



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 7TH DECEMBER 2015
AT 6.00 P.M.

THE COUNCIL HOUSE, BURCOT LANE, BROMSGROVE DISTRICT COUNCIL

MEMBERS: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, M. Glass, C.A. Hotham, K.J. May, S. R. Peters, S. P. Shannon 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 2nd November 2015 (Pages 1 - 6)

4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. Tree Preservation Order (No. 7) 2015 - Trees on land at 19-27 New Road, Bromsgrove (Pages 7 - 52)
6. 2015/0875 - Demolition of existing sports changing block and re-development to provide new pavilion, changing and associated facilities - Sports Changing Block, Church Street, Hagley, Worcestershire - Hagley Parish Council (Pages 53 - 58)
7. 2015/0919 - New Sports and Leisure Centre, including swimming pools, health and fitness suite, climbing wall, multi-use studio / function and community spaces, wet and dry changing, offices, associated building and car park, accessible parking, car park access, services and landscaping - The Dolphin Centre, School Drive, Bromsgrove, Worcestershire B60 1AY - Mr John Godwin (Pages 59 - 80)
8. 2015/0652 - Realignment of Fiery Hill Road - Fiery Hill Road, Barnt Green, Birmingham, Worcestershire B45 8LF - Mr Mark Gay for Cala Homes (Pages 81 - 90)
9. 2015/0687 - Residential development of 202 dwellings - Former Polymer Latex Site, Weston Hall Road, Stoke Prior, Worcestershire B60 4AL - Mr Richard Pitt (Pages 91 - 104)
10. 2015/0834 - Construction of a new Class A1 Food Retail Store with associated car parking, servicing and landscaping - 29 Birmingham Road, Bromsgrove, Worcestershire B61 0DR - Aldi Stores Ltd (Pages 105 - 112)
11. 2015/0611 - proposed residential development of two dwellings: demolition of 416A Birmingham Road and replacement with a two-storey dwelling and erection of an additional single-storey dwelling - 416A Birmingham Road, Catshill, Worcestershire B61 OHL - Mrs Diane Jinks (Pages 113 - 118)
12. 2015/0819 - Erection of 41 dwellings, landscaping and associated development infrastructure - land off East Works Drive, Cofton Hackett, Worcestershire - Mr Richard Hickman for St Modwen Developments (Pages 119 - 134)
13. 2015/0829 - Erection of two industrial / warehouse buildings with ancillary offices for use within Class B2 (General Industrial) and / or Class B8 (Storage and Distribution) alongside the construction of vehicular access, parking and servicing areas, earthworks, landscape and drainage works - Plot 10 Acanthus Road, Redditch, Worcestershire B98 9EX - Mr Matthew Small (Pages 135 - 150)
14. 2015/0836 - Demolition of existing buildings and erection of 49 Retirement Living Apartments (Category II type accommodation) including communal facilities, landscaping and car parking and 37 affordable apartments - Former Fire Station and Library building, Windsor Street, Bromsgrove, Worcestershire B60 2BJ - McCarthy and Stone Retirement Lifestyles Ltd (Pages 151 - 162)

15. 2015/0841 - Proposed detached garage - 8 Knowesley Close, Bromsgrove, Worcestershire B60 2RG - Mr C R Lambert (Pages 163 - 164)
16. 2015/0870 - New external ramp to Sacristy door - St Peters Roman Catholic Church, Rock Hill, Bromsgrove, Worcestershire B61 7LH - Parish of St. Peter, Bromsgrove (Pages 165 - 166)
17. 2015/0878 - Erection of factory extension with two-storey office block B1, B2 or B8 Use - 23 Aston Road, Bromsgrove, Worcestershire B60 3EX - Mr Kim Williams (Pages 167 - 170)
18. 2015/0922 - Erection of a single detached dwelling - 103 Wildmoor Lane, Catshill, Bromsgrove, Worcestershire B61 0PQ - Mr Lee Kirby (Pages 171 - 174)
19. 2015/0928 - Variation of Condition 3 of Permission 2011/0164 to extend opening times from 9 am to 9 pm Monday to Saturday including Bank Holidays - Rear of 186-210 New Road, Rubery, Worcestershire B45 9JA - Mr Ian Robinson (Pages 175 - 178)
20. 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

The Council House
Burcot Lane
BROMSGROVE
Worcestershire
B60 1AA

26th November 2015



INFORMATION FOR THE PUBLIC

Access to Information

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000 has further broadened these rights, and limited exemptions under the 1985 Act.

