

SUPPLEMENTARY REPORT

PLANNING COMMITTEE (1st June 2020)

OBSERVATIONS/REPRESENTATIONS RECEIVED SINCE COMPLETION OF REPORT

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**20/00230/FUH – RETENTION OF 2NO BOUNDARY FENCES
31 YEW TREE AVENUE, LICHFIELD, STAFFORDSHIRE, WS14 9UA**

Additional Letter of Representation

An additional letter of representation has been received from the neighbour (29 Yew Tree Ave) reiterating their objections. Their comments are summarised below:

- The historic visibility splay utilised by the owners of 29 Yew Tree Avenue is across the side garden of No. 31 Yew Tree Avenue. It is considered that this is the only visibility splay that meets the required 70m distance from the driveway of 29 Yew Tree Avenue and that this visibility splay has been blocked by the erection of 2 fences by the applicant.
- The visibility splay was originally protected via a planning condition on the original consent for the estate which set out that no obstructions above 1 metre should be erected on land forming a visibility splay.
- A visibility splay of 70m is required by Staffordshire County Council Highways for any driveway on a 30mph road, such as Yew Tree Avenue, to ensure there is no danger to the highway. Over 400 homes are served by Yew Tree Avenue, with the potential for over 1000 vehicles daily using the road.
- Due to the curve in the highway, the visibility splay looking west up Yew Tree Avenue from the edge of the drive of No. 29 is only approx. 22m when driver is on edge of pavement with the car bonnet in the road.
- Without the visibility splay across the side garden of No. 31, that No. 29 Yew Tree Avenue would not have gained planning permission due to inability to meet the required visibility splay requirements.
- In December 2019, the Local Planning Authority Enforcement Officer deemed that the erection of the fences posed a danger to highway safety and wrote to the applicant to state to either remove them or apply for planning consent for their modification – advising that they should be set back by 3m.
- They consider that the safety of residents of the neighbouring dwellings and their young children are at risk, as the residents of the neighbouring dwelling are unable to see any oncoming vehicles.
- The matter has caused a significant amount of stress to the residents of the neighbouring dwelling and has impacted on their health.
- The fences also represent an incongruous addition to the open plan street scene, having a damaging effect on the character and appearance of the area. Giving permission for the development will also set a damaging precedent for others to do the same in the locality, impacting negatively again on highway safety and the character and appearance of the area.

Four photographs accompanied this representation, showing the fence in situ with views from the driveway of No. 29 Yew Tree Avenue, including a photograph from inside a car whilst on the driveway of No.29 when reversing off the drive. Also, an additional annotated plan was also submitted with the representation, showing annotations of the locations of

existing planting and private footpaths; the location of the driveway of No.29 Yew Tree Avenue; and, a red line indicating the visibility splay.

Additional Observations

It is considered that the main report already addresses the concerns raised in this further representation and due regard has been given to impact on highway safety, neighbouring amenity and the impact on the street scene. Therefore, the officer recommendation remains as already set out in the main report, which is to approve the application.

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**CONFIRMATION OF TREE PRESERVATION ORDER NO. 441-2020
CATERHAM CRESCENT, STREETHAY, LICHFIELD**

The objection relating to the abovementioned Tree Preservation Order has been withdrawn. As a result TPO 441-2020 will not need to be considered by the Planning Committee and will instead be confirmed via officer delegated authority.

LIST OF SPEAKERS

PLANNING COMMITTEE MEETING

1st June 2020

20/00230/FUH

Mrs Helen Bielby

Objector

Councillor Mark Warfield

Ward Councillor

Mr Nigel Cresswell

Applicant's Representative

TPO 441-2020

Withdrawn

TPO 443-2020

Mr and Mrs Baker

Objectors

TPO 444-2020

Mr Glen Willetts

Objector