

SUPPLEMENTARY REPORT

PLANNING COMMITTEE (6 March 2023)

OBSERVATIONS/REPRESENTATIONS RECEIVED SINCE COMPLETION OF REPORT

Page 3 **TPO 2022/00472/TPO**
Vine Cottage, Church Road, Shenstone, Lichfield, WS14 0NG

Additional Options

At 'Alternative Options' within the report, point 2 was omitted. This should read 2. The Committee may choose to confirm the Tree Preservation Order with modifications.

Page 16 **21/01956/OUTFLM - Full application for the construction of 500 dwellings, access via Lichfield Southern Bypass, footpaths, cycleways, public open space, play areas, sports pitches, landscaping, district park including biodiversity enhancement area, drainage and development infrastructure (part retrospective); and OUTLINE application (all matters reserved) for a primary school (F1a), a mixed use community hub to include commercial development (Ea, Eb, Ec, Sui Generis hot food takeaways and drinking establishments with expanded food provision) and a community building (F2b). (Amended description to reflect reduced number of residential properties proposed and incorporating the 169 dwellings (phase 2A) approved and built under 19/00478/REMM).**
Land South Of, Shortbutts Lane, Lichfield, Staffordshire

Amended Condition

If members were minded to delegate authority it is noted that there is a typo in condition 42 which relates to 1m standoff to Phase 2E when in fact it should be Phase 2C

The condition 42 is reworded for clarity as follows:

Condition 42

Prior to the occupation of any dwelling facing the north eastern boundary with London Road (within Phase 2c), The applicant shall provide details of the 1m stand off/maintenance boundary (including height) which shall be submitted to and approved by the Local Planning Authority. This stand off maintenance boundary shall be implemented prior to the occupation of the dwellings hereby permitted and shall be retained thereafter.

The reason for the condition shall remain as set out in the Planning Committee Report.

Additional Representations Received

Further comments had been received from the South Lichfield Alliance representing local residents with a suggested condition regarding the location and extent of the built form and a 15m distance from the boundary of properties in London Road along with the maintenance stand off. Officers have considered this and find the stand off can be conditioned effectively (as noted above) however further restriction in terms of the built form and distance from the boundary would fail to meet the tests for conditions as outline in paragraph 55 of the NPPF.

ie: Necessary
Relevant to planning
Relevant to the development to be permitted
Enforceable
Precise and
Reasonable in all other respects

Here the distance separations far exceed the minimum distance separations to ensure amenity levels are maintained and it would not be considered reasonable to impose further restrictions in this regard. It may be a case that an agreement /covenant is place on the development by the developer in lieu of this outside of this planning application process.

The applicant has requested their legal opinions regarding the density and the concerns over design be published and are now available to view on the website.

**Page 147 22/00072/COU - Retention of Public House with single storey extension to rear and first floor side/ rear extension and alterations to form 3 No. first and second floor apartments.
The Greyhound Inn, 121 Upper St John Street, Lichfield, Staffordshire**

Additional Consultation responses

A final consultation response has been received from the County Highway Authority on 23 February 2023. The response confirms no objections are raised subject to a condition requiring the car parking, access and servicing areas to be provided within a month of the consent being granted.

Additional / Further Observations

It should be noted that works have not yet commenced on this proposal. As such, the requirement to complete the parking, turning and access within one month of the date of the decision being issued would be considered as unreasonable. Recommended condition 6 in the Committee report secures the parking, access and turning areas prior to either the first occupation of the dwellings or the first use of the extended public house hereby granted permission whichever is the earlier. This condition is considered to adequately secure the highway requirements for the site.

Consequently, there are no updates to the recommendation set out in the Planning Committee report.

**Page 167 22/01282/FUL - Retention of 8 no dwellings and associated works
Land Adj 121, Upper St John Street, Lichfield, Staffordshire**

Additional Consultation responses

A final consultation response has been received from the County Highway Authority on 23 February 2023. The response confirms no objections are raised subject to a condition requiring the car parking, access and servicing areas to be provided within a month of the consent being granted.

Additional / Further Observations

This is a retrospective application where the dwellings have been completed. Whilst the requirement for the parking, turning and access areas to be provided within one month of the date of decision is noted, the Officer recommendation includes two conditions (No's 2 and 3) which require these elements to be provided prior to the first occupation of any of the dwellings.

