B R O M S G R O V E D I S T R I C T C O U N C I L

MEETING OF THE PLANNING COMMITTEE

MONDAY, 11TH FEBRUARY 2013 AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), Mrs. S. J. Baxter, J. S. Brogan, R. A. Clarke, Mrs. H. J. Jones, R. J. Laight, P. Lammas, Mrs. C. M. McDonald, E. J. Murray, J. A. Ruck, C. J. Tidmarsh and C. J. K. Wilson

Observers: Councillor C. B. Taylor

Officers: Ms. R. Bamford, Mr. D. M. Birch, Mr. G. Boyes, Mr. D. Kelly, Ms. T. Lovejoy, Mrs. S. Sellers, Mrs. J. Smyth and Mr. S. Hawley

93/12 **APOLOGIES**

An apology for absence was received on behalf of Councillr P.Whittaker.

94/12 **DECLARATIONS OF INTEREST**

The following declarations of interest were made.

Councillor E.J. Murray declared a disclosable pecuniary interest in Planning Application 2012/0708 – a member of his family lives at the rear of the proposed development. Councillor Murray was not present and took no part in its consideration and voting thereon.

Councillors R.J. Deeming, Mrs. S.J. Baxter, J.S. Brogan, R.A. Clarke, Mrs. H.J. Jones, R.J. Laight, P. Lammas, Mrs. C.M. McDonald, E.J. Murray, J.A. Ruck, C.J. Tidmarsh and C.J.K. Wilson declared other disclosable interests in Planning Application 2012/0976 – the Applicant is a member of the Planning Committee and the Councillors are acquainted with the Applicant.

95/12 **MINUTES**

The minutes of the meeting of the Planning Committee held on 7th January 2013 were submitted.

Councillor Mrs. McDonald queried the accuracy of Minute 91/12 (Tree Preservation Order (No.10) 2012 – Trees on land at 6 Hillview Road, Rubery, Birmingham B45 9HH) as regards the date on which the further report requested from the Tree Officer was due to be considered by the Planning Committee. The minutes did not specify the date on which the item would be reported again to Members; Mrs McDonald believed that a request for the Tree Officer's report to be brought to the 11th February 2013 meeting had been omitted.

The Committee was informed that the survey information had not been received in time for the Tree Officer to write up his report for inclusion in the published Agenda for the meeting. In view of this it had been agreed with the Chairman that the report be presented to the 4th March 2013 meeting.

In response to Councillor Mrs. McDonald's question as to whether the Tree Officer could provide an update on the matter under consideration of the Minutes, Officers advised that, such a discussion would be in breach of the Public Access to Information regulations which required matters to be discussed within the public domain to be published five clear working days prior to the Committee meeting date.

It was noted that the Tree Officer's report, in relation to Tree Preservation Order (No.10) 2012 – trees on land at 6 Hillview Road, Rubery, Birmingham B45 9HH, would be brought to the 4th March 2013 Committee meeting for consideration.

RESOLVED that the minutes be approved as a correct record.

96/12 **TREE PRESERVATION ORDER (NO.15) - TREES ON LAND AT THE SUGARBROOK, CHARFORD ROAD, BROMSGROVE, WORCESTERSHIRE B60 3NJ**

The Committee gave consideration to a report which referred to provisional Tree Preservation Order (No.15) 2012, made in respect of group of trees on land at The Sugarbrook, Charford Road, Bromsgrove, Worcestershire B60 2NJ.

RESOLVED that Tree Preservation Order (No. 15) 2012 be confirmed with the modification as detailed in Appendix 2 to the report.

97/12 **2012/0708 - RESERVED MATTERS APPROVAL FOR 187 NEW DWELLINGS, INCLUDING AN ELEMENT OF ON-SITE AFFORDABLE HOUSING AND OPEN SPACE (OUTLINE PLANNING APPROVAL 2010/0953) - LAND AT ST. GODWALDS ROAD, BROMSGROVE, WORCESTERSHIRE - MR D SKIDMORE, REDROW HOMES (MIDLANDS)**

The Head of Planning and Regeneration Services reported on six additional representations that had been received from third parties, together with the submission of the Worcestershire Highways Authority, who had commented that they had no objections to the revised scheme, subject to a number of additional conditions being imposed relating to access, turning and parking; cycle parking; and on site road phasing, as detailed in the Update provided for Members and the public gallery prior to the meeting. For Members' further information, clarification was also provided in relation to densities per hectare for the existing Hazelcroft Estate and the proposed scheme.

The matter of lighting, in relation to public rights of way, was raised during consideration of the application, on which Members considered that, to maximise public safety, an additional Condition be imposed to agree the mix and type of on-street lighting proposed for the development.

