

# Planning Committee

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16 June 2009

## MINUTES

### Present:

Councillor Michael Chalk (Chair), Councillor Kath Banks (Vice-Chair) and Councillors J Field, W Hartnett, N Hicks, D Hunt 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

## 15. APOLOGIES

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

## 16. DECLARATIONS OF INTEREST

Councillors Banks and Hartnett declared personal and prejudicial interests in Agenda Item 13 (Affordable Housing Tenure Clauses – Variation to a Section 106 Agreement – Former Megabowl Site), as detailed at Minute 28 below.

Mr Skinner, Officer and Procedural Advisor to the Planning Committee, declared an interest in Planning Application 2009/081/ADV (Display of Flags other than permitted National etc. flags), as detailed at Minute 27 below.

## 17. CONFIRMATION OF MINUTES

### RESOLVED that

**the minutes of the meetings of the Committee held on the 21 April and 19 May 2009 be confirmed as correct records and signed by the Chair.**

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Chair

**18. LOCAL PLAN NO.3 POLICIES RELATING TO PLANNING CONTROL DECISIONS - UPDATE**

The Committee received a report which detailed the reasons for the retention of various Local Plan No. 3 Policies still relevant to Planning Control decisions and those Policies that were no longer relevant.

Members noted that the Policies deemed to be no longer relevant were so considered, because they duplicated other broader policy or statutory requirements.

The Chair brought forward this item in the agenda running order so that Members could consider all the listed applications in full knowledge of the reported policy changes.

**RESOLVED that**

**the list of Policies attached at Appendix 1 (saved Policies still relevant to Planning Development Control decisions) and those attached at Appendix 2 (Policies obsolete and no longer relevant to Planning Development Control decisions), be noted.**

**19. APPLICATIONS FOR PLANNING PERMISSION**

The Committee considered and determined seven 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 five of the applications being considered.

**20. PLANNING APPLICATION 2009/043/FUL - LAND BETWEEN 249 AND 253 AND TO THE REAR OF 253 TO 257 EVESHAM ROAD**

Erection of two detached dwellings with garages  
Applicant: Miss J Smith and Mr P Ryan

Ms C Whitby and Mr Harris, Objectors and Mr H Gore, 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 and informatives summarised in the report.**

**21. PLANNING APPLICATION 2009/052/FUL - FORMER CLAYBROOK FIRST SCHOOL SITE, DILWYN CLOSE, MATCHBOROUGH**

Construction of 36 affordable homes, 2, 3 & 4 bedrooms,  
With access of road  
Applicant: Westbury Partnerships

The Committee noted that, further to Officers' advice, this Application had been WITHDRAWN from the Agenda by the Applicant, and it was therefore not discussed.

**22. PLANNING APPLICATION 2009/063/OUT - LAND ADJACENT TO 17 CHAPEL STREET, ASTWOOD BANK**

Outline application for a detached three bedroom dwelling with garage  
Applicant: Mrs H Palmer

Mr Jones, 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.**

**23. PLANNING APPLICATION 2009/071/LBC - ASTWOOD FARM HOUSE, ASTWOOD LANE, ASTWOOD BANK**

Proposed demolition of outbuilding and replace  
With double garage  
Applicant: Mr J Lavery

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 an employee of Redditch Borough Council.)

**RESOLVED that**

- 1) **having regard to the Development Plan and to all other material considerations, Listed Building Consent be GRANTED, subject to the conditions and informative summarised below,**
  1. **Commence within 3 years,**
  - 2, **All materials to be agreed in writing by the Local Planning Authority.**

**Informative**

**No works to start on site until Planning Permission is also granted; and**

- 2) **authority be delegated to the Acting Head of Planning and Building Control to determine Planning Application 2009/105/FUL in line with the decision made above.**

**24. PLANNING APPLICATION 2009/075/FUL - 1247 EVESHAM ROAD, ASTWOOD BANK**

Erection of 4 bedroom detached dwelling on land adjacent to 1249 Evesham Road  
Applicant: Mr T Walton

Mr Walton, 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 report.**

**25. PLANNING APPLICATION 2009/078/COU - 2 ORCHARD STREET, SMALLWOOD**

Change of use from single dwelling to hot food takeaway (Ground Floor) and two bedroomed flat (first floor)  
Applicant: Mr S M Hussein

**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:

“7. One of the car parking spaces hereby approved and shown to be within the curtilage of the building within the area edged red as shown on the approved plan, be demarcated on the ground and kept available for the personal use of the occupier or future occupiers of the first floor flat granted under this consent.

**Reason:** In the interests of providing dedicated parking facilities for the occupier of the flat and in accordance with Policy C(T).12 of the Borough of Redditch Local Plan No.3.”

