



## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY 3RD JULY 2017**  
**AT 6.00 P.M.**

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

**PLEASE NOTE THAT AFTER 5PM, ACCESS TO THE PARKSIDE SUITE IS VIA THE MAIN ENTRANCE DOOR ON THE STOURBRIDGE ROAD. 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.**

**MEMBERS:** Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer 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 5th June 2017 (Pages 1 - 8)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 2016/1148 - Erection of agricultural building, access track and associated hard standing - Newhouse Farm, Lea End Lane, Hopwood, Birmingham B48 7AX - Mr Phillip Mitchell (Pages 9 - 16)
6. 2016/1150 - Proposed demolition of existing dwelling and erection of 2 no. dwellings - 1 Plymouth Drive, Barnt Green, Birmingham B45 8JB - U.D.C (Midlands) Ltd (Pages 17 - 26)
7. 2017/0200 - Extension and re-roofing of 2 no. poultry buildings, erection of polytunnel and relocation of previously approved agricultural workers dwelling (Reference 2013/0624) - Laurel Farm, Dagnell End Road, Redditch, Worcestershire B98 9BD - Mr Robert Caldecott (Pages 27 - 32)
8. 2017/00353/FUL - 2 Storey rear and side extension (renewal of Application 2014/0341 - 2 Thicknall Rise, Hagley, Stourbridge, Worcestershire DY9 0LQ - Mr D Sikham (Pages 33 - 36)
9. 2017/00359/FUL - Erection of new dwelling (Amendment to Planning Permission 2015/0598) - .452 Birmingham Road, Catshill, Bromsgrove B61 0HR - Mr Richard de Sousa (Pages 37 - 40)
10. 2017/00428/FUL - Erection of single and two storey extensions - 9 Withybed Lane, Alvechurch, Birmingham B48 7NX - Mr and Mrs C and M Jordan (Pages 41 - 44)
11. 2017/00554/FUL - First floor side extension - 40 Penhurst Road, Bromsgrove B60 2SN - Mr and Mrs R Wilkes (Pages 45 - 48)
12. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

21st June 2017

# 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:-

BDP	-	Bromsgrove District 2011-2-30
SPG	-	Supplementary Policy Guidance
SPD		Supplementary Planning Document
  
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.





## **BROMSGROVE DISTRICT COUNCIL**

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

**5TH JUNE 2017, AT 6.00 P.M.**

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

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr S Edden, Mr. S. Hawley (Worcestershire Highways Authority), Mrs. T. Lovejoy, Mrs L. Russ, Mrs. J. Smyth and Mrs. S. Williams

1/17 **ELECTION OF CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

**RESOLVED** that Councillor R.J. Deeming be elected Chairman of the Committee for the ensuing Municipal Year.

2/17 **ELECTION OF VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

**RESOLVED** that Councillor P.L.Thomas be elected Vice-Chairman of the Committee for the ensuing Municipal Year.

3/17 **APOLOGIES**

An apology for absence was received on behalf of Councillor C.J. Spencer.

4/17 **DECLARATIONS OF INTEREST**

Councillor R.J. Deeming (Chairman), declared an Other Disclosable Interest in Agenda Items 7 and 8 (Planning Applications 2016/1085 and 2016/1087 – Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett) in that he was a patient at Barnt Green Surgery.

Councillor C. Allen-Jones declared an Other Disclosable Interest in Agenda Items 7 and 8 (Planning Applications 2016/1085 and 2016/1087 – Longbridge East and River Arrow Development Site, Groveley Lane, Cofton Hackett) in that he was a patient at Barnt Green Surgery.

Councillor C.A. Hotham declared an Other Disclosable Interest in Agenda Item 10 (Planning Application 2017/0243 – 17 Orchard Croft, Barnt Green, Birmingham, B45 8NH) in that as he had had extensive

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conversations with both the Applicant and objectors, he did not feel that he could make a decision on the matter and would therefore withdraw from the meeting during its consideration. Councillor Hotham withdrew from the meeting for the duration of the debate on the matter and took no part in the Committee's consideration and voting on the matter.

