



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 5TH FEBRUARY 2018
AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA

PLEASE NOTE THAT AFTER 5PM, ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD. PLEASE ALSO NOTE THAT THERE IS NO PUBLIC PARKING AVAILABLE FOR THE NEW PREMISES. THE NEAREST PARKING IS THE PARKSIDE (MARKET STREET) PAY AND DISPLAY CAR PARK.

MEMBERS: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Updates to the Reports of the Head of Planning and Regeneration Services will be available in the Council Chamber one hour prior to Meeting. You are advised to arrive in advance of the start of the Meeting to allow yourself sufficient time to read the updates.

Members of the Committee are requested to arrive at least fifteen minutes before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting.

AGENDA

1. To receive apologies for absence and notification of substitutes
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. To confirm the accuracy of the minutes of the meeting of the Planning Committee held on 20th December 2017 and 8th January 2018 (Pages 1 - 8)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 2017/01077/FUL - Erection of rural workers dwelling to meet the needs of Lower Park Fisheries - Lower Park Fisheries, Dagnell End Road, Redditch, Worcestershire, B98 9BE - Mr S. Wood (Pages 9 - 14)
6. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

24th January 2018

BROMSGROVE DISTRICT COUNCIL

PLANNING COMMITTEE

Information for Members of the Public

The Planning Committee comprises 11 Councillors. Meetings are held once a month on Mondays **at 6.00 p.m.** in the Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

The Chairman of the Committee, who is responsible for the conduct of the meeting, sits at the head of the table. The other Councillors sit around the inner-tables in their party groupings. To the immediate right of the Chairman are the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic Services Officer who takes the Minutes of the Meeting. The Officers are paid employees of the Council who attend the Meeting to advise the Committee. They can make recommendations, and give advice (both in terms of procedures which must be followed by the Committee, and on planning legislation / policy / guidance), but they are not permitted to take part in the decision making.

All items on the Agenda are (usually) for discussion in public. You have the right to request to inspect copies of previous Minutes, reports on this agenda, together with the background documents used in the preparation of these reports. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available in the public gallery. The Chairman will normally take each item of the Agenda in turn although, in particular circumstances, these may be taken out of sequence.

The Agenda is divided into the following sections:-

- Procedural Items

Procedural matters usually take just a few minutes and include: apologies for absence, approval of the Minutes of the previous meeting(s) and, where necessary, election of a Chairman and / or Vice-Chairman. In addition, Councillors are asked to declare whether they have any disclosable pecuniary and / or other disclosable interests in any items to be discussed. If a Councillor declares a disclosable pecuniary interest, he/she will withdraw from the meeting during the discussion and voting on that item. However, it is up to the individual Councillor concerned to decide whether or not to declare any interest.

- Reports of the Head of Planning and Regeneration

(i) **Plans and Applications to Develop, or Change of Use** - Reports on all applications will include a response from consultees, a summary of

any observations received and a recommendation. Recent consultation responses will be reported at the meeting within the Update Report.

Each application will be considered in turn. When the Chairman considers that there has been sufficient discussion, a decision will be called for. Councillors may decide that, in order to make a fully informed decision, they need to visit the site. If this is the case, then a decision on the application will be deferred until the next meeting of the Committee. Alternatively, a decision may be deferred in order that more information can be presented / reported. If the Councillors consider that they can proceed to making a decision, they can either accept the recommendation(s) made in the report (suggesting any additional conditions and / or reasons for their decision), or they can propose an amendment, whereby Councillors may make their own recommendation. A decision will then be taken, usually by way of a show of hands, and the Chairman will announce the result of the vote. Officers are not permitted to vote on applications.

Note: **Delegation** - All items are presumed to be matters which the Planning Committee has delegated powers to determine. In those instances where delegation will not or is unlikely to apply, an appropriate indication will be given at the meeting.

Any members of the public wishing to make late additional representations should do so in writing, or by contacting their Ward Councillor(s) well in advance of the Meeting. You can find out who your Ward Councillor(s) is/are at www.writetothem.com.

