



Planning Committee

12th August 2008

MINUTES

Present:

Councillor Michael Chalk (Chair), and Councillors K Banks (substituting for Councillor Smith), K Boyd-Carpenter, D Enderby, R J Farooqui, J Field, W Hartnett, N Hicks, D Hunt and R King

Officers:

R Bamford, S Edden and A Rutt

Committee Officers:

J Smyth.

17. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received on behalf of Councillor Smith.

18. DECLARATIONS OF INTEREST

Councillor Enderby declared a personal and prejudicial interest in Planning Application 2008/188 (Retrospective Planning Permission for change of use of open space to garden area and retention of decking within the open space) - 5 Fernwood Close, Wirehill;

Councillor R King declared a personal but not prejudicial interest in Planning Application 2008/188 (Retrospective Planning Permission for change of use of open space to garden area and retention of decking within the open space) – 5 Fernwood Close, Wirehill;

Councillors Farooqui, Hicks, Hunt and R King declared personal but not prejudicial interests in Planning Application 2008/200/FUL (Erection of 33 Lodge-style accommodation units ancillary to the main hotel with associated landscaping and infrastructure) – Abbey Hotel, Golf and Country Club;

Councillor Farooqui also declared a personal but not prejudicial interest in Planning Application 2008/202 (Demolition of 3 Plymouth Road and construction of 60 bedroomed nursing home with associated parking) – 1-3 Plymouth Road;

all as detailed separately at Minute 19 below.

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Chair

Councillor Enderby further declared a personal and prejudicial interest in Enforcement Report 2008/146/ENF (Condition of land considered harmful to the visual amenity of the neighbourhood), Greenlands Avenue, Greenlands), as detailed separately at Minute 20 below.

19. APPLICATIONS FOR PLANNING PERMISSION

The Committee considered a number of applications for planning permission.

Officers tabled an update report detailing any late responses to consultation, changed recommendations, further conditions, any additional Officer comments. 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 all of the applications being considered, as detailed below.

RESOLVED that

the following applications for planning consent be determined as detailed below:

08/188 Change of use of Open Space to garden area
and retention of decking within the open space
5 Fernwood Close, Wirehill
Mr P Mayhew

(The following people addressed the Committee under the Council's public speaking rules:

Ms C Hale (on behalf of Ms L Hollier) – Objector
Ms V Kendrick – Objector on behalf of CPRE
Councillor W King - Supporter
Mr P Mayhew – Applicant.)

- 1) Having regard to the Development Plan and to other material considerations, Planning Permission be REFUSED for the following reason:**

“The application site forms part of a larger area of designated primarily open space which was established to act as a buffer area between the adjacent residential development and the Rough Hill Woods SSSI. The proposal would erode this buffer and is likely to set a precedent for further applications of a similar nature

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from nearby residents, the cumulative effect of which would have an unacceptable impact upon the SSSI and the visual qualities of the area. As such the proposal would be contrary to Policies R.1 and R.3 of the Borough of Redditch Local Plan No.3”; and

2. authority be delegated to the Head of Legal Services, in consultation with the Acting Head of Planning and Building Control, to take Enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of planning control, namely, the making of a material change of use of the land to the rear by incorporating it into the curtilage of the dwelling house.

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor R King declared a personal but not prejudicial interest, in view of the fact that he had accompanied Councillor W King on a Ward visit to the Applicant’s home but had not participated in any discussions whilst there.

During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Enderby declared a personal and prejudicial interest, in view of the fact that **the owner of No. 3 Fernwood Close, was known to him personally** and withdrew from the meeting.)

08/196 Conversion of detached garage roof space into Studio / Playroom with two dormer windows to the front and one dormer at the rear
3 Blackwell Lane, Brockhill
Mr Alan Earp

(Mr R Skidmoor, Agent for the Applicant, addressed the Committee under the Council’s public speaking rules.)

Having regard to the Development Plan and to other material considerations, Planning Permission be GRANTED, subject to the conditions stated in the report.

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08/200/FUL Erection of 33 lodge-style accommodation units ancillary to the main hotel with associated landscaping and infrastructure
Dagnell End Road, Bordesley, Redditch
Abbey Hotel, Golf and Country Club

(The following people addressed the Committee under the Council's public speaking rules:

Mr D Gee – Objector
Mr Longley – Objector
Mr M Blamire-Brown – Objector
Miss C Osborne – Agent for the Applicant.)

