



## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE PLANNING COMMITTEE**

**MONDAY 8TH FEBRUARY 2016**  
**AT 6.00 P.M.**

**PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE, B61 8DA**

**PLEASE NOTE THAT THE COUNCIL HAS MOVED PREMISES AS INDICATED ABOVE. PLEASE ALSO NOTE THAT THERE IS NO PUBLIC PARKING AVAILABLE FOR THE NEW PREMISES. THE NEAREST PARKING IS THE PARKSIDE (MARKET STREET) PAY AND DISPLAY CAR PARK. AFTER 5PM ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD**

**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 11th January 2016 (Pages 1 - 10)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 2015/0895 - Addition of lean to roof and dormer above flat roof rear extension - 2 New Wharf, Tardebigge, Worcestershire B60 1NF - Mr T Hill (Pages 11 - 16)
6. 2015/0944 - Ground floor front bedroom extension and rear flat roof kitchen extension - 28 Bittell Road, Barnt Green, Birmingham, Worcestershire B45 8LT - Mr Max Davise (Pages 17 - 20)
7. 2015/0957 - Erection of one dwelling - 1 Staple Flat, Lickey End, Bromsgrove, Worcestershire B60 1HD - Mr Martyn Dallaway (Pages 21 - 24)
8. 2015/0992 - Amendment to access in relation to Outline Application 2014/0755 for the erection of 18 dwellings - 118 Kidderminster road, Bromsgrove, Worcestershire B61 7LD - Mr Andrew Cockayne (Pages 25 - 28)
9. 2015/0969 - Demolition of existing bungalow and construction of 18 dwellings (approval of Reserved Matters) - 118 Kidderminster Road, Bromsgrove, Worcestershire B61 7LD - Mr Andrew Cockayne (Pages 29 - 34)
10. 2015/0996 - Reserve Matters Application, including appearance, landscaping, layout and scale, following Outline Planning Approval Reference No. 2012/0709 for residential development comprising 316 dwellings - Land at Norton Farm, Birmingham Road, Bromsgrove, Worcestershire - Barratt West Midlands and David Wilson Mercia (Pages 35 - 46)
11. 2015/1006 - Erection of 3 no. two storey dwellings with parking and turning area - 99 Wildmoor Lane, Catshill, Bromsgrove, Worcestershire B61 0PQ - Mr Ian Wagstaff (Pages 47 - 52)
12. 2015/1056 - Proposed rear single storey toilet block extension to be used when functions take place - Manor Hill House, Swan Lane, Upton Warren, Bromsgrove, Worcestershire B61 9HE - Mr Michael Moffatt (Pages 53 - 56)
13. 2015/1057 - Variation of Condition No. 40 of Planning Permission 2013/0121 to enable 30 dwelling occupations, to be accessed from the current planning approved junction with Fiery Hill Road, prior to the completion of the realignment of Fiery Hill Road - Land at Fiery Hill Road, Barnt Green, Worcestershire B45 8LF - Mr Mark Gay for Cala Homes (Pages 57 - 60)
14. 2015/1082 - First floor extension and alterations - 53 Park Road, Hagley, Stourbridge, Worcestershire DY9 0QQ - Mr Ian Tetlow (Pages 61 - 64)

15. 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
16. To consider, and if considered appropriate, to pass the following resolution to exclude the public from the meeting during the consideration of item(s) of business containing exempt information:-

**"RESOLVED:** that under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended, the relevant paragraph of that part, in each case, being as set out below, and that it is in the public interest to do so:-

<u>Item No.</u>	<u>Paragraph(s)</u>
17	3 & 5

17. Land at Birmingham Road (Pages 65 - 70)

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

28th January 2016





## **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](http://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 Parkside Suite, Parkside, Market Street, Bromsgrove, B61 8DA - access to the Parkside Suite after 5pm is via the main entrance door on the Stourbridge Road. The nearest available public parking for the new premises is Parkside (Market Street) Pay and Display. .

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 the Planning Officers. To the left of the Chairman is the Solicitor who provides legal advice, and the Democratic 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. Any Update Reports for the items on the Agenda are published on the Council's Website at least one hour before the start of the meeting, and extra copies of the Agenda and Reports, together with the Update Report, are available 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](http://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, 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](mailto: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

## BROMSGROVE DISTRICT COUNCIL

### MEETING OF THE PLANNING COMMITTEE

11<sup>TH</sup> JANUARY 2016 AT 6.00 P.M.

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

Officers: Mr. D. M. Birch, Mr. M. Bough, Mr. G. Boyes, Miss. E. Farmer, Mr. S. Hawley (Worcestershire Highways Authority), Mr. A. Hussain, Mrs. S. Sellers, Mrs. J. Smyth and Mrs. S. Williams

74/15 **APOLOGIES**

An apology for absence was received on behalf of Councillor S.J. Baxter. Councillor L.J. Turner was confirmed as Councillor Baxter's substitute for the meeting.

75/15 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillor R.J. Deeming (Chairman) asked for it to be noted, in relation to Item 9 on the Agent (Planning Application 2015/0819 – Land off East Works Drive, Cofton Hackett), that he was Chairman of Cofton Hackett Parish Council.

Councillor P.L. Thomas asked for it to be noted, in relation to Item 10 on the Agenda (Planning Application 2015/0964 – 40 Marlborough Avenue, Bromsgrove), that he had called the matter in for the Committee to consider and that as he might be perceived to have a pre-determined view, he would withdraw from the meeting for its consideration. Councillor Thomas withdrew from the meeting prior to discussion of the item and took no part in the discussion or voting on the matter.

Councillor C.A. Hotham declared an Other Disclosable Interest in Item 5 on the Agenda (Tree Preservation Order (No.7) 2015 – Trees on land at 19-27 New Road, Bromsgrove) in that he was acquainted with the owner of the property next door to the land the subject of the Order. Councillor Hotham therefore withdrew from the meeting prior to discussion of the item and took no part in the discussion or voting on the matter.

Councillor C.A. Hotham also declared an Other Disclosable Interest in Item 7 on the Agenda (Planning Application 2015/0652 – Re-alignment of Fieri Hill Road, Barnt Green, Birmingham) in that he had previously expressed a pre-

# Agenda Item 3

Planning Committee  
11th January 2016

determined view on the application and also that he had registered to speak to the matter as Ward Member. Councillor Hotham withdrew from the Committee into the public gallery prior to consideration of the item and subsequently withdrew from the meeting following the public speaking process and took no part in the discussion or voting on the matter.

Councillor K.J. May asked that it be noted, in relation to Agenda Item 8 (Planning Application 2015/0779 – The Dodford Inn, Whinfield Road, Dodford) that she had called the matter in for the Committee to consider but was not predetermined and would be participating in the debate.

Councillor K.J. May also asked that it be noted, in relation to Agenda Item 12 (Planning Application 2015/1041 Sunday Hill, Whinfield Road, Dodford) that she had called the matter in for the Committee to consider but was not predetermined and would be participating in the debate.

Councillor C. Allen-Jones, prior to consideration of Item 6 on the Agenda (Tree Preservation Order (No.10) 2015 – Trees on land at Cherry Hill Road, Barnt Green, Bromsgrove) declared an Other Disclosable Interest in that he was acquainted with the owner of a neighbouring property. Councillor Allen-Jones therefore withdrew from the meeting prior to discussion of the item and took no part in the discussion or voting on the matter.

## 76/15 **MINUTES**

The minutes of the meeting of the Planning Committee held on 7<sup>th</sup> December 2015 were submitted.

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

## 77/15 **TREE PRESERVATION ORDER (NO.7) 2015 - TREES ON LAND AT 19 - 27 NEW ROAD, BROMSGROVE**

The Committee considered the confirmation with modification of Tree Preservation Order (No.7) 2015 relating to trees on land at 19 to 27 New road, Bromsgrove.

**RESOLVED** that Tree Preservation Order (No.7) 2015, relating to trees on land at 19 – 27 New Road, Bromsgrove be confirmed with modification as detailed in Appendix 5 (Modified Plan and Schedule of Trees) to the report.

**Owing to his late arrival at Committee, Councillor C. Allen-Jones was not present during consideration of the above Item and took no part in its discussion or voting thereon.**



78/15 **TREE PRESERVATION ORDER (NO.10) 2015 - TREES ON LAND AT CHERRY HILL ROAD, BARNT GREEN, BROMSGROVE**

The Committee considered the confirmation of Tree Preservation Order (No. 10) 2015 relating to trees on land at Cherry Hill Road, Barnt Green, Bromsgrove.

**RESOLVED** that Tree Preservation Order (No.10) 2015, relating to trees on land at woodland adjoining 15 Cherry Hill Road, Barnt Green, Bromsgrove, be confirmed and made permanent as detailed in Appendix 6 to the report.

79/15 **2015/0652 - RE-ALIGNMENT OF FIERY HILL ROAD - FIERY HILL ROAD, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE B45 8LF - MR MARK GAY FOR CALA HOMES**

The Committee was reminded that a decision on the matter had been deferred at the previous meeting of the Committee on the 7<sup>th</sup> December 2015 in order for Officers to have further discussions with Worcestershire Highways Authority and the Applicant relating to the Highway speed survey that had been submitted with the Application. Members noted that additional speed surveys were subsequently carried out by the Applicant and reviewed by the Highways Authority, the conclusions of which had been detailed in the Officer report.

The Committee also noted further representations from Barnt Green Parish Council and additional Officer information relating to the proposed transfer of ownership of the car park to the Parish Council, as detailed in the published Update report, 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. R. Bellamy, for the Applicant, addressed the Committee. Councillor C.A. Hotham, in whose Ward the application site was located, also addressed the Committee.

**RESOLVED** that Planning Permission be granted, subject to the Conditions and notes as detailed on pages 110 to 113 of the main agenda report.

80/15 **2015/0779 - REFURBISHMENT AND EXTENSIONS AT THE DODFORD INN - THE DODFORD INN, WHINFIELD ROAD, DODFORD, WORCESTERSHIRE B61 9BG - MR D MYATT**

The Committee noted late consultation responses from Worcestershire Regulatory Services in relation to noise / dust nuisance and a letter of support for the application, as detailed in the published Update report, 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. D. Myatt, the Applicant, addressed the Committee.

The Committee then considered the Application, which was recommended for refusal by Officers. Having considered the information provided, Members were of the view that the scale and design of the proposed extension was commensurate with the existing building and therefore appropriate and would not be harmful to the openness of the Great Belt. Members also considered that weight should be given to the economic aspect of the proposal which was supported locally, particularly in view of the economic history of the site over recent years. Concerns were expressed that should the business not be able to expand sufficiently to attract more business it would not remain viable. Reference was also made to the National Planning Policy Framework relating to the encouragement of viable businesses.

Members therefore took the view that very special circumstances existed to grant Planning permission, subject to Conditions.

**RESOLVED** that Planning Permission be granted, subject to the following Conditions and Informatives:

## Conditions

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

- 3) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Location plan Dwg. No. 15:18:LP  
Existing site plan Dwg. No. 15:18:01  
Existing plans and elevations Dwg. No. 15:18:00  
Proposed site plan Dwg. No. 15:18:03  
Proposed plan and elevations Dwg. No. 15:18:02

Reason: For the avoidance of doubt and in the interests of proper planning.

- 4) The existing lean to store building located at the rear of the main building (as indicated on Dwg. No. 15:18:02) shall be demolished and all the resultant materials removed from the site before development in pursuance of this permission is commenced.

Reason: In order to secure a well-planned development in accordance with policies DS1 and S35A of the Bromsgrove District Local Plan January 2004.