5/17

## **MINUTES**

The minutes of the meeting of the Planning Committee held on 8<sup>th</sup> May 2017 were received.

The meeting was adjourned for 10 minutes during consideration of this matter for Officers to confer with the Chairman on a Member request for an amendment to Minutes 83/16 and 84/16 to include additional wording regarding the status of the Longbridge Area Action Plan (LAAP) that they considered relevant for the record.

**RESOLVED** that, the minutes of the meeting, as published, be approved as a correct record as there was no agreement on the additional wording.

(The Chairman and Member concerned came to an agreement that Officers could provide clarification as to the status of the Action Plan during consideration of Agenda Items 7 and 8 on the Agenda for this meeting.)

6/17

## **2016/1085 - HYBRID APPLICATION : OUTLINE PLANNING PERMISSION FOR UP TO 150 DWELLINGS WITH SOME MATTERS RESERVED FOR FUTURE CONSIDERATION (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE); AND FULL PLANNING PERMISSION FOR A COMMUNITY FACILITY INCLUDING DETAILS OF ACCESS AND ASSOCIATED CAR PARKING, LANDSCAPING, DRAINAGE AND OTHER ASSOCIATED INFRASTRUCTURE - LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT, WORCESTERSHIRE - C/O PLANNING PROSPECTS LIMITED**

Members gave further consideration to this Application, and associated Planning Application 2016/1087, following the Committee's decision to defer the matter at the previous meeting of the Committee held on 8<sup>th</sup> May 2017 for Officers to undertake additional consultation and provide further information in relation to the Section 106 Contributions for both developments.

Officers provided further clarification on a number of matters in regard to: amended Section 106 contributions towards the extension of General Practice surgeries and the NHS formula for calculating required contributions; Section 106 contributions for enhancements at Lickey Hills, open space / informal recreation facilities at Cofton Park, and

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enhancements in Cofton Hackett. Members were informed that, in conjunction with the Section 106 Agreement, a separate legal agreement would be drafted and agreed between Bromsgrove District Council and Birmingham City Council in respect of the Lickey Hills and Cofton Park works, to ensure Birmingham City Council would be reimbursed once the proposed works had taken place. Clarification was also provided in regard to the provision of the Community Centre in relation to Proposal H2 of the Longbridge Area Action Plan (LAAP), and the overall shortfall of housing provision on the East Works site set against the anticipated housing target set for the Longbridge site overall.

The Committee then considered the Application, which Officers had recommended for approval. The relevance of the LAAP was raised again in relation to the application. The Council's Strategic Planning Manager confirmed that the LAAP was still relevant in terms of development of the site and featured in the Council's adopted District Plan in relation to the Longbridge area. The Committee was also informed that both the LAAP and the District Plan had flexibility through various Clauses to allow for change with Members being advised that, it was considered no longer possible to deliver all of the original proposals in the LAAP agreed in 2006/7. In response to further comments on the housing shortfall on the development site, the Head of Planning and Regeneration Services provided additional clarification on the provision of housing on the Longbridge site overall, with Members being advised that the 95 dwellings referred to in relation to the East Works development site had not been included in the District Council's newly adopted Local Plan

In relation to the Section 106 agreement in respect of outdoor facilities and enhancements at Cofton Park, Officers were requested to ensure that should there be any shortfall in contributions towards the proposed works, Bromsgrove District Council would not be expected to bear the costs. Officers referred to the separate legal agreement proposed between the District Council and Birmingham City Council and advised that Legal officers would be asked to take Members' request on this issue on board in respect of the agreement.

**RESOLVED** that, authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application subject to:

- 1) the receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
  - i) A contribution towards the provision of wheelie bins for the scheme based on £61.40 per unit;
  - ii) £40,297 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill;

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- iii) £53,730 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park;
  - iv) £44,775 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general;
  - v) £37,800 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett;
  - vi) £32,554 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery;
  - vii) The provision of affordable housing (35%) to be provided on site and maintained as such in perpetuity;
  - viii) Community centre to be provided on site and transferred to an appropriate body /Trust to maintain; and
- 2) the Conditions and Informatives set out on pages 13 to 19 of the main agenda report.

