



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 2ND NOVEMBER 2015
AT 6.00 P.M.

COUNCIL CHAMBER, THE COUNCIL HOUSE, BURCOT LANE

:

SUPPLEMENTARY DOCUMENTATION

The attached papers were specified as “to follow” on the Agenda previously distributed relating to the above mentioned meeting.

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting) (Pages 1 - 8)

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

K DICKS
Chief Executive

Bromsgrove District Council Planning Committee

Committee Updates

2nd November 2015

<p>15/0361 Woodside Poultry Farm, Seafield Lane</p>	<p><u>Beoley Parish Council</u></p> <p>A further submission was received on Friday 30th October. The following additional comments were raised:</p> <ul style="list-style-type: none">• The arguments put forward in terms of Oakland's 'Social Responsibility' are laudable but are totally irrelevant to the planning issue;• Disagree that the entire reason for the development is to protect jobs. These jobs are rarely in the community of Beoley;• References to the fact that the agricultural use of Woodside Poultry Farm could be reinstated are hypothetical and irrelevant;• The job losses are the result of unlawful operations;• There are objectors to the scheme locally and the Parish Council still receives complaints about HGV traffic;• If permitted it would effectively extend the industrial complex within the Green Belt;• The Parish Council still strongly opposes the application <p><u>Additional Objection Letter</u></p> <p>A Further objection has been received. This reiterates many points that have been raised previously and in addition states:</p> <ul style="list-style-type: none">• HGV traffic is much worse than indicated in the applicants latest evidence;• This is a 24 hour business causing disturbance at night to residents <p>A video has been submitted by the objector showing all vehicle movements on Seafield Lane over a 24hour period on 9th October 2015. The objector contends that the video shows over 400 HGV movements on Seafield Lane.</p> <p>Officers have viewed the video and would highlight that due to the high speed of the footage it is difficult to differentiate between HGVs and other traffic through the night making counting rather difficult. The video has been forwarded to Worcestershire Regulatory Services (WRS) and the Council's Highway Engineer both consultees have confirmed that the video does not change their view, which is no objection.</p>
---	--

Following the receipt of the Trip Generation Technical Note from the applicant further comments have been received from the Council's Highway Engineer:

"I do not know whether the poultry sheds were used for rearing or processing. If the former then the traffic generation quoted seems high given that the rearing takes place in cycles with maximum traffic generation occurring at the beginning and end of each cycle. I note the applicant is referring to his specific use within B8, but in order to be robust I consider a general B8 use should be used. We have always discounted the traffic generation of Seafield Farm. I conclude that I still raise no objection."

Additional Correspondence from the Applicant

A further submission has been received from Harris Lamb (on behalf of the applicant) on the Friday 30th October. It is understood that this letter has been sent to all Members of the Planning Committee. This letter is a detailed critique of the Officer's Report and the applicant has made the following comments:

- The Committee Report is an improvement over the previous report;
- The details of the Enforcement Notice Appeal are not explained;
- Oakland International have submitted further information to the Planning Inspectorate following the Inspectorate's letter dated 7th October where they refused to consider the temporary application at the Seafield Farm site. Oakland consider that only limited weight can be attached to the Inspectorates view at this stage;
- The applicant disagrees with the officer's assessment of the impact on the Green Belt in terms of urban sprawl, encroachment and assisting urban regeneration;
- The report should confirm the extent of the impact that the development has on openness having full regard to the findings of the Landscape Visual Impact Assessment (LVIA);
- The cold store development is a stand-alone building not an extension;
- The job losses are significantly more than 'regrettable' and the jobs are still 'real'. This application can protect these jobs;
- No proper explanation as to why the economic factors do not constitute very special circumstances in this case;
- The fact that Oakland may wish to expand in the future is irrelevant;
- No evidence to support the view that Oakland's social

