

TENBURY TOWN COUNCIL 2017/18 – PL03

Minutes of the meeting of the **PLANNING COMMITTEE** held on **MONDAY 19th JUNE 2017 at 7:00 pm in the Pump Rooms, off Teme Street, Tenbury Wells**

PRESENT: Cllrs S. Bowkett, M. Davies, M. Drummond, J. Fielder, E. Hudson (Chair), J. Morgan, C. Rogers and E. Weston.

IN ATTENDANCE: Cllrs. A. Gould, S. Perry, D. Patrick, Mrs L. Bruton (Town Clerk) and Miss S. Blackhurst (Assistant to the Clerk).

3.1 APOLOGIES FOR ABSENCE

Members received apologies for absence from the Mayor, Cllr. Willis.

3.2 DECLARATIONS OF INTEREST

In relation to item **3.5.1 17/00619/FUL** Cllr. Drummond declared a non-pecuniary interest stating that the applicants were neighbours of hers.

3.3 PUBLIC PARTICIPATION

None

3.4 MINUTES

Cllr. Davies proposed to approve as a true and accurate record the minutes of the previous meeting of the Planning Committee held on Monday 22nd May 2017. This was seconded by Cllr. Rogers and unanimously.

RESOLVED:

That the minutes of the Planning Committee meeting held on 22nd May 2017 were confirmed as a true and accurate account of the meeting and were signed by the Chairman as a true and accurate record of proceedings.

3.5 PLANNING APPLICATIONS

The Chair proposed that agenda items 3.5.1 and 3.5.2 be heard in the order below.

3.5.2 17/00700/FUL Application for proposal for re-surfacing of northern section of Riverwalk, Tenbury Wells - Tesco, 62 Teme Street, Tenbury Wells, WR15 8AA.

Cllr. Fielder stated that it appears that the new path has been laid onto the existing path which has resulted in the safety railings potentially being too low in places.

Following discussion the Committee decided to defer a decision until clarification on the railing height was received.

Proposed by Cllr. Hudson

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RESOLVED to DEFER

The Committee asked for the application to be deferred on the grounds that the level of the new footpath has been raised to a level which has resulted in the height of the railings being unsafe.

Cllr. Drummond left the room due to her declared interest in the following agenda item 3.5.1.

3.5.1 17/00619/FUL Application for proposal for two new build houses on existing open land at Berrington Gardens – Land at (OS 5935 6791), Berrington House, Berrington Gardens, Tenbury Wells.

The Committee discussed the plans and highlighted several areas of concern.

Cllr. Hudson proposed, Cllr. Weston seconded and unanimously

RESOLVED to recommend REFUSAL.

The Committee recommend refusal on the grounds:-

- (i) The gradient of the garage access is too steep.
- (ii) Insufficient amenity space.
- (iii) An acceptable solution to be found for surface water drainage.
- (iv) Permitted development rights should be removed in respect of loft conversion and use of single storey elements as balconies.

Cllr. Drummond returned to the room for the remainder of the meeting.

3.6 PLANNING APPEALS

Planning Inspectorate Ref: APP/J1860/W/17/3172245

Application **16/00920/FUL**: Construction of 4 detached single storey dwellings with integral garages and parking – 18 Cross Street, Tenbury Wells, Worcestershire, WR15 8EE.

3.7 PLANNING DECISIONS

3.7.1 17/00240/FUL DECISION: APPROVAL

Proposed extension and minor alterations internally at the Masonic Rooms, 9 Market Street, Tenbury Wells, WR15 8BH.

3.8 NEIGHBOURHOOD PLAN UPDATE

Cllr. Hudson gave an update on the Neighbourhood Plan. The next meeting is scheduled for the 29th June 2017 and the Steering Group are hoping to have each policy updated by then although there are a few areas still in development, in particular the back land and brown field sites. The group are also waiting for a report on flooding from the Worcestershire Archive and Archaeological Services. Cllr. Hudson wished to convey how important the production of the Neighbourhood Plan was in light of the next item on the agenda.

3.9 MHDC – ADOPTION OF COMMUNITY INFRASTRUCTURE LEVY FOR THE SOUTH WORCESTERSHIRE COUNCILS

Notice of Adoption of the Community Infrastructure Levy Regulations 2010 (as Amended) Planning Act 2008 (as Amended) Community Infrastructure Levy (CIL) – Charging Structure.

The Chair noted several points from the above.