Members of the public should note that any application can be determined in any manner, notwithstanding any (or no) recommendation being made to the Planning Committee.

- (ii) **Development Control (Planning Enforcement) / Building Control** - These matters include such items as to whether or not enforcement action should be taken, applications to carry out work on trees that are the subject of a Tree Preservation Order, etc.. 'Public Speaking' policy does not apply to this type of report, and enforcement matters are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Reports of the Head of Legal and Democratic Services

These reports relate to, for example, cases where authority is sought to commence legal proceedings for non-compliance with a variety of formal planning notices. They are generally mainly concerned with administrative and legal aspects of planning matters. 'Public Speaking' policy does not apply to this type of report, and legal issues are normally dealt with as confidential items (see 'Confidential / Exempt Business' below).

- Urgent Business

In exceptional circumstances, and at the discretion of the Chairman, certain items may be raised at the meeting which are not on the Agenda. The Agenda is published a week in advance of the meeting and an urgent matter may require a decision. However, the Chairman must give a reason

for accepting any "urgent business". 'Public Speaking' policy would not necessarily apply to this type of report.

- **Confidential / Exempt Business**

Certain items on the Agenda may be marked "confidential" or "exempt"; any papers relating to such items will not be available to the press and public. The Committee has the right to ask the press and public to leave the room while these reports are considered. Brief details of the matters to be discussed will be given, but the Committee has to give specific reasons for excluding the press and public.

Public Speaking

Where members of the public have registered to speak on planning applications, the item will be dealt with in the following order (subject to the discretion of the Chairman):-

- Introduction of item by the Chairman;
- Officer's presentation;
- Representations by objector;
- Representations by applicant (or representative) or supporter;
- Parish Council speaker (if applicable) and / or Ward Councillor;
- Consideration of application by Councillors, including questions to officers.

All public speakers will be called to the designated area by the Chairman and will have a maximum of 3 minutes to address the Committee.

Feedback forms will be available within the Council Chamber for the duration of the meeting in order that members of the public may comment on the facilities for speaking at Planning Committee meetings.

NOTES

Councillors who have not been appointed to the Planning Committee but who wish to attend and to make comments on any application on the attached agenda are required to inform the Chairman and the relevant Committee Services Officer before 12:00 noon on the day of the meeting. They will also be subject to three minute time limit.

Councillors who are interested in the detail of any matter to be considered are invited to consult the files with the relevant Officer(s) in order to avoid unnecessary debate on such detail at the meeting. Members of the Committee are requested to arrive at least one hour before the start of the meeting to read any additional representations and to ask questions of the Officers who will also make themselves available for at least one hour before the meeting. Members are also requested to give Officers at least forty-eight hours notice of detailed, technical questions in order that information can be sought to enable answers to be given at the meeting. Councillors should

familiarise themselves with the location of particular sites of interest to minimise the need for Committee Site Visits.

Councillors are respectfully reminded that applications deferred for more information should be kept to a minimum and only brought back to Committee for determination where the matter cannot be authorised to be determined by the Head of Planning and Regeneration Services.

In certain circumstances, items may be taken out of the order than that shown on the agenda and, therefore, no certain advice can be provided about the time at which any item may be considered. However, it is recommended that any person attending a meeting of the Committee, whether to speak or to just observe proceedings and listen to the debate, be present for the commencement of the meeting at 6.00 p.m.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - SECTION 100D

1. All applications for planning permission include, as background papers, the following documents:-
 - a. The application - the forms and any other written documents submitted by the applicant, the applicant's architect or agent, or both, whichever the case may be, together with any submitted plans, drawings or diagrams.
 - b. Letters of objection, observations, comments or other representations received about the proposals.
 - c. Any written notes by officers relating to the application and contained within the file relating to the particular application.
 - d. Invitations to the Council to comment or make observations on matters which are primarily the concern of another Authority, Statutory Body or Government Department.

