

# **BROMSGROVE DISTRICT COUNCIL**

## **MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 9TH AUGUST 2010**

**AT 2.00 P.M.**

PRESENT: Councillors E. C. Tibby (Chairman), G. N. Denaro (Vice-Chairman), Mrs. J. M. Boswell, Miss D. H. Campbell JP, R. J. Deeming, B. Lewis F.CMI, E. J. Murray, D. L. Pardoe (substituting for Mrs. J. D. Luck), S. R. Peters, C. J. Tidmarsh and P. J. Whittaker

Observers: Councillors Mrs. C. M. McDonald and P. M. McDonald

Officers: Ms. T. Lovejoy, Mr. D. M. Birch, Mr. J. Turner, Mr. A. Bucklitch, Mr. S. Hawley (Worcestershire Highways) and Mr. A. C. Stephens

### 48/10 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. J. Dyer M.B.E., Mrs. J. D. Luck and C. J. K. Wilson.

### 49/10 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:-

<u>Member</u>	<u>Application</u>	<u>Nature of Interest</u>
Councillor G. N. Denaro	10/0501-DK	Personal. Trustee of the Wythall Community Hall Trust which owns the land on Wythall Park.
Councillor D. L. Pardoe	10/0397-CE	Prejudicial. Related, by marriage, to the owner of premises adjacent to the application site who has submitted an objection to the proposals. During consideration of the application, Councillor Pardoe left the room and took no part in the discussion or voting thereon.
Councillor P. J. Whittaker	10/0409-JT	Personal. Applicant is a customer of his agricultural business.

### 50/10 **MINUTES**

The minutes of the meeting of the Planning Committee held on 12th July 2010 were submitted.

**RESOLVED** that the minutes be approved as a correct record.

51/10 **10/0397-CE - CHANGE OF USE FROM RETAIL SHOP A1 TO TAKEAWAY FOOD A5 AND RESTAURANT A3; TRADING TO TAKE PLACE BETWEEN 5.00 P.M. AND 11.00 P.M. MONDAY TO SUNDAY - 148A NEW ROAD, ASTON FIELDS, BROMSGROVE, B60 2LE - MR. W. ASCOTT**

The Head of Planning and Regeneration Services reported the receipt of additional information from the applicant relating to the proposed ventilation system which would be used, together with amended plans, and stated that the description of the application had been altered accordingly. She also reported the additional comments of the Environmental Health Manager and stated that four further objections had been received.

At the invitation of the Chairman, Mr. A. Hopwood addressed the Committee and spoke in opposition to the application, followed by Mr. C. Ascott who spoke in favour. Councillor Mrs. C. M. McDonald also addressed the Committee in her capacity as one of the Ward Members for the area in which the application site was located.

**RESOLVED** that permission be granted subject to:

- (a) the conditions, with the exception of Condition No. 4, and notes set out or referred to on pages 13 and 14 of the report; and
- (b) the following additional condition and note, together with an amended Condition No. 4:

- 4. Notwithstanding the submitted information, the development hereby permitted shall not be commenced until a scheme for ventilation and the control and extraction of fumes, gases, odours and other effluvia from the site has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of the fittings and installation of the proposed fan required to prevent reverberation and amplification of noise. All elements of the approved system shall be installed, implemented and in full working order prior to the use commencing and shall thereafter be properly maintained. Such equipment must be used at all times when cooking activities are undertaken at the premises.

Reason: To protect the amenity of nearby residential occupiers in accordance with policy SD.2 of the Worcestershire County Structure Plan 2001 and policy DS13 of the Bromsgrove District Local Plan 2004.

- 6. Details of the storage and disposal of food preparation and cooking waste shall be submitted to and agreed in writing by the Local Planning Authority before commencement of any trading from the premises of the use hereby permitted.

Reason: To protect the amenity of nearby residential occupiers in accordance with policy SD.2 of the Worcestershire County

Structure Plan 2001 and policy DS13 of the Bromsgrove District Local Plan 2004.

Note: The applicant is strongly advised to provide external waste bins on the area of the application site to the front of the building. The bins should be suitable for the disposal of containers (for example, pizza boxes) used in the sale of food from the premises.

52/10 **10/0409-JT - DEMOLITIONS AND ALTERATIONS TO EXISTING BUILDINGS AND ERECTION OF NEW BUILDINGS AND ASSOCIATED WORKS - BUMBLE HOLE POULTRY FARM, BUMBLE HOLE LANE, DODFORD, BROMSGROVE, B61 9JA - BUMBLE HOLE FOODS LTD.**

The Head of Planning and Regeneration Services reported the comments of Worcestershire Highways and the Tree Officer.

**RESOLVED** that permission be granted subject to the conditions and notes set out or referred to on pages 28 to 31 of the report.

53/10 **10/0433-SC - ERECTION OF AN AGRICULTURAL BUILDING FOR FREE RANGE HENS - PARK FARM, KIDDERMINSTER ROAD, PARK GATE, DODFORD, BROMSGROVE, B61 9AL - MR. R. PINFIELD**

The Head of Planning and Regeneration Services reported that the Local Plan Policy designation referred to on page 33 of the report was incorrect and should be amended to read "Green Belt."

**RESOLVED** that permission be granted subject to the conditions and notes set out or referred to on page 37 of the report.

54/10 **10/0455-RL - CHANGE OF USE FROM A RESIDENTIAL DWELLING TO RESIDENTIAL ASSESSMENT CENTRE PROVIDING OVERNIGHT ACCOMMODATION WITH NO INTERNAL ALTERATIONS - 8 GIBB LANE, CATSHILL, BROMSGROVE, B61 0JP - MR. M. ASTBURY**

The Head of Planning and Regeneration Services reported the receipt of a supplementary plan showing additional parking provision close to the application site. However, she stated that it would not be possible to accept the plan as part of the current application.

