

Planning Committee

Wednesday, 8th November,
2023

MINUTES

Present:

Councillor Imran Altaf (Vice-Chair in the Chair) and Councillors Juma Begum, Andrew Fry, Bill Hartnett, Chris Holz, Sid Khan, Emma Marshall and Gemma Monaco

Officers:

Helena Plant, Steve Edden, Max Howarth (of Anthony Collins Solicitors) and Amar Hussain (on Microsoft Teams)

Democratic Services Officers:

Gavin Day

43. APOLOGIES

Apologies for absence were received from Councillors Peter Fleming and Timothy Pearman with Councillors Emma Marshall and Gemma Monaco in attendance as substitutes.

Apologies were also received from Councillor Anthony Lovell.

44. DECLARATIONS OF INTEREST

Councillor Gemma Monaco spoke in relation to agenda item 6 (minute No48), in that she brought the site to the attention of the council following concerns raised by residents. It was clarified by the Committee's Legal Advisor that it was the Member's decision if they had to declare an interest and leave or if they were able to retain an open mind to consider the application fairly.

The legal advisor informed the Committee that the applicant of agenda item 5 (Minute No47) was known to him as they both attended the same school. The legal advisor advised that he was not in contact with the applicant and that there was no conflict of interest.

Chair

45. CONFIRMATION OF MINUTES

The minutes of the Planning Committees held on 13th September 2023 and 27th September 2023 were presented to Members.

RESOLVED that

The minutes of the Planning Committees held on 13th September 2023 and 27th September 2023 were approved as true and accurate records and signed by the Chair.

46. UPDATE REPORTS

There were no update reports.

47. 23/00677/FUL - WIDNEY HOUSE, BROMSGROVE ROAD, REDDITCH, B97 4SP

The application was reported to Planning Committee for determination as the application was for a major development and as such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 5 to 12 of the Site Plans and Presentations pack.

The application was for Widney House, Bromsgrove Road, Redditch, B97 4SP and was a retrospective application which sought the change of use and the erection of 55 storage containers and associated parking.

Officers drew Members attention to the site location, access and layout as shown on pages 6 and 7 of the Site Plans and Presentations pack. Officers further identified the locations of the car parking and storage units on the site.

Officers briefly detailed the history of the site in that

- Commercial activities commenced in the 1960's
- The site use was changed to light industrial in 1982 under the application 1982/100/FUL
- The adjacent property (128 Bromsgrove Road) was purchased in 2008 by the applicant. Much of the rear garden was subsequently incorporated into the site.
- A large number of storage containers had been present on the site from around 2016, however, exact details of how many and on what dates could not be ascertained.

It was clarified by Officers that Condition 3 detailed on page 29 of the Public Reports pack sought to restrict the number of storage containers to no more than 55, which was the current number on site. It was further clarified that 9 of the units were double stacked and these were situated in multiple different locations around the site.

The storage units could be accessed 24/7, however, Worcestershire Regulatory Services (WRS) expressed a concern on the impact of noise upon residential amenities enjoyed by neighbouring occupiers and sought to restrict the hours of operation. The details of the proposed restrictions were detailed under Condition 2 on page 29 of the Public Reports pack, subject to this WRS had no objection to the application. Officers further clarified that the restriction of the hours would enable Officers to manage the site access appropriately and did not prevent WRS from taking appropriate enforcement action under separate environmental legislation if it was deemed necessary.

At the invitation of the Chair, Statements in objection from Wayne Western and Heidi Andrews, Local Residents, were read out. Suzanne Asher, Agent for the Applicant and David Wharrad the Applicant also addressed the committee in support of the application.

Officers clarified the following points after questions from Members.

- There had been storage units on the site since 1999. It could not be clarified precisely when the current number of 55 container units appeared on the site but that 55 had been present since the start of 2023.
- Planning permission had not been sought historically to incorporate the rear garden of 128 Bromsgrove Road into the site. It was unclear as to when exactly the work took place, however, it could be confirmed that storage units were on that part of the site from 2016.
- That the application for the Certificate of Lawfulness could not be approved as it could not be demonstrated conclusively that all aspects of the site had been in place since 2013 (10 years) especially in relation to the rear garden of 128 Bromsgrove Road and matters relating to the storage units particularly the number and usage.
- That the number and location of the storage units would be fixed under Conditions and any changes to this would need to be approved under a planning application.
- That the noise survey which took place between 29.08.23 and 06.09.23 was commissioned by the applicant. Officers clarified that this survey was not requested by WRS or the Council as they had not identified a requirement to undertake

a survey. It was further detailed that the survey took place during the last week of the school holidays which also included a bank holiday day.

