

# Planning Committee

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4th January 2011

## MINUTES

### Present:

Councillor Michael Chalk (Chair), Councillor Nigel Hicks (Vice-Chair) and Councillors Peter Anderson, Brandon Clayton, Adam Griffin (substituting for Councillor Kath Banks), Bill Hartnett, Roger Hill, Robin King and Wanda King

### Also Present:

M Collins (observer for Standards Committee)

### Officers:

R Bamford, A Hussain, A Rutt and S Skinner

### Committee Services Officer:

J Smyth

### 64. APOLOGIES

An apology for absence was received on behalf of Councillor Kath Banks.

### 65. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 66. CONFIRMATION OF MINUTES

#### RESOLVED that

the minutes of the meeting of the Committee held on 7th December 2010 be confirmed as a correct record and signed by the Chair.

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Chair

**67. PLANNING APPLICATION 2010/275/COU –  
30 HEWELL ROAD, REDDITCH**

Change of use of retail warehouse unit into restaurant (A3 use)

Applicant: Mr G Singh

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the reason stated in the main report and a further additional reason, namely:**

- “1) the lack of car parking spaces to serve the proposed development would lead to ad hoc, on-street parking, which in this location, adjacent to a busy mini-roundabout, is likely to be of detriment to highway safety. As such, the proposed development would be contrary to National Planning Guidance contained within PPG13 (Transport) and Policy C(T),12 & Appendix H of the Borough of Redditch Local Plan No. 3; and**
- 2) the proposal would represent inappropriate development having regard to the site’s location within an area designated for Primary Employment generating uses under the terms of Policy E(EMP).3 of the Local Plan. In addition, the development would be contrary to Policy E(TCR).12 of the Borough of Redditch Local Plan, which seeks to restrict new restaurant uses to the defined Town Centre, Peripheral Zone or District Centres, owing to their more sustainable location and in the interests of protecting amenity.”**

(In respect of the inclusion of the additional reason for refusal, Members were concerned as to the appropriateness of an A3 use being located in a designated Primarily Employment Area.

In response to Members’ views, Officers highlighted Policy E(TCR).12 which supports A3 uses being located in Town Centres, the peripheral zone and District Centres. Members were advised that, if they were so minded, they might wish to consider a second reason for refusal on the grounds that the proposed use would also be contrary to this specific Policy.)

**68. PLANNING APPLICATION 2010/280/FUL –  
137 TO 141 EVESHAM ROAD, HEADLESS CROSS**

Change of use of groupd floor nos. 137 – 139 Evesham Road  
from A1 (Retail) to A3/A5 (Restaurant and Hot Food Takeaway),  
new shop front, ground floor rear extension and creation of  
3 no. flats over nos. 137 – 141 Evesham Road  
Applicant: Mr LN Theodorou

Mr S Vick, Supporter and Mr Hanson, 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, Planning Permission be REFUSED, for the following reason:**

**“The proposed residential properties would represent an over-intensive form of development, with the scheme providing an inadequate level of communal amenity space for occupiers of the proposed scheme to the detriment of residential amenity. As such, the proposals would fail to comply with Policy B(HSG).6 of the Borough of Redditch Local Plan No. 3 and the Council's adopted Supplementary Planning Guidance 'Encouraging Good Design'.”**

(In respect of the deletion of Refusal reason 1, as recommended by Officers in the main report, Members' views were that, on balance, the harm caused from a vacant unit was greater than this ancillary A3 use, which would be discouraged by the relevant Local Plan policies. This was informed by consideration of the character of and uses within the wider Headless Cross area.)

**69. ENFORCEMENT REPORT 2010/010/ENF –  
4 CHURCH GREEN WEST, TOWN CENTRE**

Non-compliance with a Section 215 Notice

**RESOLVED that**

**in relation to a breach of Planning Control, namely the failure to comply with the requirements of a Section 215 Notice, authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Head of Planning**

**and Regeneration, to instigate legal proceedings in the  
Magistrates' Court, if deemed necessary.**

The Meeting commenced at 7.00 pm  
and closed at 8.18 pm

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CHAIR