It is considered that the recommended wording of these conditions is reasonable in this case and sufficient to secure the parking, turning and access at the appropriate time. There are no updates to the recommendation set out in the Planning Committee report.

Page 186 **19/01015/OUTM – Outline application for the erection of up to 200 residential dwellings for Phase 2 of the Streethay Strategic Development Allocation (site reference LC1) including green infrastructure, footpaths, open space, children's play area, surface and foul water drainage including attenuation pond, and other ancillary infrastructure and works. All matters reserved except access.**
Land At Streethay, Burton Road, Streethay, Lichfield

Amended Plans

The location plan has been amended to reflect the altered arrangement into the existing development

Plan reference: P22 1437 002 DE B 01 Dated 1.3.23

This should be reflected in the submitted plans referred to within the 'report back report'

P22 1437- 002 DE B 01 - Location Plan
P22 – 1817- EN_07_C_01 LMP - Illustrative Masterplan
WIE12822-SA-03-001-A05 - Site Access

Amended Condition

It is recommended that Condition 13 is amended to reflect the updated ecology walkover survey, note and updated biodiversity net gain submitted as follows:

No development shall take place until a Construction Environmental Management Plan and Habitat Management Plan (HMP) has been submitted to and approved by the Local Planning Authority. The HMP shall detail, in full, the future habitat creation works (and sustained good management thereof) demonstrating a net gain to a value of no less than 3.99 Biological Units (which equates to 24.54%) This should be supported by an updated biodiversity metric for the site.

Information submitted within the HMP should expand upon the information 'fcpr' Ecology Letter, dated 20th July 2022 and 'fcpr' BIA Technical Note 16th September 2022 and must detail.

- 1. 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 sulphur)**
- 2. 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.**
- 3. Details of both species composition and abundance (% within seed mix etc....) where planting is to occur.**
- 4. Proposed management prescriptions for all habitats for a period of no less than 25 years.**
- 5. Assurances of achievability.**
- 6. Timetable of delivery for all habitats.**
- 7. A timetable of future ecological monitoring for which reports should be submitted to the LPA every 5 years, to ensure 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**

Reason: In order that the LPA can assess the likelihood of any proposed habitat to deliver biological enhancements as part of the development, and that the creation works being successful in achieving both desired habitat type and condition in accordance with the requirements of Core Policies 3 and 13 and Policies BE1, ST2, NR3 and NR6 of the Local Plan Strategy, the Biodiversity and Development Supplementary Planning Document and the National Planning Policy Framework.

**Page 239 22/01680/FUL – Demolition of existing bungalow and erection of replacement with one bungalow and one dormer bungalow
15 Beecroft Avenue, Lichfield, Staffordshire, WS13 7EZ**

Additional Representations

A further response has been received from a neighbouring occupier following publication of the Planning Committee Report. Objections raised have been summarised as following:

- Concerns regarding the future enforcement of landscaping condition relating to the hedgerow at the frontage of the site.
- Parking provision and highway impact
- Impact on retaining wall between the application site and No. 17 Beecroft
- The Re-siting of lamppost

Observations

In terms of future landscaping of the site, condition 12 requires the hedging at the front to be maintained at a maximum height of 600mm to ensure appropriate visibility splays are maintained from the new driveways. This condition is considered to be enforceable by the Local Planning Authority.

The concerns raised regarding parking provision are noted, however the scheme is in accordance with the requirement set out in the Sustainable Design SPD which requires the provision of a maximum of 2 spaces for 3 to 4 bedroom dwellings.

The proposals do not include the loss of a retaining wall along the boundary with No.17 Beecroft, and it is noted that the physical impacts of the development on this structure will be addressed through the necessary Building Regulations application and the Party Wall Act.

Condition No.8 ensures that the existing lamppost is relocated prior to the first occupation of the development, to ensure that the new driveways can be accessed. The specific positioning of the relocated lamppost would not be a planning matter. The lamppost is located within the highway, which is maintained by Staffordshire Council. A highways work agreement would be required from the highway authority for these works.

Notwithstanding the further representations received, there are no updates to the recommendation set out in the Planning Committee report.