2 What the Levy is

2.2 The Levy allows charging authorities to raise funds from developers and land owners undertaking new developments in their area. The money can be used to fund a wide range of additional infrastructure (separate to Section 106 (s.106) planning obligations – see section 4) that is needed to support development. For example, this can include roads and other transport-related facilities, flood defences, schools, medical facilities, sport and recreation facilities, open space and green infrastructure.

2.4 The Levy is now considered to be the primary mechanism through which contributions towards infrastructure can be collected and pooled by the charging authorities. As such, the Levy will contribute economically to development across South Worcestershire by providing a valuable mechanism through which to fund infrastructure to support new development coming forward, as identified in the Development Plan. Additionally, contributions from the CIL can be pooled with and used to lever investment from other external funding sources, for example, through bids for devolved Regional Growth Funding for Worcestershire's Local Enterprise Partnership (LEP) to maximise the funding available for capital projects such as road improvements.

2.5 The Levy creates a system for development to contribute to the cost of necessary supporting infrastructure, with all but the smallest building projects potentially able to make a contribution towards infrastructure that is needed as a result of development, whilst allowing for mitigation of the cumulative impacts from development.

3 The Benefits and Reasons for Implementing the Levy

- The Levy will help to fund the infrastructure needed to deliver growth set out in the SWDP;
- The ability to pool s.106 agreements has been scaled back since April 2015, which makes collecting monies for certain types of infrastructure (for example school provision) more difficult, particularly as the pooling limitations are required to be back dated to April 2010 (the date CIL regulations came into force).

Neighbourhood Planning

3.2 Where CIL exists, 15% or 25% of levy receipts will be passed onto Parish or Town Councils, which will then have control over how it is spent (a 25% share is dependent on a neighbourhood plan being in place). In un-parished areas (applicable to some areas of Wychavon District and Worcester

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City), the 15% of the levy receipts will be held by the charging authority, who should then engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding. For areas with no neighbourhood plan, the 15% share is capped at £100 per existing council tax dwelling per year. For areas with an adopted neighbourhood plan, the 25% share of levy receipts is uncapped.

3.3 Whilst levy receipts are generally required to be spent on infrastructure-specific items, NPPG for CIL (paragraph 78 'Spending the Levy') states that the neighbourhood portion of the levy (i.e. the 15% or 25%) can be spent on a wider range of things than the rest of the levy, provided that it meets the requirement to 'support the development of the area' (Regulation 59C). The wider definition means that the neighbourhood portion can be spent on things other than infrastructure (as defined in the CIL regulations). While Parish, Town and Community Councils are not required to spend their neighbourhood funding portion in accordance with the charging authority's priorities, Parish, Town and Community Councils should work closely with the charging authority to agree priorities for spending their neighbourhood funding element (NPPG paragraph 79 on the CIL page 'Spending the Levy').

4 Relationship with Section 106 Planning Obligations

4.1 Once the Levy is introduced, agreements under s.106 of the Town and Country Planning Act 1990 (as amended) will be scaled back to fund only those matters directly related to site-specific impacts.

8 The Charging Schedule

Table 1 – CIL Rates (£/m²) for each Charging Authority

Use Type	Malvern Hills	Worcester City	Wychavon
Residential – Main Urban Areas	£0 (Malvern, Upton-upon-Severn and Tenbury Wells)	£0	£0 (Droitwich, Evesham and Pershore)
Residential – All other areas except for the Strategic Sites listed in Table 2	£40	£0	£40
Student Accommodation	£100	£100	£100
Food Retail (Supermarkets)	£60	£60	£60
Retail Warehouses	£60	£60	£60
Shops	£0	£0	£0
Hotels	£0	£0	£0

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Industrial and Office	£0	£0	£0
All other uses (Including Education, Health and Community uses)	£0	£0	£0

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This charging schedule does not apply to affordable and social housing. The Clerk stated that under the new scheme the Council will receive less monies from new developments.

Cllr. Hudson asked the Clerk to clarify with Malvern Hills District Council, if all new developments will come under this CIL Scheme completely replacing Section 106.

3.10 MARTLEY, KNIGHWICK & DODDENHAM NEIGHBOURHOOD PLAN – CONSULTATION

The Committee made no comments on the above Neighbourhood Plan.

3.11 CORRESPONDENCE

The Clerk stated that there had been notification from Worcestershire County Council, on an initial consultation, regarding proposed amended parking on Market Square, Tenbury Wells. The Committee noted this, but made no comment.

2.14 DATE AND TIME OF NEXT MEETING

Monday 31st July 2017 at 7.00pm

Meeting closed at 7.41 pm.

Signed

Date