

Our Ref: MD/jm

29 April 2014

**To: All Members of the Planning Committee**

Dear Councillor

### **PLANNING COMMITTEE**

The Planning Committee will meet in the **Meeting Room, rear of Burntwood Library, Sankeys Corner, Burntwood** on **Thursday 08 May 2014** (immediately following the Annual Meeting of the Town Council) to consider the Agenda hereunder.

Plans will be available for inspection at the Town Council's office during normal office hours and will be on display at the Library from 6.30 p.m. on the day of the meeting.

Yours sincerely

**Mary Danby (Mrs)**  
**Town Clerk**

### **PUBLIC PARTICIPATION (STANDING ORDER 1(E))**

Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included on the following Planning Committee agenda.

### **AGENDA**

#### **1. APOLOGIES**

#### **2. DECLARATIONS OF INTERESTS AND DISPENSATIONS**

- a)** To receive declarations of interests and consider requests for dispensations, if any.
- b)** Planning Applications - General Declarations of Interest for District Councillors.

**3. MINUTES**

To approve as a correct record the Minutes of the Planning Committee Meeting held on 17 April 2014 (Minute Nos. 89 - 94) (**ENCLOSURE NO. 1**).

**4. PLANNING APPLICATIONS**

To consider the enclosed schedule of planning applications (**ENCLOSURE NO. 2**).

**5. ENFORCEMENT ISSUES RAISED BY MEMBERS**

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE  
HELD AT BURNTWOOD LIBRARY, SANKEYS CORNER  
ON THURSDAY 17 APRIL 2014 COMMENCING AT 7.06 P.M.**

**PRESENT**

Councillor Willis-Croft (in the Chair)  
Councillors Bradbury, Brown, Campbell, Mrs Evans, Heath, Humphreys, Norman, Taylor and Mrs Woodward

**In attendance**

Ms J Minor, Administrative Assistant  
C Jordan, Development Executive (Policy and Implementation) Lichfield District Council  
2 members of the public

**LICHFIELD DISTRICT COUNCIL (LDC):  
THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED) 2014  
REGULATION 15  
CONSULTATION: COMMUNITY INFRASTRUCTURE LEVY PRELIMINARY DRAFT  
CHARGING SCHEDULE**

The Chairman welcomed Craig Jordan, Development Executive (Policy and Implementation), LDC to the meeting. Mr Jordan gave an overview of the Community Infrastructure Levy (CIL) - explaining the tariff to be charged upon new development and charges in £ per sq.m on new additional floor space - using 'slides' in paper format which were circulated at the meeting.

Mr Jordan explained why CIL was being introduced and confirmed that Section 106 rules were being tightened; CIL revenue could be pooled - so can deliver strategic infrastructure e.g. highways and secondary education and would capture smaller sites as well as larger sites as all have an impact on the area.

Councillor Mrs Woodward asked how CIL would be spent e.g. within the Town of Burntwood or the whole of the District. Mr Jordan said that negotiations would take place with the Parish Council but it would be how the Local Planning Authority sees fit on how the money could be spent.

Mr Jordan explained that both CIL and Section 106 would continue to operate but there could not be any double counting. Some developments would pay both S106 and CIL but they must cover different aspects. S106 would still be used for affordable housing and on site infrastructure, whereas CIL would be used for strategic infrastructure. The Parish Council would get 15% of CIL from eligible developments within the Town. However, if a Neighbourhood Plan was formally in place the CIL would increase to 25%.

Councillor Norman asked if this was any Neighbourhood Plan e.g. retail only and Mr Jordan confirmed that he was of the belief that any type or scale of Neighbourhood Plan would entitle the Town Council to 25%.

Mr Jordan explained that CIL applies to all buildings 'people go into' over 100 sq.m (floor space) and new single dwellings but not self-build. Charges will be fixed and are non-negotiable (there is little scope for exceptions). The rate can vary - by use, value zone or scale of development but only if supported by viability evidence. There is no ability to choose which developments are charged, however, there is no charge on changes of use or mezzanines only new developments

with social housing and charities being exempt. The CIL will be due on the date development commences subject to any instalment policy. This is non-negotiable (the start date would be included on the planning permission).