- 5) Joinery details including those in the existing building at a scale of 1:5 shall be subject to the approval in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

- 6) A scheme of landscaping and planting (including screen planting between the site and Dingle View), shall be submitted to, and approved by the Local Planning Authority in writing. The scheme shall include the following:-

- a) full details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed;
- b) full details of all proposed fencing, screen walls, hedges, floorscape, earth moulding, tree and shrub planting where appropriate

The approved scheme shall be implemented within 12 months from the date when the buildings hereby permitted are first occupied. Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

Reason: In order to protect the trees which form an important part of the amenity of the site in accordance with policies DS13 and C17 of the Bromsgrove District Local Plan January 2004 .

## Informatives

- 1) This decision has been taken having regard to the policies within the Bromsgrove District Local Plan January 2004 (BDLP) and the National Policy Framework (NPPF) 2012 and other material considerations. The Officer's recommendation was for refusal as the development does not comply with the provisions of the development plan. However, the LPA are aware of the requirement to work in a positive and proactive manner with the applicant in the determination of planning applications. In this case, members of the Planning committee considered that very special circumstance existed to justify the granting of planning permission.

- 2) The applicant is advised to re-route the informal footpath that would be obstructed as a result of the extension.
- 3) The hours of opening shall be in accordance with hours set by Worcestershire Regulatory Services under the Licensing Act 2003
- 4) In order to minimise any nuisance (noise, dust, etc.) from the proposed works the applicant should refer their contractor to the WRS Code of Best Practice for Demolition and Construction Sites dated July 201.1

81/15

**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**

The Committee noted various additional representations from the Council's Strategic Housing Team, Birmingham City Council, Cofton Hackett Parish Council and additional information provided by the Applicant relating to public open space, affordable housing and drainage matters, to address the concerns raised by Members at the previous meeting of the Committee, when the Application was deferred to enable Officers and the Applicant to hold further discussions. Members further noted that negotiations had taken place with the Applicant subsequent to comments from Birmingham City Council in regard to including a Section 106 enhancement contribution towards the local community infrastructure, all as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

Officers also drew Members attention to the amended recommendation on the Update report to reflect the agreed additional contribution towards the local community infrastructure.

At the invitation of the Chairman, Mr. R. Hickman, for the Applicant, addressed the Committee. Parish Councillor K. Duncan also addressed the Committee on behalf of Cofton Hackett Parish Council.

The Committee then considered the Application, which was recommended for approval by Officers. Whilst Members were pleased to note the Applicant's responses to concerns raised at the previous meeting of the Committee and welcomed the additional Section 106 contribution negotiated with the Applicant, concerns were raised in relation to the proposed 30 dwelling trigger point for the submission of the application for the proposed Community Centre which the Committee were keen to see come forward as soon as possible. Members were therefore of the view that the trigger point for this submission should be 20 dwellings and not 30 as proposed. Concerns were also raised in regard to the proposed financial contribution towards the provision of wheelie bins for the scheme with Members seeking to ensure that the full cost for supply and delivery of the bins had been factored into the figure. Officers agreed to check the costings with the Council's Waste Team.

The Committee also briefly discussed a matter relating to public footpaths and a suggestion that the tunnel footpath under the railway could be opened up for public use, which Officers advised could not be conditioned but suggested could be put to the Applicant as a Guidance Note.

**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) £2,460.00 (subject to a review of costings) as a contribution towards the provision of wheelie bins for the scheme;
  - b) the on-site provision of affordable housing to be maintained as such in perpetuity;
  - c) £50,000 as a contribution towards new toilet facilities at Lickey Hills Visitor Centre;
  - d) trigger points to be provided to ensure the following when the next phased Application is submitted for residential development:
    - i) to ensure the implementation of the open space area adjacent to the site; and
    - ii) to ensure the submission of an application for a Community Centre; and
- 2) The Conditions and Informatives detailed on pages 131 to 138 of the main agenda report and the following additional Informative:
  - 8) The Applicant's attention is drawn to the Committee's comments in the preamble above in respect of enhancing statutory footpath 521 (D) that crosses under the railway line.

82/15

**2015/0964 - REPLACEMENT DWELLING (PART RETROSPECTIVE) - 40  
MARLBOROUGH AVENUE, BROMSGROVE, WORCESTERSHIRE B60  
2PD - MR MIKE LEWIS**

Members noted one additional letter of objection, as detailed in the published update report, copies of which were provided to Committee Members and the public gallery at the meeting.

At the invitation of the Chairman, Ms A. Pickup, objecting, addressed the Committee. Mr M. Lewis, the Applicant, also addressed the Committee.

The Committee then considered the Application which was recommended for approval by Officers. Having considered all of the information provided, and acknowledging the amendments the Applicant had made to the proposal to address the Committee's reasons for refusal at a previous meeting of the Committee, Members were still of the view that the bulk and mass of the side wall elevation would impact on the neighbouring property.

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

"The replacement dwelling would have an unacceptable overbearing impact on the neighbouring property 38 Marlborough Avenue in regards to the bulk of the side elevation. The proposal is therefore contrary to Policies DS13 and S7 of the Bromsgrove District Local Plan and guidance contained within the councils adopted Supplementary Planning Guidance Note 1: Residential Design Guide."

83/15 **2015/0969 - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 18 DWELLINGS - 118 KIDDERMINSTER ROAD, BROMSGROVE, WORCESTERSHIRE B61 7LD - MR ANDREW COCKAYNE**

This item of business had been withdrawn from the Agenda by Officers and was not discussed.

84/15 **2015/1041 - DEMOLITION OF EXISTING GARAGE AND CONSTRUCTION OF NEW GARAGE AND AGRICULTURAL STORE (AMENDED TO PREVIOUS APPLICATION 2015/0710) - SUNDAY HILL, WHINFIELD ROAD, DODFORD, BROMSGROVE, WORCESTERSHIRE B61 9BG - MR AND MRS R LYDON**

At the invitation of the Chairman, Mr. R. Lydon, the Applicant, addressed the Committee.

The Committee then considered the Application, which Officers had recommended for refusal. Members considered that the Applicant had addressed the Committee's previous concerns relating to the location of the staircase and the width of the building and were of the view that the building would be complementary in design to Sunday Hill by virtue of its scale. They further considered that the amended proposal would not be unduly prominent in the Conservation Area or out of character with its surroundings.

The Committee were therefore minded to approve the Application subject to the imposition of Conditions, to include the removal of Class E Permitted Development rights and the use of external rooflights.

**RESOLVED** that Planning Permission be granted, subject to the following Conditions:

# Agenda Item 3

Planning Committee  
11th January 2016

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

15 353 015 Proposed Elevations  
15 353 012 Proposed Ground Floor Plan  
15 353 013 Proposed First Floor Plan  
15 353 016 Elevations with Respect of House  
15 353 014 Sections  
15 353 011 Site Plan  
15 353 001 Location Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Class E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the openness of the Green Belt in accordance with policies DS2 and C27c of the Bromsgrove District Local Plan.

- 4) No additional windows or rooflights shall be inserted at any time on the proposed garage without written confirmation from the Local Planning Authority.

Reason: To make sure that the development preserves the character of the conservation area and relates to the area in which it is being built in order to comply with policy DS13 and S36 of the Bromsgrove District Local Plan January 2004

- 5) Prior to the commencement of development, details of the materials and finishes to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual and heritage amenities of the area and in accordance with Policies S36 and S38 of the Bromsgrove District Local Plan 2004.

The meeting closed at 8.07 p.m.

Chairman

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# Agenda Item 5

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr T Hill	Addition of lean to roof and dormer above flat roof rear extension  2 New Wharf, Tardebigge, Worcestershire, B60 1NF,	11.12.2015	15/0895

**Councillor Whittaker has requested that this application be considered by Planning Committee rather than being determined under delegated powers.**

**RECOMMENDATION:** That planning permission be **Refused**

## Consultations

**Tutnall And Copley Parish Council** Consulted 07.12.2015

The Parish Council has concerns that the proposed plans are not in keeping with the period of the houses / conservation area. The proposed extension potentially over shadows the properties either side.

**Conservation Officer** Consulted 09.12.2015

Construction of the Worcester and Birmingham Canal commenced at the end of the 18th Century, and it can be assumed that the cottages around Tardebigge Wharf date from the early part of the 19th century, and probably constructed to house workers connected with the canal. The cottages are clearly shown on the First Edition of the Ordnance Survey Map of around 1884, and at this point they would seem to form very simple structures in plan without any rear extensions. These appear in the second half of the 20th Century.

2 New Wharf originally comprised a small two up two down cottage, with a cellar. It was extended to the rear in the second half of the 20th century with a two storey extension, which due to the topography is at basement and ground floor level, and has a flat roof.

The applicant is proposing to extend the slope of the main slate roof down to the rear elevation of the two storey extension to replace the existing flat roof and then install a dormer in this roof to allow the creation of a first floor, but from the rear, second floor, bathroom.

The proposal will also involve the installation of Juliet balconies on the floor below at the rear, which is at first floor level. They would form a prominent and incongruous feature on a small cottage such as this, but I understand that due to the current permitted development rights regulations they may not require planning permission.

2 New Wharf is located in the centre of a run of five cottages, they do not form a terrace although 2 is joined to 1New Wharf, and appear to have been constructed in a piecemeal fashion, possibly over a period of time. The wharf was a busy place when the use of the Canal was at its height in the early part of the 19th century. There is a large stone built

warehouse (Listed Grade II), and after a long period of being vacant and near derelict, it has been converted into residential accommodation. The wharf is still actively used by the Canals and Rivers Trust who have offices and a workshop here. The cottages are set back from the canal, but do face towards it. The first three cottages face more directly onto the access road to the Wharf which runs off Alcester Road. They are positioned at a right angle to the road. The conservation area includes the whole of the wharf area and extends up to the Alcester Road, and across it incorporating Plymouth House, now a care home but originally it was a public house at the time of the construction of the Canal, and Tug Cottages, some later 19th century cottages which front Alcester Road.

The front elevations of the Wharf Cottages are therefore highly visible, however the rear elevations, particularly those of 1 and 2, are highly visible from Alcester Road, within the Conservation Area, and also within views from this part of the Alcester Road towards St Bartholomew's, Tardebigge.

All the cottages have been extended to some degree to the rear. 2 New Wharf has a two storey extension to the rear, however as noted above due to the topography it is at basement and ground floor level. This has resulted in an extension which, although not attractive due to the flat roof, is not as obtrusive as it might have been, as it does not extend up to the first floor level (or second floor at rear) of the original cottage. It does, however, notably extend to the rear compared to 1 New Wharf which has not been extended to the rear. The construction of a pitched roof over the flat roof extension, extending down from the main roof and the installation of the dormer window, will dramatically increase the size and bulk of this cottage, resulting in it being out of scale with its neighbours, and due to its prominent position when viewed from Alcester Road, within the Conservation Area, it will form a very dominant feature which will detract from the modest scale and nature of these cottages. It will be considerably more obtrusive than existing flat roof extension.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development in a conservation area special attention must be paid by the LPA, to the desirability of preserving or enhancing the character or appearance of the conservation area. In addition the Bromsgrove Local Plan 2004, Section 35A states The District Council will seek to preserve or enhance the character or appearance of Conservation Areas and will:

- b) require new development, in or adjacent to such areas, to be sympathetic to the character of buildings in the detailed treatment of matters of design including the form, scale and materials;

I am of the view that such an extension would neither preserve nor enhance the character or appearance of the Worcester and Birmingham Canal Conservation Area, and would be contrary to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the section 35 of the Bromsgrove Local Plan. I would therefore have to recommend that this application is refused.

One site notice was posted 10.12.2015 and expired 31.12.2015: No response received.

