

PLANNING COMMITTEE (1 August 2022)

OBSERVATIONS/REPRESENTATIONS RECEIVED SINCE COMPLETION OF REPORT

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**22/00558/FULM: Erection of two storey front side and rear extensions
96 Gaia Lane, Lichfield, Staffordshire, WS13 7LS**

Amendment to Condition 3

It is recommended that in the interests of clarity, Condition 3 is amended to read:

“Notwithstanding any description/details of external materials in the application documents, the external brickwork and roof tiles shall match in colour and texture those of the existing dwelling”.

Additional Condition

In order to control any surface water run-off from the extended area of hard standing, the following additional condition is proposed:

5. The extended area of hardstanding to the front of the dwelling shall not be constructed until a scheme for the drainage and disposal of surface water run-off from that area has been submitted to and approved in writing by the Local Planning Authority. The construction of the extended area of hardstanding shall take place in accordance with the approved surface water disposal scheme and shall not be brought into use until that scheme has been implemented in full.

Reason- To prevent surface water from entering the highway in the interests of highway safety in accordance with paragraph 111 of the National Planning Policy Framework.

Additional Letters of Representation

7 further letters of objection have been received following the publication of the committee report agenda. These representations have been received from local residents within Lichfield. The issues raised are summarised as follows:

- While the 'Spice Kitchen' has been removed from the latter proposal, concerns remain that the function of it has just been moved to the house and there will be issues of odour and resulting vermin.
- The inclusion of a spice kitchen on plans insinuates a later change of use to a food business.
- Concerns regarding privacy, overlooking, overshadowing and loss of light
- The proposal would result in a loss of symmetry between 96 and 94 Gaia Lane, properties that mark the entrance to Gaia Stowe.
- Damage caused to green space and the Lichfield Conservation Area.
- Since purchase, the owners of 92 Gaia Lane have not maintained the gardens which are overgrown and unkempt.
- The mass and scale of the proposal is out of keeping with the street scene.
- Concerns over parking and access arrangements for neighbours during construction.

Additional Observations

In response to the above issues, officers would comment as follows:

In respect to the issue that the proposed spice kitchen may indicate later change of use to a food business, it is considered that no evidence has been submitted to substantiate this claim. Furthermore, the application is for the extension of a dwelling house and should and can only be determined on this basis. Should any digression from this use occur in the future, this would be a separate matter that would need to be determined on its own merits at such time.

In respect to the issue of the gardens not being maintained, officers would advise that this is not material to the determination, as to whether the proposed extensions are acceptable in planning terms.

All other matters raised by the additional representations have already been addressed in the main committee report.

No alteration of the officer recommendation is proposed.

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22/00627/FUL: Erection of a 4 bedroom detached dwelling and detached double garage and associated works.

Land Rear 156 Main Street, Alrewas, Burton upon Trent, Staffordshire

Additional Consultations

LDC Conservation & Design Officer- The site is located within the Alrewas Conservation Area (which is a designated heritage asset) and is close to Old Eaves (which is Grade II listed). The development does have an impact upon the Conservation Area, but whilst there is change, this is minimal in terms of overall impact. Whilst there will potentially be glimpsed views from the street and the listed building, these will be seen in association with other C20 built form to the rear. Therefore, it is felt that the harm caused by this development is less than substantial. (28.07.2022)

Additional Plan

A revised site section plan has been received on 28.07.2022 which removes a minor discrepancy shown on the originally submitted plans in relation to the rear element of the proposed new dwelling.

Additional Letters of Representation

One additional response from a neighbouring occupier in Walkfield Road has been received following the publication of the committee report. This includes a query regarding the separation distance between the proposed new dwelling and No.50 Walkfield Road, along with concerns regarding privacy and the estimated start and completion dates for the development.

Additional Observations

The National Planning Policy Framework (NPPF) outlines government policy, including its policy in respect of the historic environment (Section16). The policy requires that great weight be given to the conservation of heritage assets and advises a balanced approach with the public benefits which may result from proposals being weighed against any harm caused. In particular paragraph 199 advises that when considering the impact of a

proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 requires that any harm or loss of significance should require clear and convincing justification. Paragraph 202 sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

National Planning Practice Guidance provides guidance on interpreting the NPPF.

In terms of public benefits arising from the scheme, the site would provide a new dwelling in a sustainable accessible location, and would contribute towards meeting the Districts housing needs. Completion of the development would provide economic benefits relating to the construction of a new dwelling through employment of skilled workers and in turn the local economy of the District. The site is not open to public access, and as such the preservation of the site as existing fails to bring public benefits. Environmentally, the biodiversity of the existing site would be enhanced through specific planting as set out in the report and secured by condition. It is considered that appropriate weight can be afforded to the development in terms of the public benefits of the scheme, which are set out above. Therefore, on balance, the less than substantial harm to heritage assets associated with the scheme is considered to be outweighed by the public benefits. In heritage terms, the scheme is considered to be acceptable in this regard.

The submitted updated section plan resolves a minor discrepancy and does not require amendments to the plan references considered as part of this recommendation.

The proposed start and completion dates are unknown, however a standard condition is recommended to confirm that the permission would be valid from three years of the date of decision, meaning that the applicant would have three years to start or implement the consent.

In terms of the separation distances to the rear elevation of properties in Walkfield Road, as set out in paragraph 3.5 of the main report, a distance of 15m separation is achieved. This exceeds the requirement of a 13m separation distance set out in the Sustainable Design SPD for ground floor facing windows. There are no proposed first floor windows on the Southern elevation of the proposed dwelling facing the rear gardens of properties in Walkfield Road, and a condition to remove permitted development rights to prevent windows being added without prior consent is also recommended. In terms of the intervening screen, there is an existing boundary hedge. To ensure that this remains sufficient to serve as an intervening screen, the following amendment to condition 4 is recommended.

The officer recommendation remains as set out in the main report, subject to an amendment to condition 4 as set out below.

Amended Condition.

4. Before the development hereby approved is commenced, a detailed planting scheme (incorporating the retention of any existing trees and additional planting to the boundaries of the site where necessary) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safeguarding residential amenity and enhancing biodiversity in line with Policies CP3, CP13, NR3 and BE1 of the Lichfield Local Plan Strategy, the Biodiversity & Development SPD, and the National Planning Policy Framework.

LIST OF SPEAKERS

PLANNING COMMITTEE MEETING

1 August 2022

22/00558/FUH

Mr Chris Venables

Objector

Cllr Joanne Grange

Non-committee Ward Member

Mr Richard Bollands

Applicant's Agent

22/00627/FUL

Cllr Mike Wilcox

Non-committee Ward Member