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

- 1. The Local Planning Authority has taken into account the information submitted in support of the proposed development, but considers it is not sufficient to outweigh the visual harm caused by the physical expansion of the Abbey Hotel complex into an area of designated open space, contrary to Policy R1 of the Borough of Redditch Local Plan No.3.**
- 2. The proposed lodge style buildings would be out of character with the site and its surroundings and represent an inappropriate form of development which would unacceptably detract from the visual and landscape qualities of the area, contrary to Policies CS8 and B(BE)13 of the Borough of Redditch Local Plan No.3.**
- 3. The proposed development would unacceptably detract from the living conditions of nearby residents, and the use and enjoyment of the designated open space, by reason of undue noise and disturbance from the general activity and vehicular movements associated with the chalet complex. As such the proposal would conflict with Policy (B(BE)13 of the Borough of Redditch Local Plan No.3.**

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

(During consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000,

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Councillors Farooqui, Hicks, Hunt and R King declared personal but not prejudicial interests, in view of the fact one of the speakers, Mr D Gee (objecting), was known to them as a former Redditch Borough Councillor.)

08/202 Demolition of no.3 Plymouth Road and construction of 60 bedroomed Nursing Home with associated parking
1 to 3 Plymouth Road, Southcrest
Barteak Developments

(The following people addressed the Committee under the Council's public speaking rules:

Mr P Bladon – Objector
Mr G Parker – Agent for the Applicant

Mr Hussain, the Council's Legal Adviser to the Planning Committee, also read out a letter of support for the application on behalf of a Miss Audsley.)

1. **Having regard to the Development Plan and to other material considerations, Planning Permission be GRANTED, subject to:**
 - a) **a planning obligation ensuring that appropriate contributions in relation to off-site improvements works in the locality being provided; and**
 - b) **the conditions stated in the report and the following additional condition and informative:**
 - “14. **Prior to the first use of the development hereby approved, the staff and visitor car parking areas granted under this consent shall be clearly demarked and signage shall be displayed at the site directing staff and visitors to the correct parking area, in accordance with details to be submitted for the prior written approval of the Local Planning Authority. The car parking spaces and signage thus approved shall remain in situ in perpetuity unless otherwise agreed in writing by the Local Planning Authority.**

Informative

The attention of the Applicant is drawn to the importance of keeping Plymouth Road free of parked vehicles during the construction period associated with the development of the Nursing Home, in the interests of highway safety”;

2. In the event that the planning obligation cannot be completed by the end of August 2008, authority be delegated to the Acting Head of Planning and Building Control to REFUSE the application on the basis that without the planning obligation, the proposed development would be contrary to Police CS.6 of the Borough of Redditch Local Plan No.3; and
3. In the event of a refusal on ground (2) above and the Applicant re-submitting the same or a very similar planning application, with an acceptable completed Section 106 Agreement attached, authority be delegated to the Acting Head of Planning and Building Control to GRANT Planning Permission, subject to the conditions stated in the original report any additional conditions agreed at the meeting of the Planning Committee held on the 12th of August 2008.

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Farooqui declared a personal but not prejudicial interest, in view of the fact that the Application site was situated within his Ward.)

20. ENFORCEMENT OF PLANNING CONTROL

The Committee considered two contraventions of planning law, namely:

- 1) Enforcement Report 2008/146/ENF
Condition of land considered harmful to the visual amenity of the neighbourhood
Greenlands Avenue, Greenlands

RESOLVED that

authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take Enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of Planning Control, namely, permitting

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land to adversely affect the visual amenity of the neighbourhood, by way of the serving of a Notice under Section 215 of the 1990 Act and the instigating of prosecution proceedings if necessary, in the event of any failure to comply with any requirement of that Notice.

(Prior to consideration of this item, and in accordance with the requirements of Section 81 of the Local Government Act 2000, Councillor Enderby declared a personal and prejudicial interest, in view of the fact that a former family member lived close enough to be affected by the enforcement site, and he therefore withdrew from the meeting.)

- 2) Enforcement Report 2008/084/ENF
Condition of land considered harmful to the visual amenity of the area
Southcrest Road, Lodge Park

RESOLVED that

authority be delegated to the Head of Legal, Democratic and Property Services, in consultation with the Acting Head of Planning and Building Control, to take Enforcement action, including the instigation of legal proceedings if necessary, in relation to a breach of Planning Control, namely, permitting land to adversely affect the visual amenity of the area, by way of the serving of a Notice under Section 215 of the 1990 Act requiring the removal of a rusty motor vehicle and the carryout out of repairs to the garage doors, and the instigating of prosecution proceedings if necessary, in the event of any failure to comply with any requirement of that Notice.

The Meeting commenced at 7.00 pm
and closed at 10.39 pm

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CHAIR