

# **BROMSGROVE DISTRICT COUNCIL**

## **MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 15TH AUGUST 2011**

**AT 2.00 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), Mrs. S. J. Baxter, Mrs. J. M. Boswell, M. A. Bullivant, R. A. Clarke, R. J. Laight, Mrs. C. M. McDonald, P. M. McDonald (substituting for C. J. K. Wilson), E. J. Murray and C. J. Tidmarsh

Observers: Councillor Dr. D. W. P. Booth JP

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

### 42/11 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J. A. Ruck, C. B. Taylor and C. J. K. Wilson.

### 43/11 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

<u>Member</u>	<u>Application(s)</u>	<u>Nature of Interest</u>
Councillor Mrs. J. M. Boswell	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Mrs. Boswell is a Member.
Councillor M. A. Bullivant	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Bullivant is a Member.
Councillor R. A. Clarke	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Clarke is a Member.
Councillor R. J. Deeming	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Deeming is a Member.

<u>Member</u>	<u>Application(s)</u>	<u>Nature of Interest</u>
Councillor R. J. Laight	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Laight is a Member.
Councillor C. J. Tidmarsh	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Tidmarsh is a Member.
Councillor P. J. Whittaker	11/0567-HR	Personal. The premises the subject of the application house the Bromsgrove Conservative Association office, of which Councillor Whittaker is a Member.

44/11 **MINUTES**

The minutes of the meeting of the Planning Committee held on 18th July 2011 were submitted.

**RESOLVED** that, with the inclusion of the following declarations of interest received from Councillor P. J. Whittaker, the minutes be approved as a correct record:-

<u>Member</u>	<u>Applications</u>	<u>Nature of Interest</u>
Councillor P. J. Whittaker	11/0266-SG and 11/0268-SG	Personal. Applicant is also a Conservative Group Member of the Council.

45/11 **UPDATE: DRAFT NATIONAL PLANNING FRAMEWORK (JULY 2011)**

The Head of Planning and Regeneration Services reported that the Government had issued a Draft Planning Framework (July 2011) which was intended to replace all of the Planning Policy Guidance and Planning Policy Statements (PPGs and PPSs); and that this Framework was currently going through a consultation process.

She added that Members would have to be specifically mindful of the contents of the Framework insofar as it related to housing applications, and quoted paragraph 110 of the document. By way of explanation, Members were informed that when a proposal was being considered against the provisions of the development plan and accords with it, then there would be a presumption in favour of granting permission and that significant and demonstrable harm would need to be demonstrated to warrant refusal.

In conclusion, the Head of Planning and Regeneration Services stated that, as the Framework was at the consultation stage, it would not replace the policies of the current development plan and would not currently carry significant

weight. However, she was of the opinion that the draft Framework should be a consideration when determining planning applications.

46/11 **08/1038-DK - NURSING HOME AND ASSOCIATED OFFICES (OUTLINE) - LAND TO THE SOUTH OF 1-6 SMEDLEY CROOKE PLACE, REDDITCH ROAD, HOPWOOD, ALVECHURCH, B48 7TR - PIPSILVER LIMITED**

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

At the invitation of the Chairman, Mr. A. Smith addressed the Committee and spoke to register the opposition of the Hopwood Residents' Association to the proposals.

**RESOLVED**

- (a) that, subject to the receipt of no further representations during the remainder of the consultation period, authority to refuse outline planning permission be delegated to the Head of Planning and Regeneration Services upon the expiry of the consultation period on 25th August 2011; or
- (b) that, in the event of further representations being received before the expiry of the consultation period, authority to determine the application be delegated to the Head of Planning and Regeneration Services in consultation with the Chairman of the Planning Committee to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity accordingly.

47/11 **10/0987-SC - CONVERSION OF BARN TO A 4-BEDROOM DWELLING AND CONSTRUCTION OF 2 NO. 4 BEDROOM DWELLINGS - 233 WORCESTER ROAD, STOKE HEATH, BROMSGROVE, B61 7JA - B. G. D. LTD.**

The Head of Planning and Regeneration Services reported the receipt of comments from an adjoining occupier.

At the invitation of the Chairman, Mr. G. Darby addressed the Committee and spoke in opposition to the proposed development. Furthermore, Councillor Dr. D. W. P. Booth JP spoke in his capacity as one of the Ward Members for the area in which the 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 development would:-

- (a) be out of keeping with the existing form and layout of the locality; and
- (b) be harmful to existing residential amenity through poor design due to inadequate separation distances, leading to loss of privacy and outlook (with particular reference to proposed 'Building C').

**RESOLVED** that permission be refused for reasons (a) and (b) above.

48/11 **11/0410-DK - TWO STABLE BARNs, HORSEWALKER AND ALL WEATHER GALLOP - THE BARN, ICKNIELD STREET, BEOLEY, B48 7EW - MR. J. BOLAND**

The Head of Planning and Regeneration Services reported that the application had been withdrawn.