7/17

**2016/1087 - ERECTION OF 185 DWELLINGS, INCLUDING DETAILS OF ACCESS, LANDSCAPING AND OPEN SPACE, DRAINAGE AND OTHER ASSOCIATED INFRASTRUCTURE - LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT, WORCESTERSHIRE - C/O PLANNING PROSPECTS LIMITED**

With the agreement of the Chairman, this Planning Application was considered in conjunction with Agenda Item 7 (Application 2016/1085 – Longbridge East Works and River Arrow Development Site, Groveley Lane, Cofton Hackett).

Members gave further consideration to this Application, and associated Planning Application 2016/1085, following the Committee's decision to defer the matter at the previous meeting of the Committee held on 8<sup>th</sup> May 2017 for Officers to undertake additional consultation and provide further information in relation to the Section 106 Contributions for both developments.

Officers provided further clarification on a number of matters in regard to: amended Section 106 contributions towards the extension of General Practice surgeries and the NHS formula for calculating required

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contributions; Section 106 contributions for enhancements at Lickey Hills, open space / informal recreation facilities at Cofton Park, and enhancements in Cofton Hackett. Members were informed that, in conjunction with the Section 106 Agreement, a separate legal agreement would be drafted and agreed between Bromsgrove District Council and Birmingham City Council in respect of the Lickey Hills and Cofton Park works, to ensure Birmingham City Council would be reimbursed once the proposed works had taken place. Clarification was also provided in regard to the provision of the Community Centre in relation to Proposal H2 of the Longbridge Area Action Plan (LAAP), and the overall shortfall of housing provision on the East Works site set against the anticipated housing target set for the Longbridge site overall.

The Committee then considered the Application, which Officers had recommended for approval. The relevance of the LAAP was raised again in relation to the application. The Council's Strategic Planning Manager confirmed that the LAAP was still relevant in terms of development of the site and featured in the Council's adopted District Plan in relation to the Longbridge area. The Committee was also informed that both the LAAP and the District Plan had flexibility through various Clauses to allow for change with Members being advised that, it was considered no longer possible to deliver all of the original proposals in the LAAP agreed in 2006/7. In response to further comments on the housing shortfall on the development site, the Head of Planning and Regeneration Services provided additional clarification on the provision of housing on the Longbridge site overall, with Members being advised that the 95 dwellings referred to in relation to the East Works development site had not been included in the District Council's newly adopted Local Plan

In relation to the Section 106 agreement in respect of outdoor facilities and enhancements at Cofton Park, Officers were requested to ensure that should there be any shortfall in contributions towards the proposed works, Bromsgrove District Council would not be expected to bear the costs. Officers referred to the separate legal agreement proposed between the District Council and Birmingham City Council and advised that Legal officers would be asked to take Members' request on this issue on board in respect of the agreement.

**RESOLVED** that, authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application, subject to:

- 1) receipt of a suitable and satisfactory legal mechanism in relation to the following matters:
  - i) £11,359.00 as a contribution towards the provision of wheelie bins for the scheme;
  - ii) £49,700 as a contribution towards enhancing existing amenity assets at Lickey Hills - refurbishment of the telescope (Folly) and car park at Beacon Hill;

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- iii) £66,267 as a contribution towards the provision of an outdoor fitness facility and/or youth play equipment at Cofton Park;
  - iv) £55,222 as a contribution towards enhancing existing sport pitches, cricket pitch, as well as access to Cofton Park in general;
  - v) £47,200 as a contribution towards enhancing the local area Cofton Hackett in respect to general access improvements and refurbishment works to the existing allotment gardens and refurbishment of the local play area off Chestnut Drive, improvements to the car park at Lickey Road, and incidental enhancements including benches and planters in and around Cofton Hackett;
  - v) £40,149 for the extension of New Road Surgery, New Road, Rubery, and/or Cornhill Surgery, New Road, Rubery, and/or Barnt Green Surgery, Hewell Road, Barnt Green;
  - vii) The on-site provision of affordable housing to be maintained as such in perpetuity;
  - viii) The proposed open space provision (informal recreation) included within the application to be provided /implemented on site and managed as such in perpetuity; and
2. the Conditions and Informatives set out on pages 42 to 47 of the main agenda report.

