

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 29TH MARCH 2010**

**AT 2.00 P.M.**

PRESENT: Councillors E. C. Tibby (Chairman), G. N. Denaro (Vice-Chairman), Mrs. J. M. Boswell, Miss D. H. Campbell JP, S. R. Colella (substituting for J. Dyer M.B.E.), R. J. Deeming (not present during Minute Nos. 139/09 to 147/09), D. Hancox (substituting for B. Lewis F.CMI), Mrs. J. D. Luck, E. J. Murray, S. R. Peters, C. J. Tidmarsh (not present during Minute Nos. 138/09, 139/09, 146/09 and 147/09), P. J. Whittaker and C. J. K. Wilson

Officers: Mrs. D. Warren, Mr. D. M. Birch, Mr. J. Turner, Mr. A. Bucklitch and Mr. A. C. Stephens

133/09 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs. J. Dyer M.B.E. and B. Lewis F.CMI.

134/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

135/09 **MINUTES**

The minutes of the meeting of the Planning Committee held on 1st March 2010 were submitted.

**RESOLVED:** that the minutes be approved and adopted.

136/09 **09/0920-SC - TWO STOREY EXTENSION WITH CAR PORT AND OAK FRAME CONSERVATORY - 1 POUND LANE, FRANKLEY, B32 4BB - MR. D. GLOVER**

Consideration was given to the application which had been deferred at the meeting of the Committee held on 1st March 2010 in order for Members of the Committee to undertake a site visit.

The application had been recommended for refusal by the Head of Planning and Environment Services but Members considered that the proposals would have a negligible impact on the openness of the Green Belt given the relationship of the proposals to the surrounding land levels adjacent to the application site. Furthermore, Members felt that the proposed car-port did not represent habitable floor space in the assessment of the measured floor area of the property. Members considered that these reasons represented very

special circumstances to override the presumption against inappropriate development in the Green Belt.

**RESOLVED** that permission be granted subject to any reasonable conditions and notes considered necessary by the Head of Planning and Environment Services, to specifically include appropriately-worded conditions attached to the Decision Notice to:

- (a) remove the ability of the owner of the property to utilise the car-port structure for any other purpose other than that as a car-port; and
- (b) remove any permitted development rights for external changes to the extension.

(Note: Councillors Mrs. J. M. Boswell, S. R. Colella, E. J. Murray and P. J. Whittaker did not take part in the consideration or voting on this application because they were not present at the meeting held on 1st March 2010, when the application was initially considered by the Committee. Councillor Miss D. H. Campbell did not take part in the consideration or voting on this application because she had not attended the site visit.)

137/09 **09/0983-MT - EXTENSIONS AND ALTERATIONS TO NURSING HOME TO PROVIDE ADDITIONAL GUEST AND STAFF ACCOMMODATION - FORESTERS NURSING HOME, WALTON POOL, CLENT, DY9 9RP - REDWOOD CARE HOMES LTD.**

At the invitation of the Chairman, Mrs. J. Revell addressed the Committee and spoke in opposition to the proposals, and Mr. A. Dennison spoke in favour of the application.

Consideration was given to the application which had been recommended for refusal by the Head of Planning and Environment Services. On the matter being put to the vote, Members considered that -

- there was an on-going need in the Bromsgrove area for new and enlarged nursing home facilities as a result of the aging population, with no available nursing home bed-spaces in the local area;
- the proposal would enable the Foresters Nursing Home to meet the minimum standards set by the Commission for Social Care Inspection;
- the continued existence of the nursing home would be secured given the on-site staff accommodation, thereby providing an adequate and reliable source of nursing staff;
- the proposal would have limited harm to the streetscene due to the current boundary treatment;
- no adverse impact on residential amenity would occur due to the location of the proposal;
- the proposal would facilitate the removal of the caravan currently used for staff accommodation; and
- the proposal would comply with Paragraph EC12 of PPS4.

Members were of the opinion that these points constituted very special circumstances which outweighed the harm that would be caused to the

openness of the Green Belt and the purposes of including land within the Green Belt, and other harm, and that planning permission should be granted.

**RESOLVED:**

- (a) that the application be referred to the Government Office for the West Midlands under the "departure" procedure; and
- (b) that, in the event that the application is not "called-in" by the Government Office for the West Midlands, permission be granted subject to any reasonable conditions and notes considered necessary by the Head of Planning and Environment Services, to specifically include appropriately-worded conditions attached to the Decision Notice to:
  - (i) secure the removal of the existing staff accommodation caravan; and
  - (ii) ensure the retention of boundary treatments.

138/09 **09/0985-JT - CHANGE OF USE TO APPROXIMATELY 4,510 SQ. M. USE CLASS B1A AND B1C, NEW ACCESS AND ASSOCIATED WORKS (RENEWAL OF B/2005/0352) - WILDMOOR MILL FARM, MILL LANE, WILDMOOR, BROMSGROVE, B61 0BX - MR. RICHARDS**

The Head of Planning and Environment Services clarified the details of highway improvement works agreed under previous planning approvals ref. B/2001/0379 and B/2005/0352.

