



# Planning Committee

17th August 2010

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## 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 and Robin King

### Also Present:

M Collins (Standards Committee Observer)

### Officers:

C Flanagan, I Mackay, A Rutt, S Skinner and S Williams

### Committee Officers:

J Smyth

### 23. APOLOGIES

Apologies for absence were received on behalf of Councillors Banks and W King.

### 24. DECLARATIONS OF INTEREST

No declarations of personal interested were declared. Councillor Hill, however, made a declaration in relation to Planning Application 2010/155/OUT (Land to the rear of 21-25 Jubilee Avenue, Headless Cross), as detailed at Minute 28 below.

### 25. CONFIRMATION OF MINUTES

**RESOLVED that**

**the minutes of the meeting of the Committee held on 20th July 2010 be confirmed as a correct record and signed by the Chair.**

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CHAIR

**26. PLANNING APPLICATION 2010/137 –  
DOROTHY TERRY HOUSE AND  
203 EVESHAM ROAD, HEADLESS CROSS**

Demolition of existing Dorothy Terry House together with ancillary buildings and 203 Evesham Road; construction of new high dependency dementia housing with care scheme, consisting of 42 flats and support accommodation  
Applicant: Evesham and Pershore Housing Association

Mr M Haslam, 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 a financial contribution towards improvements to bus shelters close by; and that housing nomination rights be given to Redditch Borough Council; and**
  - b) the conditions and informatives as summarised in the main report and the following additional conditions:-**
    - “8. Use of premises to be a care scheme for people with dementia.**
    - 9. Café, laundry facility and hair salon located to the west of the site shall be ancillary facilities of the development only and shall not be separated from the scheme in order to be used as independent facilities for use by the general public.**
    - 10. Mitigation measures referred to in the Bat Mitigation Method Statement Report to be implemented in accordance with guidance set out in PPS9.**
    - 11. Mitigation measures referred to in the Flood Risk Assessment to be implemented.**

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12. **Details of boundary treatment to be submitted and agreed.**
  13. **Highway condition – Access, turning and parking.**
  14. **Full Arboricultural Method Statement be submitted, approved and implemented”; and**
2. **In the event that the planning obligation cannot be completed by 10th September 2010,**
- a) **authority be delegated to the Head of Planning & Regeneration to refuse the application, on the basis that, without the planning obligation, the proposed development would be contrary to policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements: and**
  - b) **In the event of a refusal on this ground 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 summarised above as amended in any relevant subsequent update paper or by Members at this meeting.**

(Following the Committee’s decision on this matter, the meeting adjourned from 7.45pm to 7.50pm for the Legal Services Manager to clarify a procedural issue with residents in the public gallery, who had been under the impression that they would be allowed to speak to the Committee on the Planning Application and had become distressed and angry that, further to being informed that they had not been registered to speak, they had not been given the opportunity to state their objections.

On reconvening the meeting, Members were advised that neither the Chair or Officers had been aware of the residents’ desire to speak to the application and that, so far as they were aware, no request to do so had been made prior to the meeting commencing.

The chair also confirmed, following advice from Officers, that normal Planning process and procedure had been followed and that

the case Officer had, in this particular instance, met twice with residents to explain amendments on the plans and had advised on public speaking procedures on both occasions. The Chair had therefore considered that all due processes had been properly complied with.)

**27. PLANNING APPLICATION 2010/154/FUL –  
WELLINGTON WORKS, 15 HIGH STREET, ASTWOOD BANK**

Demolition of existing buildings and the  
erection of seven dwellings with garages

Applicant: Mr and Mrs Newton

Mr A McNaughton, Objector, and Mr A Newton, 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 County Council be paid appropriate contributions in relation to the development of education provision, and that Redditch Borough Council receives contributions towards provision and maintenance of playing pitches, play areas and open space in the locality; and**
  - b) **the conditions and informatives as summarised below:**

**Conditions**

1. **Development to commence within three years.**
2. **Details of materials (walls and roofs) to be submitted.**
3. **Landscape scheme including details of boundary treatment to be submitted.**
4. **Landscape scheme including details of boundary treatment to be implemented in accordance with approved details.**

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5. Limited working hours during construction period.
6. Dwellings to be built to a minimum Level 3 requirement set out under Code for Sustainable Homes.
7. Access, turning and parking.
8. All hard surfaces to be permeable and retained as such.
9. Development to be carried out in accordance with plans submitted with application.
10. Contamination: standard conditions.
11. Historic Asset evaluation condition recommended by County Council.

## Informatives

1. Drainage details to be in agreement with Severn Trent Water.
  2. Any external security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.
  3. No burning on site.
  4. Adequate measures to be put in place to prevent migration of dust and particulates beyond the site boundary"; and
- 2) in the event that the Planning Obligation cannot be completed by 19th August 2010:
- a) authority be delegated to the Head of Planning and Regeneration to REFUSE Planning Permission on the basis that, without the Planning Obligation the proposed development would be contrary to Policy and therefore unacceptable due to the resultant detrimental impacts it could cause to community infrastructure by a lack of provision for their improvements; and
  - b) in the event of a refusal on the ground at 2a) above, and the Applicant resubmitting the same or a very similar Planning Application with a

completed Legal Agreement attached, to cover the points noted, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission, subject to the conditions summarised above.

**28. PLANNING APPLICATION 2010/155/OUT –  
LAND TO THE REAR OF 21-25 JUBILEE AVENUE,  
HEADLESS CROSS**

Outline Planning Permission with all matters reserved  
For three detached single storey bungalows  
Applicant : Mr P Field

**RESOLVED that**

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

- 1) The proposal, by reason of its location to the rear of existing properties on Jubilee Avenue and Yvonne Road, would result in development that would be out of character and thus out of keeping with the surrounding pattern of development which would not respect the context and local distinctiveness of the area and streetscene. As such the proposal is considered to be contrary to Policies B(HSG)6 and B(BE)13 of the Borough of Redditch Local Plan No. 3 and to PPS1 paragraph 35 and PPS3 paragraph 16; and
- 2) Whilst recognising that the area is predominantly residential in character, the Local Planning Authority considers that any development deemed acceptable in this backland location should take place in a comprehensive and planned way rather than in individual piecemeal developments as proposed in this application, contrary to PPS1 paragraph 28 and PPS3 paragraph 69.

(This decision was taken contrary to Officer recommendation for the reasons stated above.)

(Prior to consideration of this item Councillor Hill stated that, whilst he had no personal interest to declare in relation to the Planning Application, owing to a very detailed site visit he had recently undertaken, he felt that his impartiality might be thought to have been compromised and therefore withdrew from the Committee for the

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duration of the consideration on the matter and took no part in its determination.)

**29. PLANNING ENFORCEMENT ACTIVITY –  
SIX MONTH UPDATE**

The Committee received a report which detailed the statistics on Planning Enforcement activity undertaken during the previous six month period. Officers were congratulated on the positive results they had achieved during this period.

The Committee requested Officers to report on these Enforcement successes, by way of press releases and / or on the Council's Website for the public to see what enforcement work was being undertaken.

**RESOLVED that**

**the information detailed in the Appendices to the report be noted.**

The Meeting commenced at 7.00 pm  
and closed at 8.50 pm

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CHAIR