

# Planning Committee

3rd November 2009

## MINUTES

### Present:

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

### Officers:

A Hussain, S Mullins, A Rutt, S Skinner and J Staniland.

### Committee Services Officer:

J Smyth

### 63. APOLOGIES

There were no apologies for absence.

### 64. DECLARATIONS OF INTEREST

There were no declarations of interest declared.

(Councillor King had indicated that he was acquainted personally with Mr Blewitt, a public speaker for Application 2009/206/RC3 (Environment Enhancements – Himbleton Close, Lodge Park), but not sufficiently to warrant a declaration of interest.)

### 65. CONFIRMATION OF MINUTES

#### RESOLVED that

**the minutes of the meeting of the Committee held on the 6th October 2009 be confirmed as a correct record and signed by the Chair.**

### 66. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered and determined nine Planning Applications as detailed in the subsequent minutes below.

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Chair

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 eight of the applications being considered.

**67. PLANNING APPLICATION 2009/186/FUL –  
UNIT 9, WASHFORD TRADE PARK, WASHFORD DRIVE**

Erection of new (Class A1) Retail Unit  
Applicant: HSL Property Ltd

Mr P Haslam and Mr C Robinson, the Applicant and Agent respectively, addressed the Committee under the Council's public speaking rules.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Permission, subject to the following conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.**

**Reason: - In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**

- 2) The premises shall be used for the preparation, baking and retail sale of bread flour and sugar confectionary, savoury products, fresh and delicatessen foods, sandwiches, snacks, soft drinks, beverages, ice-cream and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes Amendment) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) unless otherwise agreed in writing by the Local Planning Authority.**

**Reason:** In the interest of sustainability to prevent additional trips by car in accordance with Policy E(TCR).4 of the Borough of Redditch Local Plan No 3.

- 3) The development hereby approved shall be implemented in accordance with the following plans:

**Drawing Nos:** 7344-02C, 7344-03A

**Date Stamped:** 8 September 2009

**Reason:** To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area in accordance with Policy B(BE).13 of the Borough of Redditch Local Plan No.

(This decision was taken contrary to Officer recommendation in view of the fact that Members were of the opinion that the proposed A1 Class Use was acceptable in this particular location in that it was, in their view, an ideal use for the site and would provide an aesthetically pleasing and high standard facility for the surrounding employment and nearby sporting and recreation facilities.

It was further agreed that authority should be delegated to Officers to approve the application in order that appropriate conditions, including restricting the A1 use to a Sandwich Shop only, could be negotiated and applied.)

**68. PLANNING APPLICATION 2009/194/FUL –  
18 CHESTNUT ROAD, ASTWOOD BANK**

Erection of New Dwelling

Applicant: Mr I Osborne

**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.**

**69. PLANNING APPLICATION 2009/203/COU –  
UNITS 1 - 2 MARKET PLACE, REDDITCH TOWN CENTRE**

Revised application for a change of use from A1 (Retail)  
to A2 (Financial and Professional Services),  
alterations to the shopfront and installation of 4 satellite Dishes,  
TV Aerial to roof and associated works  
Applicant: Paddy Power Plc

Mrs Warner, objector, and Mr Robson, 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 summarised in the main report.**

**70. PLANNING APPLICATION 2009/205/RC3 –  
DORMSTON CLOSE, LODGE PARK**

Environmental Enhancements (part retrospective)  
Applicant: Redditch Borough Council

Mr K Stokes, 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 summarised in the main report, with the exception of Condition 1, which was to be removed, and Condition 3 which was amended to read as follows:**

**“3. Details of finishes of surfaces to be submitted and implemented as agreed prior to further works being undertaken.”**

**71. PLANNING APPLICATION 2009/206/RC3 –  
HIMBLETON CLOSE, LODGE PARK**

Environmental Enhancements (Part Retrospective)  
Applicant: Redditch Borough Council

Mr Blewitt, objector and Mr K Stokes, 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, authority be delegated to the Head of Planning and Building Control to GRANT Planning Permission, subject to: receipt of satisfactory amended plans showing the removal of the proposed parking in the area fronting the grass bank; the Conditions summarised in the main report, but with the exception of Condition 1, which was to be removed, and Condition 3, which was amended to read as follows:**

**“3. Details of finishes of surfaces to be submitted and implemented as agreed prior to further works being undertaken.”**

(In considering this, in part, retrospective Application, and further to representations made by the objector, Members were of the opinion that the proposed overall parking provision for the Close, which would equate to an average of 2.9 spaces per dwelling, was over-provision in terms of Policy requirements. For this reason and further to advice from Officers, it was proposed and agreed that one aspect of the application, relating to proposed car parking to the front of the grass bank on the site plan, might be deleted and the existing incidental amenity grass space be retained.

Authority to approve the Application was delegated to Officers in order that amended plans, as necessitated by the deletion of some of the parking spaces, could be sought.)

