

**MINUTES OF A MEETING OF THE PLANNING AND DEVELOPMENT COMMITTEE
HELD IN THE MEETING ROOM, THE OLD MINING COLLEGE CENTRE, QUEEN STREET,
BURNTWOOD ON MONDAY 22 APRIL 2024 COMMENCING AT 6.00 PM**

PRESENT

Councillor Flanagan [in the Chair]
Councillors Bullock, D Ennis, L Ennis, Galvin, Gittings, Holdsworth, S Taylor and Willis-Croft

In attendance

Ms Minor, Deputy Clerk
Councillor P Taylor

PUBLIC FORUM

No questions were raised by members of the public.

67. APOLOGIES FOR ABSENCE

Councillor Bacon [Personal Reasons]
Councillor Hancox [Personal Reasons]

The reasons for the apologies were approved.

68. GENERAL DECLARATIONS OF INTERESTS AND DISPENSATIONS

The 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.

69. MINUTES

The Chair reminded Members that they were being asked to comment solely on the accuracy of the Minutes.

It was proposed by Councillor D Ennis and seconded by Councillor L Ennis and following a unanimous show of hands it was

RESOLVED That the Minutes of the Planning and Development Committee Meeting held on 18 March 2024 [Minute Nos. 60-66] be approved as a correct record.

70. INFORMATION FROM THE MINUTES

20 Birch Terrace

Councillor Flanagan referred to planning application 23/01386/COU – Front, side and rear extensions and change of use from Class 3 to class C2 [Care Home] including link building to no. 22 Birch Terrace – 20 Birch Terrace and following this Committee's comments "Members felt that further information was required taking into account

comments made by the Environmental Health Officer before formally commenting on the application" Members were informed that Lichfield District Council had approved the planning application on 22 March 2024 with the following 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 the first occupation of the development hereby approved:

3. Before the first occupation of the development hereby approved, the secure and weatherproof cycle parking facilities (for a minimum of 2 bicycles) shall be provided within the site as shown on drawing no.23- 4465/02a. The approved facilities shall be retained as such.
4. Before the first occupation of the development hereby approved, 2 no. Bird Boxes shall be installed within the application site and shall thereafter be retained as such.

All other CONDITIONS to be complied with:

5. The premises shall be used for a residential care home and for no other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that class in any statutory instrument revoking and re-enacting that order without modification).
6. The number of persons cared for and resident on the premises (across both No.20 & 22 Birch Terrace, WS7 2HH) shall not exceed 13 at any one time.

The Grange, 21 Church Street, Chasetown

Councillor Flanagan referred to planning application 23/01343/S73 - variation to consist of relocation of dwelling at The Grange 21 Church Street Chasetown and following this Committee's comments "OBJECTION as the Section 73 application proposes a slight repositioning, the development will still have a detrimental impact on the street scene with loss of open space and amenity in the area. By slightly repositioning the development it 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" Members were informed that Lichfield District Council had approved the planning application on 22 March 2024 with the following conditions:

1. The development hereby permitted shall begin no later than 3 years from the date of the appeal decision (ref. APP/K3415/W/21/3284909) dated 20th May 2022.
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 BEFORE the commencement of development hereby approved:

3. Before the development hereby approved is commenced, a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be undertaken in accordance with the approved Construction Management Plan.

CONDITIONS to be complied with BEFORE the commencement of development hereby approved above slab level:

4. No development above slab level shall begin until a landscaping scheme has been submitted to and approved in writing by the local planning authority. The approved landscaping scheme shall be fully completed in the first planting and seeding season following the first occupation of the dwelling hereby approved. Any tree or plant (including any replacement) which, within a period of five years from the implementation of the scheme, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with another of a similar size and species.

5. No development above slab level shall begin until full details of the boundary treatments to the site, including any new walls and fences, have been submitted to and approved in writing by the local planning authority. The dwelling hereby approved shall not be occupied until all boundary treatments have been erected in accordance with the approved details.

6. No development above slab level shall commence until details and samples of materials proposed to be used in the external parts of the dwelling hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

CONDITIONS to be complied with BEFORE the commencement of development hereby approved above ground level:

7. No development above ground shall take place until full details of the finished floor level, above ordnance datum, of the dwelling hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

CONDITIONS to be complied with PRIOR to the OCCUPATION of the development hereby approved:

8. The dwelling hereby permitted shall not be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. The approved drainage works shall be retained for the lifetime of the development.

9. The car parking and driveway arrangements shown on the approved plans shall be surfaced in a porous bound material and shall be made fully available for use prior to the dwelling hereby approved first being occupied. The approved car parking and driveway arrangements shall be retained thereafter.

All other CONDITIONS to be complied with:

10. The proposed development shall be undertaken in adherence to all recommendations and methods of working detailed within the Braemar Arboriculture Limited Tree Report (Ref: BALDS017-20) and the associated Tree Protection Plan (Ref: BALDS017-20 TPP).

11. The proposed development shall be undertaken in adherence to all recommendations and methods of working detailed within the Preliminary Bat Roost Assessment & Bird Survey (Ref: SK 0432 0797), including removal of vegetation outside of the bird nesting season, installation of a brick built bat box at the gable apex of the north west elevation of the dwelling hereby approved, installation of two Sparrow terraces on the north west and south east gable elevations of the dwelling hereby approved, and strict adherence to the provided method of working. The bat box and sparrow terraces shall be installed prior to the first occupation of the dwelling hereby approved and shall be retained for the lifetime of the development.

12. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), no extension or enlargement (including roof additions) shall be made to the dwellinghouse hereby permitted without the express permission in writing of the local planning authority.

Land at Rugeley Road, Burntwood

Councillor Flanagan referred to planning application 24/00118/COUM - Erection of stables and change of use of land to equestrian [re-submission of application 23/00481/COU] and informed Members that an amendment had been received. The only difference is that the application is now recorded as a Major development. It should have been recorded as a Major development from the start because the development involves the change of use of over 1ha of land, in addition to the construction of stables. However, this was missed, and the application was recorded as Minor development. At this moment in time there are absolutely no changes at all to what is being proposed. No amended plans have been received, and the description remains exactly as it was before. Now that the application is recorded as Major development, the Local Planning Authority is obliged to republicize it accordingly. If the Local Planning Authority proceeded to make a decision without publicising it correctly, it would be maladministration and any decision made would be vulnerable to successful legal challenge.

1 Alden Hurst

Councillor Flanagan referred to planning application 24/00073/FUH – Erection of single storey front and side extensions, extension to form double garage and erection of boundary wall and fence with gates and informed Members that even though the Committee had No objection in principle however, the detached garage in future should not be used, sold, or let as a separate dwelling and the Local Planning Authority be asked to satisfy itself that the positioning of the boundary wall and fence with gates does not change the aspect of the area/streetscene and does not detract from the open aspect of the area, the Local Planning Authority had refused the application on 09 April 2024 for the following reasons:

1. There is inadequate detail within the application to demonstrate that the new boundary, access and gates/parking would ensure pedestrian and highway safety in this location. The proposal fails to demonstrate how satisfactory visibility splays, appropriate pedestrian visibility splays, forward visibility and adequate access width can be achieved. The plans do not demonstrate how car parking spaces will be retained. The proposal is therefore contrary to policy ST2 of the Lichfield District Local Plan Strategy and the guidance in the NPPF.

2. The installation of a 1.8m high fence by virtue of its design, size and scale, would be visually discordant and is not in keeping with either plot or the open character of the corner setting and surrounding street scene. The proposal would be considered contrary to Policy BE1 of the Lichfield District Local Plan Strategy and the Sustainable Development SPD and the guidance in the NPPF.

71. PLANNING APPLICATIONS

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

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|---|------------------------|-----------------------|--|---|
| (a) | 24/00161/FUL | Boney Hay and Central | Mrs Darnley
6 Birch Terrace
Burntwood | Retrospective Section 73 application to vary condition 3 of permission 22/00836/FUL relating to materials |
| No objection. | | | | |
| (b) | 24/00318/ADV | Chase Terrace | Mr Cawthorn
Papa Johns
Unit 23
Burntwood Town Shopping Centre | Retention of part illuminated fascia sign and internally illuminated logo and double-sided hanging sign |
| No objection. | | | | |
| (c) | 24/00271/FUH | Chasetown | Mr Holland
137 Queen Street
Burntwood | Single and first floor rear extension to form bedroom and lounge |
| No objection | | | | |
| (d) | 24/00156/FUH Amendment | Boney Hay and Central | Mr Horton
3 Chaucer Drive
Burntwood | Erection of single storey front and side extensions, dormer roof side extensions, single storey rear extension and 1.8m perimeter fence and gate to side and front aspects – the dormer roof side extension has been reduced in size |
| No objection however the Local Planning Authority should be mindful that the proposed dormer roof side extensions do not impact on the amenity of the neighbours by way of overlooking and loss of privacy. | | | | |
| (e) | 24/00267/FUL | Boney Hay and Central | Mr Harrigan
Land rear of
109 and 111 Rugeley Road | Erection of a 3-bedroom detached |

No objection in principle however, Burntwood Town Council asks that the Local Planning Authority considers adopting a "Green Policy" for any new builds. This could include such things as electric charging points, solar panels on the roof with lithium battery storage, porous driveway and parking areas, LED lighting, recycling rainwater systems, air source heating systems etc.

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| (f) | 24/00351/FUH | Chasetown | Mr Dodd
1 Brawn Croft
Burntwood | Single storey rear extension with part garage conversion |
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No objection.

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|-----|--------------|-----------|---|---|
| (g) | 24/00300/FUH | Chasetown | Mr Mason
217 Brownhills Road
Norton Canes | Two storey front extension and creation of first floor to form entrance hall and three bedrooms with en-suite |
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OBJECTION based on this being overdevelopment in the Green Belt. The proposal significantly increases the size of the dwelling and it is detrimental to the openness of the site.

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| (h) | 24/00303/FUH | Summerfield
and All
Saints | Mr Hines
2 Boney Hay Road
Burntwood | Retention of car port for caravan storage |
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OBJECTION on the basis that the 2.7m car port changes the aspect of the streetscene.

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|-----|--------------|----------------------------------|--|---|
| (i) | 24/00406/FUH | Summerfield
and All
Saints | Mr Memoli
5 Boney Hay Road
Burntwood | Erection of front single storey bay window with canopy over |
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No objection.

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|-----|--------------|-------------|---|--|
| (j) | 24/00417/FUH | Gorstey Ley | Mr Sutton
39 Mease Avenue
Burntwood | Erection of two storey rear extension and part garage conversion into habitable space with changes to fenestration |
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No objection however the Local Planning Authority should be mindful that the proposed dormer roof side extensions do not impact on the amenity of the neighbours by way of overlooking and loss of privacy.

72. BuRRt UPDATE

RESOLVED That the report of activities be noted.

[The Meeting closed at 6.24 pm]

Signed

Date