

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 16TH JULY 2007

PRESENT: Councillors E. C. Tibby (Chairman), G. N. Denaro (Vice-Chairman), Mrs. J. M. Boswell, Mrs. M. Bunker, Mrs. J. Dyer M.B.E., B. Lewis F.CMI, E. J. Murray, S. R. Peters, C. R. Scurrall, C. J. Tidmarsh (Substitute), P. J. Whittaker and C. J. K. Wilson

Observers: Councillor Mrs. C. J. Spencer

Officers: Mr. D. Hammond, Mrs. D. Warren, Mr. M. Dunphy, Mrs. H. L. Plant, Mrs. S. Willetts, Mr. R. Sumner and Mr. A. C. Stephens

32/07 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D. Hancox and Mrs. J. D. Luck.

33/07 **MINUTES**

The minutes of the meeting of the Planning Committee held on 18th June 2007 were submitted.

RESOLVED that the minutes be approved as a correct record.

34/07 **DECLARATION OF INTERESTS**

The following interests were declared in respect of matters to be considered by the Committee:-

<u>Member</u>	<u>Application</u>	<u>Nature of Interest</u>
Councillor Mrs. J. M. Boswell	B/2007/0573	Personal. Knows the vendor of the property which is the subject of the application.
Councillor E. J. Murray	B/2007/0456	Prejudicial. His daughter is in the process of purchasing an area of land adjacent to, or part of the area of land including, the application site. During consideration of the application, Councillor Murray left the room.

<u>Member</u>	<u>Application</u>	<u>Nature of Interest</u>
Councillor C. R. Scurrall	B/2007/0456	Personal. Is a member of Belbroughton Parish Council's Planning Committee which had previously considered the matter.
Councillor C. J. Tidmarsh	B/2007/0498	Personal. The owner of the property the subject of the application is a friend.
Councillor C. J. Tidmarsh	B/2007/0573	Personal. One of the objectors to the application is a friend, and is a member of the local Conservative Association.

35/07 **B/2007/0263-LDO - KITCHEN EXTENSION, GARAGE CONVERSION TO UTILITY/WC, BEDROOM/EN-SUITE EXTENSION (RE-SUBMISSION OF B/2006/1094) - 5 SANDHILLS LANE, BARNT GREEN - MR. K. NEALE**

The Head of Planning and Environment Services reported that the applicant had written to Members of the Committee in support of the scheme. At the invitation of the Chairman, Mr. T. Neale addressed to Committee and spoke in favour of the application.

RESOLVED that permission be refused for the reasons referred to on page 9 of the report.

36/07 **B/2007/0356-DMB - INDUSTRIAL AND WAREHOUSE UNITS WITH USE CLASSES B1(A) AND (C), B2 AND B8 WITH ASSOCIATED ACCESS, PARKING, SERVICE YARDS AND LANDSCAPING: OUTLINE - PART COFTON CENTRE, GROVELEY LANE, COFTON HACKETT - REDMAN HEENAN PROPERTIES LIMITED**

The Head of Planning and Environment Services reported the receipt of comments from Birmingham City Council, Advantage West Midlands, Worcestershire County Council's Highways Partnership (Bromsgrove) and the Highways Agency.

He specifically referred to the TR110 Direction issued by the Highways Agency, requesting that the application not be granted for a period of at least six months to allow resolution of highway issues.

At the invitation of the Chairman, Mr. J. Tate, representing the applicant, addressed the Committee and spoke in favour of the proposals.

RESOLVED that, upon the expiry of the publicity period on 19th July 2007, the Head of Planning and Environment Services be authorised to refuse the application unless the TR110 Direction is withdrawn by the Highways Agency by 2nd August 2007.

(NOTE: Under section 4, paragraph 16.7 of the Council's Constitution, Councillor S. R. Peters requested that it be recorded that he had abstained from voting on this matter.)

37/07 **B/2007/0392-DMB - SINGLE STOREY LABORATORY CLASSROOM - BROMSGROVE SCHOOL, WORCESTER ROAD, BROMSGROVE - BROMSGROVE SCHOOL**

RESOLVED that permission be granted subject to the conditions and notes set out or referred to on pages 22 and 23 of the report.

