

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 5TH NOVEMBER 2012 AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), Mrs. S. J. Baxter, J. S. Brogan, R. A. Clarke, Mrs. H. J. Jones, R. J. Laight, P. Lammas, C. R. Scurrall (substituting for Cllr J.A.Ruck) and C. J. Tidmarsh

Observers: Cllr. L.C.R Mallett

Officers: Mr. D. M. Birch, Mrs. C. Felton, Ms. C. Flanagan, Mr. D. Kelly, Mrs. S. Sellers, Mr. B. Sharp and Ms. J. Smyth

59/12 **APOLOGIES**

An apology for absence was received on behalf of Councillor J.A. Ruck.

60/12 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Cllr.P.J.Whittaker	Item 10	Disclosable Pecuniary Interest - Rents land affected by the proposed Enhancement works. Cllr Whittaker withdrew from the meeting and took no part in its consideration and voting thereon.
Cllr.Mrs.S.J.Baxter	Item 10	Other disclosable interest – A close friend owns land to be utilised for the enhancement works. Cllr. Baxter withdrew from the meeting and took no part in its consideration and voting thereon.
Cllr. C.R. Scurrall	Item 10	Other disclosable interest - has an interest in the matter through his membership of the Railway Users Group.

61/12 **MINUTES**

The minutes of the meeting of the Planning Committee held on 15th October 2012 were submitted.

RESOLVED that the minutes be approved as a correct record.

62/12 **12/0490/MT - MODIFICATIONS AND REMODELING OF EXISTING BUILDING TO CREATE 7 APARTMENTS; ERECTION OF 3 DETACHED DWELLINGS, ACCESS, AMENITY SPACE AND ASSOCIATED WORKS - THE MOUNT HOTEL, MOUNT LANE, CLENT - MR MARK HUGHES**

The Head of Planning and Regeneration Services reported on comments received from Worcestershire Highways Authority who had no objectors to the proposal subject to requested conditions and notes. Comments and suggested additional conditions from the Council's Conservation Officer were also reported. A further letter, received from the occupier of The White House, together with Officers responses to its content, was also reported.

The Chairman also accepted a written consultation response from Clent Parish Council, which had been submitted but omitted from the report in error, and which was read out by Officers for the Committee's information.

At the invitation of the Chairman, Mr. R. Titterton, a local resident, addressed the Committee as an objector to the Application. Mr. W. Brearley, the Applicant's Agent, also addressed the Committee. Clent Parish Councillor N. Robb also spoke against the Application. Councillor Mrs. M.A. Sherry JP, also spoke to the Committee in her capacity as one of the Ward Members for the area in which the application site was located.

RESOLVED that

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the planning application following receipt of a suitable and satisfactory legal mechanism in relation to:
 - i) an updated viability review to be submitted at a date two years from the date planning permission is granted, with the viability review updating the current Viability Report submitted with the current application;
 - ii) if, upon the review of the viability of the scheme, it is established that market conditions have improved insofar as financial contributions towards education provisions and off-site open space provisions can be reasonably afforded, then the Applicant shall enter into a S106 agreement with Bromsgrove District Council and Worcestershire County Council, to secure the identified contributions;

- iii) the District Council's fees and costs of the initial and subsequent viability reviews (as applicable) (index linked to RPI, plus expenses and VAT) to be borne by the applicant;
- 2) the conditions set out or referred to on pages 25 to 26 of the report;
- 3) the following additional conditions requested by the Council's Conservation Officer, namely:
 - 14. Details of external materials, bricks and tiles;
 - 15. Detailed drawings of joinery details at a scale of 1:5;
 - 16. Details of window and door materials;
 - 17. Detailed drawings at a scale of 1:5 of vernacular detailing to cottages (to include overhanging eaves and verge details);
- 4. the following additional conditions and notes requested by Worcestershire Highways Authority; namely:

Conditions:

- 18. HC25 - Development not brought into use until access, turning area and parking facilities constructed in accordance with details to be approved by LPA.
- 19. HC36A - Secure parking for 4 cycles shall be provided within the curtilage of each dwelling.
- 20. HC36B - Secure parking for 14 cycles for the apartments shall be provided within the curtilage of the site).
- 21. HC40 - Engineering details of the amendments to the retaining wall including the proposed steps shall be submitted and approved in writing by the Local Planning Authority.
- 22. HC51 - Parking for site operatives and visitors has been provided within the application site.

Notes:

- 1. HN4 - The applicant should apply to the Worcestershire County Council's Network Control Manager to install private apparatus within the confines of the public highway.
- 2. HN5 - Permission does not authorise the applicant to carry out works within the publicly maintained highway - license required under Section 184 and 278 of the Highways Act, 1980.

3. HN9 - Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway.
4. HN21 - Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to be approved by the Highway Authority.
5. HN24 - This consent does not authorise the erection of temporary direction signs on the Public Highway.