In response to a question raised prior to the start of the meeting relating to other similar establishments within the District or wider area, the Head of Planning and Regeneration Services explained that there was another Assessment Centre within the County, but added that further information was very limited.

At the invitation of the Chairman, Mr. I. Storer addressed the Committee and spoke in opposition to the application, followed by Ms. D. Long who spoke in favour.

**RESOLVED** that permission be refused for the reason set out on page 45 of the report.

55/10 **10/0496-MT - USE OF BUILDING FOR CAR VALETING - REAR OF 186 - 210 NEW ROAD, RUBERY, B45 9JA - MR. P. NDORO**

The Head of Planning and Regeneration Services reported the receipt of one further objection.

At the invitation of the Chairman, Mr. P. Ndoro addressed the Committee and spoke in favour of his application. Councillor P. M. McDonald also addressed the Committee in his capacity as one of the Ward Members for the area in which the application site was located.

**RESOLVED** that, at the request of Councillor B. Lewis F.CMI, consideration of the application be deferred in order to obtain further information on the following:-

- (a) whether the building has doors;
- (b) whether the applicant is safely able to work inside the building given the combination of electricity and water;
- (c) clarification of noise levels, with particular reference to the operation of any drying mechanism; and
- (d) clarification of drainage issues and whether the proposals include a water recycling scheme for used water, and to obtain the comprehensive views of the Council's Drainage Engineer in respect of the use of anti-pollution interceptor measures.

56/10 **10/0501-DK - ERECTION OF BUILDING FOR ARCHERY TRAINING - WYTHALL HOUSE AND PARK, 52 SILVER STREET, WYTHALL, B47 6LZ - MR. P. JOHNSON**

At the invitation of the Chairman, Mrs. B. Johnson addressed the Committee and spoke in favour of the application.

Consideration was then given to the application which had been recommended for refusal by the Head of Planning and Regeneration Services. On the matter being put to the vote, Members considered that -

- there was a need for an indoor facility to extend the period during which archery training was possible (for example, during the winter months or at times of adverse weather) in order to ensure the skills of club members could be enhanced and / or maintained, and to seek to engage the interest of more young club members;
- the proposals complied with PPG17: Planning for Open Space, Sport and Recreation, and policy WYT5 of the Bromsgrove District Local Plan 2004;
- there were no other alternative sites due to availability and space;

- the proposed building would have a limited impact on openness in this location given the presence of existing trees and vegetation, and other built structures within Wythall Park; and
- the proposed building would be used as a community facility.

Members were of the opinion that these points constituted very special circumstances which outweighed the harm that would be caused to the openness of the Green Belt and the purposes of including land within the Green Belt, and any other harm, and that planning permission should be granted.

**RESOLVED** that permission be granted subject to any reasonable conditions and notes considered necessary by the Head of Planning and Regeneration Services, to specifically include appropriately-worded conditions attached to the Decision Notice relating to:

- (a) trees, including a scheme of replacement planting;
- (b) a programme of screen planting; and
- (c) a satisfactory scheme relating to the external facing of the building to include colour, form and texture.

57/10 **10/0517-SG - RESITING OF PLOTS 6-18 INC. AND THE REMOVAL OF THE COMMUNAL REFUSE STORAGE AREA [PREVIOUSLY APPROVED UNDER B/2003/1034] - FORMER REGAL GARAGE SITE, 186 WORCESTER ROAD, BROMSGROVE, B61 7BA - MR. R. PHIPPS**

The Head of Planning and Regeneration Services reported the comments of the Tree Officer.

**RESOLVED** that permission be granted subject to the conditions and notes set out or referred to on pages 60 and 61 of the report.

58/10 **10/0573-MT - PROPOSED CHANGE OF USE FROM ANCILLARY RESIDENTIAL USE TO DWELLING [RESUBMISSION OF 10/0285] - LITTLE DODFORD BARN, PRIORY ROAD, DODFORD, BROMSGROVE, B61 9DF - MR. AND MRS. GROVES**

The Head of Planning and Regeneration Services reported the receipt of one further objection.

At the invitation of the Chairman, Mr. H. Browne addressed the Committee and spoke in opposition to the proposals, followed by Lady S. Gauntlett-Shea who spoke in support of the application on behalf of the applicant.

**RESOLVED** that permission be granted subject to the conditions and notes set out or referred to on pages 68 and 69 of the report.

59/10 **APPEAL DECISIONS**

The Committee gave consideration to a report which outlined the results of three appeals which had been received since the last meeting.

**RESOLVED** that the report be noted.

60/10 **LOCAL GOVERNMENT ACT 1972**

**RESOLVED** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being as set out below, and that it is in the public interest to do so:-

<u>Minute No.</u>	<u>Paragraphs</u>
61/10	2 and 6

61/10 **PI/2009/00241-NH - FIELD TO THE REAR OF 15 SUMMERFIELD ROAD, HOLY CROSS, CLENT, DY9 9RG**

Consideration was given to a report which detailed a breach of planning control relating to a vehicle and builders materials stored in a field to the rear of Summerfield Road, adjacent to Bromsgrove Road and Holy Cross Lane, Clent.

**RESOLVED** that the Head of Planning and Regeneration Services, in consultation with the Head of Legal, Equalities and Democratic Services, be authorised to proceed with the most appropriate course of enforcement action; if possible, by way of a Notice under Section 215 of the Town and Country Planning Act 1990; to remedy the breach of planning control outlined in the report.

The meeting closed at 3.40 p.m.

Chairman