38/07 **B/2007/0411-DMB - ERECTION OF SIX NO. COMMERCIAL UNITS FOR B1/B2/B8 USE - PLOT 8, SAXON BUSINESS PARK, HANBURY ROAD, STOKE PRIOR - MONGOOSE LIMITED**

The Head of Planning and Environment Services clarified the comments received from Worcestershire County Council's Highways Partnership (Bromsgrove), reported on page 25 of the report, relating to parking spaces, and he also reported the receipt of comments from the Conservation Officer.

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

39/07 **B/2007/0433-HLP - ERECTION OF THREE STOREY BUILDING COMPRISING RETAIL USE IN GROUND FLOOR AND 22 APARTMENTS ABOVE AND ASSOCIATED WORKS - AT LAND AT JUNCTION OF NEW ROAD/BEVERLEY ROAD, RUBERY - RUBERY DEVELOPMENT LIMITED**

RESOLVED that the Head of Planning and Environment Services be authorised to approve the application subject to the applicant entering into an appropriate legal agreement under Section 106 of the Town and Country Planning Act 1990 to cover financial contributions for the provision of educational and off-site play space facilities, as referred to in the report.

40/07 **B/2007/0454-SW - PROPOSED REDEVELOPMENT TO PROVIDE 12 X 1 BEDROOM APARTMENTS (RESUBMISSION OF B/2006/1405) - 34 AND ADJOINING LAND, ROCK HILL, BROMSGROVE - ELMSVYNE HOMES LTD.**

The Head of Planning and Environment Services drew Members' attention to a previous outline planning permission relating to the site, under Plan Ref. B/2003/1004, which was required to be revoked in order for the scheme the subject of this application to be approved. He also clarified matters under the 'Other Issues' heading on page 51 of the report.

RESOLVED:

- (a) that, subject to the applicant and/or any other appropriate person(s) undertaking not to claim compensation to which they may be entitled, an Order be made under Section 97 of the Town and Country Planning Act 1990 revoking planning permission ref. B/2003/1004, and
- (b) that the power to approve the application (B/2007/0454) be delegated to the Head of Planning and Environment Services on the taking effect of the Revocation Order, subject to the applicant entering into an appropriate legal agreement under Section 106 of the Town and

Country Planning Act 1990 to cover financial contributions towards the provision of off-site play space, as referred to in the report.

41/07 **B/2007/0456-SW - ERECTION OF 3 STABLES, FEED STORE AND 1 TACK ROOM POOL HOUSE FARM, HOCKLEY BROOK LANE, BELBROUGHTON - MR. AND MRS. HALLS**

The Head of Planning and Environment Services reported the receipt of a letter of objection in respect of the wider development of plots, together with the receipt of comments from the Drainage Engineer.

RESOLVED that permission be granted subject to the conditions and notes set out or referred to on pages 56 and 57 of the report, together with the following additional condition:-

4. The disposal of water shall be by means approved by the Local Planning Authority. The approved systems shall be operational before building works commence. Soakaways and land drains are to be provided for the stable block. No direct outfall to any ditch or stream is permissible. Soakaways should also be provided for any hard surfacing / wash-down areas with an additional catch pit system.

42/07 **B/2007/0466-DMB - DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF 51 APARTMENTS WITH ASSOCIATED ACCESS AND CAR-PARKING PROVISION: RESUBMISSION OF B/2006/1048 - LAND AT SCHOOL DRIVE, BROMSGROVE - PERSIMMON HOMES (SOUTH MIDLANDS) LIMITED**

The Head of Planning and Environment Services reported the receipt of correspondence from the applicant, together with the receipt of comments from the Strategic Housing Officer, and the findings of the Water Vole Survey.

RESOLVED that, subject to the applicant entering into an appropriate legal mechanism under Section 106 of the Town and Country Planning Act 1990 relating to monetary contributions in respect of:-

- (a) off-site play space provision;
- (b) education provision; and
- (c) highway improvement works and the securing of 29 affordable housing units -

the Director of Planning Services be authorised to approve the application subject to the conditions and notes set out or referred to on pages 77 to 83 of the report.

43/07 **B/2007/0496-DMB - CHANGE OF USE TO RESIDENTIAL CARE HOME (CLASS C2), EXTENSIONS AND ERECTION OF REPLACEMENT STRUCTURE - THE LODGE, WAST HILLS HOUSE, WAST HILLS LANE, ALVECHURCH - CASTLEBECK CARE (TEESDALE) LIMITED**

The Head of Planning and Environment Services reported that amended plans had been received showing a reduction to the proposed activity room as referred to in the report, together with correspondence from the applicant's agent.