63/12 **12/0585/NC - PROVISION OF 2 NO. NEW BUILD DWELLINGS FOR AFFORDABLE RENT, WITH CAR PARKING SPACE AND PRIVATE AMENITY REAR GARDENS - LAND TO THE REAR OF 41 - 47 AT GEORGE ROAD, ALVECHURCH, BROMSGROVE - BROMSGROVE DISTRICT HOUSING TRUST**

The Head of Planning and Regeneration Services reported on comments received from Hereford and Worcester Fire Services, who had raised no objections to the proposal. Comments from a local resident and responses provided by the Council's Arboriculture Officer were also reported.

At the invitation of the Chairman, Mr Gatfield, a local resident, addressed the Committee as an objector to the Application. Mr C Lewis, on behalf of the Applicant, also addressed the Committee. Councillor R. Hollingworth, also spoke 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:

- a) the density of the development was inappropriate for the locality and would result in a cramped and overdeveloped form of development:
and
- b) the long and narrow nature of the access road to the development site would lead to unacceptable highway safety issues.

RESOLVED that Planning Permission be refused for reasons a) and b) above.

64/12 **12/0600/SC - PROVISION OF 3 NO. NEW BUILD DWELLINGS FOR AFFORDABLE RENT, WITH CAR PARKING SPACE AND PRIVATE AMENITY REAR GARDENS (AS AMENDED BY PLANS RECEIVED 31.08.2012) - LAND ADJACENT TO 47 BREAKBACK ROAD, BROMSGROVE - BROMSGROVE DISTRICT HOUSING TRUST**

This matter was, in consultation with the Chairman, WITHDRAWN from the Agenda by Officers in order to seek further clarification on a number of matters raised during recent additional consultation meetings, and was not discussed.

65/12 **12/0645/MT - ERECTION OF 1 NO. DWELLING - TRENTHAM HOUSE, 40-42 RED LION STREET, ALVECHURCH - MR M PRICE**

The Head of Planning and Regeneration Services provided additional information on the cumulative parking effect of the proposal and a pending application in relation to a change of use for Trentham House.

At the invitation of the Chairman, Mr Cowley, a local resident, addressed the Committee as an objector to the application. Mr D Holland, for the Applicant, also addressed the Committee. Councillor R. Hollingworth, also spoke 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 form and appearance of the development would fail to preserve or enhance the character or appearance of the designated Conservation Area.”

RESOLVED that Planning Permission be refused for the reason stated above.

66/12 **12/0701/MT - DEMOLITION OF EXISTING PUBLIC HOUSE (USE CLASS A4) AND ERECTION OF DRIVE-THRU RESTAURANT (USE CLASS A3/A5) WITH ASSOCIATED PARKING AND LANDSCAPING - THE SUGARBROOK PUBLIC HOUSE, CHARFORD ROAD, BROMSGROVE - MR J PEACH**

The Head of Planning and Regeneration Services reported on revised comments received from Worcestershire Regulatory Services in relation to odour extraction details and noise levels and the removal of Condition 7 from the proposed list of conditions, in light of WRS's revised comments. It was also noted that further representations has been received from Councillor S. and Mrs. E. Shannon and other third parties in relation to the proposal.

At the invitation of the Chairman, Mr. P. Richards of the Campaign for Real Ale, (CAMRA) addressed the Committee as an objector to the application. Mr R. Wells, the Applicant's Agent, also addressed the Committee. Councillor S. Shannon also spoke in his capacity as Ward Member for the area, in which the application site was located.

RESOLVED that Planning Permission be granted, subject to the Conditions, Informatives and Notes set out or referred to on pages 70 to 72 of the report with the exception of Condition 7 which was to be deleted.

67/12 **REDDITCH BRANCH LINE ENHANCEMENT SCHEME - CONSULTATION REPORT**

The Committee considered a report which provided details on an Application being made by Network Rail Infrastructure Limited to the Secretary of State, which would grant powers to construct and maintain a widened railway between Barnt Green and Redditch. Further clarification was provided in regard to two aspects of the report relating to bridge works and car parking at Alvechurch Station.

RESOLVED that

- a) the District Council raises no objection to the proposed development on the grounds that very special circumstances exist to outweigh harm to the Green Belt by virtue of inappropriateness and any other harm, and that the Council endorses the benefit of the scheme in terms of sustainability and the connectivity enhancements for the District the works will deliver, and
- b) that the recommendation made by Members forms the relevant representation from the District Council to the Examining Authority.

68/12 **LOCAL GOVERNMENT ACT 1972**

RESOLVED that, under Section 100 1 of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of an item of business on the grounds that it involves the likely disclosure of 'exempt information' as defined in Part 1 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</u>	<u>Paragraph</u>
69/12	2 & 6

69/12 **ENFORCEMENT OF PLANNING CONTROL - REFERENCE 2012/0123/ENF**

The Committee considered a report relating to a breach of planning control that had previously been to the Committee for discussion, a decision on which had been deferred for Officers to consult further with the Applicant. Members' further guidance was sought as to the next course of action in light of the response to the consultation.

RESOLVED that, the Head of Planning and Regeneration Services, in consultation with the Head of Legal, Equalities and Democratic Services, takes appropriate action with a view to addressing the breach of planning control and that the Committee be kept informed of progress.

The meeting closed at 8.33 p.m.

Chairman