A press notice was published in The Bromsgrove Standard 18.12.2015 and expired 01.01.2016; No response received.

One neighbour objection was received in relation to overlooking from the Juliet balconies and proposed dormer.

Councillor Whittaker – Called the application to the committee in order to debate the merits of the proposal in public.

## **Relevant Policies**

### **Bromsgrove District Local Plan 2004 (BDLP):**

DS13 Sustainable Development  
DS2 Green Belt Development Criteria  
S11 Extensions to Dwellings in the Green Belt  
S35A Development in Conservation Areas

### **Others:**

SPG1 Residential Design Guide  
SPG7 Extensions to dwellings in the Green Belt  
NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

No previous planning history

## **Assessment of Proposal**

### **Site and proposal description**

The application site is a semi-detached cottage which forms part of a group of historic cottages that are situated within New Wharf and the Worcester and Birmingham Canal Conservation Area. The site also falls within an area designated as Green Belt. The property was originally a small two storey cottage which, due to the land level falling away to the west of the cottage, also benefited from a small cellar at the rear.

The property has previously been extended by way of a two storey flat roof extension to the rear which utilised the lower land level to enable the extension of the cellar and a ground floor extension above to create a bathroom, toilet and kitchen. The current proposal is to construct a lean-to roof above the existing flat roof extension and a rear dormer above this at first floor level to create a bathroom.

The main issues to consider with this application are whether the proposal would constitute inappropriate development within the Green Belt, whether it would harm the openness of the Green Belt; and whether it would be detrimental to the character of the dwelling and the Worcester and Birmingham Conservation Area.

## **Green Belt**

The National Planning Policy Framework attaches great importance to the Green Belt and fundamentally aims to preserve its openness. It recognises that inappropriate development is by definition harmful and should not be approved except in very special circumstances. One form of development that may not be inappropriate is a proportionate addition to an original building. The Council's supplementary guidance document (SPG7) defines that an extension of up to 40% above that of the original floorspace or a maximum total floorspace of 140 square metres may be regarded as proportionate. The SPG also states that there may be instances where a figure less than those of the above that may be considered disproportionate, especially given a prominent location. In this particular case it is noted that the cottage has previously been extended, and that these additions amount to a 53% increase above that of the original floorspace. The current proposal would increase the total floorspace to 117.8 square metres, which although is within the 140 square metres tolerance set out in SPG7, would equate to a substantial percentage increase above the original (59.2%). Given this percentage increase, the visual proportions of the depth of the existing extension in relation to that of the original cottage, and the prominent location of the additional bulk of the proposed roof and dormer, it is concluded that the extensions would amount to disproportionate additions and therefore should be regarded as inappropriate.

Members will be aware that inappropriate development is, by definition, harmful to the Green Belt and should be given substantial weight. Very special circumstances will not exist unless the harm caused by reason of inappropriateness and any other harm is clearly outweighed by other considerations. It is noted that the design and access statement that was submitted with the application states that the proposal will enable the removal of the flat roof of a previous extension which will unify the extension with the original cottage. Whilst it is appreciated that there is some benefit in harmonising the appearance of the extension with the cottage, due to the level changes at the site, the current flat roof building appears relatively inconspicuous. Furthermore although the footprint of the cottage would remain unaltered it is considered that the additional bulk of the roof extensions would have some impact on openness. It is therefore considered that this enhancement would not outweigh the potential harm to the Green Belt.

## **Conservation area and design of the proposal**

Policy S11 of the Bromsgrove District Local Plan states that extensions to dwellings in the Green Belt should respect the scale and character of the existing dwelling. Due to the narrow proportions of the original cottage the roof additions would appear out of scale with the original cottage. In addition to this the detail of the fenestration on the rear elevation, particularly the addition of the Juliet balconies, would appear incongruous and would not reflect the character of the existing cottage.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policy 35A of the Bromsgrove District Local Plan require development in a conservation area to preserve or enhance its character or appearance. The rear elevation of 2 New Wharf is highly visible from views of the Alcester Road which also forms part of the conservation area. The Conservation Officer considers that the roof extensions would form a dominant feature that would be out of scale with the neighbouring properties and would detract

from their modest scale. She considers it to be far more obtrusive than the existing flat roof extension and therefore would not preserve or enhance the conservation area.

## **Conclusion**

It is concluded that the proposed development would be inappropriate within the Green Belt and would have a moderate impact on openness. The harm arising from this would not be outweighed by the potential benefit of removing a flat roof building and therefore no very special circumstances exist.

The Conservation Officer has objected to this application on the basis that the extensions would not be sympathetic to the character of the cottages and would not preserve or enhance the conservation area in which it is situated. Officers are mindful that as the cottage is situated within a conservation area, there is no fall-back position for roof extensions, including the insertion of dormer windows, to be constructed under permitted development.

Given all material considerations the proposal is considered to be contrary to policy.

**RECOMMENDATION:** That planning permission be Refused

## **Conditions:/Reasons for Refusal**

- 1) The site is identified as an area falling within the Green Belt where there is a presumption against inappropriate development. The proposed roof extensions, in addition to previous extensions, would result in disproportionate additions and would therefore amount to inappropriate development in the Green Belt, which is, by definition harmful. There are no very special circumstances in this case that would outweigh the harm that would be caused to the Green Belt. Therefore, the proposal is contrary to policies DS2 and DS13 of the Bromsgrove District Local Plan 2004 and paragraphs 87 - 89 of the National Planning Policy Framework.
- 2) The proposed roof extensions would not respect the scale and character of the existing cottage and would have a detrimental impact on the character and appearance of the conservation area due to their bulky appearance and prominent location. The development would appear out of character with its surroundings, and would fail to either preserve or enhance the conservation area. The proposal would therefore be contrary to Policies S11 and S35A of the Bromsgrove District Local Plan 2004 and the principles of the National Planning Policy Framework.

**Case Officer:** Charlotte Wood Tel: 01527 64252 ext 3412  
Email: charlotte.wood@bromsgroveandredditch.gov.uk

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# Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Max Davise	Ground floor front bedroom extension and rear flat roof kitchen extension  28 Bittell Road, Barnt Green, Birmingham, Worcestershire, B45 8LT	10.03.2016	15/0944

**Councillor Hotham has requested that the application is considered by the Members of Planning Committee rather than being determined under Delegated Powers**

**RECOMMENDATION:** That planning permission be Granted

## Consultations

**Barnt Green Parish Council** Consulted 22.12.2015

1. The land on which no. 28 stands is some 2/3 of a metre higher than that of no. 30; the proposed extensions will be overbearing.
2. The resulting close juxtaposition of the 2 bungalows will lead to a terracing effect - 'extensions should be set at least one metre off the common boundary' (Residential Design Guide, SPG 1, para 4.2d).
3. The proposal will have a tunnelling effect on the side entrance to no. 30 and could lead to security problems.
4. Two of the widows facing the proposed extension will suffer a considerable loss of light. These are windows to a habitable room - a study/bedroom.
5. The existing 5 bedroom bungalow at no. 28 has already undergone considerable extension in the past. This new proposal represents over-development of the plot.

## Representations

Five letters sent on 22.12.15 (expired 11.01.16)

One letter sent on 11.01.2016 (expired 25.01.2016)

Multiply objections received from the same objector:

Overshadowing

Dominance

Terracing effect

Overbearing and intimidating

Sunlight and daylight

Security aspect

This also includes aspects which are not material planning considerations such as, the roof overhang and its guttering, the building and maintenance of the proposal.

There has also been one letter of support for the application stating that the proposal would improve the appearance of the dwelling.

Plan reference

Councillor Hotham views received 26/01/2016 :  
Loss of natural light to habitable room in neighbouring property  
Overbearing visual appear to neighbouring property.  
Terracing effect of development  
Overdevelopment of original dwelling via multiple extensions.  
Validity of amended application.

## **Relevant Policies**

### **Bromsgrove District Local Plan 2004 (BDLP):**

DS13 Sustainable Development  
S10 Extensions to Dwellings Outside the Green Belt

### **Others:**

SPG1 Residential Design Guide  
NPPG National Planning Practice Guidance  
NPPF National Planning Policy Framework

## **Relevant Planning History**

B/3400/1977	Erection of single storey side extension to form bedroom and study.	Approved	13.04.1977
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## **Assessment of Proposal**

The application site consists of a detached single storey residential property located in an established residential area. Extensions to domestic dwellings are considered acceptable in principle.

Bittell Road has a varied character, with a range of different house types and architectural styles. It is also noted that Bittell Road has a staggered building line moving north west.

The proposal is for a front extension to enlarge an existing bedroom and a kitchen extension.

The proposed bedroom extension will come forward of the front elevation, However given the character of the street scene of Bittell Road and the existing garage which already protrudes from the front elevation, it is considered that the proposal would not breach the existing building line. The single storey nature of the proposal is not considered to give a terracing effect and therefore is considered acceptable.

The bedroom extension would only be set off the common boundary by 500mm. However due to the single storey nature of it and the height only extending approximately 0.5m over what boundary treatment could be erected under retained PD rights, it is considered that the further height of the proposal would not have a detrimental impact on loss of light or be overbearing. It is also noted that the proposal would not affect any window that serve habitable rooms as number 28 has ground floor side facing windows which are obscure glazed.



The kitchen extension would not breach the 45 degree code and would not have any detrimental impact to any adjoining occupiers and is therefore considered acceptable.

For the reasons above it is considered that the proposal complies with Policy S10 of the BDLP and the provisions of SPG1 and it is recommended for approval.

**RECOMMENDATION:** That planning permission be Granted

## **Conditions**

- 1) The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation.

- 2) The proposal shall be carried out as shown on the plans, schedules and other documents listed below;

Location Plan Drg No 28-103 received 30.10.2015  
Existing Ground Floor Drg No 28-001 received 30.10.2015  
Existing Elevations Drg No 28-003 received 30.10.2015  
Existing Roof Plan Drg No 28-002 received 30.10.2015  
Amended Proposed Ground Floor Drg No 28-100 received 25.01.2016  
Amended Proposed Elevations Drg No 28-102 received 25.01.2016  
Amended Proposed Roof Plan Drg No 28-101 received 25.01.2016

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with policy DS13 of the Bromsgrove District Local Plan January 2004.

- 3) The materials you use on the roof and wall of your development should match those of the existing building. If matching materials cannot be found then you must give details of, or send a sample of the type, colour and finish of the materials that you are going to use to the Council. The Council will agree these details with you in writing and you must use these materials when you build the development.

Reason: To make sure that the development relates to the area in which it is being built and protects how that area looks, in order to comply with policy DS13 of the Bromsgrove District Local Plan January 2004

**Case Officer:** Mrs Julie Male Tel: 01527 881338  
Email: j.male@bromsgroveandredditch.gov.uk

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# Agenda Item 7

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Martyn Dallaway	Erection of one dwelling  1 Staple Flat, Lickey End, Bromsgrove, B60 1HD	01.01.2016	15/0957

**RECOMMENDATION:** That planning permission be Granted

**Councillor Cooper has requested that this application be considered by Planning Committee rather than being determined under delegated powers.**

## Consultations

**Highways Department- Worcestershire County Council** Consulted 26.11.2015

'As long as the visibility splays (2.4m x 25m) as shown on attached pdf layout plan are achievable; I would have no objection to the relocation of the proposed vehicular access' received 7<sup>th</sup> January 2016.

**Worcestershire Regulatory Services** Consulted 14.12.2015

No objections both in regards to land contamination and Nuisance from substation south of plot, received 22<sup>nd</sup> December 2015.

**Tree Officer** Consulted 26.11.2015

No objection to the proposed development subject to conditions. Received 11.01.2016

**Lickey and Blackwell Parish Council** Consulted 26.11.2015

No comments received at time of drafting report.

