



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 4TH JULY 2016
AT 6.00 P.M.

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

:

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 - 6)

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

K DICKS
Chief Executive

Bromsgrove District Council Planning Committee

Committee Updates 4th July 2016

16/0085 Land To The West Of Frankley Water Treatment Works

Response from Natural England received 22/06/2016 "No further comment "

Response from Seven Trent Water received 23/06/2016 "No comments to make"

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Add the following to the comments of the Conservation Officer; Views Received: 01/07/2016

The issues the matters that I raised in my email of 24th March are still relevant. It would be useful to see a more detailed planting plan and some contextual drawings showing the view from the designated and non-designated heritage assets in the proximity of St Leonards Church towards the new treatment works at Frankley.

Officer comment: The above matters are to be addressed by condition via a comprehensive landscaping scheme.

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Add comments of WCC Public Rights of Way and Landscape teams;

WCC Public Rights of Way Team

The proposal should have no detrimental effect on the public rights of way provided that the applicant notes the above points and adheres to the requirement to seek permission for the County Council for any temporary or permanent works.

WCC Landscape Team

Overall there is a well-developed suite of mitigation measures proposed within the scope of this pipeline and its associated sites. Restoration along the line of the excavation is clearly set-out and a short-term impact during works is to be expected. This will diminish once restoration works are completed and begin to mature.

(Break Pressure Tank, Putney Lane, Romsley)

Mitigation measures proposed to lessen the impact of the new facility at this site are generally welcomed. The site and its setting along Putney Lane is highly sensitive to change with a mature network of historic hedgerows and the heavily wooded terraced way of Putney Lane as it continues south of the proposed site entrance. The view across the proposed site from the junction of the B4551 and Putney Lane is relatively open, partially due to the field entrance gateway and the rising topography of the field beyond. Therefore, measures to screen the site and locate the pressure tank at the southern end of the field will help to lessen the visual impact. The two powdered activated carbon hoppers will impose a significant localised visual impact and screening should be carefully executed in detail to minimise this. The need to widen the approach along Putney Lane is noted and understood. All measures should be taken to limit widening to avoid alteration to the wooded section of the lane to conserve its distinctive 'green' character.

(Frankley Water Treatment Works)

Expansion of facilities beyond the south-western extent of the existing site will inevitable impact on the landscape setting that has a distinctive inherited character that has been largely conserved; a result of its location within the Birmingham Green Belt. Construction of a large bund will in itself stand as a substantial structure in the landscape, however, on balance, benefits outweigh the impact within the context of the WTW setting. There are several viewpoints along Egghill Lane to the East, which rises to an elevation of 240250 metres above datum. Close to its summit there is a wide vista open towards the WTW and surrounding landscape. The proposed bund and tree planting should effectively screen the new works from the west, particularly as the trees attain some measure of maturity that will achieve coherence with the existing woodland plantation south-east of the new works.

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Add the following additional comments to 'Other matters'

u) (Further details of the adjacent marl hole)

The ownership of the land was in the past contested and on 25th May 1983 the commons commissioner Mr George Hesketh, in the absence of any proof of ownership registered the land under section 9 of the commons act, under which it has parliamentary protection & its protection is vested in the local authority (Bromsgrove rural district council at the time). Unfortunately over the years the information became lost in the archives until following extensive research it was recently found again & is now being managed by BDC legal services department (information enc.). This particular site of which I have discussed with the British Commons Commissioner may be the only site in the whole of the United Kingdom that is triangulated by a DS1 'landscape protected area' & an 'Area of great landscape value; a National site of special scientific interest (SSSI) & a section 9 parliamentary protected section of common land. The whole designation is 'Very special' in terms of its uniqueness.

Officer Comment: The information above was made available to Natural England, Worcestershire Wildlife Trust and the Council's Trees and landscape Officer. The development is not proposed directly on any of the land referred to. Given that no concerns have been raised directly relating to this site by any statutory consultee then I am satisfied that the information above does not give rise to concern relating to nature conservation/protection.

16/0329 69 Rock Hill, Bromsgrove

No Updates

16/0344 66 Stratford Road, Bromsgrove

One additional objection received on 25/06/16 from 64 Stratford Road stating that the proposed extension will have a big impact in terms of loss of light and outlook. Other concerns have been raised that are not material planning considerations and have not been reported to Committee Members.

A further email has been received on 29/06/16 from 68 Stratford Road stating that they believe that the 1.5 metre height drop to our property affects the 45 degree angle.

A second email has been received on 30/06/16 from 68 Stratford Road with concerns regarding: Accurate Measurements:

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"We have now made accurate measurements on the site and calculated the exact angles. From the ground floor living room extension the angle would be exactly 45 degrees - just meeting the criterion. However it will appear worse because our ground floor level is 1.5 metres below that of our neighbour and there is a 4 metre high conifer hedge. From our first floor bed/sitting room the angle would be 39.9 degrees - giving an unacceptable loss of light. The photograph below shows the calculation of this angle for the first floor bed/sitting room. The other calculations can be seen on request.

