

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 19TH APRIL 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, R. J. Deeming, Mrs. J. Dyer M.B.E., B. Lewis F.CMI, E. J. Murray, S. R. Peters, C. J. Tidmarsh and C. J. K. Wilson

Observers: Councillor D. L. Pardoe and Councillor L. J. Turner

Officers: Mrs. D. Warren, Mr. D. M. Birch, Mr. J. Turner, Mr. A. Bucklitch, Mr. S. Hawley (Worcestershire County Council) and Mr. A. C. Stephens

148/09 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Mrs. J. D. Luck.

149/09 **DECLARATIONS OF INTEREST**

No declarations of interest were received.

150/09 **MINUTES**

The minutes of the meetings of the Planning Committee held at 1.00 p.m. and 2.00 p.m. on 29th March 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

151/09 **09/0996-JT - ERECTION OF 5,049 SQ.M. WAREHOUSE TO REPLACE FORMER POULTRY SHEDS AT REAR OF PREMISES - OAKLAND INTERNATIONAL LTD., SEAFIELD LANE, PORTWAY, B98 9DB - MR. D. ATTWELL**

The Head of Planning and Environment Services reported the comments of Worcestershire Highways and the Herefordshire and Worcestershire Chamber of Commerce. He also reported that a Certificate of Lawfulness had been granted on 16th April 2010 relating to the storage/distribution use of the existing buildings on the site.

In the light of the comments received from Worcestershire Highways, the Head of Planning and Environment Services informed the Committee that his recommendation had been amended to one of approval.

At the invitation of the Chairman, Mr. D. Attwell addressed the Committee and spoke in favour of the application.

RESOLVED that the power to approve the application be delegated to the Head of Planning and Environment Services (Head of Planning and Regeneration) subject to any reasonable conditions and notes as considered necessary, to specifically include appropriately-worded conditions relating to:-

- (a) a restriction on internal alterations to ensure that further floorspace cannot be created without the consent of the Council;
- (b) the imposition of a suitable Travel Plan;
- (c) materials; and
- (d) a limitation on noise emissions from compressors.

152/09 **09/1003-JT - ERECTION OF TWO WIND GENERATORS AND CREATION OF ASSOCIATED ACCESS TRACK - LAND AT KIDDERMINSTER ROAD / BERRY LANE, DODFORD, BROMSGROVE - MR. P. HIRONS**

Consideration was given to the application which had been deferred at the meeting of the Committee held on 1st March 2010 in order to extend the scope of the consultation and to obtain further information before making a decision on the application.

The Head of Planning and Environment Services reported the receipt of comments from the Conservation Officer, Wychavon District Council's Conservation Officer and Worcestershire County Council's Historic Environment Planning Officer. He also reported the views of the applicant, together with the receipt of letters from Julie Kirkbride MP, the proprietor of an adjacent business premises and a third-party. He stated that one letter of support and fourteen further letters from existing objectors in response to the wider consultation had been received.

In the light of the comments and representations received, the Head of Planning and Environment Services informed the Committee that his recommendation had been amended and he was minded to refuse the application.

RESOLVED that permission be refused for the following reasons:-

- (1) The proposed development, by reason of its scale, location and visibility, would adversely affect the setting of nearby listed buildings and the historic landscape in which they are located. It is therefore considered that heritage assets in the local area would be compromised, and that the recognised benefits of the proposals do not outweigh the harm caused. In this respect, the proposal is contrary to Worcestershire Structure Plan policy EN.2, Bromsgrove District Local Plan policy S39, the guidance contained within PPS5 and PPS22, and the Draft Historic Environment Assessment for Bromsgrove.
- (2) Information submitted by the applicant indicates that noise levels at the adjacent caravan site attached to Woodcote Golf Driving Range would be 40-45 dB. A full noise assessment including background noise

surveys and wind-speed monitoring is therefore required. In the absence of such information, it is considered that the applicant has failed to demonstrate that the effects on the caravan park would be acceptable. The proposal is therefore contrary to Worcestershire Structure Plan policy EN.2, Bromsgrove District Local Plan policy ES13A, the guidance contained within PPS22 and PPG2, and the technical advice in ETSU-R-97 'Assessment and Rating of Noise from Wind Farms'.

153/09 **10/0103-DK - THREE TWO STOREY OFFICE UNITS WITH ASSOCIATED CAR PARKING AND LANDSCAPING (EXTENSION OF TIME FOR PERMISSION B/2006/1249) - REGAL GARAGE, 18 BUNTSFORD DRIVE, BROMSGROVE, B60 3AJ - MR. T. MAYNEORD**

RESOLVED that permission be refused for the reason set out on page 54 of the report.

154/09 **10/0128-CE - PROPOSED NEW TRACTOR SHED AND IMPLEMENT STORE (RE-SUBMISSION OF APPLICATION 09/0448-CE) - FOX HAVEN, OLD BIRMINGHAM ROAD, MARLBROOK, BROMSGROVE, B60 1NU - MR. G. VALE**

The Head of Planning and Environment Services reported the receipt of a letter from the applicant.

RESOLVED that permission be refused for the reason set out on page 60 of the report.

155/09 **10/0130-JT - PROPOSED NEW WIND TURBINE - CALCOT HILL FARM, CALCOT HILL, ROMSLEY, DY9 9RX - MRS. J. MCMINN**

The Head of Planning and Environment Services referred to this application and stated that it had been withdrawn.

156/09 **10/0195-CE - PROPOSED ERECTION OF THREE NEW BUNGALOWS AND ONE TWO STOREY DWELLING AND ALTERATIONS TO EXISTING HOUSE TO PROVIDE ACCESS - 46 ALCESTER ROAD, HOLLYWOOD, B47 5NB - MR. N. WICKLEN**

The Head of Planning and Environment Services reported the comments of the Drainage Engineer and Worcestershire Highways, together with the receipt of additional information from the applicant's agent. He also reported an amendment to Note 1 contained within his recommendation, referred to on page 80 of the report.

At the invitation of the Chairman, Mr. D. Wolverson addressed the Committee and spoke in opposition to the proposals, and Councillor L. J. Turner also addressed the Committee, as one of the Ward Members 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 Environment Services. On the matter being put to the vote, Members considered that the proposal -

- (i) amounted to an overdevelopment of the application site, and created a cramped form of development of inappropriate design;
- (ii) was of an unsuitable scale and character;
- (iii) caused a loss of residential amenity due to its non-compliance with SPG1;
- (iv) caused an unacceptable loss of tree cover which provided a valuable asset in the locality; and
- (v) created unacceptable highway implications in respect of access and egress.

RESOLVED:

- (a) that permission be refused for the reasons (i) to (v) above; and
- (b) that the exact wording of these reasons, to form the reasons on the Notice of Refusal of Planning Permission quoting the relevant Structure Plan and Local Plan policies, be delegated to the Head of Planning and Environment Services (Head of Planning and Regeneration).

157/09 **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 item of business on the grounds that it involves 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 being as set out below, and that it is in the public interest to do so:-

<u>Minute No.</u>	<u>Paragraphs</u>
158	2 and 6

158/09 **CONFIDENTIAL MINUTES**

The minutes of the meeting of the Planning Committee held in private session on 29th March 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

The meeting closed at 3.25 p.m.

Chairman