**National Grid** Consulted 14.12.2015

No comments received at time of drafting report.

**Drainage engineer** Consulted 14.01.2016

No comments received at the time of drafting report

Seven letters of objection have been submitted to date and the contents of which are summarised as follows;

- Cars travel at a high speed on bend with Old Birmingham Road
- Access close to blind bend with Old Birmingham Road
- Existing parking issues in area amplified by proposal
- Narrow road makes vehicles passing difficult
- Inadequate off street parking proposed
- There is a unacceptable loss of trees proposed
- Concerns regarding the Oak Tree
- The building is not in keeping with the form and character of the area
- Results in a sub-division of the plot
- Application results in 'garden-grabbing'

Plan reference

A number of photos have been submitted to the Council by a neighbour to illustrate the existing highways situation onsite.

Councillor Cooper

Residents are concerned regarding the highway safety as a result of this proposal.

## **Relevant Policies**

### **Bromsgrove District Local Plan 2004 (BDLP):**

S7 New Dwellings Outside the Green Belt

S8 Plot sub-division

C17 Retention of existing trees

DS13 Sustainable Development

### **Others:**

NPPF National Planning Policy Framework

SPG1 Residential Design Guide

## **Relevant Planning History**

No relevant history.

## **Assessment of Proposal**

This application site is located in the residential area in Lickey Hills where residential development is considered acceptable. Policy S7 of the Adopted Local Plan states that proposals for new dwellings would be considered favourably provided they are in keeping with the character, form and layout of the area. Staple Flat has a mix of character joining the Old Birmingham road which is a more densely residential area and leads into the open Green Belt. The proposed dwelling is to be located in the side garden of the property 1 Staple Flat.

The proposal results in the sub division of the plot. However, the dwelling sits comfortably within the notional building line along this part of the street and respects the form and density of the surrounding area. It is not considered that the proposal would harm the amenities of the neighbouring dwellings with regard to a loss of light, privacy or an overbearing impact.

The proposal includes a new vehicular access and it is considered the increase in traffic generated by one additional dwellinghouse is not considered to be so significant to cause severe harm to the existing highway network. In addition the application proposes two off street parking spaces on the drive and one integral garage. The garage is sufficient in size for the parking of one vehicle and therefore sufficient parking remains on site having regard to the Councils standards.

The proposal results in the removal of the existing hedgerow to the front of the site, along Staple Flat. The Tree Officer has stated that the location of the vehicular access is a sufficient distance from the root protection area of the Oak and Hazel Tree located on

Staple Flat outside of the application site to not cause any harm to these specimens. In addition a condition for a 'no-dig' construction process on the drive way would be sufficient to protect the future growth of both trees in this instance.

**RECOMMENDATION:** That planning permission be Granted

**Conditions:**

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

01A Proposed Floor Plans  
02 Proposed Elevations  
03B Proposed Site Plan  
04 Indicative Street Scene  
Location Plan

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) Prior to the commencement of development, details of the materials and finishes to be used on the external surfaces of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual and heritage amenities of the area and in accordance with Policies S36 and S38 of the Bromsgrove District Local Plan 2004.

- 4) Before any materials or machinery are brought on to the site or any development, demolition, installation of services or site clearance works of any kind are commenced the developer shall erect protective fencing as illustrated by BS 5837:2012 on a line concurrent with the tree protection distances given in BS 5837:2012 and to the specific approval of the local planning authority. The developer shall maintain such fences to the satisfaction of the local planning authority until all development, the subject of this permission, has been completed.

Reason: In order to protect the trees which form an important part of the amenity of the site in accordance with policies DS13 and C17 of the Bromsgrove District Local Plan January 2004

Plan reference

- 5) Any section of the drive way that incurs into the BS5837:2012 Recommended Root Protection Area of any tree to be retained will need to be constructed using a suitable grade of cellular ground support material.

Reason : To ensure no detrimental impact is caused by the development to the health and stability of valuable tree stock either within the site or in adjoining land.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Class F (hard surfaces incidental to the enjoyment of a dwellinghouse), shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the trees adjacent to the site in regards to policy C17 of the Bromsgrove District Local Plan January 2004.

**Case Officer:** Emily Farmer Tel: 01527 881657  
Email: [Emily.farmer@bromsgroveandredditch.gov.uk](mailto:Emily.farmer@bromsgroveandredditch.gov.uk)

# Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Andrew Cockayne	Amendment to access in relation of outline application 14/0755 for the erection of 18 dwellings  118 Kidderminster Road, Bromsgrove, Worcestershire, B61 7LD.	14.02.2016	15/0992

## RECOMMENDATION:

### (a) MINDED to APPROVE OUTLINE PLANNING PERMISSION

(b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:

- (a) A contribution of £59,184 towards the improvement of Sidemoor First School, Parkside Middle School and North Bromsgrove High School
- (b) A contribution of £64,080 towards the maintenance of local public open space
- (c) A contribution of £52,830 to mitigate for the additional demands on the wider transport network that the development will generate

## Consultations

**Highways Department- Worcestershire County Council** Consulted 19.11.2015  
No objection subject to a condition to secure appropriate visibility splays.

## Relevant Policies

### **Bromsgrove District Local Plan 2004 (BDLP):**

DS13 Sustainable Development  
TR11 Access and Off-Street Parking  
NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## Relevant Planning History

14/0755	Demolition of Existing Bungalow and the Construction of 18 dwellings (OUTLINE)	Approved	02.12.2014
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15/0992

## **Public Comments**

No comments received.

## **Assessment of Proposal**

The application relates to an application for outline planning permission for the erection of 18 dwellings. It is an amendment to application B/2014/0755 for the same proposal except that this application is seeking to alter the approved position of the access by approximately 6m to the east of the position of the existing approval.

The principle of the development of the site is accepted through the existence of the outline planning permission and the matter to be considered in this application is whether the revised access position is acceptable in highway terms. There is no objection from Worcestershire Highways in this respect.

## **Conclusion**

The proposed amendment to outline application B/2014/0755 is acceptable. In terms of the S106 Agreement, an amended version has been received and this recommendation is subject to that Agreement. In accordance with the advice of the National Planning Policy Guidance appropriate conditions from the original permission will be applied.

## **RECOMMENDATION:**

- (a) **MINDED to APPROVE OUTLINE PLANNING PERMISSION**
- (b) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration to determine the outline planning application following the receipt of a suitable and satisfactory legal mechanism in relation to the following:
- (a) A contribution of £59,184 towards the improvement of Sidemoor First School, Parkside Middle School and North Bromsgrove High School
  - (b) A contribution of £64,080 towards the maintenance of local public open space
  - (c) A contribution of £52,830 to mitigate for the additional demands on the wider transport network that the development will generate

## **Conditions**

- 1) The development must be begun not later than the expiration of eighteen months beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/Drawings listed in this notice:

Drawing No. 346-01-01 Proposed Site Layout

Reason: For the avoidance of doubt and in the interests of proper planning.



15/0992

- 3) Before any other works hereby approved on the application site are commenced, the new entrance shall be set back as agreed from the nearside edge of the adjoining carriageway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway.

Reason: Required in the In the interests of highway safety and to comply with policy TR11 of Bromsgrove District Local Plan 2004.

- 4) Prior to the occupation of the building(s) hereby approved the existing vehicular access onto the adjoining highway shall be permanently closed. Details of the means of closure and reinstatement of this existing access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on the development hereby approved.

Reason: To ensure the safe and free flow of traffic using the adjoining County highway in accordance with policy TR11 of the Bromsgrove District Local Plan 2004.

- 5) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions and:

1. The programme and methodology of site investigation and recording.
2. The programme for post investigation assessment.
3. Provision to be made for analysis of the site investigation and recording.
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) Within a written agreed date the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under the previous condition, and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraph 141 of the National Planning Policy Framework.

- 6) 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.

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 in accordance with Policy ES7 of the Bromsgrove District Local Plan 2004.

- 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 in accordance with policy ES7 of the Bromsgrove District Local Plan 2004.

## **Informatives**

- 1) The local planning authority is aware of the requirement in the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to work with applicants in a positive and proactive manner, seeking solutions to problems arising from applications.

In this case the applicant:

- sought advice in relation to the amendment of the associated S106 Agreement in relation to this proposal

The proposal therefore delivers a policy compliant sustainable form of development.

**Case Officer:** Mr David Kelly Tel: 01527 881345  
Email: [d.kelly@bromsgroveandredditch.gov.uk](mailto:d.kelly@bromsgroveandredditch.gov.uk)

# Agenda Item 9

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Andrew Cockayne	Demolition of existing bungalow and construction of 18 dwellings (Approval of Reserved Matters)  118 Kidderminster Road, Bromsgrove, Worcestershire, B61 7LD.	26.01.2016	15/0969

**RECOMMENDATION:** subject to the approval of application 15/0992 (Amendment to Outline Application and receipt of the appropriate Legal Agreement in relation to that application) that Reserved Matters be Approved.

## Consultations

**Highways Department- Worcestershire County Council** Consulted 11.11.2015  
No objection.

**Joe Holyoak** Consulted 11.11.2015

The density is respectable, given the awkward proportions and limited size of the site. The arrangement of the houses is well done, and is an improvement upon the arrangement in the previous application for 18 houses. Eight of the 18 houses have north-facing back gardens, meaning that they will receive little sunlight. This is something I commented upon in the earlier proposals. However, the geometry of the site means that there is little opportunity to improve upon this ratio. The house types themselves, or at least those of them that have been submitted, are nothing special or unusual, but are acceptable. Overall, the proposal represents an improvement on the previous schemes.

**West Mercia Constabulary** Consulted 11.11.2015  
No objection.

**Landscape & Tree Officer** Consulted 11.11.2015

No objection subject to conditions and appropriate screening for No. 122. The removal of these trees along the boundary would be acceptable and the planting of a native hedge preferable in the long term.

**Drainage Engineers Internal Planning Consultation** Consulted 11.11.2015  
No objection and no conditions required.

**Worcester Regulatory Services- Contaminated Land** Consulted 11.11.2015  
No objection subject to conditions.

## Relevant Policies

**Bromsgrove District Local Plan 2004 (BDLP):**  
S7 New Dwellings Outside the Green Belt

15/0969

DS13 Sustainable Development  
DS8 Areas of Development Restraint

## **Bromsgrove District Plan Proposed Submission** BDP5A Bromsgrove Town Expansion Sites

### **Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

### **Publicity**

No comments received.

### **Relevant Planning History**

13/0157	Residential development proposing demolition of existing bungalow, construction of eight new dwellings and provision of public open space. Resub of application 12/0893. Appeal dismissed 14.03.2014.	Refused	05.08.2013
14/0755	Demolition of Existing Bungalow and the Construction of 18 dwellings (OUTLINE)	Approved	02.12.2014
15/0992	Amendment to access in relation of outline application 14/0755 for the erection of 18 dwellings	Pending consideration	

### **Assessment of Proposal**

Members should note that outline planning permission has been granted on this site for the construction of 18 dwellings under B/2014/0755 on 02nd December 2014. The access was considered at outline stage. A slightly different access arrangement is now under consideration under a separate planning application (B/2015/0992).

The reserved matters now under consideration are: scale, layout, appearance and landscaping.

