



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 1ST FEBRUARY 2010
AT 2.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE

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 - 4)
12. Enforcement Officers Updates to the Enforcement Cases reported at the meeting (to be circulated prior to the start of the meeting) (Pages 5 - 6)

K. DICKS
Chief Executive

The Council House
Burcot Lane
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B60 1AA

1st February 2010

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**Bromsgrove District Council
Planning Committee**

**Committee Updates
1 February 2010**

Application Ref No	Update
09/0844/DK	<p>The applicant has submitted an amended plan to show additional parking to the west of the current proposed parking. Originally 11 parking spaces were proposed for the proposal and the amended plan shows an additional 13 spaces.</p> <p>Alter description to: (as amended by plans received 22.01.10)</p> <p>WH - additional response received 27.01.10:</p> <p>Objects to the proposal. The car parking is still substandard in number, and after having reviewed the comments of the EA, it would appear that some of the spaces will be unusable in times of flood and this will result in a car parking displacement problem.</p> <p>The applicant has not addressed the sustainable access points adequately. The lack of facilities does nothing to promote sustainable access and walking distance is excessive with the lack of footway. A risk assessment approach to the site for access of pedestrian to car conflict is not accepted as an appropriate way to manage the risk.</p> <p>I would ask that you refuse this application for the reasons I have submitted in my previous consultation response</p> <p>Tree Officer – views received 28.01.10:</p> <p>Objects to the proposal. The site is covered by Tree Preservation Order No. (3) 2010. This is provisionally an area order and therefore covers all the trees on the application site.</p> <p>The proposed development requires the loss of three trees covered by the TPO. Of these, two (T12 & T13) are relatively young trees of limited value and so their loss would be acceptable subject to suitable replacement planting. The third tree (T11) is a young/early mature Oak of good form and is worthy of retention. I consider that some minimal amendment of the proposed development would be possible and</p>

would allow the retention of this tree. Therefore it's loss to allow the development as currently proposed is not justified.

The proposal also would require some works within the Root Protection Area (RPA) of one of the highest value trees on the site – T1 - a large mature Beech fronting the existing nursing home. I consider that these works would be possible providing that suitable methods of tree protection, construction and surfacing are used to ensure that the root system of this tree is not damaged.

A number of other trees are located on the application site to the south and south-west of the proposed development. These include two large trees of particular merit (a Cedar and Giant Redwood) and some young Oak and Ash trees. Under the current application, the footprint of the proposed building is sufficiently far from these trees that they should not be affected by the development provided that their RPA's are protected by suitable fencing in accordance with BS5837 and that no part of the development, including any changes in landscaping, surfacing or levels, is permitted to encroach any further towards the trees.

Overall, I consider that consent should be refused for the development as currently shown as it will result in the loss of one tree of particular merit contrary to policies C17 & C19 of the BDLP.

On this basis – additional refusal reason:

(f) The proposed development would result in the loss of trees which are of amenity value to the site contrary to policy CTC5 of the Worcestershire County Structure Plan 2001, policies C17 and C19 of the Bromsgrove District Local Plan 2004.

The applicant has submitted a supporting letter (Received 26.01.10) as follows:

The Leys and also the adjacent "Stables" are well known to us as we obtained the original change of use on the Leys to a care home, and the barns know known as "The Stables" to dwellings over 20 years ago. In all the intervening years we and some of the original occupiers at The Stables have not known any flooding to occur in the car parking to the fore of The Leys. This was even the case after the storm in July 2007 which we are lead to believe was a 1:1000 year event.

The applicant has attempted to make contact with Dave Hughes (Environment Agency) on two occasions.

	<p>Turning to the main points of the letter, the EA confirm the site is predominantly in a low risk flood zone yet consider the submitted FRA not robust enough to address the need for a sequential test as a “small portion” of the site is within a flood zone 2 or 3 category. Whilst the “site” may fall within a zone 2 or 3 flood area, the proposed location of the building is not.</p> <p>From a desk top study, we (the applicant) would consider the area immediately adjacent the culvert under the M42 to be the most likely point of flooding due to debris obstructing the opening. This initial point of flooding is approximately 100 metres distant from the location of the proposed building.</p> <p>Due to the nature of this application, we (the applicant) do not wish to put our client to the expense of designing swales or soakaways to the standard required without the comfort of knowing the Planning Permission will be granted. The overspill car parking facility will be of grasscrete construction and the sensory garden, whilst paved it will be of a pervious construction.</p> <p>Members should note that the flooding reason for refusal of the application (No. 5) stands and the EA still object to the proposal.</p>
09/0903/CE	Further objection received 29.01.2010. The objection raises concern that the proposed dwelling will block all natural light and cause loss of privacy to 22 Orchard Croft. The plot is too small and the proposal is out of keeping with surrounding properties.
09/0905/JT	Application WITHDRAWN by applicant's agent via email received 28.01.10

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By virtue of paragraph(s) 2, 6 of Part 1 of Schedule 12A of the Local Government Act 1972.

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