	<ul style="list-style-type: none">responsibility will change;• A return to an agricultural use on the site would still involve HGVs; and• The report should take into account the position and surroundings of the buildings when taking into account the impact on openness. <p>The letter also comments on the video submission:</p> <ul style="list-style-type: none">• It is nearer to 220 HGV movements rather than 400;• Oakland can provide high quality CCTV footage of all vehicles entering and exiting the site on the day of the submitted video;• The video shows no HGV turning into Beoley village;• There has only been one visible incident involving a HGV on Seafield Lane;• The HGV movements in the submitted Transport Statement are accurate <p>2 further letters have been submitted by Oakland International. These highlight the following matters:</p> <ul style="list-style-type: none">• A biased view against the planning application was presented to Members at the October meeting;• The applicant highlights sections of the NPPF that they consider supports their proposal. These are the Ministerial Foreword, Achieving Sustainable Development, Delivering Sustainable Development, Protecting the Green Belt, Conserving and Enhancing the Natural Environment, Decision Taking and Determining Applications;• The proposed development is for a temperature controlled ambient operation which is not 24 hours;• All these employees work only daytime shifts (8am-6pm);• Only 10 parking spaces are shown limiting cars using the Woodside access;• There a typical 3 week stock rotation cycle associated with the use;• The loading bays are at the rear. The building therefore blocks noise;• As there are only 2 loading bays and it takes 2 hours to either load or empty a truck. There could be no more than 10 HGVs per day;• There are only 162 vehicles over a 4 week period at the Seafield facility, equating to no more than 6 vehicles per day providing scope to expand existing contracts;• The existing poultry farm would have operated on a 24 hours a day, 7 days a week basis with vehicle movements early in the morning and late in the evening;• The building acts as sound barrier to noise from A435;• The applicant is willing to accept planning conditions
--	--

Agenda Item 4

	<p>preventing the use of the Woodside access by HGV and limit the hours of use by cars.</p> <p><u>Officer Response</u></p> <ul style="list-style-type: none"> The contents of the letters submitted by Oakland International and their Planning Consultants Harris Lamb have been carefully considered. However, it is considered that the Officers report addresses all of the key issues that are relevant to this case before reaching a fully justified and reasonable conclusion. The contents of this letter do not warrant a change to the Officer's Report or its recommendations.
<p>14/1010 Twin Oaks, Curr Lane Farm</p>	<p>The applicant submitted a Travel Plan on the 30th October 2015. The following comments have been received by the Highways Engineer:</p> <p><i>"The Travel Plan appears to not meet WCC guidance on travel plans and simply highlights a limit number of points which could be developed further. I do not consider that this changes the overall recommendation as the issues are location and lack of infrastructure, if a TP was the only deficiency I would be happy to have resolved via a condition."</i></p> <p>In summary the submission of the Travel Plan does not alter the Officer's recommendation.</p>
<p>15/0639 192 Alcester Road</p>	<p>Wythall Parish Council Views received 14 September 2015: Wish to object in the strongest possible terms. Upholding all the objections raised by the adjacent residents. Parish Council's reasons for objection:</p> <ol style="list-style-type: none"> 1. Closeness to adjacent residential properties of the proposed building. 2. Noise - no mention in supporting documents of any sound proofing 3. Number of machines to be installed shown but there appears to be vacant spaces and in the supporting documents it does refer to further expansion. 4. Increase in loading and off-loading of wagons' 5. No details as to extraction/air conditioning units or sound-proofing shown. 6. Loading bay is shown to be extremely close to residences as does the hard standing. 7. Tallest part of the proposed building is against the residential properties, thus causing shadows on gardens - no roof height shown on drawings. 8. Increase in security lighting is detailed - concerned as to light pollution so close to residences. Lights already remain on all night and vehicles enter the site from 7am, both Staff and