2. In relation to any matters referred to in the reports, the following are regarded as the standard background papers:-

Policies contained within the County Structure Plan and Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District 2011-2-30
SPG	-	Supplementary Policy Guidance
SPD		Supplementary Planning Document

3. Any other items listed, or referred to, in the report.

Note: For the purposes of the Local Government (Access to Information) Act 1985, unless otherwise stated against a particular report, "background papers" in accordance with Section 100D will always include the Case Officer's written report and any letters or memoranda of representation received (including

correspondence from Parish Councils, the Highway Authority, statutory consultees, other 'statutory undertakers' and all internal District Council Departments).

Further information

If you require any further information on the Planning Committee, or wish to register to speak on any application for planning permission to be considered by the Committee, in the first instance, please contact Pauline Ross, Democratic Services Officer, at p.ross@bromsgroveandredditch.gov.uk, or telephone (01527) 881406

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

WEDNESDAY, 20TH DECEMBER 2017, AT 4.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), C. Allen-Jones, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon and M. A. Sherrey

Officers: Ms. C. Flanagan, Mrs. T. Lovejoy, Mr. G. Boyes and Mrs. P. Ross

52/17 **APOLOGIES**

Apologies for absence were received on behalf of Councillors S. J. Baxter, P. L. Thomas and C. J. Spencer.

53/17 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

54/17 **TREE PRESERVATION ORDER (11) 2017 - TREES ON LAND ADJACENT TO 73 LINTHURST NEWTOWN, BLACKWELL**

The Committee considered a report which detailed proposals to confirm, with modification, Tree Preservation Order (No 11) 2017, relating to trees and woodland on land adjacent to 73 Linthurst Newtown, Blackwell.

The Chairman drew Members' attention to the Supplementary Documentation agenda pack which contained the published Update Report and the proposed revised schedule and map for the TPO at Appendix 2 to the report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

With the agreement of the Chairman, the Council's Principal Solicitor explained to the Committee that, the report was a substantial report and was being presented to the Committee further to a number of legal and arboreal issues since the original Tree Preservation Order was made on 4th July 2017. The presentation of the report would therefore be led by the Council's Planning Lawyer with assistance from the Council's Senior Tree Officer.

The Council's Planning Lawyer informed the Committee that the members were tasked with making their decision in accordance with the relevant legal tests as set out in the report as well as the relevant guidance. The report contained responses to the legal issues and those issues would be further addressed in the course of any future litigation.

Agenda Item 3

Planning Committee
20th December 2017

The focus of members, as far as the legal issues were concerned, was to confirm a tree preservation that was not unlawful.

The Council's Planning Lawyer, explained to the Committee that further correspondence had been received from the objector's solicitors, and referred Members to page 1 in the Update Report; which summarised the objector's representations and details of the trees in dispute, i.e. the trees which the objectors submitted should be removed prior to confirmation of the TPO but which, in the tree officer's view, should remain in the order. Members were asked to consider all the trees in the TPO and not just the trees in dispute.

Members were asked to note the following:

- Page 2 in the Update Report, (column one, tree reference in chart of trees in dispute), G5 should be amended to read G4, Oak, Ash, Holly.
- References in the Committee Report to Linthurst Road should be amended to read Linthurst Newtown.

The Chairman agreed to an adjournment which members used to review the amendments made verbally by the Council's Senior Tree Officer, to the photographs as detailed at Appendix 9 in the report. The amendments to Appendix 9 were made to reflect the revised TPO schedule and to correct some errors relating to the labelling of the photographs.

The meeting stood adjourned from 17:40 hours to 17:46 hours.

Having re-convened Officers provided clarification on matters raised by the Committee with regard to the order, its compatibility with the consent order at Appendix 11 to the report and the objector's representations, including consideration of the report produced on behalf of the objectors at Appendix 3 to the report.

Officers responded to questions from Members with regards to the Amenity and Expediency tests, including the public visibility of the trees and the Tree Evaluation Method for Preservation Orders (TEMPO).