**RESOLVED** that permission be granted subject to the conditions and notes set out or referred to on pages 32 to 36 of the report.

139/09 **10/0016-CE - NEW DETACHED ANNEX FOR FAMILY SUPPORT, THERAPY AND EDUCATION - PRIMROSE HOSPICE & CANCER HELP CENTRE, ST. GODWALDS ROAD, BROMSGROVE, B60 3BW - MR. A. ROBINSON, PRIMROSE HOSPICE**

The Head of Planning and Environment Services reported the comments of Natural England, the contents of which had given him sufficient grounds to change the recommendation on pages 43 and 44 of the report from one of approval to refusal.

**RESOLVED** that consideration of the application be deferred in order for the applicant to undertake the surveys advocated by Natural England in their consultation response.

140/09 **10/0101-MT - CONVERSION OF INDUSTRIAL BUILDINGS TO RESIDENTIAL USE (9 UNITS, COMPRISING SIX 2-BED UNITS, TWO 3-BED UNITS AND ONE 4-BED UNIT) WITH ACCESS ROAD, CAR PARKING AND AMENITY SPACE - 2/4/6 HARTLE LANE, BELBROUGHTON, DY9 9TG - ROWANMOOR TRUSTEES LTD. (MR. P. MASON / MRS. C. MASON)**

The Head of Planning and Environment Services reported the receipt of a letter in support of the application, together with additional comments received

from Worcestershire Highways and the Conservation Officer. He also stated that an amended draft agreement in respect of contributions towards education and play space provision had also been received.

At the invitation of the Chairman, Mrs. E. Mitchell addressed the Committee and spoke in support of the proposed development. Mr. J. M. Bradley spoke on behalf of Belbroughton Parish Council and stated that, although the Parish Council had no objection to the scheme in principle, there was opportunities for the proposals to be improved.

**RESOLVED** that consideration of the application be deferred to a future meeting of the Committee, and that in the meantime -

- (a) the applicant be requested to undertake the necessary ecological surveys; and
- (b) the design of the proposals be reviewed by the Head of Planning and Environment Services, in respect of the rear elevation facing the Talbot Public House car-park and the High Street.

141/09 **10/0140-DK - PROPOSED REFURBISHMENT / UPGRADE OF FACILITIES AND NEW AMENITY BUILDINGS - HOUNDSFIELD LANE CARAVAN SITE, HOUNDSFIELD LANE, HOLLYWOOD, B47 5QR - MR. D. HANNON**

The Head of Planning and Environment Services clarified that the application related to the formation of five permanent at the existing transit site in addition to the provision of new amenity blocks. He also stated that comments had been received from the Drainage Engineer and the Environment Agency.

**RESOLVED** that permission be granted subject to the conditions and notes set out or referred to on pages 60 and 61 of the report, together with two appropriately-worded conditions relating to:

- (a) the perimeter security fencing; and
- (b) dense perimeter screening, including the mounded area to the front aspect facing Houndsfield Lane (subject to land ownership issues)

142/09 **BREACH OF CONDITION - REPLACEMENT TREE PLANTING AT THE OLD VICARAGE, VICARAGE CLOSE, FINSTALL, BROMSGROVE, B60 2ED**

Consideration was given to a report which referred to a breach of condition attached to planning permission reference B/2003/1053 in respect of the scheme of replanting of trees on land on the western boundary of The Old Vicarage, Vicarage Close, Finstall, Bromsgrove.

**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 condition, as outlined in the report.

143/09 **APPEAL DECISIONS**

Consideration was given to a report which outlined planning appeal decisions which had been received since the last meeting of the Committee.

**RESOLVED** that the report be noted.

144/09 **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 the following 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>
145/09	2 and 6
146/09	2 and 6
147/09	2 and 6

145/09 **ENFORCEMENT OF PLANNING CONTROL (REF.: 20100201-02)**

Consideration was given to a report which outlined a breach of planning control with a view to obtaining authority to take enforcement action to remedy the planning issues arising.

**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 any breach of planning control, as outlined in the report, which may arise on the specified site.

146/09 **ENFORCEMENT OF PLANNING CONTROL (REF.: 20100329-01)**

Consideration was given to a report which updated Members on the enforcement proceedings in relation to the site referred to in the report and to seek the Committee's approval for a revised scheme to regularise the breach of planning control which had taken place.

**RESOLVED** that the Head of Planning and Environment Services, in consultation with the Head of Legal, Equalities and Democratic Services, be authorised to vary the enforcement notice previously served on the property referred to in the report.

147/09 **ENFORCEMENT OF PLANNING CONTROL (REF.: 20100329-02)**

Consideration was given to a report which outlined a breach of planning control with a view to obtaining authority to take enforcement action to remedy the planning issues arising.

**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 any breach of planning control, as outlined in the report, which may arise on the specified site.

The meeting closed at 4.15 p.m.

Chairman