

# Planning Committee

Tuesday, 2 December 2008

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## MINUTES

### Present:

Councillor Michael Chalk (Chair), and Councillors D Enderby, R J Farooqui, M Hall (substituting for Councillor Hicks), J Field, W Hartnett, D Hunt and R King

### Also Present:

M Collins (Vice-Chair, Standards Committee)

### Officers:

R Bamford, A Hussain, A Rutt, S Skinner and S Williams

### Committee Services Officer:

J Smyth.

### 46. APOLOGIES

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

### 47. DECLARATIONS OF INTEREST

Councillor Hall declared a personal but not prejudicial interest in Planning Application 2008/328 (Application for the retention of a temporary building in Cherry Tree Walk, Batchley), as detailed separately at Minute 51 below.

Councillor Farooqui declared a personal and prejudicial interest in an Information Report (relating to the outcome of an appeal against a planning decision); as detailed separately at Minute 55 below.

### 48. APPLICATIONS FOR PLANNING PERMISSION

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

Officers 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

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Chair

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 four of the application being considered.

**49. PLANNING APPLICATION 2008/322/COU - LAND AT CHARLES MARTIN BUSINESS PARK, ARROW ROAD NORTH, LODGE PARK**

Temporary change of use of two industrial units and yard to car sales for three years  
Applicant: Broadbent and Green

Mr Bridgewater, objector and Mr Vick, the Applicant's Agent, 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 GRANTED, subject to the conditions stated in the main report.**

(Members reiterated the need for Officers to ensure that Visitor and Staff car parking be clearly demarcated on the application site, as specified under Condition 3.)

**50. PLANNING APPLICATION 2008/326 - 5A DARK LANE, ASTWOOD BANK**

Retrospective permission for an external canopy over a cellar entrance  
Applicant: Astwood Bank Club

Mr Walsh, objector and Mr Vick, the Applicant's Agent, 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 GRANTED, subject to the conditions stated in the main report but with Condition 2 being amended to read as follows:**

**“2. The heater shall be removed within one month from the date of the Decision Notice. No other forms of heating facilities shall be used in this enclosed structure area.”**

**51. PLANNING APPLICATION 2008/328 - THE OAKS CENTRE,  
CHERRY TREE WALK, BATCHLEY**

Retention of Temporary Building  
Applicant: Mr R Gilbert – NEW College

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED for a period of two years, subject to the condition stated in the name report and the following additional condition:**

**“2. Details of external paintwork shall be submitted within two months of the date of this Notice to the Local Planning Authority and shall be approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details within two months of the date of the letter of approval.**

**Reason: In the interests of the visual amenity of the area and in accordance with Policy B(BE).14 of the Borough of Redditch Local Plan No.3.**

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Hall declared a personal but not prejudicial interest in view of the fact that he was employed by NEW College, the Applicant, and refrained from voting on the matter.)

**52. PLANNING APPLICATION 2008/330 - LAND ADJACENT TO 125  
PLYMOUTH ROAD, SOUTHCREST**

Detached Dwelling  
Applicant: Mr D Bush

Mr Bush, 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 GRANTED,**

subject to the conditions and informatives in the main report and the following additional condition and informatives:

“10. Access, turning and parking.

### Informatives

3. Mud on highway.
4. Private apparatus within the highway.
5. Alteration of highway to provide new or amended vehicle crossover.”

### 53. **PLANNING APPLICATION 2008/331 - HIGH TREES, DARK LANE, ASTWOOD BANK**

Resubmission of Outline Application 2008/125

Retention of existing property, demolition of outbuildings and development of 5 dwellings with associated access and amenity

Applicant: Mr B Hands, Bradley Design Homes

Mrs Mitchell, on behalf of the Applicant and his Architect, addressed the Committee under the Council's public speaking rules.

### **RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Acting Head of Planning and Building Control to GRANT Outline Planning Permission, subject to:**

**any comments from the Council's Arboricultural Officer and the Countryside and Biodiversity Officer; expiry of the consultation period; the summarised conditions and informatives as stated in the main report; and the following additional summarised conditions and informatives:**

- “13. Amended plans specified.
14. Access, turning and parking.
15. Secured by Design.
16. Layout Plan submitted being indicative only.
17. Plus appropriate conditions to address the recommendations of the protected species survey and bat survey.

### Informatives

3. Mud on highway.
4. Private apparatus within the highway.

5. **Alteration of highway to provide new or amend vehicle crossover.**
6. **External security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.**
7. **No burning on site.**
8. **Adequate measures be put in place to prevent migration of dust and particulates beyond the site boundary.”**

#### **54. IMPROVEMENT WORKS TO MARKET AREA - MONITORING INFORMATION REPORT ON PERMISSION 2008/067/RC3**

Members received a report which detailed the implementation and monitoring of an Application in respect of Improvement Works to the Town Centre Market Area.

The Committee's attention was drawn to the Appendix to the report which outlined the various conditions imposed and the works completed or in hand to comply with them. Officers advised that they were currently liaising with other relevant Officers in relation to the two main issues outstanding, namely the need to bring the Market trading hours in line with those imposed under the planning approval, for which a report would need to be taken to the Executive Committee to seek approval to changes in the Council's current policy on the Market's operating hours, and an agreed landscaping scheme.

Further to enquiries previously received directly from Members, Officers reported that, whilst there had been some initial issues with the finish of the hard surface works, these had been resolved and they had been completed to a high standard in accordance with the planning permission. Members requested that, should repair works be required as a result of Utilities works / damage, any materials were to be replaced like for like to the standard approved. There was some discussion in respect of the Art Work area of the market, commissioned to depict and display the town's industrial heritage, and the need to ensure that the area was maintained and kept clear of stalls.

Officers advised that the Market area would continue to be monitored to ensure the enforcement of the approved Planning approval. However, some of these issues were landlord ones, rather than being relevant to the responsibilities of the Planning Committee, and accordingly, Officers agreed to raise Members' concerns with relevant Officers. It was noted that a report, shortly to be presented to the Executive Committee, would be highlighting a number of contract issues the Council had with Traders.

**RESOLVED that**

**the report be noted.**

**55. INFORMATION REPORT**

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

Planning Reference 2008/071/COU

Permission for the change of use of an existing retail shop (Class A1) to a Restaurant and Takeaway (Classes A3 and A5 respectively; and the conversion of two rear garages to form kitchen premises 145-147 Evesham Road, Headless Cross

The Committee noted that this appeal against the Committee's decision to refuse planning permission for the proposed change of use and conversion of the two garages had been DISMISSED by the Inspector for the reasons detailed in the report.

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Farooqui declared a personal and prejudicial interest in view of the fact that he was related to the Applicant, and withdrew from the meeting during its consideration.)

**56. ENFORCEMENT OF PLANNING CONTROL**

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

**57. ENFORCEMENT REPORT 2008/242ENF - WEIGHTS LANE, BORDESLEY**

Unauthorised advertisement board situated within the Green Belt.

**RESOLVED that**

- 1) authority be delegated to the Head of Democratic, Legal 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 display of an advertisement without the express consent of the Local Planning Authority; and**

# Planning

Committee

Tuesday, 2 December 2008

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- 2) such action comprise the instigation of Prosecution proceedings if deemed necessary.

The Meeting commenced at 7.00 pm  
and closed at 8.51 pm

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CHAIR