

# Planning Committee

Wed 29th Feb  
2012  
7pm

Council Chamber  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

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The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:**

**Janice Smyth**

**Member and Committee Support Services Assistant**

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**Minicom: 595528**

# **REDDITCH BOROUGH COUNCIL** **PLANNING COMMITTEE**



## **GUIDANCE ON PUBLIC** **SPEAKING**

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The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as summarised below:

in accordance with the running order detailed in this agenda and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Public Speaking - in the following order:-
  - a) Objectors to speak on the application;
  - b) Supporters to speak on the application;
  - c) Applicant to speak on the application.

Speakers will be called in the order they have notified their interest in speaking to the Committee Services Team (by 12 noon on the day of the meeting) and invited to the table or lectern.

- Each individual speaker will have up to a maximum of 3 minutes to speak, subject to the discretion of the Chair. (Please press button on “conference unit” to activate microphone.)
  - Each group of supporters or objectors with a common interest will have up to a maximum of 10 minutes to speak, subject to the discretion of the Chair.
  - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 4) Members’ questions to the Officers and formal debate / determination.

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**Notes:**

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.3, the County Structure Plan (comprising the Development Plan) and other material considerations, which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify the Committee Services Team **by 12 noon on the day of the meeting.**

**Further assistance:**

If you require any further assistance **prior to the meeting**, please contact the Committee Services Officer (indicated at the foot of the inside front cover), Head of Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.

# Welcome to today's meeting.

## Guidance for the Public

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### **Agenda Papers**

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### **Chair**

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### **Running Order**

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

**Refreshments** : tea, coffee and water are normally available at meetings - please serve yourself.

### **Decisions**

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### **Members of the Public**

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

### **Special Arrangements**

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### **Further Information**

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

### **Fire/ Emergency instructions**

**If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.**

**If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.**

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

**The emergency Assembly Area is on Walter Stranz Square.**

# Declaration of Interests: Guidance for Councillors

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DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

**OR**

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

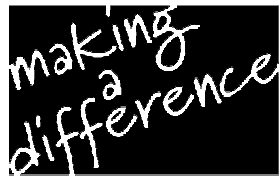
- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

**and**

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



# PLANNING COMMITTEE

29th February 2012

7pm

Council Chamber Town Hall

## Agenda

### Membership:

Cllrs: Michael Chalk (Chair) Bill Hartnett  
Roger Hill (Vice-Chair) Robin King  
Peter Anderson Wanda King  
Andrew Brazier Brenda Quinney  
Malcolm Hall

<b>1. Apologies</b>	To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.
<b>2. Declarations of Interest</b>	To invite Councillors to declare any interest they may have in the items on the Agenda.
<b>3. Confirmation of Minutes</b> (Pages 1 - 4)	To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 1st February 2012.  (Minutes attached)
<b>4. Planning Application 2011/258/FUL - Teardrop Site, Bordesley Lane, Redditch</b>  (Pages 5 - 12)  Head of Planning and Regeneration	To consider a Planning Application for the erection of a petrol filling station, including forecourt shop, canopy and 8 pumps, car wash, car care facilities, car parking, offset fills and associated plant and landscaping.  Applicant: Sainsbury's Supermarkets Ltd  (Report attached – Site Plan under separate cover)  <b>(Abbey Ward);</b>
<b>5. Planning Application 2012/004/COU - 9 Dowlers Hill Crescent, Greenlands</b>  (Pages 13 - 18)  Head of Planning and Regeneration	To consider a Planning Application for a change of use from Class A1 (Shops) to Class A5 (Hot Food Takeaway), new shopfront and rear yard extension.  Applicant: Mr Mohammed Qasim Rafiq  (Report attached – Site Plan under separate cover)  <b>(Greenlands Ward);</b>

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<p><b>6. Planning Application 2012/018/RC3 - Winyates District Centre, Winyates</b></p> <p>(Pages 19 - 22)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a Planning Application for various environmental enhancements relating to demolition of existing garages, provision of additional car parking spaces and provision of refuse bin collection areas.</p> <p>Applicant: Redditch Borough Council</p> <p>(Report attached – Site Plan under separate cover)</p> <p><b>(Winyates Ward);</b></p>
<p><b>7. Tree Preservation Order No. (138) 2011 - Confirmation - Teardrop Site, Land at Bordesley Lane, Redditch</b></p> <p>(Pages 23 - 26)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a report relating to the protection of a number of significant mature trees considered to be of positive benefit to amenity and therefore worthy of retention in the longer term.</p> <p>(Report and Appendix 1 attached / Appendix 2 (Site Plan) under separate cover)</p> <p><b>(Abbey Ward);</b></p>
<p><b>8. Tree Preservation Order No. (139) 2011 - Confirmation - Former Dingleside Middle School and adjacent Council owned land</b></p> <p>(Pages 27 - 30)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a report relating to the protection of a number of significant mature trees considered to be of positive benefit to amenity and therefore worthy of retention in the longer term.</p> <p>(Report and Appendix 1 attached / Appendix 2 (Site Plan) under separate cover)</p> <p><b>(Greenlands Ward);</b></p>
<p><b>9. Tree Preservation Order No. (140) 2011 - Confirmation - Land off Oakenshaw Road,</b></p> <p>(Pages 31 - 34)</p> <p>Head of Planning and Regeneration</p>	<p>To consider a report relating to the protection of a number of significant mature trees considered to be of positive benefit to amenity and therefore worthy of retention in the longer term.</p> <p>(Report and Appendix 1 attached / Appendix 2 (Site Plan) under separate cover)</p> <p><b>(Greenlands Ward);</b></p>
<p><b>10. Appeal Outcome - 80 Longfellow Close, Walkwood</b></p> <p>(Pages 35 - 36)</p> <p>Head of Planning and Regeneration</p>	<p>To receive information on the outcome of an appeal against refusal of Planning permission, made by Officers under delegated powers, relating to a change of use of open space to garden area and enclosure with fence.</p> <p>(Report attached)</p> <p><b>(Headless Cross &amp; Oakenshaw Ward);</b></p>



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<p><b>11. Planning Enforcement Activity - Six Month Update</b></p> <p>(Pages 37 - 42)</p> <p>Head of Planning and Regeneration</p>	<p>To receive information relating to statistics for enforcement activity for the previous six months.</p> <p>(Report attached)</p> <p><b>(Various Wards);</b></p>
<p><b>12. Exclusion of the Public</b></p>	<p>During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution:</p> <p><b>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.</b></p> <p><b>These paragraphs are as follows:</b></p> <p><b>subject to the “public interest” test, information relating to:</b></p> <p><b>Para 1 - <u>any individual;</u></b></p> <p><b>Para 2 - <u>the identity of any individual;</u></b></p> <p><b>Para 3 - <u>financial or business affairs;</u></b></p> <p><b>Para 4 - <u>labour relations matters;</u></b></p> <p><b>Para 5 - <u>legal professional privilege;</u></b></p> <p><b>Para 6 - <u>a notice, order or direction;</u></b></p> <p><b>Para 7 - <u>the prevention, investigation or prosecution of crime;</u></b></p> <p><b>may need to be considered as “exempt”.</b></p>
<p><b>13. Confidential Matters (if any)</b></p>	<p>To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)</p>