Critical Light:

In our particular circumstances the amount of light is critical. My husband, John, is partially sighted. He lost one eye as a child in an accident, and only has 30 percent vision in his remaining eye, due to glaucoma. For someone with impaired vision, it is critical, therefore, to have maximum light. The first floor bed/sitting room, is used frequently as the better light in there enables him to read and work without eyestrain.

Overbearing:

With the difference in height, the proposed extension will tower over/ throw a big shadow over our living areas, and we would be the neighbours most directly affected by it."

These have been taken into account within the report.

Email from agent received 04/07/16 in response to the email received on 30/06/16 from 68 Stratford Road:

I have looked at the email sketch below and compared it to the accurate drawing surveyed by us on site using electronic laser measuring devices.

The most obvious mistake in the rough sketch below is that the new extension is taken as being 5M long. If you recall this dimension was reduced at the request of the Applicant to 4.7M.

The next most obvious error is that the two properties are drawn parallel to each other, which they are not. The two houses are closer at the front than at the back and this has a significant effect on the outlook from no 68 in that the rear of that property is turned away from the boundary with No. 66.

Also the difference in level is stated as being 1.5M our measurements found that the difference in floor levels is not more than 1M.

Our calculations agree in principal with the neighbour's email in that the 45° line is not broken at ground or first floor level. Our calculations show that the actual figures are better than those suggested by Mr & Mrs Richardson but we agree that the proposal is within guide lines.

Lastly the position and height of the boundary fence and hedge makes the new extension not visible from ground level at the rear of No. 68. From the first floor window the furthest point of the proposed extension, now that it has been reduced to 4.7M, would be 36° significantly within the 45° line.

16/0397 Land Rear Of 29 Western Road, Hagley

Highways Matters:

Comments have been received from the County Council Highway Engineer. He raises no objection subject to the provision of 3 parking spaces and a number of conditions. In this instance the proposed plans show the provision of 2 off-street spaces plus an integral garage. The Interim Parking Standards state that garages do not count as a parking space and therefore there is a shortfall in parking provision. However, the recently constructed adjacent dwellings at Pearmain Garden also have the same parking provision without any obvious adverse impact on the highway network. It is therefore considered that the perceived shortfall in parking would not have a severe impact on the highway network and therefore accord with Policy TR11 of the BDLP and the NPPF. A condition has already been attached to the officer report regarding the retention of 2 parking spaces. The following conditions and Informatives are also recommended:

- 9) Prior to the first occupation of the dwelling hereby approved secure parking for 6 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

REASON: To comply with the Council's parking standards

Informatives

- 1) The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.
- 2) This permission does not authorise the laying of private apparatus within the confines of the public highway.

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 01905 751651), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway. Precise details of all works within the public highway must be agreed on site with the Highway Authority.

- 3) This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The applicant is solely responsible for all costs associated with construction of the access.
- 4) Drainage arrangements shall be provided to ensure that surface water from the driveway and/or Vehicular turning area does not discharge onto the Public Highway. No drainage or effluent from the proposed development shall be allowed to discharge into any Highway drain or over any part of the Public Highway.

Response from Hagley Parish Council:

Hagley PC strongly object to the dwelling on the following grounds:

- Development is turning into a new street going down the back of the houses.
- There has to be a limit to the extent to which this new street (Pearmain Gardens) should be allowed to grow.
- National policy has been changed so that back gardens are now on longer classified as

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- previously developed land.
- The Council now has a 5 year housing land supply meaning new housing schemes can be resisted
- We would draw attention to the Court of Appeal decision in Suffolk Coastal v Hopkins Homes, which indicates that the approach taken by many councils to the situation of not having a 5-year supply was incorrect: that issue did not trump all else.
- Proposal conflicts with the Hagley Parish Plan.
- This is a sensitive location in terms of the historic environment.

Offer Response to the Matters Raised by Hagley Parish Council:

The Court decision referred to focusses on the interpretation of paragraph 49 of the NPPF. This paragraph of the NPPF states:

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

In this decision the judge deliberates over the meaning of 'relevant policies' and considers which types of housing policies should be considered out of date if a 5 year land supply cannot be demonstrated. It is considered that this high court judgement is not relevant to this application. The Council currently has a 5 year land supply but this does not mean additional dwellings in sustainable locations that are policy compliant should be refused. One of the main aims of the NPPF is to significantly boost the supply of housing. The addition of windfall development such as this will help to maintain a 5 year land supply in future years.

Reference is also made to the Hagley Parish Plan. This document has not been adopted by the District Council and therefore only very limited weight can be attached to it.

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