RESOLVED that Tree Preservation Order (No 11) 2017, relating to trees and woodland on land adjacent to 73 Linthurst Newtown, Blackwell, be confirmed with modifications as detailed in the Plan and Schedule of the proposed Modified Order (Revised Appendix 2) to the report; and the additional modification as agreed by Members during the course of the meeting, namely to remove tree reference G4 from the Plan and Schedule of Modified Order (Revised Appendix 2) to the report.

The meeting closed at 6.41 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

8TH JANUARY 2018, AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey and C. J. Spencer

Officers: Mrs. T. Lovejoy, Mr. D. M. Birch, Mrs. S. Hazlewood, Mr. D. Kelly, Miss. C Wood and Mrs. P. Ross

55/17

APOLOGIES

Apologies for absence were received on behalf of Councillors M. T. Buxton and P. L. Whittaker.

56/17

DECLARATIONS OF INTEREST

Councillor M. A. Sherrey declared an Other Disclosable Interest in Agenda Item 8 (Application 2017/01153/FUL – Clent Vets. 5 Kidderminster Road, Bromsgrove, Worcestershire, B61 7JJ) in that she was a customer at the Clent Hills Veterinary Group, Hagley branch.

Councillor P. L. Thomas declared an Other Disclosable Interest in Agenda Item 8 (Application 2017/01153/FUL – Clent Vets. 5 Kidderminster Road, Bromsgrove, Worcestershire, B61 7JJ) in that he was a customer at the veterinary practice.

Councillor C. Allen-Jones advised that, in respect of Agenda Item 6 (Application 2017/00482/OUT – 9 Bromsgrove Road, Romsley, Halesowen, Worcestershire, B62 0ET), he would be withdrawing to the public gallery and would be speaking on the matter in his capacity as Ward Councillor, under the Council's public speaking rules.

Councillor Allen-Jones withdrew from the Committee into the public gallery prior to the consideration of the item and addressed the Committee as Ward Councillor under the public speaking rules and took no part in the discussion or voting on the matter.

57/17

MINUTES

The minutes of the Planning Committee meeting held on 4th December 2017 were received.

RESOLVED that the minutes of the meeting be approved as a correct record.

58/17

2015/0548 - RELOCATION OF DAYROOM APPROVED AT APPEAL (REF: APP/P1805/A/09/2106041) OF APPLICATION (REF: 08/0727) - SHELWOOD GRANGE, SHELWOOD LANE, TARDEBIGGE, WORCESTERSHIRE, B60 3EY - MR A. BRIDGES

The Committee considered the Application, which was being recommended for approval by Officers. Having considered the Officer's presentation and clarification on the site plan as to the relocation of the dayroom, Members were minded to approve the application.

RESOLVED that authority be delegated to the Head of Planning and Regeneration Services to grant full Planning Permission, subject to the Conditions, as detailed on page 10 of the main agenda report; and a Unilateral Undertaking to ensure that only one dayroom is constructed at the site.

59/17

2017/00482/OUT - OUTLINE PERMISSION FOR THE DEMOLITION OF EXISTING WORKSHOPS, OFFICES AND OTHER RELATED BUILDINGS. ERECTION OF NEW SINGLE DWELLING HOUSE AND GARAGE - 9 BROMSGROVE ROAD, ROMSLEY, HALESOWEN, WORCESTERSHIRE, B62 0ET - MR M. BUCKLEY

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor C. Allen-Jones, Ward Member.

Officers reported that Romsley Parish Council had no objections to the Application and that information had been brought to their attention by the Applicant, namely the case of Braintree District Council v Secretary of State for Communities and Local Government decided in November 2017 and the Officer's proposed amended second refusal reason, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman Mr. P. Watson, the Applicant's Planning Consultant and Councillor C. Allen-Jones, in whose Ward the Site was located, addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Members expressed some concern with regard to the significant increase in terms of footprint, maximum height and floor space, as detailed on page 13 of the main agenda report. Officers responded to questions from Members with regard to the retention of the existing trees and hedges.

