

Planning Committee

2nd February 2010

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Kath Banks (Vice-Chair) and Councillors B Clayton (substitute for Cllr Smith), D Enderby, J Field, W Hartnett, N Hicks and R King

Also Present:

M Collins (Vice-Chair Standards Committee)

Officers:

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

Committee Services Officer:

J Smyth

86. APOLOGIES

Apologies for absence were received on behalf of Councillors Hunt and Smith.

87. DECLARATIONS OF INTEREST

There were no declarations of interest by Members of the Committee.

Mr Hussain, Legal Advisor to the Planning Committee, declared an Officer interest in Enforcement Report 2009/149/ENF as detailed at Minute 97 below.

88. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 1st December 2009 be confirmed as a correct record and signed by the Chair.

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Chair

89. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined four 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 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 two of the applications being considered.

90. PLANNING APPLICATION 2009/249/FUL – LAND AT 31 WHEATCROFT CLOSE, BROCKHILL

Erection of 1 no. three bedroomed end terraced dwelling
Together with associated parking
Applicant: Mr A Wilkins

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

Mrs Povah – Objector
Mr A Kidd – Objector
Mr Buckley – Objector
Councillor J Pearce – Ward Councillor objector, representing Ward residents
Mr C Berry – Agent for the Applicant

RESOLVED that

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

- 1. the proposed development, by reason of its closer proximity to the bund and Brockhill Drive relative to others in Wheatcroft Close is considered to be out of keeping with the character and pattern of development in the area and as such is contrary to Policies B(HSG)6 and B(BE)13 of the Borough of Redditch Local Plan No.3;**
- 2. the proposed ingress and egress to parking areas is considered to be inadequate and as such would be likely to result in a danger to highway safety and conflict between vehicle users in the communal parking area to the front of**

the existing and proposed properties. As such the proposal is considered to be contrary to PPG13 which seeks to ensure safe and adequate manoeuvring spaces for vehicles; and

3. the proposed development, by reason of its siting and the resultant loss of garden area to no.31 would result in an overdevelopment of the site that would be visually intrusive within the street scene, and thus is contrary to Policy B(BE)13 of the Borough of Redditch Local Plan No.3.

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

**91. PLANNING APPLICATION 2009/262/FUL –
137 TO 141 EVESHAM ROAD, HEADLESS CROSS**

Change of Use of ground floor
(no's 137 – 139 Evesham Road From A1 (Retail) to A3/A5
(Restaurant and Hot Food Takeaway Use);
new shop front; demolition of existing single storey rear extension
to create new two storey rear extensions and creation of
4 no. flats over no's 137-141 Evesham Road
Applicant: Mr L N Theodorou

Councillor C Gandy - Ward Councillor and objector, 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 reasons stated in the report.

**92. PLANNING APPLICATION 2009/267/FUL –
18 CHESTNUT ROAD, ASTWOOD BANK**

Erection of a two-storey, four bedroomed detached dwelling
Applicant: Mr I Osbourne

RESOLVED that

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

“11. Access, turning and parking.

Informatives:

2. Highway Note 4 – Private apparatus within the highway.
3. Highway Note 5 – No authorisation for applicant to carry out works within the publicly maintained highway.
4. Drainage details to be in agreement with Severn Trent Water.”

**93. PLANNING APPLICATION 2009/272/ADV –
LAND AT MORTON STANLEY PARK,
WINDMILL DRIVE, WEBHEATH**

New flag and flagpole to fly the Green Flag Award
Applicant: Redditch Borough Council

RESOLVED that

having regard to the Development Plan and to all other material considerations and subject to the expiry of the consultation period on the 3rd February 2010 with no new material considerations being raised, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Permission, subject to the conditions summarised in the report.

94. CALENDAR OF MEETINGS - PLANNING COMMITTEE

The Committee was asked to consider changes to a number of proposed Planning Committee meeting dates in 2011. These were required purely for practical administrative purposes.

RESOLVED that

- 1) the meeting provisionally scheduled for 8th February 2011 be moved back to 1st February;
- 2) the meeting provisionally scheduled for 8th March 2011 be moved back to 1st March; and
- 3) the meeting provisionally scheduled for 5th April 2011 be moved back to 29th March.

95. INFORMATION REPORT

The Committee received information relating to statistics in respect of Enforcement activity in the previous six months.

RESOLVED that

the item of information be noted.

96. ENFORCEMENT OF PLANNING CONTROL

The Committee considered two contraventions of planning law, as detailed in the subsequent minutes below.

**97. ENFORCEMENT REPORT 2009/149/ENF –
IPSLEY STREET, SMALLWOOD**

Non-compliance with a Condition attached to a Planning Permission

RESOLVED that

in relation to a breach of Planning Control, namely the failure to comply with a condition attached to a grant of Planning Permission, 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 by way of the institution of legal proceedings in the Magistrates Court.

(Prior to consideration of this item, Mr Amar Hussain, Legal Advisor to the Planning Committee, declared an Officer interest, in view of the fact that he was acquainted with a party to this case and withdrew from the meeting for the duration of its consideration.)

**98. ENFORCEMENT REPORT 2008/097/ENF –
PROSPECT HILL, TOWN CENTRE**

Breach of Planning Control in respect of the removal of a feature from a Grade II Listed Building

RESOLVED that

in relation to a breach of Planning Control, namely the carrying out of work to a Listed Building without prior consent, authority be delegated to the Head of Legal, Democratic & Property Services, in consultation with the Acting Head of Planning and Building Control, to take the following enforcement action if necessary:

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- a) **the serving of a Listed Building Enforcement Notice; and**
- b) **the institution of legal proceedings in the Magistrates Court in the event of any failure to comply with that Notice.**

The Meeting commenced at 7.00 pm
and closed at 8.48 pm

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CHAIR