RESOLVED that the Head of Planning and Environment Services be authorised to approve the application upon the expiry of the publicity period on 19th July 2007, and subject to any appropriate conditions and/or notes which are considered necessary.

44/07 **B/2007/0498-DI - CROSS ROADS GARAGE, KIDDERMINSTER ROAD, WOODCOTE GREEN - AMENDED APPLICATION - PROPOSED CAR SHOWROOM AND SHOP - MR. N. NAVEED**

The Head of Planning and Environment Services reported the receipt of comments from the Economic Development Officer, the Environmental Health Officer and Worcestershire County Council's Highways Partnership (Bromsgrove).

At the invitation of the Chairman, Mr. S. Vick addressed the Committee and spoke in opposition to the proposals on behalf of an objector, whilst Mr. R. D. Skidmore spoke in favour, on behalf of the applicant.

RESOLVED:

- (a) that permission be refused for the reason referred to on page 95 of the report; and
- (b) that the Head of Planning and Environment 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 planning control.

(NOTE: Under section 4, paragraph 16.7 of the Council's Constitution, Councillors B. Lewis F.CMI, S. R. Peters and C. J. Tidmarsh requested that it be recorded that they had abstained from voting on this matter.)

45/07 **B/2007/0573-LDO - CHANGE OF USE FROM DWELLING TO HOME FOR PEOPLE WITH LEARNING DIFFICULTIES - 47 WELLINGTON ROAD, BROMSGROVE - MR. K. THAKQAR**

The Head of Planning and Environment Services reported the receipt of a letter of support, and two additional letters of objection, together with the receipt of comments from the Environmental Health Officer, Worcestershire County Council's Highways Partnership (Bromsgrove) and local ward Member, Councillor G. G. Selway.

At the invitation of the Chairman, Councillor Mrs. C. J. Spencer addressed the Committee and spoke on behalf of local residents against the application, whilst Mrs. P. Earles, agent for the applicant, spoke in favour.

RESOLVED that permission be granted subject to the conditions and notes set out or referred to on pages 100 and 101 of the report.

(NOTE: Under section 4, paragraph 16.7 of the Council's Constitution, Councillor Mrs. J. M. Boswell requested that it be recorded that she had abstained from voting on this matter.)

46/07 **TREE PRESERVATION ORDER (NO.1) 2007 - 47 WILDMOOR LANE, CATSHILL, BROMSGROVE**

Consideration was given to a report relating to a temporary Tree Preservation Order which had been made in respect of a number of trees on land at 47 Wildmoor Lane, Catshill, Bromsgrove.

RESOLVED that the Bromsgrove District Council Tree Preservation Order (No. 1) 2007 be confirmed without modification.

47/07 **TREE PRESERVATION ORDER (NO. 2) 2007 - 18 AND 16A LITTLEHEATH LANE, LICKEY END, BROMSGROVE**

Consideration was given to a report relating to a temporary Tree Preservation Order which had been made in respect of a number of trees on land at 18 and 16a Littleheath Lane, Lickey End, Bromsgrove.

RESOLVED that the Bromsgrove District Council Tree Preservation Order (No. 2) 2007 be confirmed without modification.

48/07 **APPEAL DECISIONS**

The Committee considered a report which detailed the outcome of several planning appeals which had been determined since the last meeting of the Committee.

RESOLVED that the contents of the report be noted.

49/07 **PI/2007/00134 - FIELD NO. 3424, LEA END LANE, HOPWOOD, ALVECHURCH**

(The Chairman agreed to the consideration of this item as a matter of urgency because a decision was required thereon before the next meeting of the Committee).

The Head of Planning and Environment Services reported that a breach of planning control had occurred on land located to the south side of Lea End Lane, Hopwood. He stated that the breach consisted of the tipping of soil on to the land for the purposes of creating a moto-cross racing track, changing the use from that of agriculture to a mixed use.

Authority to undertake formal enforcement action was therefore sought in order to seek to remedy the breach of planning control.

RESOLVED that the Head of Planning and Environment 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 planning control.

The meeting closed at 4.15 pm

Chairman