8/17

**2017/0220 - REPLACEMENT OF FLAT ROOF WITH PITCHED ROOF ON OUTBUILDING, EXTENSION TO FRONT TO CREATE CORRIDOR AND CONVERSION OF OUTBUILDING FROM GARAGE AND STORE TO ANCILLARY RESIDENTIAL ACCOMMODATION - LITTLE PADDOCKS, WARBAGE LANE, DODFORD, BROMSGROVE B61 9BH - MR GARY BATHURST**

At the invitation of the Chairman, Mr G. Bathurst, the Applicant, addressed the Committee.

**RESOLVED** that planning Permission be granted, subject to the Conditions and Informatives set out on pages 68 to 69 of the main agenda report.

9/17

**2017/0243 - TWO STOREY SIDE EXTENSION - 17 ORCHARD CROFT, BARNT GREEN, BIRMINGHAM B45 8NH - MR AND MRS MAHONY**

At the invitation of the Chairman, Mr Paul Spires and Mr Robert Cholmondeley addressed the Committee, objecting to the Application.

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Mr Andrew Boughton, the Applicants' Agent, also addressed the Committee.

**RESOLVED** that, Planning Permission be granted, subject to the Conditions set out on page 73 of the main agenda report.

The meeting closed at 7.15 p.m.

Chairman

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# Agenda Item 5

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Phillip Michell	Erection of agricultural building, access track and associated hard standing  Newhouse Farm, Lea End Lane, Hopwood, Birmingham, Worcestershire B48 7AX	05.04.2017	16/1148

**RECOMMENDATION:** That planning permission is **GRANTED** subject to conditions.

**This application is being reported to members because it is a major application for which officers do not have delegated powers to determine.**

## Consultations

**Alvechurch Parish Council** Consulted 04.01.2017, 06.04.2017 and 05.05.2017  
No objections; but APC would question the size of the building in comparison to the size of the field.

**Sarah Kernon** Consulted 04.01.2017, 03.04.2017 and 05.05.2017  
I can confirm that from an agricultural perspective I have no concerns over the relocation of the lambing shed or over the extent of the proposed hardstanding.

**Highways - Bromsgrove** Consulted 04.01.2017  
No Objection.

**Canal and River Trust** Consulted 04.01.2017  
No requirement for you to consult us in our capacity as a Statutory Consultee.

**WRS - Contaminated Land** Consulted 04.01.2017  
No objection

**WRS - Noise** Consulted 04.01.2017 and 05.05.2017  
No objection

**Drainage Engineers Internal Planning Consultation** Consulted 04.01.2017 and 05.05.2017  
No objection subject to condition

## Publicity

11 neighbour notification letters sent out on 04.01.2017  
11 Amendment neighbour notification letters sent out on 19.01.2017  
13 Amendment neighbour notification letters sent out on 06.04.2017  
14 Amendment neighbour notification letters sent out on 5.05.2017

1 site notice dated 20.01.2017  
1 Press notice dated 27.01.2017

A total of 6 individuals/ organisations have objected to the proposed development. These include individual residents living near to the application site, the Owner / Residents of Newhouse Farm Barns, Tyler Parkes Planning Consultants working on behalf of a local resident and Hopwood residents association.

