

Planning Committee

27th April 2011

MINUTES

Present:

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

Also Present:

A delegation of residents from the Brockhill area was also present in the public gallery from the commencement of the meeting until the conclusion of the first Planning Application.

Officers:

R Bamford, S Edden, C Flanagan, A Rutt and S Skinner

Committee Services Officer:

J Smyth

89. APOLOGIES

An apology for absence was received on behalf of Councillor Brandon Clayton.

90. DECLARATIONS OF INTEREST

There were no declarations of interest.

91. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 29th March 2011 be confirmed as a correct record and signed by the Chair.

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Chair

**92. PLANNING APPLICATION 2011/019/FUL –
LAND AT FORMER MAYFIELDS WORKS, THE MAYFIELDS**

Residential development of 23 apartments
and associated landscaping

Applicant: Mr A Coupe

Mr R Ranford, Agent for the Applicant, addressed the Committee under the Council's public speaking rules.

RESOLVED that

- 1. having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:**
 - a) a planning obligation ensuring that the five units are for the provision of social housing in perpetuity; that the County Council is paid appropriate contributions in relation to the provision of education facilities in the locality; that the Council is paid appropriate contributions in relation to the development for pitches, play areas and open space provision in the locality to be provided and maintained; and any future minor changes required to the content be carried out as necessary by Officers; and**
 - b) conditions and informatives as summarised below:**

“Conditions

- 1. Time limit for commencement of development**
- 2. Materials to be agreed and implemented**
- 3. Landscaping details to be agreed and implemented**
- 4. Boundary treatments to be agreed and implemented (including retention of existing)**
- 5. Refuse compound details to be agreed and implemented prior to occupation**
- 6. Hard surfacing details to be porous and agreed**
- 7. Sustainable standard to be agreed and implemented**
- 8. As requested by Highways**
- 9. As requested by Environmental Health**
- 10. Secured by Design**

11. **Drainage details as requested by Severn Trent Water**
12. **Approved plans specified**

Informatives

1. **Reason for approval**
2. **As requested by Environmental Health**
3. **As requested by Highways**
4. **Secured by Design**
5. **As requested by Severn Trent Water”;**

and

2. a) **in the event that the planning obligation cannot be completed by 3rd June 2011, authority be delegated to the Head of Planning and Regeneration to refuse the application on the basis that, without the Planning Obligation the proposed development would be contrary to Policy and therefore unacceptable owing to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements, and that none of the dwellings could be restricted to use for affordable housing in line with current policy requirements; and**
- b) **in the event of a refusal on the grounds as stated in 2 a) above and the Applicant resubmitting the same or a very similar planning application with a completed legal agreement attached, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission, subject to the conditions and informatives stated in 1 b) above.**

(Prior to discussing this matter, the Applicant’s Agent had clarified with the Chair that, confidential information submitted with the Planning Application, and issued to Members following their request at the previous Planning Committee meeting, in relation to the economic un-viability of providing the required social housing to meet Policy requirements, was no longer confidential and could be discussed in open session if Members wished to make reference to it.

In relation to the proposed date for completing the required Planning Obligation (5th May 2011), and having taken advice from Officers present, the Committee agreed that, in view of delays on

the part of the Council and further additional delays due to the extended Bank Holiday arrangements, the completion date for the planning obligation be changed to 3rd June 2011, as amended in Resolution 2 a) above, to allow the Applicant's Solicitors to finalise the necessary documentation.)

(Councillor Hicks, having missed the commencement of the Officer's report, withdrew and did not participate in discussions or vote on this particular Planning Application.)

**93. PLANNING APPLICATION 2011/059/FUL –
27 COMPTON CLOSE, SOUTHCREST**

Change of use from open space to private garden area
by enclosure with a two metre high timber fence

Applicant: Mr J Rudd

RESOLVED that

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

**94. PLANNING APPLICATION 2011/060/FUL –
LAND BETWEEN 249 AND 253 AND REAR OF
253 TO 263 EVESHAM ROAD, HEADLESS CROSS**

Erection of one pair of semi-detached houses with car parking spaces

Applicant: Ms J Smith and Mr P Ryan

Ms C Whitby, Objector, and Mr H Gore, 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 GRANTED, subject to the conditions and informatives summarised in the main report.

**95. PLANNING APPLICATION 2011/067/FUL –
1 OUTWOOD CLOSE, OAKENSHAW**

Part two-storey and part first floor extension

Applicant: Mr G Shaw

Mr Shaw, 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 informative summarised in the main report.

**96. PLANNING APPLICATION 2011/077/COU –
UNIT 8 NEW MEADOW ROAD, LAKESIDE INDUSTRIAL ESTATE**

Change of use from B2 (Industrial Use) to D2 (Leisure Use
Boxing and Fitness Club

Applicant: Mrs A O'Connor

Mrs A O'Connor, 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 following conditions:

- 1. Development to commence within three years.**
- 2. Approved Plans specified.**
- 3. The development approved under the consent to be restricted to that of a boxing and fitness club only.**

(This decision was taken contrary to Officer recommendation in that whilst the Committee acknowledged Officers' reasons for recommending refusal, they were not convinced that the change of use would be harmful to the town's supply of employment land and that the business would generate a significant increase in vehicular trips and create parking issues. Members were, therefore, minded to approve the Application in view of the fact that there were already several units in the near vicinity being used for purposes other than non-industrial as well as being in close proximity to open space and

other leisure facilities, the empty unit could be put to good use and was, in Members' opinion, ideal for this type of venture. The facility could provide for employment opportunities in the future and add to the leisure facilities already available for the Town's residents.

