

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 14TH JUNE 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, Mrs. J. Dyer M.B.E., B. Lewis F.C.M.I, D. L. Pardoe (substituting for Mrs. J. D. Luck), S. R. Peters, C. J. Tidmarsh, P. J. Whittaker and C. J. K. Wilson

Observer: Councillor C. B. Taylor

Officers: Ms. R. Bamford, Mrs. S. Sellers, Mr. D. M. Birch, Mr. J. Turner, Mr. A. Bucklitch, Mr. S. Hawley (Worcestershire Highways) and Mr. A. C. Stephens

17/10 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R. J. Deeming, Mrs. J. D. Luck and E. J. Murray.

18/10 **DECLARATIONS OF INTEREST**

Councillor P. J. Whittaker declared a personal interest in Agenda Item 14 (Enforcement of Planning Control) as he was acquainted with the owner of the site referred to in the report.

19/10 **MINUTES**

The minutes of the meeting of the Planning Committee held on 17th May 2010 were submitted.

RESOLVED that, subject to the deletion of Councillor Ms. H. J. Jones and the addition of Councillor Miss D. H. Campbell JP in the list of those Members present at the meeting, the minutes be approved as a correct record.

20/10 **10/0196-DK - PROPOSED FOUR-BEDROOMED DORMER BUNGALOW - LAND TO THE REAR OF 51 TWATLING ROAD, BARN T GREEN, B45 8HS - MR. R. DANIELS**

The Head of Planning and Regeneration Services informed Members of the Government's intention to abolish Regional Spatial Strategies and stated that no weight should be given to the West Midlands Regional Spatial Strategy referred to in the report. Furthermore, she asked the Committee to note the advice contained in the Department for Communities and Local Government letter of 19th January 2010 (Annex 5 of PPS3) in respect of development

density. A correction to the first paragraph under the Residential Amenity heading was reported, together with clarification relating to the height of the rooflights on the southern side of the proposed dormer bungalow towards 49 Twatling Road.

RESOLVED that permission be refused for the reasons set out on page 17 of the report.

21/10 **10/0206-MT - TWO STOREY SIDE AND REAR EXTENSION - 2 THICKNALL RISE, HAGLEY, DY9 0LQ - MR. D. SIKKAM**

The Head of Planning and Regeneration Services informed Members of the Government's intention to abolish Regional Spatial Strategies and stated that no weight should be given to the West Midlands Regional Spatial Strategy referred to in the report.

She also stated that the applicant had instigated appeal proceedings against the non-determination of this application within the statutory time which meant, as a result, the power to make a decision on the application has passed from the Council to the Secretary of State for Communities and Local Government. However, the Committee would still need to make a decision on the application to form part of the Council's case in respect of the appeal.

Consideration was then given to the application which had been recommended for approval by the Head of Planning and Regeneration Services. On the matter being put to the vote, Members considered that the proposal was unacceptable for the following reasons:-

- (i) the dwelling would be over-dominant as a result of the development; and
- (ii) the development would be incongruous and out of character in the streetscene.

RESOLVED that this be reported to the Secretary of State for Communities and Local Government as the stance to be reported in the Council's case in respect of the appeal lodged against the non-determination of this application within the statutory time.

22/10 **10/0301-CE - CONVERSION OF LIGHT INDUSTRIAL UNITS TO 3 NO. TWO-BEDROOM DWELLINGS (PREVIOUSLY GRANTED FOR CONVERSION TO 4 NO. HIKERS HOLIDAY LODGES UNDER PLANNING PERMISSION 08/0127) - THE PIGGERIES, OLD BIRMINGHAM ROAD, MARLBROOK, B60 1HG - MR. C. MASSEY**

The Head of Planning and Regeneration Services informed Members of the Government's intention to abolish Regional Spatial Strategies and stated that no weight should be given to the West Midlands Regional Spatial Strategy referred to in the report.

RESOLVED that permission be granted subject to the conditions and notes set out or referred to on pages 35 to 38 of the report.

23/10 **10/0317-MT - CHANGE OF USE FROM MARKET HALL TO CAR PARK - FORMER MARKET HALL SITE, ST. JOHN STREET, BROMSGROVE, B61 8QY - BROMSGROVE DISTRICT COUNCIL**

The Head of Planning and Regeneration Services reported the comments of the Environment Agency, the Drainage Engineer and the Public Paths Order Officer.