### **Scale and Layout**

The scale of the application accords with that approved under the outline application and comprises two storey dwellings. There are seven 4 bedroom, and nine 3 bedroom properties and two 2 bedroom properties proposed. The mix of properties proposed accords with existing and emerging policy. The proposed form and layout of the development is acceptable with dwellings arranged around the access road with a frontage of two properties on Kidderminster Road. The views of the Urban Designer are

noted. It is not considered that there would be detrimental impact on the amenity of existing adjoining properties namely 116, 122 Kidderminster Road and 5 and 6 Harland Close. However, the applicant has provided appropriate amendments to remove overlooking windows in relation to plots 2, 5 and 11. The separation distances between the proposed dwellings comply with the advice of SPG1 and the proposed private amenity areas are sufficient.

## Appearance

The applicant has provided a schedule of materials which would be used in the development. The brick walls and tiled roofs would have colours and textures appropriate for the context of the area.

## Landscaping

The application is accompanied by a Landscaping Plan and schedule. The views of the Tree Officer should be noted and the proposed planting plan is considered acceptable.

## Conclusion

The proposal is acceptable in terms of scale, layout appearance and landscaping and permission should be granted.

**RECOMMENDATION:** subject to the approval of application 15/0992 (Amendment to Outline Application and receipt of the appropriate Legal Agreement in relation to that application) that Reserved Matters be Approved.

## Conditions

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Drawing No. 346-01-01 Proposed Site Layout

Drawing No. 346-01-02 Proposed Soft Landscaping Plan

Schedule of Planting (amended to include beech/holly hedging as confirmed by email dated 18.12.2015)

Drawing No. 346-04-01 Proposed Floorplans (House Type A)

Drawing No. 346-04-02 Proposed Elevations (House Type A)

Drawing No. 346-05-01 Rev A Proposed Floorplans (House Type B)

Drawing No. 346-05-02 Rev A Proposed Elevations (House Type B)

Drawing No. 346-06-01 Proposed Floorplans (House Type C)

Drawing No. 346-06-02 Proposed Elevations (House Type C)

Drawing No. 346-06-01 Proposed Floorplans (House Type C)  
Drawing No. 346-07-01 Proposed Floorplans (House Type D)  
Drawing No. 346-07-02 Proposed Elevations (House Type D)  
Drawing No. 346-08-01 Proposed Floorplans (House Type E)  
Drawing No. 346-08-01 Rev C Proposed Elevations (House Type E)  
Drawing No. 346-09-02 Rev B Proposed Elevations (House Types F and G)  
Drawing No. 346-09-01 Rev A Proposed Floorplans (House Types F and G)  
Drawing No. 346-10-01 Proposed Floorplans (House Type H)  
Drawing No. 346-10-02 Proposed Elevations (House Type H)  
Drawing No. 346-11-01 Proposed Floorplans (House Type J)  
Drawing No. 346-11-02 Proposed Elevations (House Type J)  
Drawing No. 346-12-02 Proposed Garage Elevations and Floorplans  
Drawing No. 346-01-02 Rev A Soft Landscaping layout  
Materials Schedule Received 11.11.2015.  
Schedule of Planting Received 11.01.2016.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3) The windows to be installed at Ground Floor Level serving a lounge and dining room on Plot No. 5 (House Type F) and a bathroom at first floor level on Plot No. 5 on the approved plans shall be fitted with obscure glazing to Pilkington Level 4 and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy DS13 of the Bromsgrove District Local Plan 2004.

- 4) The windows to be installed at First Floor Level serving a bedroom on Plot No. 11 (House Type E) on the approved plans shall be fitted with obscure glazing to Pilkington Level 4 and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy DS13 of the Bromsgrove District Local Plan 2004.

- 5) The windows to be installed at first floor level serving any bathrooms/ensuites on the approved plans shall be fitted with obscure glazing to Pilkington Level 4 and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said windows in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy DS13 of the Bromsgrove District Local Plan 2004.

- 6) 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 in accordance with policy ES7 of the Bromsgrove District Local Plan 2004.

## **Informatives**

- 1) In dealing with this application the local planning authority have worked with the applicant in a positive and proactive manner, seeking solutions to problems arising from the application in accordance with the NPPF and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The authority has helped the applicant resolve technical issues such as:
  - o impact of the development upon amenity of neighbours,
  - o improving the design of the proposed development.

The proposal is therefore considered to deliver a sustainable form of development that complies with development plan policy.

**Case Officer:** Mr David Kelly Tel: 01527 881345  
Email: [d.kelly@bromsgroveandredditch.gov.uk](mailto:d.kelly@bromsgroveandredditch.gov.uk)

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# Agenda Item 10

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Barratt West Midlands & David Wilson Mercia	Reserved Matters Application including appearance, landscaping, layout and scale, following outline planning approval ref. no. 12/0709. Residential development comprising 316 dwellings  Land At Norton Farm, Birmingham Road, Bromsgrove, Worcestershire,	23.02.2016	15/0996

**RECOMMENDATION:** That Reserved Matters be approved

## Consultations

**Highways Department- Worcestershire County Council** Consulted 03.12.2015  
No objection subject to the imposition of conditions relating to: access, turning and parking; provision of cycle parking; on site roads submission details; parking for site operatives

**Worcestershire County Council Public Rights of Way** Consulted 03.12.2015  
No Comments Received To Date

**Worcester Regulatory Services- Noise, Dust, Odour & Burning** Consulted 03.12.2015  
No Comments Received To Date

**Landscape & Tree Officer** Consulted 03.12.2015  
No objection

**Strategic Housing** Consulted 03.12.2015  
I can now confirm that the Strategic Housing Team are satisfied with the affordable housing provision on the site

**Waste Management** Consulted 03.12.2015  
No Comments Received To Date

**Drainage Engineers Internal Planning Consultation** Consulted 03.12.2015  
No in principle objections subject to the imposition of a suitably worded drainage planning condition

**Ramblers Association** Consulted 03.12.2015  
No Comments Received To Date

**West Mercia Constabulary** Consulted 03.12.2015  
No objection

## **Parks & Green Space Development Officer** Consulted 03.12.2015

The formal and informal aspects of the open space, with tree lined avenue walks, will create a multi-purpose amenity space for the benefit of all residents and their needs.

Play provision is excellent, giving a natural and conventional environment for play with the planting providing an attractive natural barrier. No objections are raised.

### **Publicity**

94 letters sent on the 3<sup>rd</sup> December 2015 (expired 24<sup>th</sup> December 2015)

5 site notices posted on the 4<sup>th</sup> December 2015 (expired 25<sup>th</sup> December 2015)

Press Advert published in the Bromsgrove Standard on the 11<sup>th</sup> December 2015 (expired 25<sup>th</sup> December 2015)

### Neighbour Responses

7 responses submitted, raising the following objections:

- Too many houses proposed to be built
- Loss of light to habitable rooms serving existing surrounding properties
- Proposed development would result in a loss of amenity due to overlooking and the resultant loss of privacy
- Wildlife will be affected
- Noise and dust created during the construction period will impact detrimentally upon amenity
- Increased traffic in the area would lead to harm to highway safety
- General drainage / flooding concerns
- Only a single point of entry / exit onto Birmingham Road continues to be a highway safety concern

Other issues which are not material planning considerations have been raised, but are not reported here as they cannot be considered in the determination of this application.

### **Relevant Policies**

#### **Bromsgrove District Local Plan 2004 (BDLP):**

DS3 Main Locations for Growth

DS8 Areas of Development Restraint

DS13 Sustainable Development

S7 New Dwellings outside the Green Belt

S14 Range of Housing Types and Tenures

S15 Affordable Housing in Urban Areas

C4 Criteria for Assessing Development Proposals

C5 Submission of Landscape Schemes

C17 Retention of Existing Trees

RAT5 Provision of Open Space

RAT6 Open Space Provision in New Residential Developments

TR1 The Road Hierarchy

TR11 Access and Off-Street Parking

TR13 Alternative Modes of Transport

ES1 Protection of Natural Watercourse Systems

ES4 Groundwater Protection  
BROM5 Area of Development Restraint: Barnsley Hall South & Norton Farm

## **Bromsgrove District Plan Proposed Submission**

BDP1 Sustainable Development Principles  
BDP2 Settlement Hierarchy  
BDP7 Housing Mix and Density  
BDP8 Affordable Housing  
BDP12 Sustainable Communities  
BDP16 Sustainable Transport  
BDP19 High Quality Design  
BDP21 Natural Environment  
BDP23 Water Management

## **Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance  
SPG1 Residential Design Guide

## **Relevant Planning History**

12/0709	Outline application for development comprising demolition of existing buildings and the construction of up to 316 dwellings; new accesses for vehicles, pedestrians and cyclists; provision of associated vehicular and cycle parking; creation of public open space and landscaped areas; sustainable drainage measures (including surface water attenuation areas); and all associated, enabling and ancillary works.	Approved	20.12.2013
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## **Assessment of Proposal**

### The site and its surroundings

The application site comprises a large, open, undeveloped area of land to the north west of Birmingham Road, Bromsgrove. There are residential areas immediately surrounding the site to the south east, south west and north. The site is bordered to the south east by Birmingham Road; to the south west by the rear of properties on Hawthorn Road, Upland Grove and Pennine Road. The site borders the properties on Reed Mace Drive and Green Bower Drive to the north.

The site comprises two fields, the small of which is located in the south east corner of the site and is surrounded by the larger field. There is a significant gradient present which generally falls away in a north/south direction. There is an area of land with a frontage of some 70m on the Birmingham Road which does not form part of the application site. This contains a single residential property, referred to as Norton Farm.

There are substantial hedgerows which define the northern, eastern and south-eastern boundaries of the site. The hedgerows are interspersed by mature trees especially in the Birmingham Road direction. There are a number of existing agricultural buildings close to the entrance to the site.

The site is located approximately 1.7km north of Bromsgrove Town Centre. There are a number of bus services, including the Nos 143 and 145 which pass the application site on Birmingham Road.

There are two public rights of way which adjoin the application site (Nos 599 and 619). These are located just outside the boundary of the application site. No 599 connects Birmingham Road to the south with the public open space accessed from Pennine Road and then turns south west to connect with Stourbridge Road. (A shortened pedestrian access). Footpath No. 619 adjoins the northern boundary of the application site.

The site is an identified Area of Development Restraint (ADR) in the Bromsgrove District Local Plan (BDLP) 2004 and is identified as a development site in the emerging Draft Local Plan. Land situated immediately beyond the sites northern and eastern boundaries is designated Green Belt.

## The Proposed Development

The application is for reserved matters approval following the grant of outline consent under application reference 12/0709. The outline application granted the principle of up to 316 residential units and included full details of the access arrangements into the site, via a new access point from Birmingham Road.

A Section 106 legal agreement sought the provision of 40% of the units to be affordable and this has been included in this proposed scheme.

This application seeks reserved matters consent for four of five matters, with the matter of access being granted under the earlier outline application.

Therefore the matters for consideration here are those of layout, scale, appearance, and landscaping, of the 316 residential dwellings proposed.

The proposed development utilises a single access point to the site with an additional emergency access located south of the main access road. The vehicular access point is in the location considered and approved under application 12/0709, that is to the northern side of Birmingham Road, 40 metres due north east of number 255 Birmingham Road.

The layout concentrates the development on the south-west and south-eastern parts of the site with dwellings fronting the new public open space, and dwellings on the edge of the development back on to existing gardens. The majority of the green infrastructure is located to the north and north eastern parts of the site although smaller areas of green infrastructure including three balancing ponds have been located to the south and western boundaries, where the land falls away more steeply to enable sustainable drainage.

As per the original indicative masterplan, streets are laid out to enable connections throughout the residential area and promote community identity.

The proposed 316 dwellings would be a mixture of detached and semi-detached and terraced properties, with the exception of Plots 14 to 31 which would be provided as flats.