Officers clarified why the second refusal reason, as detailed in the committee report, had been amended, as detailed in the Update Report.

Members raised the issue of the campervan business operating on the site and Officers confirmed there were no planning records that indicated this use was lawful.

After considering the Application and all of the information, including the public speaking representations; Members were of the opinion that there were no Very Special Circumstances that would outweigh the identified harm and that the proposal was inappropriate and would have a detrimental impact on the openness of the Green Belt.

RESOLVED that Planning Permission be refused for refusal Reason 1 as set out on page 15 of the main agenda report and amended refusal Reason 2 as set out in the Update Report.

60/17

2017/00872/FUL - ERECTION OF AGRICULTURAL BUILDING; LAYING OF HARDSTANDING FOR EXTERNAL STORAGE OF FARM MACHINERY AND EQUIPMENT - LAND REAR OF UNITS, HEATH FARM, ALCESTER ROAD, WYTHALL, WORCESTERSHIRE, B47 6AJ - A BECKETT AND SONS

This matter had been withdrawn from the Agenda at the request of the Applicant and was not discussed.

61/17

2017/01153/FUL - SINGLE STOREY EXTENSION TO FORM NEW ENTRANCE AND WAITING AREA TO THE FRONT, SINGLE STOREY EXTENSION TO THE SIDE, FIRST FLOOR EXTENSION INCORPORATING ATTIC SPACE OF NEW EXTENSION TO PROVIDE ADDITIONAL OFFICES - CLENT VETS, 5 KIDDERMINSTER ROAD, BROMSGROVE, WORCESTERSHIRE, B61 7JJ - REBEKKA FIORANI

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor M. T. Buxton, Ward Member.

Officers reported on a further objection received from the owners of 7 Kidderminster Road, Bromsgrove, objecting to the application, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mrs. M. Heaselgrave addressed the Committee objecting to the Application. Ms. R. Fiorani, the Applicant also addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Members expressed their concerns as to the close proximity of nearby dwellings and the impact the first floor extension would have on 7 Kidderminster Road, which had been evident during the Site Visit.

Having considered the Application and all of the information provided, including the public speaking representations; Members were of the view that the proposed first floor extension would have a detrimental impact to the conservation area and would be overbearing for nearby properties, as listed on page 25 of the main agenda report; with a loss of privacy and amenity on 7 Kidderminster Road.

RESOLVED that Planning Permission be refused for the reasons as detailed on page 25 of the main agenda report.

62/17

2017/01237/FUL - DEMOLITION OF ALL STRUCTURES AND HARD STANDINGS AND ERECTION OF SIX DETACHED RESIDENTIAL DWELLINGS TOGETHER WITH ASSOCIATED ACCESS AND LANDSCAPING - THE MOUNT SCHOOL, 277 BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE, B61 0EP - PARKGATE (BROMSGROVE) LIMITED

This matter had been withdrawn from the Agenda at the request of the Applicant and was not discussed.

63/17

2017/01302/FUL - REMOVAL OF EXISTING CONSERVATORY AND ERECTION OF EXTENSION TO REAR OF PROPERTY - BANKSIDE, KIDDERMINSTER ROAD, WOODCOTE GREEN, DODFORD, BROMSGROVE, WORCESTERSHIRE, B61 9DX - MRS H. ROBBINS

For clarity Officers referred to the Update Report, copies of which were provided to Members and the public gallery prior to the commencement of the meeting.

The Update Report highlighted that the proposed extension was a side extension, and not a rear extension as described in the published committee report, due to the original orientation of the property.

At the invitation of the Chairman, Mr. J. Burrows, on behalf of the Applicant, addressed the Committee.

The Committee then considered the Application, which Officers had recommended for approval. Having considered all of the information provided and Officer responses to the queries raised, Members were of the view that, Very Special Circumstances existed that would outweigh the harm arising through inappropriateness and were therefore minded to approve the application.