At the invitation of the Chairman, Mr. F. W. Stanley addressed the Committee and spoke in respect of the application.

RESOLVED that temporary permission, for a period of two years, be granted subject to Condition 1 below and an appropriately-worded informative to be included on the Decision Notice in respect of the provision of disabled spaces, to the effect that these be investigated by way of an alternative process rather than the planning process:-

Condition:

1. The use hereby permitted shall cease on or before the expiry of two years starting from the date of this permission.

24/10 **TREE PRESERVATION ORDER (NO. 5) 2009 - TREES ON LAND AT 324 ALCESTER ROAD, WYTHALL**

Members gave consideration to a report relating to Bromsgrove District Council Tree Preservation Order (No. 5) which had been made in respect of trees on land at 324 Alcester Road, Wythall.

RESOLVED that Bromsgrove District Council Tree Preservation Order (No. 5) 2009 be confirmed without modification.

25/10 **REVOCAION OF TREE PRESERVATION ORDERS**

Consideration was given to a report which sought the approval of Members to the revocation of two Tree Preservation Orders, namely:

- (a) Bromsgrove District Council Tree Preservation Order (No. 4) 2008, relating to trees on land at Hewell Grange, Redditch; and
- (b) Bromsgrove District Council Tree Preservation Order (No. 7) 2009, relating to trees on land at the Fountain Inn, Clent.

RESOLVED that Bromsgrove District Council Tree Preservation Order (No. 4) 2008 and Bromsgrove District Council Tree Preservation Order (No. 7) 2009 be revoked.

26/10 **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>
27/10	2 and 6
28/10	2 and 6
29/10	2 and 6
30/10	2 and 6
31/10	2 and 6

27/10 **CONFIDENTIAL MINUTES**

The minutes of the meeting of the Planning Committee held in private session on 17th May 2010 were submitted.

RESOLVED that the minutes be approved as a correct record.

28/10 **ENFORCEMENT OF PLANNING CONTROL - NEWHOUSE FARM, LEA END LANE, HOPWOOD, ALVECHURCH**

Consideration was given to a report which updated Members on a breach of planning control at Newhouse Farm, Lea End Lane, Hopwood, Alvechurch; namely, the unauthorised use of a farm yard for various commercial storage uses. The Committee's views were sought as to whether enforcement action should be taken to remedy the planning issues arising.

RESOLVED:

- (a) that the update report be noted; and
- (b) that the Head of Planning and Regeneration 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 outlined in the report.

29/10 **ENFORCEMENT OF PLANNING CONTROL - COACH AND HORSES PUBLIC HOUSE, WEATHEROAK HILL, ALVECHURCH**

Members gave consideration to a report relating to a breach of planning control at the Coach and Horses Public House, Weatheroak Hill, Alvechurch; namely, the retention of an unauthorised smoking shelter. The Committee's views were sought as to whether enforcement action should be taken to remedy the planning issues arising.

RESOLVED that the Head of Planning and Regeneration 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 outlined in the report.

30/10 **ENFORCEMENT OF PLANNING CONTROL - GLENFIELD HOUSE NURSING HOME, MIDDLE LANE, KINGS NORTON**

Consideration was given to a report which updated Members on an ongoing breach of planning control at Glenfield House Nursing Home, Middle Lane, Kings Norton; namely, landscaping issues pursuant to condition no. 4 attached to planning permission B/2009/0509. However, the Committee were informed that, due to the tree planting season, it was not considered expedient to seek to take any action at this stage.

RESOLVED that no action be taken in respect of the breach of planning control at Glenfield House Nursing Home, Middle Lane, Kings Norton, but that the situation be reviewed after the next tree planting season.

31/10 **ENFORCEMENT OFFICER'S UPDATES TO CURRENT ENFORCEMENT CASES REPORTED AT THE MEETING**

The Chairman referred to the Quarterly Enforcement Update which had been circulated to Members of the Committee prior to the commencement of the meeting, which referred to a number of on-going enforcement cases.

RESOLVED that the update report be noted.

The meeting closed at 2.55 p.m.

Chairman