The 316 residential units would be provided as follows:

- 18 x 1 bed apartments
- 6 x 2 bed bungalows
- 64 x 2 bed houses
- 98 x 3 bed houses
- 120 x 4 bed houses
- 10 x 5 bed houses

Of the 316 units, 126 would be affordable units.

The breakdown of affordable housing to be provided as part of this development is as follows:

- 18 x 1 bed apartments
- 6 x 2 bed bungalows
- 60 x 2 bed houses
- 36 x 3 bed houses
- 6 x 4 bed houses

There would be 30 no. three storey dwellings including the apartment block (apartments 14 to 31) which would also be three storey.

There would be 16 no. 2.5 storey dwellings; 264 no. 2 storey dwellings and 6no. bungalows.

The development would be constructed in either brickwork or render (walls) under tiled roof, with material colours to harmonise with the sites surroundings.

The dwelling details include features such as string courses, arched detailing above windows, and feature bay windows and are largely designed so that they do not present blank elevations to the public domain. All dwellings have their own garden area and allocated parking provision.

## Layout

The overall layout is in substantial accordance with the (original) indicative Masterplan which had regard to the principles and parameters described in the design and access statement submitted in accordance with outline application 12/0709.

The layout is considered to be an appropriate urban design solution which responds positively to the sites constraints, having particular regard to topography.

The main road frontages of the site contain development which addresses the public realm and contain interesting and engaging features with strong built form which provide definition between public and private spaces.

Within the site, the proposal is of a layout that allows for movement through the site on foot and by cycle (permeability) by linking to nearby footpaths and provides sufficient space for all users. Parking has not been allowed to dominate the street-scene especially along the main access roads and adequate parking is provided in curtilage such that displacement of parking onto the internal roads would be minimal and restricted only to visitors. Whilst there are some rear parking courtyard areas, these have been kept to a minimum in both number and size and surveillance increased to maximise community safety.

The relationships between the existing residential development to the north, south and west of the site are considered to be acceptable in terms of their orientation and separation. The required degree of privacy between dwellings is maintained throughout with the use of the required back to back distances. The proposals therefore meet local policy requirements.

The proposed affordable housing units have been spread across the site in order that there are no significant clumps of single tenure housing in order to comply with policy and seek to create mixed communities in line with national planning guidance.

### Scale and appearance

The vast majority of the dwellings (264) proposed would be of two storey height. There are a range of house types used which provides an interest in the streetscene, and detailing is included in the brickwork faces of the dwellings to add interest.

The palette of materials proposed to be used in the finishes of the dwellings is considered to be appropriate to the local vernacular materials found in the surrounding area; mostly the dwellings are proposed as brick and tile with render on some house types.

### Landscaping

The landscaping proposals are now fully acceptable to the Councils tree officer in terms of quantity, species and location. A Landscape Management Plan would be submitted as part of a planning condition to ensure the effective and ongoing maintenance and management of such areas. An equipped play area is to be provided to the northern part of the site and to the east of Plots 237 and 238 which would provide a multi-purpose amenity space for the benefit of all residents and their needs. The Councils Parks and Green Space and Recreation Officer is happy with the extent and nature of the proposals.

### Other issues

As noted in the assessment above, matters of relationship between existing and proposed dwellings have been considered in relation to the relevant local policy documents and the standards are met or exceeded. Means of drainage has been carefully considered by the North Worcestershire Water Management Team (Drainage Engineers) who find the proposals to be acceptable subject to the imposition of a

planning condition, and therefore, the objections noted above cannot be substantiated in policy terms.

## Conclusion

It is therefore considered for all the reasons given above, that when considered in relation to the outline permission that has been granted, and the relevant local and national planning policy framework, that the application is acceptable and no other factors to outweigh this have been identified.

**RECOMMENDATION:** That Reserved Matters be approved

## Conditions:

- 1) The development to which this permission relates must be begun in accordance with the time period set out in condition 3 of permission 12/0709

Reason :- In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be implemented in accordance with the following plans:

<i>Drg 001</i>	<i>Site Layout Rev W</i>
<i>Drg 011</i>	<i>T14</i>
<i>Drg 012</i>	<i>T16</i>
<i>Drg 013</i>	<i>T27</i>
<i>Drg 014</i>	<i>Flats - Elevations Rev B</i>
<i>Drg 015</i>	<i>Newton (attached)</i>
<i>Drg 016</i>	<i>Morpeth (detached)</i>
<i>Drg 017</i>	<i>Morpeth (detached) render</i>
<i>Drg 018</i>	<i>Faringdon 2</i>
<i>Drg 019</i>	<i>Barwick</i>
<i>Drg 020</i>	<i>Chesham</i>
<i>Drg 021</i>	<i>Lincoln</i>
<i>Drg 022</i>	<i>Lincoln render</i>
<i>Drg 023</i>	<i>Thame</i>
<i>Drg 024</i>	<i>SH27</i>
<i>Drg 025</i>	<i>SH35</i>
<i>Drg 026</i>	<i>SH35 render</i>
<i>Drg 027</i>	<i>SH39</i>
<i>Drg 028</i>	<i>SH48</i>
<i>Drg 035</i>	<i>P341 (detached)</i>
<i>Drg 036</i>	<i>P341 (detached) render</i>
<i>Drg 037</i>	<i>H304</i>
<i>Drg 038</i>	<i>H331</i>
<i>Drg 039</i>	<i>H406</i>

<i>Drg 040</i>	<i>H421 (plans)</i>
<i>Drg 041</i>	<i>H421 (elevations)</i>
<i>Drg 042</i>	<i>H421 (elevations) render</i>
<i>Drg 043</i>	<i>H431</i>
<i>Drg 044</i>	<i>H431 render</i>
<i>Drg 045</i>	<i>H436 (elevations)</i>
<i>Drg 046</i>	<i>H436 (plans)</i>
<i>Drg 047</i>	<i>H452</i>
<i>Drg 048</i>	<i>H452 render</i>
<i>Drg 049</i>	<i>H455</i>
<i>Drg 050</i>	<i>H455 render</i>
<i>Drg 051</i>	<i>H469</i>
<i>Drg 052</i>	<i>H469 render</i>
<i>Drg 053</i>	<i>H497</i>
<i>Drg 054</i>	<i>H500 (plans)</i>
<i>Drg 055</i>	<i>H500 (elevations)</i>
<i>Drg 056</i>	<i>Kennington</i>
<i>Drg 057</i>	<i>DWB21</i>
<i>Drg 058</i>	<i>DWB22</i>
<i>Drg 069</i>	<i>Alston</i>
<i>Drg 070</i>	<i>Boundary Treatment Plan Rev C</i>
<i>Drg 074</i>	<i>Building Heights Rev A</i>
<i>Drg 075</i>	<i>Affordable and Private Dwellings Rev A</i>
<i>Drg 081</i>	<i>T310</i>
<i>Drg 082</i>	<i>H470</i>
<i>Drg 083</i>	<i>H470 - Render</i>
<i>Drg 084</i>	<i>H585 (Plans)</i>
<i>Drg 085</i>	<i>H585 (Elevations- render)</i>
<i>Drg 0858</i>	<i>H585 (Elevations)</i>
<i>Drg 086</i>	<i>Faversham</i>
<i>Drg 088</i>	<i>T18</i>
<i>Drg 089</i>	<i>Cambridge</i>
<i>Drg 090</i>	<i>Cambridge render</i>
<i>Drg 091</i>	<i>Street Scenes</i>
<i>Drg 092</i>	<i>Street Scenes</i>
<i>Drg 093</i>	<i>Street Scenes</i>
<i>Drg 095</i>	<i>Materials Treatment Plan</i>
<i>Drg 096</i>	<i>Flats – Floor Plans</i>
<i>Drg 50107.002 Rev H</i>	<i>Public Open Space Proposals</i>
<i>Drg 50107.005 Rev A</i>	<i>Local equipped area of Play Proposals</i>
<i>Drg 50107.008</i>	<i>Tree and Vegetation Removal Plan</i>
<i>Drg S278-500-003F</i>	<i>Full Drainage Layout</i>

Reason: To accurately define the permission for the avoidance of doubt and to ensure that the development is satisfactory in appearance in order to safeguard the visual amenities of the area



- 3) Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with Policy DS13 of the Bromsgrove District Local Plan January 2004.

- 4) The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

- 5) Prior to the first occupation of any dwelling hereby approved secure parking for 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

- 6) Development shall not begin until the engineering details and specification of the proposed roads and highway drains have been submitted to and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved drawings.

Reason: To ensure an adequate and acceptable means of access is available before the dwelling or building is occupied.

- 7) The development shall not begin until parking for site operatives and visitors has been provided within the application site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision be retained and kept available during the construction of the development.

Reason: To prevent indiscriminate parking in the interests of Highways safety.

- 8) No development shall take place until a fully detailed design of the site drainage, including the use of attenuation ponds has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented to the satisfaction of the Local Planning Authority.

Reason: To ensure that the development is provided with a satisfactory means of drainage with no increase in flood risk in accordance with National Planning Policy Framework.

- 9) No part of the development hereby approved shall be occupied or brought into use until full details of a landscape management plan, to include long term design

objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned domestic gardens), has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan thus approved shall be fully implemented upon first use or occupation of the development and thereafter, all landscaping to which the plan relates shall continue to be maintained unless otherwise agreed in writing by the Local Planning Authority.

Reason:- To secure the effective and ongoing maintenance and management of landscape areas in the interests of visual amenity and community safety and in accordance with Policy C5 of the Bromsgrove District Local Plan January 2004

- 10) No development shall take place until full details of all proposed boundary treatments and other means of enclosure, have been submitted in writing to the Local Planning Authority.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy C5 of the Bromsgrove District Local Plan January 2004

- 11) All agreed boundary treatments shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the local planning authority.

Reason:- In the interests of the visual amenity of the area and in accordance with Policy C5 of the Bromsgrove District Local Plan January 2004

## **Informatives**

- 1) The local planning authority has worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with this planning application through negotiation and amendment.
- 2) The applicant should be aware that this permission should be read in conjunction with outline planning permission 12/0709 and that this also includes a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and that the requirements of this and the conditions listed above must be complied with at all times.
- 3) If it is the Developer's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act, 1980, entered into.

- 4) It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The applicant is, therefore, advised to submit the Engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

- 5) 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.

**Case Officer:** Steven Edden Tel: 01527 64252 ext. 3206  
Email: [steve.edden@bromsgroveandredditch.gov.uk](mailto:steve.edden@bromsgroveandredditch.gov.uk)

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# Agenda Item 11

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ian Wagstaff	Erection of 3 no. two storey dwellings with parking and turning area.  99 Wildmoor Lane, Catshill, Bromsgrove, Worcestershire, B61 0PQ	19.01.2016	15/1006

**Councillor Helen Jones has requested that this application be considered by the Planning Committee rather than be determined by delegated powers.**

**RECOMMENDATION:** That subject to the receipt of amended plans, to the satisfaction of Worcestershire Highways, planning permission be Granted

## Consultations

**Highways Department- Worcestershire County Council** re-consulted 12.01.2016  
No objection in principle subject to conditions and the receipt of satisfactory amended plans showing secure and covered cycle parking for each dwelling and the passing bay being demarcated in a different material with white line/hatching to deter parking.

**Landscape & Tree Officer** re-consulted 12.01.2016  
No objection subject to an Arboricultural Method Statement being submitted and approved and all trees/hedgerows protected as per the methods detailed within it.

**Catshill And North Marlbrook Parish Council** re-consulted 12.01.2016  
The Parish Council has considered the re-application and are mindful to accept, with a note that there is an issue with the positioning of refuse bins on collection day as use of the area at the front of the site would cause a blockage to either the access driveway or public footpath causing a highway issue.