Mr Jordan confirmed what evidence was used when setting the rates - economic evidence - viability e.g. for residential - average house prices (national, regional, local), average size of homes and apartments, build costs, sales rates, land price etc. For office and industrial - market demand, local transactions, build costs etc. Mr Jordan said that schemes must still be viable 'get the balance right' and the Lichfield CIL viability study produced by Peter Brett Associates (2014) was available on the District Council website [www.lichfielddc.gov.uk/cil](http://www.lichfielddc.gov.uk/cil).

Mr Jordan stated that the evidence to date showed that the rates are viable e.g. lower value area (most of Burntwood/Armitage with Handsacre): £30 per sq.m and higher value area (rest of District): £50 per sq.m for residential developments (except apartments).

Councillor Mrs Evans stated that the boundary review may change ward boundaries and Councillor Mrs Woodward stated that it appeared to be cheaper to build in Burntwood than other areas thus may encourage more development without the appropriate infrastructure.

Mr Jordan confirmed that CIL cannot be brought in before the Local Plan is adopted.

The Chairman thanked Mr Jordan for his presentation and confirmed that challenging times lay ahead.

## **89. APOLOGIES FOR ABSENCE**

Councillors Mrs Banevicius, Ms Brettell, Drinkwater, Mrs Fisher, Isaacs, James, Mosson, Mrs Rigby, Mrs Stokes, Mrs Tranter and Walker MBE.

## **90. GENERAL DECLARATIONS OF INTERESTS AND DISPENSATIONS**

All District Councillors present wished it to be recorded that their views were a preliminary view and one they may change when they hear all the evidence at the District Council's Planning Committee.

## **91. MINUTES**

**RESOLVED** That the Minutes of the Planning Committee Meeting held on 27 March 2014 (Minute Nos. 82 - 88) be approved as a correct record.

## **92. PLANNING APPLICATIONS**

**RESOLVED** That the following comments be submitted to the Local Planning Authority:

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|-----|--------------|---------------|--|---|
| (a) | 14/00137/CLE | Chase Terrace | Horizon Care and Education Group Limited<br>41 Ironstone Road<br>Burntwood | Certificate of Lawfulness (Existing): Residential children's home for up to 2 residents |
|-----|--------------|---------------|--|---|

No comment, however, Members felt that disclosing the confidential nature that covered

childrens homes (addresses) was totally unacceptable.

A question was raised by Members as to the necessity to obtain planning permission for a children's home for up to 2 residents and clarity was sort on this matter.

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|-----|--------------|---------------|--|--|
| (b) | 14/00156/COU | Chase Terrace | Mr T McGrath<br>Unit 18, Burntwood Town Shopping Centre<br>Cannock Road<br>Chase Terrace | Change of use from shop to tattoo studio |
|-----|--------------|---------------|--|--|

Comment: No objection in principle as this application was filling an empty shop, however, Members were informed that no 'modesty' panel had been provided and should the Local Planning Authority be minded to grant planning permission then conditions should include a 'modesty' panel as the premises were in close proximity to a school. Members felt that careful monitoring of this application was needed as dogs had been seen in the shop premises thus causing a potential health hazard.

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|-----|--------------|-----------|---|--|
| (c) | 14/00272/FUL | Chasetown | LCP Properties Ltd<br>Former Remy Automotive Ltd<br>Unit 5, Zone 4<br>Burntwood Business Park<br>Milestone Way<br>Burntwood | Variation of condition no. 5 of application 12/01340/COU relating to hours of operation (extend hours to 6am - 9pm Monday to Friday and 6am - 5pm on Saturday) |
|-----|--------------|-----------|---|--|

Concerns were raised by Members as approval of this application would result in a significant increase in opening hours and the impact on neighbours (e.g. noise, traffic generated) should be closely monitored.

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|-----|--------------|------------|--|---|
| (d) | 14/00303/FUL | All Saints | Mr A Barnard<br>43 New Road<br>Burntwood | First floor front extension to form bedroom |
|-----|--------------|------------|--|---|

No objection.

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|-----|--------------|---------------|--|---|
| (e) | 14/00333/FUL | Chase Terrace | Mr J Robertson<br>3 Hill Lane<br>Burntwood | Two storey side extension to form games room, utility and bedroom with en-suite |
|-----|--------------|---------------|--|---|

Comment: That the Local Planning Authority should satisfy themselves as to the impact on the street scene as this is a large extension.