**72. PLANNING APPLICATION 2009/208/RC3 –  
FLYFORD CLOSE, LODGE PARK**

Environmental Enhancements (part retrospective)  
Applicant: Redditch Borough Council

Mr K Stokes, 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 summarised in the main report with the exception of Condition 1, which was to be removed, and Condition 3, which was amended to read as follows:**

**“3. Details of finishes of surfaces to be submitted and implemented as agreed prior to further works being undertaken.”**

**73. PLANNING APPLICATION 2009/210/S73 –  
LAND AT CHURCH GREEN / MARKET PLACE /  
ALCESTER STREET, TOWN CENTRE**

Variation of Conditions 3 and 4 of Application 2008/067/RC3  
to ensure trading hours and deliveries / collections / vehicle  
movements are all in line with Market Rules and Regulations  
2009/10

Applicant: Redditch Borough Council

Mrs M Davidson and Mr D Hawkins, Agents 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, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Approval, subject to no new issues being raised following the expiry of the Public Press Notice on the 6th November 2009 and the conditions and informatives summarised in the main report.**

**74. PLANNING APPLICATION 2009/211/FUL –  
LAND AT CHURCH GREEN / MARKET PLACE /  
ALCESTER STREET, TOWN CENTRE**

Amendment to Planning Permission 2008.067  
for improvement works to pedestrian area and  
permanent use of area as outdoor market

Applicant: Redditch Borough Council

Mrs M Davidson and Mr D Hawkins, Agents 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, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Approval, subject to no new issues being raised following the expiry of the Public Press Notice on the 6th November 2009 and the conditions and informatives summarised in the main report.**

**75. PLANNING APPLICATION 2009/214/COU –  
26 AND 28 EVESHAM WALK AND  
36 AND 37 EVESHAM WALK, KINGFISHER CENTRE,  
REDDITCH**

Amalgamation of units and change of use from  
A1 Retail to A2 Financial and Professional Services  
(resubmission of Planning Application 2009/169/COU  
Applicant: Scottish Widows

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

This application, which would normally have been dealt with under Officers' delegated authority, was exceptionally considered by the Committee at the request of Councillor MacMillan.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the following conditions:**

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission;**

**Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.**

- 2) The premises shall be used as a bank or building society only and for no other purpose (including any other purpose in Class A2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.**

**Reason: In order to protect the retail core of Redditch Town Centre and the shopfront style appearance of the frontage of the unit(s) in relation to Policy E(TCR)5 of the Borough of Redditch Local Plan No.3.**

- 3) **The use hereby permitted shall be implemented in accordance with the plans submitted in support of the application, and the frontage remain as a glazed shopfront in accordance with those plans unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to protect the retail core of Redditch Town Centre and the shopfront style appearance of the frontage of the unit(s) in relation to Policy E(TCR)5 of the Borough of Redditch Local Plan No.3.**

(This decision was taken contrary to Officer recommendation in view of the Committee's opinion that, whilst mindful of the Shopping Centre's primarily retail (A1) function and the Council's adopted Policies, an A2 use, restricted to Banks and Building Societies only, would be appropriate in this prominent location, part of which had failed to attract any permanent retail outlets over several years. The proposed hours of opening, as indicated by the Agent, were also considered to address Officers' concerns in relation to opening hours during the Centre's peak shopping hours. In weighing up the arguments for and against the proposed change of use, Members considered that on balance, the A2 use as specified and subject to appropriate conditions, was acceptable.)

## 76. **PLANNING SYSTEM - PROPOSED CHANGES**

The Committee received a report which detailed various changes to the planning system that had come into force on the 1st October 2009 together with information on proposed changes to certain nationally set fees due to come into force in the near future.

Members noted that the changes were part of the Government's response to the economic downturn and were designed to increase ways of encouraging the implementation of developments that had the benefit of Planning Consent.

The areas of change were summarised under the following headings:

- 1) applications for non-material changes to planning permissions;
- 2) extension of time applications; and
- 3) new consultation requirements.

Officers advised that, in conjunction with the changes, the Department for Communities and Local Government had proposed different fees for these types of applications. Members noted that



the suggested fees, which were still to be confirmed, were likely to be introduced in December 2009 and would, Officers anticipated, result in a reduction in planning application income.

**RESOLVED that**

**the areas if change to Planning and associated consents, as detailed in the report and its Appendix, in relation to extending Planning Permissions and making non-material amendments to Planning Permissions, be noted.**

**77. MEMBERS' PLANNING CODE OF GOOD PRACTICE**

The Committee considered proposed revisions to the Council's Planning Code of Good Practice in order to take account of the changing role of Members in the planning process.

Following the Head of Legal, Democratic and Property Services' presentation of the report, Members felt that an opportunity for more extensive discussion was required.

**RESOLVED that**

- 1) this matter stand deferred pending the outcomes of 2) below; and**
- 2) Officers be instructed to arrange an event to permit more detailed discussion, by all Members, of the proposed Code of Practice.**

The Meeting commenced at 7.01 pm  
and closed at 10.26 pm

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CHAIR