

Planning Committee

Tuesday, 4 November 2008

MINUTES

Present:

Councillor Michael Chalk (Chair) and Councillors B Clayton (substituting for Councillor Smith), D Enderby, R J Farooqui, J Field, W Hartnett, N Hicks, D Hunt and R King

Officers:

R Bamford, S Edden, A Hussain, R Kindon, S Mullins, H Rajwanshi and A Rutt

Committee Services Officer:

J Smyth.

34. APOLOGIES

Apologies for absence were received on behalf of Councillors Boyd-Carpenter and Smith.

35. DECLARATIONS OF INTEREST

Councillor R King declared a personal and prejudicial interest in Planning Application 2008/305/OUT (Outline Planning Application for a residential development on land at Wirehill Drive, Lodge Park) as detailed separately at Minute 41 below.

Councillor Field declared a personal but not prejudicial interest in Enforcement Report 2008/025/ENF (Breach of Planning Control in respect of an extension to the side of a property) as detailed separately at Minute 45 below.

Councillor MacMillan, as a non-member of the Committee, declared a personal and prejudicial interest in Planning Application 2008/275 (Replacing a bungalow with a dormer bungalow at 56 Hither Green Lane, Bordesley) as detailed separately at Minute 37 below.

36. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined a number of Planning Applications as detailed in the subsequent minutes below.

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Chair

Offices tabled an update report detailing any late responses to consultation, changed recommendations, further conditions and any additional Officer comments in relation to each application. This report was further updated orally at the meeting as appropriate to each application.

Public Speaking was permitted, in accordance with the Council's agreed procedures, in relation to five of the applications being considered.

37. PLANNING APPLICATION 2008/275/FUL - 56 HITHER GREEN LANE, BORDESLEY

Replacement of a bungalow with a dormer bungalow
Applicant: Mr N Kins

The following people addressed the Committee under the Council's public speaking rules:

Mr Thornton – objector
Mr N Crowther – objector
Councillor C MacMillan – objector
Mr N Jinks – Applicant
Mr D Jones – Agent for the Applicant.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and Informative in the main report.

(Prior to commencement of his public speaking session, Councillor MacMillan, speaking in a personal capacity as an objector to the application, declared his personal and prejudicial interest in view of the fact that he lived in close proximity to the application site. In accordance with regulations governing Members' interests - Section 81 of the Local Government Act 2000 - at the conclusion of public speaking, he withdrew from the meeting for the duration of the Committee's consideration of the application.)

38. PLANNING APPLICATION 2008/289/FUL - THE KINGFISHER SCHOOL, CLIFTON CLOSE, MATCHBOROUGH WEST

Erection of a concrete garage and 65 metre straight run of 4.5 metre high sports netting
Applicant: The Kingfisher School

Mrs Tyler – objector and Mr Adams, on behalf of the Applicant, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations:

- 1) **in respect of the erection of the concrete garage, Planning Permission be GRANTED, subject to the condition detailed below:**

“The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004”; and

- 2) **in respect of the sports netting proposed for the eastern boundary of the school site, Planning Permission be REFUSED for the following reason:**

“The proposed netting, by virtue of its height, represents a substantial structure which would lead to an obtrusive and incongruous feature of detriment which would be visually unacceptable causing detrimental visual impact to the surrounding residential amenity. As such, the development would be contrary to Policy B(BE).13 of the Borough of Redditch Local Plan No.3.”

(The decision taken in respect of the proposed sports netting was contrary to Officer recommendation for the reason stated above.)

**39. PLANNING APPLICATION 2008/303/OUT - LAND AT
PETERBROOK CLOSE, OAKENSHAW**

Outline Residential Development

Applicant: Redditch Borough Council

The following people addressed the Committee under the Council's public speaking rules:

Mrs Southwell – objector
Mrs Powell – objector

Mr Clarke – objector
Mr R Kindon – on behalf of the Applicant.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and Informatives in the main report.

40. PLANNING APPLICATION 2008/304/OUT - LAND OFF BANNERS LANE, CRABBS CROSS

Outline Residential Development
Applicant: Property Services, Redditch Borough Council

The Committee noted that this matter had been WITHDRAWN by Officers at the request of the Applicant and was not discussed.

41. PLANNING APPLICATION 2008/305/OUT - LAND AT WIREHILL DRIVE, LODGE PARK

Outline Residential Development
Applicant: Redditch Borough Council

The following people addressed the Committee under the Council's public speaking rules:

Mr Blewitt - objector
Mr P Bird – objector
Ms P Tanner – objector
Mr Willmott – objector
Cllr A Fry – Ward Member and objector
Mr R Kindon – on behalf of the Applicant.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and Informatives in the main report and the following additional conditions and informatives:

- “6. - Development only to be located on area noted as R1 on plan and not on land shown as R2;**
- 7. - Details of access arrangements during construction to be agreed and complied with to prevent damage to R2 land to be retained at the frontage of the site.**

8. H13 Access, turning and parking.

Informatives

6. HN1 Mud on the road.
7. - **The Reserved Matters application(s) shall include provision for highway safety improvement works on Wirehill Drive in the vicinity of the site.”**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor R King declared a personal and prejudicial interest in view of the fact that one of the objectors was known to him, and withdrew from the meeting.)

42. PLANNING APPLICATION 2008/316/FUL - 1207 EVESHAM ROAD, ASTWOOD BANK

Internal alterations and addition of conservatory to rear to enable whole of premises to be used as a restaurant
Applicant: Mr R Seed

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Mr G Roberts and Ms T Hawkes, objectors and Mr C Eaves, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the following reason:

“The proposed development, located outside of the defined Astwood Bank District Centre boundary, would constitute an intensification of a commercial use which would be unacceptable and incompatible with this predominantly residential part of Evesham Road, Astwood Bank and detrimental to the living conditions and amenities of nearby and adjoining residents. As such the proposal would be contrary to Policies E(TCR).9, B(NE).4 and E(TCR).12 of the adopted Borough of Redditch Local Plan No.3.”

(This decision was taken contrary to Officer recommendation for the reason stated above.)

43. INFORMATION ITEM

The Committee received an item of information in relation to an outcome of an appeal against a Planning decision, namely:

Planning Reference 2008/058

Variation of Condition 14 of Planning Application 2007/313
Increase to permitted Opening Hours of Bulders Merchant
Buildland, Oxleasow Road, East Moons Moat

The Committee noted that this appeal against the Committee's decision to refuse planning permission for the proposed extension had been ALLOWED, subject to the conditions as stated in the report.

44. ENFORCEMENT OF PLANNING CONTROL

The Committee considered a contravention of planning law, as detailed in the subsequent minute below.

45. ENFORCEMENT REPORT 2008/025/ENF - CASTLEDITCH LANE, OAKENSHAW

Unauthorised erection of extension to side of premises.

RESOLVED that

- 1) **authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of planning control, namely, the erection, without planning permission, of a side extension; and**
- 2) **such actions comprise the serving of an Enforcement Notice and the instigating of prosecution proceedings, if necessary, in the event of any failure to comply with any requirement of that Notice.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Field declared a personal but not prejudicial interest in view of the fact that he lived within 100m of the Application site.)