

EAST STAFFORDSHIRE BOROUGH COUNCIL

Minutes of a Meeting of the Cabinet held in the Coltman VC Room at the Town Hall, Burton upon Trent on Tuesday 19th July 2022.

Present:

Councillors G Allen (Chairman), Mrs B Ashcroft and S Sankey.

Officers Present:

The Chief Executive, the Heads of Service (Sal Khan, Mark Rizk), Tom Deery (Interim Head of Regeneration), the Monitoring Officer, the Housing Options Manager, the Planning Manager, the Programmes and Transformation Team Leader and the Senior Democratic Services Officer.

Also Present:

Cabinet Support Members Councillors A Clarke and M Metcalfe.

Apologies for absence were received from Councillors R Faulkner and B G Peters.

PART II

275/22 **DECLARATIONS OF INTEREST**

There were no declarations at the commencement of the meeting.

276/22 **MINUTES**

Resolved:

That the public minutes of the meeting held on 21st June 2022 be approved as a correct record.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
S Sankey		

277/22 **URGENT BUSINESS**

There was no urgent business for consideration at the meeting.

278/22 **FORWARD PLAN**

The Forward Plan for the period 1st July 2022 to 30th September 2022 was submitted for information.

NOTED.

MERITS OF AN ARTICLE 4 (RETAIL/RESIDENTIAL) IN TOWN CENTRE

The report of the Head of Service (Sal Khan) on the Merits of an Article 4 (Retail/Residential) in the Town Centre was considered. The following appendix had been circulated with the report.

- Appendix 1 Table of prior approval applications

The report set out the merits of introducing an Article 4 in town centres to remove permitted development rights and recommend whether such an introduction should be considered. Since 30 May 2013, new government planning rules have meant that the conversion of offices to houses or flats does not require planning permission. This rule has recently been expanded to include other uses typically found in town centres.

The Government's recent changes to the Use Classes system and the introduction of additional Permitted Development (PD) rights are a continuation of the policy of successive governments since 2013 of using PD rights to speed up housing delivery. Whilst the intention behind residential PD rights is to increase housing delivery, the recent extensions to PD rights appear to contradict the focus on plan-led development and local democratic involvement, limiting the role of local authorities in place-making.

Since the introduction of Use 'Class E' it is possible to change the use of town centre uses without obtaining usual planning permission. Concern has been raised by local businesses and residents that this has the potential to erode the role of town centres and there have been requests to consider the introduction of an Article 4 direction which would remove certain permitted development rights.

New Article 4 directions are subject to approval by the Secretary of State and the Government has recently amended the NPPF to make it more difficult for LPAs to introduce Article 4 directions, by ensuring they are justified by evidence and apply to as small an area as possible.

Resolved:

To note the report and do not introduce an Article 4 at this stage. Continue to monitor town centre applications as part of the annual monitoring report and gather appropriate evidence as part of reviewing the Local Plan.

Voting concerning the above decision was as follows:

Those voting for the motion Councillor	Those voting against	Those abstaining
G Allen		
Mrs B Ashcroft		
S Sankey		

EXCLUSION OF THE PRESS AND PUBLIC**Resolved:**

That, in accordance with Section 100(A)(4) of the Local Government Act, 1972 the press and public be excluded from the remainder of the Meeting as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act.

Chairman