

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 7TH MARCH 2011**

**AT 2.00 P.M.**

PRESENT: Councillors E. C. Tibby (Chairman), G. N. Denaro (Vice-Chairman) (during minute nos. 142/10 to 150/10), Mrs. J. M. Boswell, Miss D. H. Campbell JP (during minute nos. 142/10 to 150/10), R. J. Deeming (during minute nos. 142/10 to 148/10), Mrs. J. Dyer M.B.E., B. Lewis F.CMI (during minute nos. 142/10 to 151/10 and 154/10 to 156/10), Mrs. J. D. Luck (during minute nos. 142/10 to 150/10), E. J. Murray, S. R. Peters, C. J. Tidmarsh, P. J. Whittaker and C. J. K. Wilson

Observers: Councillors D. L. Pardoe and C. B. Taylor

Officers: Mr. H. Bennett, Mrs. S. Sellers, Mr. D. M. Birch, Mr. M. Dunphy, Mr. D. Kelly, Ms. J. Carstairs, Mr. S. Hawley (Worcestershire Highways) and Mr. A. C. Stephens

142/10 **APOLOGIES FOR ABSENCE**

No apologies for absence were received.

143/10 **DECLARATIONS OF INTEREST**

Councillor E. C. Tibby declared a prejudicial interest in application reference 10/0198-DK (relating to land at Burcot Lane, Bromsgrove) and stated that he owned land adjacent to the site to which the application relates. During the consideration of this application, Councillor Tibby left the room and took no part in the consideration or voting thereon. The Vice-Chairman, Councillor G. N. Denaro, took the Chair for the duration of the consideration of this application.

144/10 **MINUTES**

The minutes of the meeting of the Planning Committee held on 7th February 2011 were submitted.

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

145/10 **10/0920-DMB - OUTLINE APPLICATION WITH MEANS OF ACCESS FROM SELSDON CLOSE AND PEDESTRIAN / CYCLE ACCESS FROM LEA GREEN LANE, TO BE DETERMINED (INTERNAL ACCESS, LAYOUT, SCALE, APPEARANCE AND LANDSCAPING RESERVED FOR**

**SUBSEQUENT APPROVAL), FOR THE ERECTION OF UP TO 76 DWELLINGS (CLASS C3), PUBLIC OPEN SPACE, BALANCING POND AND ASSOCIATED EARTHWORKS TO FACILITATE SURFACE WATER DRAINAGE, LANDSCAPING, CAR PARKING, AND OTHER ANCILLARY WORKS) - LAND AT SELSDON CLOSE, WYTHALL - TAYLOR WIMPEY UK LIMITED**

Further consideration was given to the application which had been deferred at the last meeting of the Committee in order to obtain further information relating to drainage and highways issues.

The Head of Planning and Regeneration Services reported the receipt of information from supporters of "Keep Wythall Village Green," additional information from the applicant, and gave clarification on the location of the site referred to on the additional drainage report (attached at Appendix A to the report). She also referred to the appeal decision in respect of land at Brook Crescent, Hagley (ref.: 10/0378).

Consideration was then given to the application which the Head of Planning and Regeneration Services, according to the recommendation contained within the report, would have been minded to approve subject to the satisfactory completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990. However, on the matter being put to the vote, Members considered the application should be refused for the following reasons:-

- (i) By virtue of utilising Selsdon Close to access the development, the width of this road and the subsequent conflict with parked vehicles would lead to an adverse impact on the existing amenities of adjoining occupiers; and
- (ii) The proposal would have unacceptable traffic implications and perpetuate a traffic hazard in the locality.

**RESOLVED** that permission be refused for reasons (i) and (ii) listed above.

146/10 **10/1098-DK - FORMATION OF 1 NO. FISHING LAKE, FOREST SCHOOL, CAR PARK - LAND AT BURCOT LANE, BROMSGROVE - A. AND S. BRITAIN**

The Head of Planning and Regeneration Services reported the comments of Natural England.

At the invitation of the Chairman, Mr. I. Ray addressed the Committee and spoke in support of the application.

**RESOLVED** that permission be refused for the reasons set out on page 69 of the report.

147/10 **10/1179-SG - REMOVAL OF CONDITION 3 IN RELATION TO APPLICATION REF. B/2001/0835 (FORMERLY KNOWN AS 42 MEARSE**

**LANE) - 2 INGEVA DRIVE, BARNT GREEN, B45 8FD - MR. AND MRS. R. DISTEFANO**

The Head of Planning and Regeneration Services reported the receipt of an amended plan from the applicant.

