme of development is acceptable on arboriculture related grounds.

## 6. Ecology

6.1 The Ecology Team advises that the methodology and information provided within the submitted Preliminary Bat Roost Assessment and Bird Survey is satisfactory and the conclusions of the assessment are agreed with. It has also been stated that there is no further ecological survey effort required from the applicant.

6.2 However adherence by the applicant to all recommendations and methods of working detailed within the Preliminary Bat Roost Assessment and Bird Survey must be made a condition of any approval. Subject to the application and compliance with such a condition it is considered that this development will comply with the requirements of the Development Plan and NPPF in this regards.

6.3 Policy NR7 of the Local Plan Strategy sets out that any development leading to a net increase in dwellings within a 15km radius of the Cannock Chase Special Area of Conservation (SAC) will be deemed to have an adverse impact on the SAC unless or until satisfactorily avoidance and/or mitigation measures have been secured. The site is located within the 0-8km zone of the SAC, as such a financial contribution is required.

6.4 Under the provisions of the Conservation of Habitats and Species Regulations 2017, the Local Planning Authority as the competent authority, must have further consideration, beyond the above planning policy matters, to the impact of this development, in this case, due to the relative proximity, on the Cannock Chase SAC. Therefore, in accordance with Regulation 63 of the aforementioned Regulations, the Local Planning Authority has undertaken an Appropriate Assessment. The Council's Appropriate Assessment (AA) concludes that the mitigation measures identified within the Council's Development Plan for windfall housing sites, will address any harm arising from this development to the SAC. Natural England have offered no objections to proposal subject to suitable mitigation measures in the form of a developer contribution being secured. As such a unilateral undertaking is required to secure the financial contribution.

6.5 On this basis, it is concluded that the Local Planning Authority have met its requirements as the competent authority, as required by the Regulations and therefore the proposal will comply with the requirements of the Development Plan and the NPPF in this regard.

## 7. Other Issues

7.1 The Local Planning Authority have noted and considered the neighbourhood concerns with regards to potential flood risk issues. The application site is considered to fall within Flood Zone 1. As such the Local Planning Authority would considered the development proposal to not present any major issues with regards to flood risk issues.

## 8. Human Rights

8.1 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.

Consequently, it is recommended that this application be approved, subject to conditions and the applicant first completing a legal agreement to secure Cannock Chase SAC mitigations, as set out above.

## SUPPLEMENTARY REPORT

(Extract- relating to applications ref. 20/01085/FUL & 20/00932/FUL only)

### **PLANNING COMMITTEE (12<sup>th</sup> April 2021)**

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

#### **20/01085/FUL – Demolition of existing dwelling to be replaced by erection of a 4 bed dwelling and associated works**

**Windy Ridge, Commonside, Gentleshaw, Rugeley**

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

Councillor Strachan is unable to attend the committee meeting, and so has provided the following further representation:

*"I remain frustrated that the consideration of this application must be taken in the context of the approved extension's floorplan and not the current one. This does present an impression of a far greater increase in size than we are in fact considering. It is in view of this that I welcome the condition to remove permitted development rights, which should protect against further disruption to this site and would commend that condition to the committee.*

*You will recall that my call in was centred on scale and the impact on the street scene in Gentleshaw. Your report and its careful approach, and my own time spent in the village, have considerably reassured me on this front. The proposed dwelling would be an improvement on the existing, rather tired property and makes an attractive addition to the village, in my view. I also accept your observations that it would have little visibility in the local area and cannot therefore be considered harmful to the rural setting given the nature trees surrounding it and lack of immediate neighbours.*

*On the harm to the Green Belt and AONB, I accept your conclusion on the 1% increase in scale not being overwhelming when the previously approved extension is considered. This would therefore negate those concerns from a planning law perspective. As those concerns fall away, I would therefore support your final conclusion on the acceptability of the proposed development. Can I also commend the careful and detailed treatment of the ecological element of this application which was sensitive and dealt with very thoroughly."*

#### **Additional Conditions**

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (or any Order revoking and re-enacting the Order with or without modification) no development contained within Schedule 2 (Part 1) of the Order shall be carried out without the prior written permission, on application, to the Local Planning Authority.

12. Notwithstanding any details in the application documents, the demolition of the existing dwelling, 'Windy Ridge', shall be completed within one month of commencement of the development hereby approved.

13. Before the occupation of the new dwelling hereby approved, the outbuildings identified for demolition on the approved plans (including those identified within the land ownership of the applicant) shall be demolished and removed from site.



**Reasons:**

11. To ensure the satisfactory appearance of the development and protect the character and appearance of the Green Belt, in accordance with the requirements of Policy BE1 and NR2 of the Local Plan Strategy and the National Planning Policy Framework.

12. To ensure the satisfactory appearance of the development and protect the character and appearance of the Green Belt, in accordance with the requirements of Policy BE1 and NR2 of the Local Plan Strategy and the National Planning Policy Framework.

13. To ensure the satisfactory appearance of the development and protect the character and appearance of the Green Belt, in accordance with the requirements of Policy BE1 and NR2 of the Local Plan Strategy and the National Planning Policy Framework.

**Additional Observations***Points of Clarification*

The outbuildings within the red line plan are to be retained. The applicant has however expressed their intention to remove the outbuildings which lie outside of the red line boundary. To ensure this occurs in the interests of protecting the Green Belt, a condition is recommended. Also, a further condition is recommended to remove permitted development rights for any further outbuildings again to protect the character and openness of the Green Belt.

Although it is unlikely that the new dwelling would be able to be erected with the existing dwelling in situ, given their close proximity to one another. A further planning condition is recommended to ensure the existing dwelling is demolished within one month of commencement on site in order to provide greater certainty that this will be achieved.

**20/00932/FUL – Erection of 2 bedroom bungalow (resubmission of application 20/00331/FUL)**

**The Grange, Church Street, Chasetown, Burntwood**

**Additional Letter of Representation**

A further letter of representation has been received from neighbour. The following concerns are raised therein:

- Concerns and objections with regards to road safety issues.
- Overriding concern is vehicular safety due to increased volume of vehicles.
- A site visit by the committee has been suggested.
- Narrow road and close proximity of the driveway to the driveways opposite and the hammerhead.
- Over-reliance on the hammerhead by the whole of the close to turn safely to exit.
- Dangerous when trying to safely pull off our own driveways if another property is built in such small proximity to our own.
- Present clear view of the road will be obstructed by any vehicle parked on the drive outside the proposed property.
- Highway safety visibility concerns.

**Additional Observations**

The points raised by the additional representation have been considered in the assessment of this planning application within the main report. Further to this, the County

Highways team have recommended no objection on highways related grounds subject to planning conditions. Therefore, it is considered there would be no sustainable grounds to refuse the application on such basis.