RESOLVED that

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application following:
 - i) the expiry of the publicity period on 8th January 2018 and in the event that further representatives are received, that delegated powers be granted to the Head of Planning and Regeneration

Agenda Item 3

Planning Committee
8th January 2018

Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly and;

- ii) the applicant entering into a suitable unilateral agreement to ensure that the approved prior notification scheme cannot be implemented;

and

- 2) subject to the Conditions as detailed on pages 36 and 37 of the main agenda report.

The meeting closed at 7.07 p.m.

Chairman

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr S Wood	Erection of rural workers dwelling to meet needs of Lower Park Fisheries Lower Park Fisheries, Dagnell End Road, Redditch, Worcestershire, B98 9BE	16.11.2017	17/01077/FUL

RECOMMENDATION:

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
 - (a) The receipt of a suitable and satisfactory legal mechanism to ensure that the occupation of the dwelling shall be limited to a person solely or mainly employed as Fisheries Manager at Lower Park Fisheries, and to any resident dependants of any such persons.

Consultations

Health And Safety Executive Consulted 04.10.2017
No objection but recommend Cadent Gas are consulted.

Alvechurch Parish Council Consulted 22.09.2017
Object as this is inappropriate development in Green Belt. It would be an incongruous development in a random location. It was also considered to be a sizeable property for a work mans dwelling.

Highways Engineer Consulted 22.09.2017
No objection subject to conditions

Drainage Engineer Consulted 22.09.2017
No objection

Agricultural Consultant Consulted 22.09.2017
The Applicant has demonstrated that there is a functional need to live onsite and that this cannot be met by any existing dwellings. Furthermore, the siting and size of the dwelling is considered acceptable and commensurate with the role that the manager will have in running the business.

The business has increased its profits year on year since re-opening in 2014 and will soon have reached a level to provide a full time salary to a manager.

Worcestershire CPRE Consulted 04.10.2017
In principle, a new house in the Green Belt is unacceptable development. Nevertheless, if the applicant has made out a case that a worker's dwelling is necessary, it may be that

Plan reference

there are very special circumstances. If approved, there ought to be a planning condition tying the new dwelling to the fishery.

I am taking a neutral position on the overall merits of the application.

Cadent Gas Consulted 04.10.2017

No objection now dwelling has been re-sited away from gas pipeline.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP15 Rural Renaissance

BDP16 Sustainable Transport

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework

SPG1 Residential Design Guide

Relevant Planning History

B/1998/0994	Creation of fishing lakes	Approved	25.07.2001
B/2005/1018	Ticket office, tackle shop and toilet building	Approved	09.12.2005
16/1159	Extension to existing fisheries building	Approved	31.01.2017

Assessment of Proposal

Site Description

This application site consists of a coarse fishing business consisting of 7 lakes with a nearby building that acts as a café, toilet, office and tackle shop which is utilised by the users of the facility. The site is in a rural location and is accessed via a long private drive from Dagnell End Lane.

Proposed development

Planning permission is sought for a rural workers dwelling located directly south of the fishing lakes. The dwelling would be occupied by the fisheries manager. A 3 bedroom detached dwelling is proposed.

Planning Judgement

The main issues to be considered in assessing the application are the following:

- (i) Green Belt
- (ii) Residential amenity
- (iii) Highways considerations
- (iv) Street Scene and Character Impact

- (i) Green Belt

The site is located in the Green Belt outside of any defined settlement.

It is necessary to consider whether the proposal represents inappropriate development in the Green Belt and if so whether any very special circumstances exist that outweigh any identified harm.

Paragraph 89 of the NPPF and policy BDP4 of the BDP highlight the exceptions to inappropriate development. A new dwelling in the open countryside falls outside of the exceptions and therefore constitutes inappropriate development in the Green Belt. This by definition causes significant harm to the Green Belt. It is also necessary to consider whether the proposal undermines any of the 5 purposes of including land within the Green Belt. In this case a new dwelling in an otherwise undeveloped field leads to a level of encroachment into the countryside. The addition of a substantial 2 storey dwelling in a prominent raised location materially harms the openness of the Green Belt. It is clear that there is very substantial harm to the Green Belt in this instance.