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|-----|--------------|-----------|---|-------------------------------------|
| (f) | 14/00368/OUT | Highfield | Mr C Weston<br>Land adjacent<br>24 Farewell Lane<br>Burntwood | Erection of two dwellings (outline) |
|-----|--------------|-----------|---|-------------------------------------|

Concerns were raised by Members as to access/egress to the land as the site is located on a bend, double yellow lines are on the road and the additional traffic generated as this is already a busy road.

**93. LICHFIELD DISTRICT COUNCIL (LDC):  
THE COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 (AS AMENDED)  
2014 REGULATION 15  
CONSULTATION: COMMUNITY INFRASTRUCTURE LEVY PRELIMINARY DRAFT  
CHARGING SCHEDULE**

Councillor Mrs Woodward stated that she felt that it was impossible to write a response for the Community Infrastructure Levy Preliminary Draft Charging Schedule in a committee without some skeleton suggestions put down on paper and she certainly did not have the expertise to do so. Councillor Mrs Woodward thought the Town Clerk in consultation with the Leader of the Town Council should have produced some skeleton suggestions/answers for circulation at the meeting. Members felt that not enough information was known at this stage to make a definitive view. However, it was **AGREED** that the following be forwarded to Lichfield District Council:

2. What are your views on a nil charge for apartments?

**The Town Council does not understand why it is proposed that there be a nil charge for apartments. The Town Council disagrees with this proposal.**

5. Do you agree with the charging zones suggested, and the rates linked to these? If not, why not?

**The Town Council felt that this may change with the pending boundary review.**

7. Do you have any views as to whether the Council should offer discretionary relief for exceptional circumstances? If so please provide further details.

**The Town Council felt that no discretionary relief should be offered.**

8. Should the Council allow CIL payments to be made in instalments? If so do you have any suggestions as to how this should be done?

**The Town Council felt that no instalment scheme should be offered. The CIL payment should be paid up front to avoid the scenario of disappearing builders.**

With regard to questions 1, 3, 4, 6 and 9: The Town Council is broadly in agreement with these proposals.

**94. ENFORCEMENT ISSUES**

**94.1 Parking of Vehicles in Mossbank Avenue, Burntwood**

Members were shown photographs of problems with parking of vehicles around Mossbank Avenue. Councillor Mrs Woodward explained that installing double yellow lines was costly in terms of consultation and legal processes. Members were informed that the photographs had been forwarded to T/Sgt Andy Fairhurst.

**RESOLVED** That a further email be sent to T/Sgt Fairhurst with a copy to County Councillor Sheriff, asking what action had been taken by the PCSOs in resolving this matter.

**94.2 Accumulation of Litter/Glass - Former Tesco Express Store, Cannock Road, Chase Terrace (Minute No. 88.1 refers)**

Members were informed that smashed bottles were again evident and that the barrier was still up allowing access to the site.

**RESOLVED** That an email be sent to LDC asking that this matter be resolved.

**94.3 Cameron Homes, High Street, Chasetown**

Members were informed that Cameron Homes had recently undertaken some improvements to their premises in High Street, Chasetown. However, the step tread was not wide enough and no handrail had been provided.

**RESOLVED** That an email be sent to LDC asking that this matter be investigated.

(The Meeting closed at 8.40 p.m.)

Signed .....

Date .....

**APPLICATIONS FOR CONSIDERATION  
08 MAY 2014**

	<b>APPLICATION NO.</b>	<b>WARD</b>	<b>SITE</b>	<b>PROPOSAL</b>
(1)	14/00029/COU (Amendment)		Walsall Burial Park Burntwood Way Burntwood	Change of use of existing cemetery building to crematorium <b>(Amended plans to show one cremator and one chimney together with supporting statement of operations and hours)</b>
(2)	14/00134/FUL	Highfield	Mr R Whitbrook 95 Rugeley Road Burntwood	Erection of a detached double garage in front garden
(3)	14/00273/FUL		Mr G Tabberer Maplebrook Farm Lower Lane Chorley	Erection of agricultural building for the storage of farm equipment and animal feed
(4)	14/00391/FUL	Central	Mr L Shakespeare 9 Halston Road Burntwood	First floor side extension over existing utility room to form bedroom
(5)	14/00414/FUL	All Saints	Mr P Booth 24 Boney Hay Road Burntwood	Variation of condition no. 2 of application 13/00085/FUL - relating to increased size of extension to front