**26. PLANNING APPLICATION 2009/079/FUL - YEW TREE HOUSE, WEAVERS HILL, HUNT END**

Detached two-storey dwelling following demolition of existing dwelling and outbuilding  
Applicant: Mr D Ellis

Mr J Shopland, Supporter and Mr B King, Agent for the Applicant, addressed the Committee under the Council’s public speaking rules.

(This application, which would normally have been dealt with under Officer Delegated Powers, was exceptionally considered by the Committee at the request of Ward Member, Councillor B Clayton. Councillor Clayton’s remarks in support of the proposal, contrary to Officer recommendation, were reported to the Committee.)

**RESOLVED that**

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

“The site is identified in the Development Plan for the area as falling within the Green Belt where there is a presumption against inappropriate development. In such an area, development is limited to that which is not inappropriate to a Green Belt and which would preserve its openness. The proposal would amount to inappropriate development, which by definition, is harmful to the Green Belt. It would result in an obtrusive form of development which would reduce the openness of the Green Belt. The Council consider that no very special circumstances have been put forward to overcome the harm to the Green Belt. As such the proposal is considered to

be contrary to Policy B(RA)1 of the Borough of Redditch Local Plan No.3 and national guidance set out in Planning Policy Guidance Note 2 “Green Belts”.

**27. PLANNING APPLICATION 2009/081/ADV - TOWN HALL,  
WALTER STRANZ SQUARE, REDDITCH**

Display of Flags other than permitted National etc. Flags  
Applicant: Redditch Borough Council

Mr S Skinner, 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, Advertisement Consent be GRANTED, subject to the conditions and informatives summarised in the report, together with the following additional informative:**

**“The applicant is advised that the Planning Committee was concerned with the types and condition of flags to be displayed as a result of this consent, and requested that the appropriate Council body be tasked with reviewing and implementing an appropriate Council flag flying policy. The potential display of commercial advertisements was a particular cause for the Committee’s concern.”**

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(Prior to consideration of this item, Mr Steve Skinner, Council Officer and Procedural Advisor to the Planning Committee, declared an interest in the Application, in view of the fact that he had made the subject application on behalf of the Borough Council, and that he would be representing and speaking on behalf of the Applicant. He therefore withdrew to the public gallery for the duration of its consideration.)

**28. AFFORDABLE HOUSING TENURE CLAUSES - VARIATION TO  
A SECTION 106 AGREEMENT - FORMER MEGABOWL SITE**

The Committee considered a variation to a Section 106 Agreement (Planning Obligation) to amend affordable housing tenure clauses in relation to details approved under Planning Application 2005/552/FUL (Erection of 89 residential units with associated parking and amenity space on the former Megabowl site, Greenlands Drive) in respect of five one bedroomed flats previously identified as affordable housing for shared ownership.

**RESOLVED that**

**the reported a variation to the Section 106 Agreement, dated 6 March 2006 and made between (1) the Council of the Borough of Redditch, (2) Worcestershire County Council, (3) Claypond Ltd, (4) Dodd Homes (Greenlands) Ltd and (5) Britannia Building Society, regarding tenure and nomination rights, be agreed, namely that the tenure and nomination rights of five one bedroomed units, previously identified as affordable housing for shared ownership, become social rented housing.**

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillors Banks and Hartnett declared personal and prejudicial interests in view of the fact that they were Board Members on Redditch Co-operative Homes, the Registered Social Landlord for the development, and withdrew from the meeting.)

**29. INFORMATION REPORTS**

The Committee received and considered two items of information relating to outcomes of appeals against Planning decisions, namely:

- a) Planning Application 2008/270/FUL and 2008/271/FUL Iceland Foods, Unit 4b Trescott Road, Trafford Park Single Storey rear extension to existing unit and the installation of five condenser units on roof of proposed extension

Members noted that both appeals against the Committee's decision to refuse the applications on grounds of the effect on the living conditions of occupiers of dwellings in Honeychurch Close in terms of privacy, outlook and noise, had been ALLOWED by the Inspector.

- b) Planning Application 2008/164/FUL Land adjacent to 1 Pool Bank, Southcrest Demolition of 'Lodge' building and erection of of eight apartments in two blocks

Members noted that, the appeal against the Council's decision to refuse planning permission (under delegated powers afforded to Officers), on grounds relating to the proposed development's appearance, over-intensive form of development and inadequate levels of communal space, had been DISMISSED by the Inspector.

**RESOLVED that**

**both items of information be noted.**

# Planning Committee

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16 June 2009

The Meeting commenced at 7.01 pm  
and closed at 9.44 pm

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CHAIR