49/11 **11/0502-SC - ONE DETACHED DWELLING - LAND ADJ. 19 SUMMERFIELD ROAD, HOLY CROSS, CLENT, DY9 9RG - MR. A. ADAMS**

The Head of Planning and Regeneration Services confirmed that the application had been 'called-in' to be considered by the Committee at the request of Councillor Mrs. J. M. Boswell, and that the recent application relating to the same site (11/0329) was determined at the Committee's meeting on 23rd May 2011, not June 2011 as stated in the main body of the report.

Clarification was also provided to contrast the two applications whereby the dwelling proposed by application ref. 11/0329 was set-off from the adjacent dwelling at 19 Summerfield Road by 1.5 metres whilst the current proposal is set-off from the adjacent building by 3 metres at ground floor level and 5.8 metres at first floor level.

The comments of Worcestershire Highways were also reported.

At the invitation of the Chairman, Mr. N. Robb addressed the Committee and, on behalf of Clent Parish Council, spoke in support of the application. Both Mrs. E. Mitchell (applicant's agent) and Mr. A. Adams (applicant) also spoke in favour of the proposals.

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 -

- (a) the location of the dwelling would be within the Village Envelope;
- (b) the retention and maintenance of the gap in the streetscene; and
- (c) that there would be a clear separation of the dwelling from 19 Summerfield Road,

therefore constituted, in the opinion of the Committee, very special circumstances to outweigh the harm that would be caused to the openness of the Green Belt and the purposes of including land within the Green Belt.

**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 in respect of:

1. the removal of permitted development rights in relation to extensions to the dwelling and outbuildings under Class E; and
2. a suitable landscaping scheme to maintain the openness of the site.

50/11 **11/0567-HR - ERECTION OF A CCTV CAMERA ON THE CORNER OF THE BUILDING, HOUSED WITHIN A HERITAGE STYLE DOME, SUSPENDED BELOW AN ORNATE BRACKET - BROMSGROVE CONSERVATIVE ASSOCIATION, 37 WORCESTER ROAD, BROMSGROVE, B61 7DN - BROMSGROVE DISTRICT COUNCIL / REDDITCH BOROUGH COUNCIL**

The Head of Planning and Regeneration Services confirmed that the application only required Listed Building Consent, and not planning permission.

As part of the presentation to Members of the Committee, other examples of CCTV cameras on Worcester Road were displayed, and the submitted plans for this application were clarified.

**RESOLVED**

- (a) that, subject to the receipt of no further representations during the remainder of the consultation period, authority to approve the grant of Listed Building Consent be delegated to the Head of Planning and Regeneration Services upon the expiry of the consultation period on 15th August 2011; or
- (b) that, in the event of further representations being received before the expiry of the consultation period, authority to determine the application be delegated to the Head of Planning and Regeneration Services in consultation with the Chairman of the Planning Committee to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity accordingly.

51/11 **PLANNING APPLICATION VALIDATION CRITERIA**

The Committee considered a report which informed Members of the Proposed Application Validation Criteria to be used by planning staff, applicants and agents to ensure that planning applications submitted to the Council contain all of the information necessary for applications to be validated.

**RESOLVED** that the Planning Application Validation Criteria, together with the validation checklist attached to the report at Appendix 1, be approved for the purposes of consultation with the list of external consultees listed at Appendix 2.

52/11 **TREE PRESERVATION ORDER (NO. 2) 2011 - LAND AT SIDE AND REAR OF BARNT GREEN INN, KENDAL END ROAD, BARNT GREEN**

Members gave consideration to a report relating to Bromsgrove District Council Tree Preservation Order (No. 2) 2011 which had been made in respect of trees on land at the side and rear of the Barnt Green Inn, Kendal End Road, Barnt Green.

**RESOLVED** that Bromsgrove District Council Tree Preservation Order (No. 2) 2011 be confirmed, as amended in accordance with the plan shown at Appendix 3 of the report.

53/11 **APPEAL DECISIONS**

Consideration was given to a report which detailed the outcomes in several planning appeals.

Councillor E. J. Murray raised a question about the decision reached in respect of Appendix 5 (paragraph 3.4.5) to the report. At the suggestion of the Chairman, Councillor Murray agreed to raise the matter after the meeting with the Head of Legal, Equalities and Democratic Services.

**RESOLVED** that the report be noted.

54/11 **PLANNING COMMITTEE MINUTES 39/11 AND 40/11 - MEETING HELD ON 18TH JULY 2011**

(The Chairman agreed to the consideration of this item of business as a matter of urgency in order to respond to a question raised earlier in the meeting relating to the minutes of the last meeting of the Committee.)

Councillor Mrs. C. M. McDonald questioned the accuracy of minute nos. 39/11 and 40/11 (relating to application references 11/0426 and 11/0444) which stated that the applications had been refused when, in fact, they had subsequently been withdrawn after the Committee had made its decision on the applications.

The Head of Planning and Regeneration Services clarified the situation by stating that an applicant may withdraw their application at any stage up until the issue of the formal Decision Notice. She added that, although the two applications were withdrawn after the Committee's meeting, the decision of the Committee is correctly recorded in the minutes and the applicant was fully entitled to withdraw the applications before the Decision Notice was issued.

The meeting closed at 3.15 p.m.

Chairman