

Planning Committee

19 May 2009

Minutes

Present:

Councillor Michael Chalk (Chair), Councillor Kath Banks (Vice-Chair) and Councillors 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

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

Councillor Hartnett declared a personal but not prejudicial interest in Planning Application 2009/064/COU (Change of Use from Dental Surgery (D1) to Hairdressing Salon (A1), Unit 15 Winyates Centre, Winyates), as detailed at Minute 8 below.

3. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined six 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.

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Chair

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

4. PLANNING APPLICATION 2009/037/FUL - LAND AT COMPAIR, CLAYBROOK DRIVE, MATCHBOROUGH

Single storey Class B2 manufacturing facility and ancillary offices together with associated additional car parking area.
Applicant: Gardner Denver Limited

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 report and the following additional Condition:

“9. Prior to the commencement of development, details of cycle parking provision shall be submitted to and agreed in writing by the Local Planning Authority. The details agreed shall be implemented on site prior to the occupation and use of the building hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of sustainability and in accordance with Policy C(T).6. of the Borough of Redditch Local Plan No.3.“

(Not wishing to impose a specific condition, Members requested that Officers encourage the Applicant to provide outdoor furniture (seating / tables) as part of their soft landscape proposals for their open space feature to promote outdoor activities, as recommended in Policy E(EMP).2 (Design of Employment Development) of the Borough of Redditch Local Plan No.3.))

5. PLANNING APPLICATION 2009/038/FUL - UNIT 49D PIPERS ROAD, PARK FARM

Demolition of existing single storey offices, extension to and re-cladding of existing building for B2 and B8 use, new B1 office extension, erection of new perimeter fencing together with associated additional car parking area
Applicant: A E Oscroft and Sons Limited

Mrs Pemberton, an 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 GRANTED, subject to the conditions and informatives summarised in the report.

6. PLANNING APPLICATION 2009/054/FUL - 2 BROTHERTON AVENUE, WEBHEATH

Proposed extension to side of bungalow to form garage and utility room
Applicant: Mr C R Forrester

(This application, which would normally have been dealt with under Officer Delegated Powers, was exceptionally considered by the Committee in view of the fact that the Applicant was closely related to a member of Council staff.)

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 report.

7. PLANNING APPLICATION 2009/059/FUL - 82 HITHER GREEN LANE, BORDESLEY

First floor side extension to form bathroom
Applicant: Mr R Evans

Mr Evans, 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 summarised in the report.

8. PLANNING APPLICATION 2009/064/COU - UNIT 15 WINYATES CENTRE, WINYATES

Change of use from Dental Surgery (D1) to Hairdressing Salon (A1)
Applicant: Mr G Arundel – "Scissors"

(This application, which would normally have been dealt with under Officer Delegated Powers, was exceptionally considered by the

Committee in view of the fact that it was a Redditch Borough Council application.)

RESOLVED that

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

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Hartnett declared a minor personal but not prejudicial interest in view of the fact that he had occasionally visited the Applicant's current Hairdressing premises as a client.)

9. PLANNING APPLICATION 2009/066/OU - THE KINGS ARMS PUBLIC HOUSE, 2 BEOLEY ROAD WEST, ST GEORGES

Resubmission of Planning Application Reference 2008/295/COU
Change of use of part car park to a new enclosed grassed
Beer garden including decking and fencing with extensions
and alterations
Applicant: Punch Taverns

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 report.

10. INFORMATION REPORT

Planning Application 2008/188/COU – 5 Fernwood Close, Winyates
Change of use of open space to garden area and
retention of decking within the open space

The Committee received a report relating to the outcome of an appeal against a retrospective Planning Application in respect of a change of use of open space to garden area and retention of decking within the open space.

Members noted that the appeal against the Planning Committee's decision to refuse the Application, had been DISMISSED by the Planning Inspectorate.

RESOLVED that

the item of information be noted.

11. ENFORCEMENT OF PLANNING CONTROL

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

(The second of these reports was considered after the exclusion of the press and public in view of the fact that the report contained confidential information relating to individuals and their identities, legal professional privilege and information relating to alleged breaches of Planning Control, disclosure of which was not considered to be in the public's best interest.)

12. ENFORCEMENT REPORT:2008/183/ENF TO 2008/188/ENF AND 2009/088/ENF TO 2009/090/ENF - ETTINGLEY CLOSE / FERNWOOD CLOSE, WIRE HILL

Enclosure of various plots of land and their incorporation into curtilage of garden areas.

The Committee considered a report which detailed an enforcement matter relating to a number of properties, whose owners had included a buffer strip of land, designated as primarily open space, into the curtilages of their gardens without the knowledge or approval of the Council's Planning Committee.

Members noted that, although the report specifically referred to a number of cases where the need for Enforcement action had already been recognised, the action proposed below was not site specific and would be relevant in all cases where any such breach occurred.

RESOLVED that

in relation to breaches of Planning Control, namely, the making of a material change of use of land from public open space to curtilage of garden, authority be delegated to the Head of Legal, Democratic & Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action by way of:

- a) **the issuing of Planning Contravention Notices to establish ownership of various plots of land, names of interested persons and dates works were carried out;**
- b) **the service of Enforcement Notices alleging material changes of use of that land, if required; and**
- c) **the institution of legal proceedings in the event of non-compliance with such Notices.**

13. EXCLUSION OF THE PUBLIC

RESOLVED that

under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public, with the exception of the Vice-Chair of the Standards Committee, be excluded from the meeting for the following matter on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, 5 and 7 of Part 1 of Schedule 12 (A) of the said Act, as amended.

Minute 14 – Enforcement Report 2009/031/ENF

14. ENFORCEMENT REPORT 2009/038/ENF - ASTWOOD LANE, ASTWOOD BANK

Non-compliance with conditions attached to a grant of Planning Approval permitting a change of use to light industrial and storage

RESOLVED that

in relation to a breach of planning control, namely, the non-compliance with conditions attached to a grant of planning permission, authority be delegated to the Head of Legal, Democratic & Property Services, in consultation with the Acting Head of Planning and Building Control, to take enforcement action by way of:

- a) the service of an Enforcement Notice alleging a breach of conditions; and**
- b) the institution of legal proceedings in the event of non-compliance with such Notice.**

(In view of the fact that the report contained confidential information relating to individuals and their identities, legal professional privilege and information relating to alleged breaches of Planning Control, disclosure of which was not considered to be in the public's best interest, this matter was considered after the exclusion of the press and public. There is nothing exempt, however, in this record of the proceedings.)

The Meeting commenced at 7.00 pm
and closed at 8.25 pm

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CHAIR