- There was no public right of way through the site and no restriction/obstruction was caused to the adjacent right of way.

Members then proceeded to debate the application.

Members discussed in length the accessible times for the storage containers. Members were displeased with the timing of the Noise survey by the applicant and that it was, in their opinion, inappropriate to conduct a survey during a bank holiday week and was misleading.

Members were concerned that the latest time the storage containers could be accessed was 23:00 hours, they expressed the opinion that this was too late and would cause a disturbance to the local residents. Members gave consideration to the fact that the area surrounding the site was residential in nature and the disturbance of engine noise, lights and the noise caused by accessing the units could be disruptive late in the evening.

Councillor Sid Khan proposed an alternative recommendation to restrict the time that the Storage containers could be accessed to

- 08:30-21:30 Monday to Friday
- 09:00-17:30 Saturday
- 10:00-16:30 Sunday

However, without a seconder the Alternative Recommendation was not carried.

Although Members expressed some concern with the early access of 07:00 in the morning, they accepted that due to the nature of the units use and in the interest of safeguarding local businesses, it was agreed that the early morning access was necessary. However, Members continued to express concern about the impact on local residents with weekday evening access for the units.

Councillor Andy Fry proposed an alteration to Condition 2 detailed on page 29 of the Public Reports pack and proposed to amend the operational time for the storage containers to 07:00 - 22:00 hours Monday to Friday. The Alternative Recommendation was seconded by Councillor Marshall and on being put to a vote was carried.

Members then proceeded to vote on the application, on being put to the vote it was.

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be **GRANTED** subject to the Conditions and Informatives outlined on pages 29 to 30 of the Public Reports pack, and further subject to the agreed amendment to Condition 2 detailed in the preamble above.

48. 23/00936/FUL - LAND AT FOXLYDIATE CRESCENT AND ROWAN ROAD, BATCHLEY, REDDITCH, B97 6NH

This application was being reported to the Planning Committee as the applicant was Redditch Borough Council. As such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 13 to 21 of the Site Plans and Presentations pack.

The application was for the Land at Foxlydiate Crescent and Rowan Road, Batchley, Redditch, B97 6NH and sought the demolition of the derelict garages and the construction of a single 3-bedroom dwelling.

Officers detailed the location and proposed layout of the site on pages 14 to 16 of the Site Plans and Presentations pack.

It was explained that the garages were in a state of disrepair and following a report of children playing on the roofs of the garages, the site was boarded up to prevent access. It was further detailed that the roofs had since been removed after the discovery of asbestos.

It was detailed by Officers that although the land was owned by the Council the garage units were erected by previous residents, Officers commented that there were no issues with their demolition from a planning perspective but could not comment on any potential legal disputes.

On being put to a vote it was:

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be **GRANTED** subject to the conditions outlined on pages 34 to 37 of the Public Reports pack.

49. 23/00937/FUL - LAND BETWEEN 15 AND 17 GREENLANDS AVENUE, GREENLANDS, REDDITCH, B98 7QA

This application was being reported to the Planning Committee as the applicant was Redditch Borough Council. As such the application fell outside the scheme of delegation to Officers.

Officers presented the report and in doing so, drew Members' attention to the presentation slides on pages 23 to 29 of the Site Plans and Presentations pack.

The application was for the Land between 15 and 17 Greenlands Avenue, Greenlands, Redditch B98 7QA and sought the construction of a single 3-bedroom dwelling.

Officers detailed the location of the site being situated between 15 and 17 Greenlands Avenue, which was land previously occupied by garages which had been removed.

Officers further detailed that the new dwelling would match the existing street scene with the exception that it would be a detached property.

Members commented that the plans look good and would be a asset to the area. On being put to a vote it was:

RESOLVED that

having had regard to the development plan and to all other material considerations, planning permission be GRANTED subject to the conditions outlined on pages 42 to 43 of the Public Reports pack.

The Meeting commenced at 7.00 pm
and closed at 8.32 pm