

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY 3<sup>RD</sup> AUGUST 2015 AT 6.00 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, M. Glass, K.J. May, S. R. Peters, S. P. Shannon, L. J. Turner (substituting for Councillor C.A. Hotham) and P. J. Whittaker

Officers: Mr. D. M. Birch, Mr. A. Bucklitch, Mr. A. Fulford, Mr. D. Kelly, Mrs. S. Sellers, Mrs. J. Smyth and Mrs. S. Williams

20/15 **APOLOGIES**

An apology for absence was received on behalf of Councillor C.A. Hotham.

21/15 **DECLARATIONS OF INTEREST**

No declarations of interest were made.

22/15 **MINUTES**

The minutes of the meeting of the Planning Committee held on 6<sup>th</sup> July 2015 were submitted.

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

23/15 **TREE PRESERVATION ORDER (2) 2015 - TREES ON LAND AT 7 - 21 COLLEGE ROAD, BROMSGROVE**

The Committee considered the confirmation with modification of Tree Preservation Order (No.2) 2015 relating to trees on land at 7 – 21 College Road, Bromsgrove B60 2NF.

**RESOLVED** that Tree Preservation Order (No.2) 2015 relating to trees on land at 7 – 21 College Road, Bromsgrove B60 2NF, be confirmed with modification as detailed in Appendix 8 (Amended Plan) and Appendix 9 (Amended Schedule) to the report.

24/15

**2015/0216 - ERECTION OF POLYTUNNEL WITH RELOCATION OF MOBILE POULTRY REARING UNITS - LAUREL FARM, DAGNELL END ROAD, REDDITCH, WORCESTERSHIRE B98 9BD - MR ROBERT CALDECOTT**

Officers clarified that the proposal, due to its size, design and Green Belt issues, was considered a major application which fell outside the remit of Officer delegations. It was noted that no consultee or public objections to the proposed development had been received.

**RESOLVED** that Planning Permission be granted, subject to the Conditions set out on page 27 of the main agenda report.

25/15

**2015/0305 - ERECTION OF 22 AFFORDABLE DWELLINGS - LAND AT PERRYFIELDS ROAD / OLDFIELD ROAD, BROMSGROVE, WORCESTERSHIRE B61 8TD - MR EAMON THOMPSON FOR BROMSGROVE DISTRICT HOUSING TRUST (BDHT)**

The Committee was advised on further responses and recommended additional conditions from Worcestershire Regulatory Services in relation to contaminated land and noise, dust, odour and burning. Officers also advised on amended plans received to address a shortfall in spacing requirements, the result of which was a reduction in the number of units proposed from 23 to 22, all as detailed in the Update report published on the Council's Website, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Miss. J. Workman, a local resident, addressed the Committee objecting to the development. Mr. E Thompson, on behalf of the Applicant, Bromsgrove District Housing Trust, also addressed the Committee.

**RESOLVED** that

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application following receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
  - a) £15,134.00 as a Highway contribution towards the improvement of bus stops in King George Close, Bromsgrove; and
  - b) The on-site provision of affordable housing to be maintained as such in perpetuity;
- 2) The Conditions and Informatives set out on pages 36 to 39 of the main agenda report; and

3) The following additional Conditions:

- “12) No Development should take place until a noise impact assessment is carried out to assess the noise impact from road movements on the proposed development. Noise levels within the dwellings should not exceed those set out in BS8233:2014 (Sound Insulation and Noise Reduction for Buildings) and levels within any garden areas should not exceed the upper limit recommended within that document. The report should include mitigation measures where necessary and should be submitted and approved by the Local Planning Authority prior to development commencing. Mitigation measures should be completed before any of the permitted dwellings are occupied.

Reason: In accordance with guidance set out in the National Planning Policy Framework.

- 13) Unless otherwise agreed by the Local Planning Authority development, other than that required to be carried out as part of an approved scheme of remediation, must not commence until conditions 1 to 7 have been complied with:

1. A preliminary risk assessment must be carried out. This study shall take the form of a Phase I desk study and site walkover and shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and any other relevant information. The preliminary risk assessment report shall contain a diagrammatical representation (conceptual model) based on the information above and shall include all potential contaminants, sources and receptors to determine whether a site investigation is required and this should be detailed in a report supplied to the Local Planning Authority. The risk assessment must be approved in writing before any development takes place.
2. Where an unacceptable risk is identified a scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".

3. Detailed site investigation and risk assessment must be undertaken and a written report of the findings produced. This report must be approved by the Local Planning Authority prior to any development taking place. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Contaminated Land, CLR11".
4. Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
6. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority prior to the occupation of any buildings.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

26/15

**2015/0368 - 1 NO. DETACHED BUNGALOW - LAND ADJACENT 1 WARWICK AVENUE, BROMSGROVE, WORCESTERSHIRE B60 2AH - MRS HEATHER EGGINTON**

The Committee was advised on various additional letters of objections that had been received from residents. Additional comments from the Drainage Engineer, Conservation Officer and Worcestershire County Council Historic Environment Advisor were also noted, together with Officer responses, all as detailed in the Update report published on the Council's Website, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. S. Dudley, the Applicant's Agent addressed the Committee. Councillor R. Dent, in whose Ward the Application site was located, also addressed the Committee.

**RESOLVED** that Planning Permission be granted, subject to the Conditions set out on pages 45 to 47 of the main agenda report.

27/15

**2015/0499 - ERECTION OF A DETACHED DWELLING - 25 PEARMANS CROFT, HOLLYWOOD, WORCESTERSHIRE B47 5ER - MR SHAUN HUSSEY**

The Committee were advised on additional letters of objection that had been received together with comments from Severn Trent and the Highways Engineer, as detailed in the Update report published on the Council's Website, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

Members then considered the Application, which was recommended for approval by Officers. Having considered the report and additional information provided in the Update report, Members were of the view that the proposed four bedroom dwelling was too big for the plot and would be out of character with other dwellings in the area. Members were therefore minded to refuse the Application as detailed in the resolution below.

**RESOLVED** that Planning Permission be refused for the following reasons:

1. By virtue of the scale of the proposed dwelling within a modest plot, the dwelling would appear cramped and contrived, amounting to an over-development of the site, contract to Policies DS13,S7 and S8 of the Bromsgrove District Local Plan, the provisions of Supplementary Planning Guidance 1 and the National Planning Policy Framework.

2. The scale and design of the proposed dwelling is unsympathetic to the prevailing character of the area, contrary to Policies DS13, S7 and S8 of the Bromsgrove District Local Plan, the provisions of Supplementary Planning Guidance 1 and the National Planning Policy Framework.

The meeting closed at 7.05 p.m.

Chairman