Their objections have been summarised as follows:

- The size of this building is not justified on agricultural grounds. Our concerns are reinforced by the recent confirmation that the total owned 'agricultural land holding' has been used not solely for agricultural but in mixed usage for the keeping of liveried horses.
- Given the lack of justification for this building it remains the case that the visual impact – both in terms of green belt policies and visual impact within the open countryside are unacceptable.
- The proposed scheme including the proposed hardstanding would be harmful to the green belt and should not be allowed.
- The now proposed relocated building would still sit on relatively elevated land and still very visually prominent from public view points (the Lea End Lane carriageway, and from wider viewpoints in the vicinity).
- A livestock shed close to existing residential property is bound to result in noise and lighting disturbance throughout the day and night throughout the year.
- We object to the application on the grounds of the location and the detrimental impact on our property. We still believe the shed, if required should be sited in the field south of Lea End Lane to the east of the farm.
- Environmental concerns about a lambing shed on the new proposed site:- Too near to existing residential dwellings, Major Hygiene issues including afterbirth materials and intense smells, Waste disposal, Rats and Noise as a lambing shed would certainly involve the use of a generator to produce electricity for heating and lighting. Both the noise and bright lighting dispersion would be unacceptable particularly during the night.
- The revised repositioning of the lambing shed does not change any of the problems of noise, lighting issues, traffic and pollution problems caused by the building; indeed it is worse because of the nearer proximity to the residents of New House Farm Barns.
- The problem is that the new buildings have now encroached onto the other side of the road to the original farm. If this continues, it will be setting a precedent and eventually there will be no fields for farming.
- There has been no consideration as to external lighting and the potential for light disturbance to neighbouring properties.
- Traffic implications of proposed development.
- The submitted application provides no detail in respect of the drainage as one would expect for a livestock building. There is real concern that uncollected and untreated agricultural waste arising from the proposed building will cause very harmful pollution. The potential for foul water pollution must be fully investigated.

Other non-planning matters have been raised, but these are not material to the consideration of this application.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP4 Green Belt  
BDP15 Rural Renaissance  
BDP19 High Quality Design  
BDP21 Natural Environment  
BDP23 Water Management

### **Others**

SPG5 Agricultural Buildings Design Guide  
NPPF National Planning Policy Framework  
NPPG National Planning Policy Guidance

## **Relevant Planning History**

14/0863	Prior Approval for Hay store	Refusal of Details for Siting, Design and appearance	08.12.2014
15/0261	Prior Approval for Hay Store	Allowed at Appeal	12.10.2015
17/0031	Erection of hay store and associated hardstanding (Retrospective)	Approved	24.03.2017

## **Assessment of Proposal**

The site is situated in the greenbelt in a rural location. There is an existing hay barn measuring 30x 12 metres with some associated hardstanding around it adjacent to the application site.

There are several residential properties located within close proximity to the application site, some of which are converted agricultural buildings that previously formed part of Newhouse Farm.

The proposal has been amended throughout the process of the application. Originally the proposal was for an agricultural building located south east of the existing hay barn, with a floor area of 30x 60 metres and an overall height of 9.4 metres; with associated hardstanding including an access track leading into the field from the existing access off Lea End Lane.

The proposal is now for the erection of an agricultural building located to the north east of the existing hay barn, measuring 30x 48 metres with an overall height of 7.4 metres; with associated hardstanding including an access track leading into the field from the exiting access off Lea End Lane.

There would be two openings in to the building, a large opening in the south west elevation, which would face into the existing hay barn and one in the north western elevation, which faces away from the residential properties in to the adjacent field.

### **The main issues to consider in this application are:**

- Whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
- The effect of the proposal on the character and appearance of the area.
- The effect of the proposal on the amenities of the nearby residential properties.
- The effect of the proposal on surface water Drainage and flooding.

### **Proposed agricultural building**

The applicant is proposing to use the proposed agricultural building as a lambing shed.

Kernon Countryside Consultants have been consulted on this application and have carried out a desk based appraisal of it. They have assessed the proposal to see whether there is a need for the proposed agricultural building. They have concluded that although large, the use, size and design of the proposed building would be acceptable and as such have not raised any agricultural concerns with the proposal for the provision of the proposed new agricultural building.