**Worcester Regulatory Services- Contaminated Land** Consulted 02.12.2015  
No objection.

**Drainage Engineers** Consulted 02.12.2015  
No objection-all items covered by Building Regulations approval.

**Severn Trent Water** Consulted 02.12.2015  
No objections subject to full drainage plans being submitted and approved.

## Publicity

A total of eighteen neighbour notification letters were sent on 02.12.2015 to properties surrounding the application site and two site notices were displayed on 03.12.2015; one on Wildmoor Lane and one at the proposed access point on Mayfield Close. Neighbours were also notified again following the receipt of the amended plans on 12.01.2016.

Four responses have been received. Those considered relevant to the application relate to :

Plan reference

- Overlooking/impact on privacy
- Impact on light
- Safety issues relating to the access drive
- Bin storage
- Increased noise

## **Relevant Policies**

### **Bromsgrove District Local Plan 2004 (BDLP):**

DS13 Sustainable Development  
S7 New Dwellings Outside the Green Belt  
S8 Plot Sub-division  
TR11 Access and Off-Street Parking

### **Others:**

SPG1 Residential Design Guide  
NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

14/1009	Proposed 5 dwellings on land to the rear of 99 Wildmoor Lane, Bromsgrove, B61 0PQ	16.02.2015 Withdrawn
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## **Assessment of Proposal**

This application relates to a previously developed site on the west side of Wildmoor Lane, Catshill, Bromsgrove. The parcel of land is located to the rear of numbers 99 and 101 and forms part of the rear garden of 99 being currently laid to tarmac, slabbing and some overgrown lawn and accommodating sheds, garages and other brick built shelters housing being used for storage of timber and other domestic paraphernalia. Also being stored on the site is a caravan, shipping container and a trailer. The site would be accessed off Mayfield Close to the south. The Oak, Walnut and Spruce trees along the northern boundary of the site are protected by a Tree Preservation Order. Also to the north of the site is the parcel of land to the rear of 103 Wildmoor Lane which has planning permission for 4 dwellings in total under reference numbers 11/0871, 14/0921 and 15/0187.

The proposal would include the erection of three, two-storey dwellings (two semi-detached three bedroom properties with parking and one detached four bedroom property with detached garage). Following amended plans being received, the dwellings would each have sufficient amenity space considering the guidance within SPG1 and the semi-detached properties would be positioned far enough from the protected trees so as not have a detrimental effect on their roots or canopy. The two-storey rear elevation of these properties would be 21 metres away from the rear elevations of the properties in Mayfield Close which conforms to guidance within SPG1. The detached dwelling would have the frontage facing south and would be sited a sufficient distance away from the rear of the properties on Wildmoor Lane and Mayfield Close and plot 3 of the new development being constructed adjacent (ref 14/0921) considering SPG1. In addition, a

blank flank wall would face the properties on Wildmoor Lane and two high level bathroom windows would be in the rear elevation to prevent any overlooking issues despite the garden depth being only 6.5 metres which is insufficient given guidance within SPG1 suggests that garden lengths should be a minimum of 5 metres per storey. However, in this case, given the windows in the first floor rear elevation of unit 3 serve non habitable rooms and the position of 103 Wildmoor Lane being at an angle to this elevation, there would be no loss of privacy to the dwelling. Also the rear garden of number 103 is approximately 40 metres long (which is far greater than the garden size suggested for new dwellings in SPG1) with the main usable amenity area being located at the opposite end of the garden (close to the dwelling) and not at the end of the garden where the new unit would be located. I would therefore consider that the new dwelling would not result in sufficient overlooking or perceived overbearing to warrant refusal for this reason alone. Given that separation distances have been achieved in terms of guidance within SPG1, any loss of light or privacy would also not be significant enough to warrant refusal.

The issue of highway safety and in particular the concern that the access would not be wide enough can be alleviated somewhat by the creation of a passing area which would need to be kept available at all times. Details of the layout of this have been requested by the Highways Officer and I will update members at your Committee on this issue.

The Parish Council has considered the amended drawings and are now mindful to accept the application but still raise issue with regard to the bins causing obstruction to the public highway on bin collection day. This can be expected in many modern residential developments and would not be considered as a reasonable reason to warrant refusal of planning permission on this issue alone.

Given the above, I would consider that subject to appropriate conditions, the issues raised have been overcome and the proposed development would therefore be considered acceptable.

**RECOMMENDATION:** That subject to the receipt of amended plans, to the satisfaction of Worcestershire Highways, planning permission be Granted

### **Conditions:/Reasons for Refusal**

1. The proposal must be started within 3 years from the date of this notice.  
Reason: To comply with National Legislation.
2. The proposal shall be carried out as shown on the plans, schedules and other documents listed below;  
OS Location Plan scaled 1:1250  
2014-05-31 Rev B  
2014-05-32 Rev C  
2014-05-33  
2014-05-34 Rev A  
2014-05-40  
2014-05-41  
Design and Access Statement Nov 2015  
Water Management Statement Dec 2014  
Protected Species Survey Nov 2014

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply with policy DS13 of the Bromsgrove District Local Plan January 2004.

3. Full drainage plans shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The drainage plans approved shall be implemented before the first use of the dwellings hereby permitted and shall be retained thereafter.

Reason: To ensure satisfactory drainage and reduce the risk of flooding elsewhere as a result of the development and to minimise the risk of pollution in order to comply with policy DS13 of the Bromsgrove District Local Plan January 2004.

4. Prior to installation on site you must give details of, or send a sample of the type, colour and finish of the materials that you are going to use on the roof and or wall of the development to the Council. The Council will agree these details with you in writing and you must use these materials when you build the development.

Reason To make sure that the development relates to the area in which it is being built and protects how that area looks in order to comply with policy DS13 of the Bromsgrove District Local Plan January 2004.

5. Prior to the first occupation of the dwellings bat boxes and ridge tiles should be installed on site as per recommendations made within the Protected Species Survey Assessment-Project Number 2014/242 dated 2014.

Reason: In order to conserve and enhance biodiversity in accordance with paragraph 118 of the National Planning Policy Framework 2012.

6. The existing entrance shall be set back 2.4 metres from the rear of the adjoining footway. On each side of the set back entrance splays shall be formed at an angle of 45 degrees with the highway boundary and the whole of the splayed areas shall be graded and cleared so that no part thereof exceeds a height of 0.6m above the relative level of the adjoining carriageway. For its first 5m measured back from the carriageway edge the access shall be constructed in a bound material.

REASON: In the interest of highway safety and in accordance with TR11 of the BDLP 2004.

7. The development hereby permitted shall not be brought into use until the access, turning area and parking facilities have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted and approved in writing to the Local Planning Authority and these areas shall thereafter be retained and kept available for those users at all times.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway in accordance with TR11 of the BDLP 2004.



8. 6 car parking spaces shall be provided on site (plus 2 garages) and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied.

REASON: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway in accordance with TR11 of the BDLP 2004.

9. Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, an Arboricultural Method Statement to detail construction works within the Root Protection Area of the trees and a Tree Protection Plan in accordance with British Standard BS5837:2012 shall be submitted to and approved by the Local Planning Authority. All trees or hedgerows shown retained on the approved plans both on and adjacent to the application site shall be protected in accordance with the methods detailed in the approved Arboricultural Method Statement.

REASON: In order to protect the trees, hedges & landscaping features which form an important part of the amenity of the site and adjacent properties in accordance with policies C17 and DS13 of the Bromsgrove District Local Plan January 2004.

## **Informatives**

- 1) The applicant is cautioned that trees on and/or adjacent to the application site are subject to a Tree Preservation Order. Failure to meet and adhere to any conditions relating to tree protection, particularly those required before commencement of works, may be viewed as a breach of the Preservation Order and result in prosecution, the service of a Stop notice or other legal action. If in any doubt, the applicant is strongly advised to contact the Local Authority Tree Officer before carrying out any works.
- 2) 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.
- 3) Alteration of highway to provide new or amend vehicle crossover  
This permission does not authorise the applicant to carry out works within the publicly maintained highway.
- 4) Dropped kerbs to enable access onto properties for vehicles must only be constructed by Ringway Infrastructure Services, Worcestershire County Councils approved contractor. The applicant is solely responsible for all costs associated with construction of the access. For further information, please contact Ringway direct on 01905 761160 or email : [worcestershirevehicle.crossing@ringway.co.uk](mailto:worcestershirevehicle.crossing@ringway.co.uk)
- 5) 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.

Plan reference

- 6) The applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

**Case Officer:** Miss Ruth Lambert Tel: 01527 881373  
Email: [r.lambert@bromsgroveandredditch.gov.uk](mailto:r.lambert@bromsgroveandredditch.gov.uk)

# Agenda Item 12

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Michael Moffett	Proposed single storey toilet block extension to rear of dwelling, to be used when the functions take place.  Manor Hill House, Swan Lane, Upton Warren, Bromsgrove, Worcestershire, B61 9HE.	12.02.2016	15/1056

**Councillor May has requested that this application be considered by Planning Committee rather than being determined under delegated powers.**

**RECOMMENDATION:** That planning permission be Refused

## **Consultations**

**Dodford With Grafton Parish Council** Consulted 13.01.2016  
Views awaited.

**Wychavon District Council** Consulted 13.01.2016  
Views awaited.

1 site notice was posted 15.01.2016, expires 05.02.2016: No response received.

Councillor May – Called the application to the committee to give members the opportunity to discuss economic development within the Bromsgrove area.

## **Relevant Policies**

**Bromsgrove District Local Plan 2004 (BDLP):**  
DS2 Green Belt Development Criteria  
DS13 Sustainable Development  
RAT25 Extensions to Hotels (including motels, inns and guest houses)

### **Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

11/0286	Change of use for part of the premises from residential to guest house and use as a venue for civil ceremonies/social functions.	Approved	20.06.2011
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## Plan reference

07/1313	Alterations and extensions to existing dwelling.	Approved	06.03.2008
07/0748	New vehicular access and boundary treatment (as augmented by plans received on 13/07/2007).	Approved	23.08.2007
07/0726	Conversion of former boarding kennels into ancillary living accommodation.	Approved	23.08.2007
07/0516	Replacement of west wing and partial demolition of existing property.	Withdrawn	08.06.2007
07/0125	Demolition of commercial dog kennels, partial demolition of existing bungalow and alterations and first floor extension.	Refused	03.04.2007
91/0876	Small extension to living room.	Approved	14.11.1991

### **Assessment of Proposal**

This application site refers to a large detached building, with a combined use as residential and venue for civil ceremonies/weddings and social functions which has been significantly extended and modified in recent years. The building is located within the designated Green Belt, on an elevated position surrounded by open fields. The building is clearly visible from the public footpath to the north of the site and at the junction of Swan Lane and Berry Lane.

The proposal consists of a single storey rear extension to facilitate additional toilet facilities associated with the business use of the premises.

It is "appropriate" to extend a building in the Green Belt subject to limits. The National Planning Policy Framework states in paragraph 89 that the extension or alteration of a building can be considered acceptable provided that it does not result in disproportionate additions over and above the size of the **original** building.

The dwelling has had a number of previous extensions, including converting the kennel outbuilding to be ancillary to the dwelling and then linking the outbuilding to the main dwelling. The applicant states that the building has only been extended 28% previously, however as evident from the Councils measurements the building has been extended by 83% including the formally converted kennels (42% not including the kennels). In application reference 2007/1313, the planning officer states that the additional floor space from the kennels would not be taken into consideration when assessing the cumulative increase in floor space as substantial weight would be given to the fact that the former kennels were approximately one metre from the dwelling and linked by a partial cover. Since the introduction of the National Planning Policy Framework in 2012 I am not of the opinion that substantial weight should not be attached to this and therefore taking into

account the proposed extension and the previous additions to the floor space the cumulative increase of extensions measures 90% (52% excluding the kennels) over and above the original dwelling.