Members further agreed that Officers should provide appropriate conditions including one that the D2 use should be restricted to Boxing and Fitness only. In addition, they specified that they saw no reason to impose any restriction on opening hours for this facility at this location.)

**97. APPEAL OUTCOME –
SPICE FUSION, 1207 EVESHAM ROAD, ASTWOOD BANK**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of Planning Permission and an Enforcement Notice, namely:

Planning Application 2010/135/COU
Enforcement Notice 2009/229/ENF
Change of use of front section of bungalow
from residential to incorporate bar
and reception area (retrospective)

RESOLVED that

Members note that:

- 1) **the appeal against the Council's decision to refuse retrospective planning permission, on grounds that the change of use to the front of the building would have a harmful effect on the character and appearance of the street scene in a residential location and the use of the whole building for A3 purposes would be likely to result in additional harmful impacts, such as noise and disturbance on adjacent residential properties, had been ALLOWED, subject to conditions specified by the Inspector; and**
- 2) **the Enforcement Notice, served subsequent to refusal of the retrospective Planning Application, had been quashed.**

**98. APPEAL OUTCOME –
ASTWOOD BUSINESS PARK, ASTWOOD LANE,
ASTWOOD BANK**

The Committee received, without comment, information relating to the outcome of an appeal against a refusal of planning permission, namely:

Planning Application 2010/238/COU
Use of land for the display and sale
of motor vehicles (retrospective)

RESOLVED that

Members note that, the appeal against the Council's decision to refuse retrospective planning permission, taken by Officers under delegated powers, on grounds relating to inappropriate use in a rural area to the detriment of the rural character of the area and highway safety, had been DISMISSED and that Enforcement action was currently being undertaken.

**99. APPEAL OUTCOME –
1232 EVESHAM ROAD, ASTWOOD BANK**

The Committee received, without comment, information relating to the outcome of an appeal against a refusal of planning permission, namely:

Planning Application 2011/142/FUL
First floor rear extension and
replacement of hipped roof with new
gabled roof including dormer window

RESOLVED that

Members note that the appeal against the Council's decision to refuse planning permission, on grounds relating to the dominating and adverse effect the proposed alterations would have on the design, character and appearance of the dwelling, had been ALLOWED.

**100. REVIEW OF OPERATION OF THE PLANNING COMMITTEE -
MUNICIPAL YEAR 2010/11**

The Committee gave consideration to the operation of, and procedures undertaken, during its meeting held during the 2010/11 municipal year, including its public speaking arrangements. The following matters were raised:

a) Photographs

Members reiterated their request from the previous year, that Officers should provide more photographs of application sites, as appropriate, to assist the Committee's understanding of specific sites and applications.

The occasional, if appropriate, use of "Google Earth" and similar tools was also mentioned. It was acknowledged, however, that in the case of both of photographs and Google Earth, care needed to be taken to avoid any misleading or out of date impressions being created.

b) Knowledge of Sites

During discussion of site visits, Officers recommended that Members should always seek to informally acquaint themselves with application sites by one means or another. Decisions on the need or otherwise for more formal Site Visits would be decided in relation to relevant meetings of the Committee, as appropriate to each application.

c) Chair's Briefings

It was agreed that the Vice-Chair should have a standing invitation to attend the Chair's Briefing.

d) Members Procedural Briefings

There was general agreement that pre-meeting Procedural Briefings were sometimes useful for providing Members with specific procedural information relating to the Committee meetings themselves. It was suggested, however, that steps needed to be taken to avoid any risk the Committee might mistakenly be thought to be determining matters prior to the actual Committee meeting,

e) Public Speaking

No amendments were suggested to the current scheme.

f) Post-Meeting Reviews

It was agreed that a review of the conduct of Committee business was sometimes useful immediately after a meeting, as happened after Licensing Sub-Committee meetings.

RESOLVED that

the comments and issues raised by Members and Officers, and detailed in the preamble above, be noted and adopted by the Committee for its practical operation and procedures during the forthcoming municipal year 2011/12.

101. COUNCILLORS KATH BANKS AND NIGEL HICKS

On behalf of the Committee, the Chair formally thanked two members who would shortly be leaving the Committee as they were no standing for election at the forthcoming local Elections.

Councillor Banks, former Vice-chair of the Planning Committee was thanked for her contributions during her time as a Committee member.

Similarly, former Committee Chair and Vice-Chair, Councillor Hicks, was thanked for all of his work on the Committee over his terms of office.

RESOLVED that

the Committee endorse the Chair's sentiments in respect of Councillors Banks and Hicks, as detailed in the preamble above.

The Meeting commenced at 7.00 pm
and closed at 8.38 pm

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CHAIR