- You can attend all Council, Cabinet and Committee / Board meetings, except for any part of the meeting when the business would disclose confidential or "exempt" information.
- You can inspect agenda and public reports at least five days before the date of the meeting.
- You can inspect minutes of the Council, Cabinet and its Committees/Boards for up to six years following a meeting.
- You can have access, upon request, to the background papers on which reports are based for a period of up to six years from the date of the meeting. These are listed at the end of each report.
- An electronic register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees, etc., is available on our website.
- A reasonable number of copies of agendas and reports relating to items to be considered in public will be made available to the public attending meetings of the Council, Cabinet and its Committees / Boards.
- You have access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned, as detailed in the Council's Constitution, Scheme of Delegation.

You can access the following documents:

- Meeting Agendas
- Meeting Minutes
- The Council's Constitution

at www.bromsgrove.gov.uk

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 Council Chamber at The Council House, Burcot Lane, Bromsgrove.

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 a combination of the Head of Planning and Regeneration Services, the Development Control Manager and the Acting Principal Planning Officer. To the left of the Chairman is the Solicitor who provides legal advice, and then the next on the left is the Committee 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. An Update Report is available one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are left 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, planning appeal decisions and 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:-

| | | |
|-------|---|--------------------------------------|
| WCSP | - | Worcester County Structure Plan 2001 |
| BDLP | - | Bromsgrove District Local Plan 2004 |
| DCS2 | - | Draft Core Strategy 2 |
| PPG's | - | Planning Policy Guidance Notes |
| PPS's | - | Planning Policy Statements |

SPG - Supplementary Policy Guidance (Bromsgrove District)

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 Jan Smyth, Democratic Services Officer, at jan.smyth@bromsgroveandredditch.gov.uk, or telephone (01527) 64252 Extn. 3266.

ABBREVIATIONS

| | |
|----------------|---|
| ADR | Area of Development Restraint |
| AGLV | Area of Great Landscape Value (Structure Plan) |
| CA | Conservation Area |
| DS | Development Site |
| EMP | Employment |
| GB | Green Belt |
| LB | Listed Building |
| LPA | Landscape Protection Area |
| OPS | Open Space |
| PSS | Primary Shopping Street |
| RES | Residential |
| RETAIL | Retail |
| SAM | Scheduled Ancient Monument |
| SSS | Secondary Shopping Street |
| SSSI | Site of Special Scientific Interest |
| SWS | Special Wildlife Site |
| TCZ | Town Centre Zone |
| TPO | Tree Preservation Order |
| VE | Village Envelope |
| WH | Worcestershire Highways |
| WCC(CA) | County Archaeology |
| WCC(EA) | County Education Authority |
| WCC(PROW) | Public Rights of Way |
| WCC(SS) | County Council Social Services |
| WCC(Landscape) | County Landscape Officer |
| BCO | Building Control Officer |
| CCO | Climate Change Officer |
| CLO | Contaminated Land Officer |
| CO | Conservation Officer |
| EDO | Economic Development Officer |
| ENG | Drainage Engineer |
| LS | Legal Services |
| SHM | Strategic Housing Manager |
| SPM | Strategic Planning Manager |
| TO | Tree Officer |
| WRS | Worcestershire Regulatory Services |
| AC | Agricultural Consultant |
| AMS | Ancient Monuments Society |
| AWM | Advantage West Midlands |
| BW | British Waterways |
| CAA | Civil Aviation Authority |
| CABE | Commission for Architecture and the Built Environment |
| CBA | Council for British Archaeology |
| CE | Centro |
| CN | Central Networks |
| CPRE | Campaign for the Protection of Rural England |

ABBREVIATIONS (cont'd)

| | |
|--------|--|
| CSO | Community Safety Officer |
| EA | Environment Agency |
| EH | English Heritage |
| FC | Forestry Commission |
| GHSoc | Garden History Society |
| GG | Georgian Group |
| HA | Highways Agency |
| H&WGT | Hereford and Worcester Garden Trust |
| HLS | Head of Leisure and Cultural Services |
| HSE | Health and Safety Executive |
| ICNIRP | International Commission on Non-Ionizing Radiation Protection |
| IWA | Inland Waterways Association |
| JRC | The Joint Radio Company Limited |
| NE | Natural England |
| NG | National Grid |
| NR | Network Rail |
| NT | National Trust |
| RA | Ramblers Association |
| SE | Sport England |
| SPAB | Society for the Protection of Ancient Buildings |
| STW | Severn Trent Water |
| TCo | Transco |
| TCS | Twentieth Century Society |
| UD | Urban Designer |
| VS | Victorian Society |
| WMC | West Mercia Police |
| WMP | West Midlands Police |
| WWT | Worcestershire Wildlife Trust |