	<p>wagons.</p> <p>9. Extension of working hours - will include Saturday morning.</p> <p>10. Increase in HGY's visiting the site with the consequence of additional fumes.</p> <p>11. Query use of field to rear and how is this accessed - appreciate "track" is shown but how and why will this be used.</p> <p>12. Concerned as to possible loss of established trees on boundary.</p> <p>We would ask where the exact Green Belt boundary is relating to the whole of this site and query why the building cannot be located elsewhere and away from the adjacent residential properties, the owners of which stand to lose so much of their right to a quiet and peaceful environment, especially at weekends.</p> <p>We urge all these factors to be taken into consideration and that this Application be placed on the Agenda for the Planning Committee and not dealt with under delegated powers.</p> <p>For clarity: 5 representations received raising the following principle issues:</p> <ul style="list-style-type: none"> • Inappropriate use in a residential area • Noise and disturbance (including increased vehicular activity) • Impact of building adjacent boundary • Concern over demolition methodology of existing structures • Impact on wildlife • Impact on tree cover • Lighting concerns <p>Other issues have been raised which are not material planning considerations and these have subsequently not been reported for Members</p> <p>1 additional representation received 29 October 2015 emailed to all Members of Planning Committee by the writer reinforcing concerns over the issues detailed above.</p>
<p>15/0652 Fiery Hill Road, Barnt Green</p>	<p>Relevant Planning History</p> <p>11/0741 Residential development of upto 88 dwellings, open space, realignment of Fiery Hill Road, 38 car space car park, vehicular access off Fiery Hill Road, with appearance, landscaping, layout and scale reserved. Approved 24.7.12.</p> <p>13/0121 Variation of condition 4 to 11/0741 to allow the minor material amendment consisting of details of site boundary and car parking layout. Approved 24.6.13.</p> <p>Landscape and Tree Officer</p> <p>This proposed layout is far more favourable as it greatly reduces the impact of the development on the feature Oak tree on the boundary of Kendal End Road. I envisage that the installation of the pavement to the Eastern side of the junction</p>

of Fiery Hill Road with Kendal End Road will cause a slight incursion into the BS5837:2012 recommended root protection area of a small Ash tree growing within Net Work Rail grounds on the embankment to the nearby line. But I feel not enough to cause it any health or stability issues.

The proposed landscaping scheme around the car park and adjoining area is also acceptable using a suitable choice of shrub, hedge and tree species.

Therefore I would be more in favour of this proposal than the one to alter the position of the road in terms of tree and landscape related matters.

Additional condition

6) Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to the Local Planning Authority and Network Rail.

Reason: To protect the adjacent railway and to prevent unacceptable risks from pollution and land instability in accordance with guidance set out in the NPPF.

Additional Notes

6) The applicant is advised that they will also need to provide the following to Network Rail Asset Protection Team prior to the commencement of any works on site:

(1)

Network Rail requests that the developer submit a risk assessment and method statement (RAMS) for the proposal to the Network Rail Asset Protection Engineer once the proposal has entered the development and construction phase. The RAMS should consider all works to be undertaken within 10m of the operational railway. We require reviewing the RAMS to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. The developer should contact Network Rail Asset Protection prior to works commencing at AssetProtectionLNWSouth@networkrail.co.uk to discuss the proposal and RAMS requirements in more detail.

(2)

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail land and its infrastructure or undermine or damage or adversely affect any railway land and structures.

	<p>There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. Any future maintenance must be conducted solely within the applicant's land ownership.</p> <p>(3) If vibro-compaction machinery / piling machinery or piling and ground treatment works are to be undertaken as part of the development, details of the use of such machinery and a method statement should be submitted to the Network Rail Asset Protection Engineer. * All works shall only be carried out in accordance with the method statement and the works will be reviewed by Network Rail. The Network Rail Asset Protection Engineer will need to review such works in order to determine the type of soil (e.g. sand, rock) that the works are being carried out upon and also to determine the level of vibration that will occur as a result of the piling. * The impact upon the railway is dependent upon the distance from the railway boundary of the piling equipment, the type of soil the development is being constructed upon and the level of vibration. Each proposal is therefore different and thence the need for Network Rail to review the piling details / method statement. If vibro-impact equipment is to be used a risk assessment and method statement shall be submitted to Network Rail prior to any vibro-impact works on site.</p> <p>(4) Network Rail will need to review all excavation and earthworks works to determine if they impact upon the support zone of our land and infrastructure as well as determining relative levels in relation to the railway. We would need to be informed of any alterations to ground levels, de-watering or ground stabilisation. When under-taking ground works, developers should take all necessary measurements from the boundary with Network Rail land and not the distance from their works to the nearest railway tracks.</p>
<p>15/0808 40 Marlborough Avenue</p>	<p>Six further letters have been received from members of the public. No additional issues have been raised.</p> <p>Twelve letters of support have been received from members of the public. The contents of which are summarised as follows;</p> <ul style="list-style-type: none"> - House in bad condition requiring a rebuild - Question of architectural merit of dwellings on street - Existing House is an eye-sore - Built to be more energy efficient <p>The consultation response has been received from County</p>

Agenda Item 4

	<p>Highways. No Objection.</p> <p>One neighbour has requested that members consider a condition relating to the hours of construction if Planning Permission is given.</p>
--	--