Members will be aware that inappropriate development is, by definition, harmful to the Green Belt. When considering inappropriate development in the Green Belt, very special circumstances have to exist to outweigh the harm caused. The applicant has submitted some additional information to illustrate some very special circumstances to overcome the harm to the Green Belt.

The applicant suggests that the extension would be small in scale and not visible from any public view point. However, the locality is extremely rural in character and is characterised by open fields and sporadic development. By virtue of being such an isolated dwelling, the extension will produce greater harm to the openness of the Green Belt in this location. I would reinforce the fact that even small-scale development can have a cumulative adverse impact and although a structure cannot be seen does not make it appropriate and this argument could be used time and time again. Lack of harm, in itself, does not amount to very special circumstances. In addition the cumulative impact of the previous extensions must be taken into account. Therefore the building has been significantly extended beyond the original such that even a small addition could be considered disproportionate and therefore inappropriate in the Green Belt.

The applicant states that the proposed toilet facilities are required to provide the necessary sanitary facilities required for the venue. In addition the applicant states that the Council have policies to encourage rural employment levels. I do appreciate that the local plan policy RAT25 and the NPPF make reference to helping ensure future viability of Rural business. However, I am of the opinion that sufficient toilet facilities could be achieved on site with internal alterations and I am aware that business has been operating successfully for a number of years without this additional provision. I am not convinced the absence of these facilities is business critical. As such do not give substantial weight to the requirement of an extension based on the need for additional toilet facilities.

It is concluded that the development is inappropriate and by definition harmful. Its cumulative increase would reduce openness as a result undermines one of the key purposes of Green Belt designation. It is considered that there are no very special circumstances exist or have been put forward to outweigh the harm to the Green Belt.

Given all the material considerations, this scheme is considered unacceptable.

**RECOMMENDATION:** That planning permission be Refused

### **Reasons for Refusal**

- 1) The proposal would result in a disproportionate addition over and above the size of the original building. Therefore it would amount to inappropriate development in the Green Belt, which is, by definition harmful and adversely affect the openness of the Green Belt. No very special circumstances exist or have been put forward to outweigh the harm which would be caused to the openness of the Green Belt. Therefore, the proposal is contrary to policies DS2 and DS13 of the Bromsgrove

# Agenda Item 12

Plan reference

District Local Plan 2004 and paragraphs 87 - 89 of the National Planning Policy Framework.

**Case Officer:** Emily Farmer Tel: 01527 881657  
Email: [Emily.farmer@bromsgroveandredditch.gov.uk](mailto:Emily.farmer@bromsgroveandredditch.gov.uk)

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Mark Gay Cala Homes	Vary Condition Number 40 of 13/0121 to enable 30 dwelling occupations, to be accessed from the current planning approved junction with Fiery Hill Road, prior to the completion of the realignment of Fiery Hill Road.  Land At , Fiery Hill Road, Barnt Green, Worcestershire, B45 8LF	11.03.2016	15/1057

## **RECOMMENDATION:**

- (a) Minded to APPROVE the variation of Condition application
- (b) That DELEGATED POWERS be granted to the Head of Planning and Regeneration Services to determine the planning application following (a) the receipt of the views of Barnt Green Parish Council or (b) the expiry of the consultation period with the Parish Council on 17 February 2016
- (c) That in the event that a representation is received from the Parish Council, that DELEGATED POWERS be granted to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised relevant to the application, and to issue a decision accordingly.

## **Consultations**

**Highways Department- Worcestershire County Council** Consulted 05.01.2016

No objection to the rewording of condition 40: "To enable 30 dwelling occupations, to be accessed from the current planning approved junction with Fiery Hill Road, prior to the completion of the realignment of Fiery Hill Road.

**Strategic Housing** Consulted 05.01.2016

Confirm that this is acceptable to Strategic Housing.

**Barnt Green Parish Council** Consulted 27.01.2016

Comments awaited.

## **Public Consultation**

8 residents consulted and site notice erected for wider publicity.

1 objection

Object to any changes to the original planning permission. Nothing has changed from their assessments attached to the original planning request. Concern that they may be hoping to add further units to the original permission.

## **Relevant Policies**

### **Bromsgrove District Local Plan 2004 (BDLP):**

S7 New Dwellings Outside the Green Belt  
S35A Development in Conservation Areas  
S43 Traffic Calming Schemes  
TR1 The Road Hierarchy  
TR11 Access and Off-Street Parking

### **Bromsgrove District Plan Proposed Submission**

BDP2 Settlement Hierarchy  
BDP3 Future Housing and Employment Development  
BDP12 Sustainable Communities  
BDP16 Sustainable Transport  
BDP20 Managing the Historic Environment

### **Others:**

NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

- 11/0741 Residential development of up to 88 dwellings, open space, realignment of Fiery Hill Road, with appearance, landscaping, layout and scale reserved  
Approved 24.7.15
- 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
- 13/0522 Submission of Reserved Matters to 13/0121 (internal access, appearance, layout, scale and landscaping) for the erection of 88 units, open space, realignment of Fiery Hill Road and 24 space car-park.  
Approved 17.12.2013
- 15/0192 Erection of single dwelling. (Replacement of Plot 60 on approved application 13/0522)  
Approved 27.5.2015
- 15/0652 Realignment of Fiery Hill Road  
Approved 12.1.2016

## **Assessment of Proposal**

Members will be aware that residential development is currently underway on the corner of Fiery Hill Road and Kendal End Road. Members will also be aware that an amendment to the realignment of Fiery Hill Road (15/0652) was granted permission last month at Planning Committee.



Considerable time was taken to determine the realignment application (15/0652). Subsequently, some delay in respect to the delivery / occupation of housing (and in particular affordable housing) upon the site is likely. Condition No. 40 reads as follows:-

“Prior to the commencement of the development hereby permitted engineering details of the realignment of Fiery Hill Road shall be submitted and approved in writing by the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved details”.

Therefore, the applicant would like to revise the point at which completion of the realignment of Fiery Hill Road is required to the 30<sup>th</sup> occupation. This will allow for subsequent technical agreements to be approved and the realignment works to be carried out, whilst not unduly delaying the provision of market and affordable housing.

Officers consider the revision to the condition to the 30<sup>th</sup> occupation to be acceptable on this occasion. The County Highways Department and Strategic Housing have no objection to this revision to the condition.

## **RECOMMENDATION:**

- (a) Minded to APPROVE the variation of Condition application
- (b) That DELEGATED POWERS be granted to the Head of Planning and Regeneration Services to determine the planning application following (a) the receipt of the views of Barnt Green Parish Council or (b) the expiry of the consultation period with the Parish Council on 17 February 2016
- (c) That in the event that a representation is received from the Parish Council, that DELEGATED POWERS be granted to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised relevant to the application, and to issue a decision accordingly.

## **Condition**

- 40) Engineering details required for the realignment of Fiery Hill Road shall be submitted and approved in writing by the Local Planning Authority. The realignment of Fiery Hill Road shall be constructed in accordance with the approved details before the occupation of the 30<sup>th</sup> residential unit of the approved scheme.

Reason:- To ensure the safe and free flow of traffic onto the Highway.

**Case Officer:** Sharron Williams Tel: 01527 534061  
Email: sharron.williams@bromsgroveandredditch.gov.uk

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# Agenda Item 14

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ian Tetlow	First floor extension and alterations. 53 Park Road, Hagley, Stourbridge, Worcestershire, DY9 0QQ	09.02.2016	15/1082

**Councillor Jenkins has requested that the application is considered by the Members of Planning Committee rather than being determined under Delegated Powers**

**RECOMMENDATION:** That planning permission be Refused

## **Consultations**

**Hagley Parish Council** Consulted 22.12.2015  
No objection

**Highways Department- Worcestershire County Council** Consulted 22.12.2015  
No objection

## **Representations**

Three letters sent expired on 12.01/2016 no response received to date.

Councillor Jenkins – because our arguments are subjective.

## **Relevant Policies**

**Bromsgrove District Local Plan 2004 (BDLP):**  
DS13 Sustainable Development  
S10 Extensions to Dwellings Outside the Green Belt

### **Others:**

SPG1 Residential Design Guide  
NPPF National Planning Policy Framework  
NPPG National Planning Practice Guidance

## **Relevant Planning History**

B/2004/1020	Formation of habitable room in loft space with ridge extension and rear dormer.	Approved	05.10.2004
BR/391/1971	First floor extension.	Approved	27.7.1971

## **Assessment of Proposal**

The property lies in the residential area as defined by the Bromsgrove District Local Plan where development is considered acceptable in principle. Policy S10 supports extensions

to residential properties where a number of criteria are met. Specifically that the extensions are in scale with, and well related to, the original building, and do not have a detrimental effect on the street scene or locality and where they would not result in a loss of amenity for occupiers of adjoining properties.

This application relates to 53 Park Road, Hagley. This part of Park Road sits behind a service road and whilst not readily visible from Park Road itself, the property is clearly visible from the service road. This part of Park Road slopes down from east to west and in this instance the land falls by 1m.

The key issues in the determination of this application are:

- The impact of the proposal on the street scene of Park Road.
- Whether the resulting design would remain sufficiently subservient to the main dwelling given the level change.
- The impact on the amenity of the adjoining neighbours.

The street scene is characterised by large dwellings occupying much of the width of each plot and the resulting extension will continue to reflect this character. Supplementary Guidance Note 1 (SPG1) remains consistent with the National Planning Policy Framework in that it encourages good design and positive integration into a locality. The shape and form of the extension would remain consistent with the prevailing street scene in the location and would be constructed of materials to match the host property which is considered acceptable. The main architectural style of the extension proposed would remain consistent with the style of the original building and would be considered to be sympathetic to the dwelling.

To achieve extensions that remain in scale and relate positively to the original building and street scene, adopted policy guidance advice suggests extensions should remain subordinate. This would normally require extensions to be set down from the main ridgeline, set back from the front of the dwelling and set off the common boundary by at least one metre at first floor level. In this instance the extension has been set back and off the boundary. However, whilst the proposal is set down, the proposed 300mm set down is not considered sufficient. It is considered that it would be very difficult to visually appreciate and would not effectively decrease the visual bulk on the lower side as the road slopes down (1m lower on the western side). This, coupled with the width of the proposed extension and increased depth of the pitched roof line over the garage to accommodate the sloping land would result in an extension which over become a dominant feature of the dwelling. It is therefore considered proposed extension would not be a sufficiently subservient addition to the original dwelling.

The extension is set away from number 55 and will not give rise to any adverse amenity issues. The extension will be adjacent to number 51 and the side window proposed in the western elevation serves as a secondary window for a bedroom. In this instance it is considered that an appropriately worded condition relating to obscure glazing could be imposed to secure the amenities of the neighbouring property.

Given all of the above it is considered that the resulting design of the proposal is visually over dominant, which, as a consequence, has a negative impact on the dwelling and street scene in this location. The extension does not positively reflect policy advice and

Plan reference

guidance contained in Policy S10 of the BDLP, SPG1 and the advice contained in the NPPF and is therefore considered unacceptable.

**RECOMMENDATION:** That planning permission be Refused

### **Reasons for Refusal**

The proposed extension, by virtue of its scale, would not be subservient to the original dwelling. It would appear over-dominant, and would consequently detract from the character of the original house and the streetscene.

The proposed development would thus be contrary to policies DS13 and S10 of the Bromsgrove District Local Plan (BDLP), the Council's Residential Design Guide SPG1 and the provisions of the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

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