### **Green Belt**

Paragraph 89 of the NPPF sets out that new buildings in the Green Belt are inappropriate development except for a few exceptions. One of these exceptions is new buildings for agricultural or forestry purposes.

The area of land where the proposed building would be situated is agricultural land. Its agricultural need has been assessed by Kernon Countryside Consultants and as set out above it is considered that there is an agricultural need for the proposed building. Therefore it is considered that the building would be appropriate development in the Green Belt.

### **Character and appearance of Area**

The application site is situated within open countryside, where agricultural buildings are normally found. The design of the proposed agricultural building has been assessed by Kernon Countryside consultants who have considered that it would be appropriate for the proposed use. Its design is therefore considered to be of an agricultural nature, which although large would not be out of place in this countryside location.

The proposed agricultural building would be situated within close proximity of the existing hay barn and so would not appear as an isolated building in the countryside. As such it is not considered that the proposed agricultural building would materially harm the character and appearance of the area.

## **Proposed access track and Hardstanding**

### **Green Belt and character and appearance of area**

The proposal includes the formation of a hard surface access track leading into the field from the road as well as an area of hardstanding to the front of the large opening on the south west elevation of the proposed building. This part of the proposal is considered to be an engineering operation. Paragraph 90 of the NPPF sets out those engineering operations can be considered to be appropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

The access track and hardstanding would appear flat, and although it would be visible from the road it would be read in conjunction with the existing hardstanding and building in the field. Because of this it is not considered that this element of the proposal would harm the openness of the Green Belt or would conflict with the purposes of including land within it. Therefore it is considered that it would be appropriate development in the Green Belt.

## **Residential Amenity**

There are several residential properties located within close proximity of the proposed agricultural building.

Due to the size, siting, orientation and use of the proposed building concerns have been raised from the occupiers of these residential properties in regards to how the proposal would impact on their existing amenities. Worcestershire regulatory services (WRS) also initially raised concern and requested that a noise and odour assessment should be carried out and a pest management plan submitted.

Noise and odour assessments have now been carried out to assess the potential impact of the proposal and a pest management plan has been submitted. These assessments have been formally assessed by WRS who have now confirmed that the submitted assessments appear satisfactory and indicate that any impact on local residents should be minimal. As such they have confirmed that they would have no objections in terms of potential odour and noise. They have also confirmed that the submitted pest management plan is satisfactory.

The noise and odour assessment were carried out for the original proposal and not for the revised scheme. WRS were however re-consulted on the revised scheme and confirmed that they would have no objection to this proposal, as the existing hay barn would screen the properties on the other side of the road from the proposed building.

No information relating to the lighting of the building has been submitted with this application. It is likely that some form of lighting would be required due to the nature of

the use; as such it is considered that if permission were to be granted that a lighting condition should be imposed.

Therefore although the proposed building would be situated near to several residential properties, it is not considered that it would have an unacceptable impact on their existing amenities.

## **Highways**

Worcestershire Highways Officer has not raised any objection to the proposal.

## **Drainage**

A North Worcestershire Water Management (NWWM) Drainage Officer has commented on this application setting out that the site falls within flood zone 1 (low risk of river and tidal flooding), and that the Environment Agency's surface water flood risk map shows a low risk of surface water flooding in the area.

However due to the size of the building and because they are aware of issues along Lea End Lane they have requested that a pre commencement condition for a drainage strategy and a surface water treatment strategy is imposed on any permission that is given for this site.

## **Waste**

Kernon Countryside Consultancy have set out that as the proposal is for a sheep shed there should not be any foul sewage produced. As the shed is likely to be bedded down with straw which will absorb any urine or sheep muck (which is relatively solid, unlike say the muck produced by a dairy cow).

They would then expect the shed to be cleaned out at the end of the lambing season and the manure i.e. straw and muck to be either directly spread onto the land by way of a muck spreader or temporarily stored until such time as it is spread. The application has confirmed that this is what they intend to do.