At the invitation of the Chairman, Mr Martin Clark, on behalf of Hazelcroft Residents Association, addressed the Committee, objecting to the application. Mr Graham Reddie, a resident, also addressed the Committee, objecting to the application. Mr Dean Shaw, for the Applicant, also addressed the Committee. Exceptionally, the Chairman, allowed the two objectors registered to speak an additional two minutes of public speaking time, further to a brief discussion prior to the meeting.

RESOLVED that Reserved Matters Planning Permission be granted, subject to:

1) the Conditions and Notes set out or referred to on pages 31 and 32 of the report;

2) the following additional Conditions, as requested by Worcestershire Highways Authority, namely:

(5) The dwelling hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free slow of traffic using the adjoining Highway.

(6) Prior to the first occupation of any 2 bedroom dwelling hereby approved secure parking for 2 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

(7) Prior to the first occupation of any 3, 4 or 5 bedroom dwelling hereby approved secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

(8) The development shall not be occupied until the roadworks necessary to provide access from the nearest publicly maintained highway have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied."

3) The following further additional conditions, relating to compliance with approved drawings and lighting issues, namely:

9) The development hereby permitted shall be carried out in accordance with the approved plans / drawings listed.

Reason: For the avoidance of doubt and in the interests of proper planning.

10) No development shall be occupied until details of the external lighting to be used have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development in the interests of safeguarding and enhancing the character and appearance of the area, to ensure a safe environment and to protect the amenities of adjacent occupiers in accordance with Policy SD.2 of the Worcestershire County Structure Plan and Policy DS13 of the Bromsgrove District Local Plan.

4) the following additional Informative, namely:

Public Rights of Way Affected

The permission does not authorise the stopping up or diversion of public right of way 509(c). The right of way may be stopped up or diverted by Order under Section 257 of the Town and Country Planning Act 1990, provided that the Order is made before the development is carried out. If the right of way is obstructed before the Order is made, the Order cannot proceed until the obstruction is removed

98/12 **2012/0885 - EXTENSION OF TIME TO PLANNING PERMISSION 2010/0334 (PROVISION OF 13 CLOSE CARE SUITES AND 16 ASSISTED LIVING UNITS TO FORM CONTINUING CARE RETIREMENT COMMUNITY) - BURCOT GRANGE RESIDENTIAL HOME, 23 GREENHILL, BURCOT, BROMSGROVE, WORCESTERSHIRE B60 1BJ - MR AND MRS M BALES**

The Head of Planning and Regeneration clarified that there had been no significant policy changes since the original permission had been granted, that would necessitate a reappraisal of the development or require any additional conditions.

At the invitation of the Chairman, Mr Oliver Taylor, Agent for the Applicant, addressed the Committee.

RESOLVED that Planning Permission be granted, subject to the Conditions and Notes set out or referred to on pages 36 to 41 of the report.

99/12 **2012/0976 - ERECTION OF AGRICULTURAL BUILDING - STONEY LANE FARM, STONEY LANE, TARDEBIGGE, BROMSGROVE B60 1LZ - MR P J WHITTAKER**

The Head of Planning and Regeneration reported on a potential amendment to the proposed roof materials for the building in order provide the strength required to support the proposed solar panels.

RESOLVED that, Planning Permission be granted, subject to the Conditions set out or referred to on pages 46 to 47 of the report.

100/12 **2012/0979 - INFILL WORK TO CREATE CLOSED AREA IN EXISTING WALK THROUGH - 10, TUTNALL GRANGE, TUTNALL, BROMSGROVE B60 1NN - MR S SINGH**

In response to several queries in relation to Party Wall issues, the Head of Planning and Regeneration clarified that, such matters are private property matters and would have to be resolved between the parties concerned, and were not material to determining the Application.

At the invitation of the Chairman, Mrs Pat Dean, the Applicant's adjoining neighbour, addressed the Committee, objecting to the Application.

RESOLVED that Planning Permission be granted, subject to the Conditions set out or referred to on page 52 of the report.

101/12 **2012/0987 - VARIATION OF CONDITION (BREAKFAST SANDWICHES TO TAKEAWAY - 131 WORCESTER ROAD, HAGLEY, STOURBRIDGE, WORCESTERSHIRE DY9 0NW - MR G HOWARD**

The Head of Planning and Regeneration Services reported on a further representation that had been received, as detailed in the update to the report.

At the invitation of the Chairman, Mrs C. Howard, the Applicant, addressed the Committee. Councillor S.R. Colella also spoke to the Committee in his capacity as a Ward Member for the area in which the application site was located.

RESOLVED that, permission be granted, subject to the Conditions set out or referred to on page 58 of the report.

The meeting closed at 7.40 p.m.

Chairman