At the invitation of the Chairman, Mr. M. Woodward addressed the Committee and spoke in opposition to the proposals. In addition, Councillor C. B. Taylor also addressed the Committee in his capacity as Ward Member for the area in which the application site was located.

Consideration was then given to the application which had been recommended for approval by the Head of Planning and Regeneration Services. However, on the matter being put to the vote, Members considered that the condition attached to plan reference B/2001/0835 should not be removed as this would cause undue overlooking and lead to a loss of amenity for the adjoining occupiers.

**RESOLVED** that permission to remove condition 3 attached to plan reference B/2001/0835 be refused for the reason outlined above.

148/10 **10/1216-DK - CHANGE OF USE FROM B2 TO D2 SWIMMING POOL - UNIT 12, SHERWOOD HOUSE, SHERWOOD ROAD, BROMSGROVE, B60 3DR - MR. D. CORBETT**

The Head of Planning and Regeneration Services reported the comments of the Tree Officer and additional comments from Worcestershire Highways. She also stated that a supporting statement had been submitted by the applicant.

At the invitation of the Chairman, Mr. D. Corbett addressed the Committee and spoke in support of the application.

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

- (i) the proposal would create employment opportunities;
- (ii) the occupation of the unit was preferable in view of the length of time the unit had been vacant; and
- (iii) the parking provision to serve the unit was adequate.

**RESOLVED** that permission be granted subject to the imposition of any reasonable conditions and notes considered necessary by the Head of Planning and Regeneration Services.

149/10 **10/1230-TC - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF 2 STOREY EXTENSION - 120 REDDITCH ROAD, ALVECHURCH, B48 7RY - MR. R. FLAVELL**

At the invitation of the Chairman, Mr. R. Flavell addressed the Committee and spoke in support of the application.

Consideration was then given to the application which had been recommended for refusal by the Head of Planning and Regeneration Services. However, on the matter being put to the vote, Members considered that, by virtue of the design and materials of the proposals, the scheme would not cause an unacceptable loss of residential amenity to adjoining occupiers and would therefore be an acceptable feature in the streetscene.

**RESOLVED** that permission be granted subject to the imposition of any reasonable conditions and notes considered necessary by the Head of Planning and Regeneration Services.

150/10 **BROMSGROVE TOWN CONSERVATION AREA**

Consideration was given to a report relating to the Bromsgrove Town Conservation Area and the proposals for alterations to the boundary of the Conservation Area which had recently been the subject of a formal consultation exercise. Members were informed that the report was for information only as the proposed changes would be considered by the Cabinet in the near future.

**RESOLVED** that the report be noted.

151/10 **HEWELL GRANGE ARTICLE 4 DIRECTIONS**

Consideration was given to a report relating to the proposals for the adoption of Article 4 Directions, under the Town and Country Planning (General Development Order) 1995 (as amended), in respect of the Hewell Grange Conservation Area. Members were informed that the report was for information only as the proposed changes would be considered by the Cabinet in the near future.

**RESOLVED** that the report be noted.

152/10 **TREE PRESERVATION ORDER (NO. 14) 2010 - TREES ON LAND TO THE SOUTH OF POPLAR CLOSE AND WOODBANK DRIVE, CATSHILL, BROMSGROVE**

Members gave consideration to a report relating to Bromsgrove District Council Tree Preservation Order (No. 142010 which had been made in respect of trees on land to the south of Poplar Close and Woodbank Drive, Catshill, Bromsgrove.

**RESOLVED** that Bromsgrove District Council Tree Preservation Order (No. 14 2010 be confirmed without modification.

153/10 **APPEAL DECISIONS**

Members gave consideration to a report which detailed three planning appeal decisions which had been received since the last meeting of the Committee.

**RESOLVED** that the report be noted.

154/10 **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 items of business on the grounds that they involve 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, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Minute No.</u>	<u>Paragraphs</u>
155/10	2 and 6
156/10	2 and 6

155/10 **ENFORCEMENT OF PLANNING CONTROL (REF.: 20110307-01)**

The Chairman referred to this item on the agenda and reported that consideration of the matter would be deferred. This was noted.

156/10 **PI/2010/00093 - 28 QUEENS HILL, BELBROUGHTON, DY9 0DU**

**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 to remedy the breach of listed building control at 28 Queens Hill, Belbroughton.

(NOTE: Under paragraph 17.7 of the Council's Procedure Rules, Councillor B. Lewis F.CMI requested that it be recorded that he had abstained from voting on this matter).

The meeting closed at 5.00 p.m.

Chairman