In accordance with paragraphs 87 and 88 of the NPPF inappropriate development should only be approved where there are very special circumstances that clearly outweigh the harm to the Green Belt and any other harm identified.

The applicant requires the dwelling for the management of the coarse fishing business, known as Lower Park Fisheries. The submitted report by Rhodes Rural Planning indicates that an employee is needed on site for the following reasons:

- o To maintain the health of fish stocks and prevent the spread of disease;
- o Monitoring of oxygen levels of the lakes;
- o Pest control e.g. rats, rabbits and predatory birds;
- o Minimise health and safety risks for fishermen;
- o To manage security risks;
- o General management of the day to day business;
- o Ensure the continued financial stability of the business; and
- o The lack of alternatives for accommodation in the locality

The Council's Agricultural Consultant has reviewed the submitted evidence and is of the view that there is a functional need to live onsite that cannot be met by any existing dwellings. They also consider that the siting and size of the building acceptable. The location adjacent to the both the access drive and the lakes means that all visitors need to pass the dwelling and the view of the lakes from the dwelling would mean that any issues of ill health or poaching can be addressed immediately. The size of the dwelling is also commensurate to the professional role of fisheries manager.

It is also noted that the business has been growing year on year following its purchase by the current owners. It is expected that by the time the dwelling is ready for occupation

there would be sufficient profit within the business to afford the salary of the fisheries manager.

It is clear that there is a genuine need for the dwelling and it is integral to the continued success of this growing business. It is therefore considered that there are very special circumstances to clearly outweigh the harm to the Green Belt in accordance with Policy BDP4 of the BDP and NPPF.

(ii) Residential amenity

There is no residential development in close proximity to the building ensuring that the scheme has no significant impact on residential amenity. An acceptable living environment is provided for the proposed occupiers in the spacious dwelling and the garden exceeds the minimum size standards within SPG1. The proposal therefore accords with Policy BDP1 of the BDP.

iii) Highways considerations

The dwelling is accessed via the existing long drive from Dagnell End Lane which leads to the fishing lakes. Sufficient parking and turning areas have been provided for the dwelling. No objection has been raised by the Highways Engineer. The proposal has no undue impact on the highway network in accordance with Policy BDP16 of the BDP.

(iv) Street Scene and character Impact

This is a conventional double fronted 2 storey dwelling with a gable end roof. Detail is provided through the addition chimneys and arched brickwork around the ground floor windows. This is a well-proportioned property that does not appear out of place in the Worcestershire countryside. In summary, it is considered that the proposal maintains the character and appearance of the area in accordance with the guidance within policy BDP19 of the BDP.

Conclusion

The proposal amounts to an inappropriate form of development in the Green Belt however there are in this instance very special circumstances that clearly outweigh the Green Belt harm. In addition, the scheme is considered to be acceptable in terms of highways, amenity and character considerations.

RECOMMENDATION:

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following:
 - (a) The receipt of a suitable and satisfactory legal mechanism to ensure that the occupation of the dwelling shall be limited to a person solely or mainly employed as Fisheries Manager at Lower Park Fisheries, and to any resident dependants of any such persons.

Conditions:

- 1) The development hereby approved shall be carried out in accordance with the following plans and drawings:

8081-A-100 Rev A
8081-A-200
8081-A-201 Rev A
8081-A-300
8081-A-400

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 2) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) The occupation of the dwelling shall be limited to a person solely or mainly employed as Fisheries Manager at Lower Park Fisheries (such person being a member of the Institute of Fisheries Management), and to any resident dependants of any such persons.

Reason: It is not intended to allow any development in this area (in the Green Belt) other than that essential to meet the needs of the rural business in accordance with policy BDP4 of the Bromsgrove District Plan and the guidance within the National Planning Policy Framework.

- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the visual amenity of the area.

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