For information under current regulations farm yard manure can be stored directly on the land i.e. in the field so long as the stack doesn't stay in situ for any more than 364 days.

## **Conclusion**

Overall, it is considered that that proposed development would be appropriate development in the Green Belt, which would not have a detrimental impact on the character or appearance of the area or the amenities of the neighbouring properties.

**RECOMMENDATION:** That planning permission is granted subject to the following conditions:

## **Conditions**

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

Reason: To comply with National Legislation.

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

Drawing No. 6971-D-100 Rev. C Location Plan  
Drawing No. 6971-D-200 Rev. B- Existing Site Plan  
Drawing No. 6971-D-201 Rev. B- Proposed Site Plan  
Drawing No. 6971-D-300 Rev. B Proposed Floor Plan  
Drawing No. 6971-D-400 Proposed Elevations  
Pest Management Plan Dated March 2017

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 BDP19 of the Bromsgrove District Plan January 2017.

3. Prior to their first installation, details of the colour of the materials to be used externally on the roof of the proposed agricultural building shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To protect the visual amenity of the area in accordance with policy BDP19 of the Bromsgrove District Plan January 2017.

4. No works or development shall take place until a scheme for surface water drainage and surface water treatment has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests.

The approved schemes shall be completed prior to the first use of the development hereby approved.

Reason: To allow proper consideration of the proposed drainage systems and to ensure that the development is provided with a satisfactory means of drainage and in accordance with Policy BDP23 of the Bromsgrove District Plan adopted January 2017 and the NPPF.

5. Prior to their installation, details of any external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority. Any lighting installed on site shall be in accordance with these details and maintained as such.

Reason: In the interests of biodiversity and residential amenity in accordance with Policy BDP1 and BDP21 of the Bromsgrove District Plan Adopted 2017 and the NPPF.

6. Should the use of the building and hardstanding for the purposes of agriculture within the unit permanently cease within 10 years from the date of this permission, and planning permission has not been granted or has not been deemed to be granted for a change of use of them for purposes other than agricultural within 3 years from the date on which the use for the purposes of agriculture within the unit permanently ceased, then the building shall be removed from the land and the land must, so far as practicable, be restored to its condition before the development took place, or to a condition as may have been agreed in writing between the local authority and the developer.

Reason: To protect the openness of the Green Belt and the character and appearance to the open countryside in accordance with Policy BDP4 and BDP19 of the Bromsgrove District Plan and the NPPF.

7. 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 3, Class Q and R shall be carried out without formal approval through an application for planning permission.

Reason: The proposal has only been assessed on the basis of being an agricultural building and the implications of other uses have not been considered as part of this application. Other uses of the building may not be in accordance with policy BDP1 and BDP4 of the Bromsgrove District Plan January 2017 and the NPPF.

**Case Officer:** Claire Gilbert Tel: 01527 581655  
Email: [claire.gilbert@bromsgroveandredditch.gov.uk](mailto:claire.gilbert@bromsgroveandredditch.gov.uk)



# Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
U.D.C (midlands) Ltd	Proposed demolition of existing dwelling and erection of 2 No. dwellings.  1 Plymouth Drive, Barnt Green, Birmingham, Worcestershire, B45 8JB	27.01.2017	16/1150

**RECOMMENDATION:** That planning permission be **Granted**

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

## Consultations

**Lickey and Blackwell Parish Council** Consulted 09.12.2016

Lickey and Blackwell Parish Council supports local residents in objecting to this application as they have done on the two previous applications relating to this site. The demolition of the existing property makes this application still less attractive. We would request that the comments made by both statutory and non-statutory consultees are considered and the application refused

**Highways - Bromsgrove** Consulted 09.12.2016

No objection subject to conditions

**Western Power Distribution** Consulted 09.12.2016

No Comments Received To Date

**Arboricultural Officer** Consulted 09.12.2016

No objection subject to conditions

**Drainage Engineers Internal Planning Consultation** Consulted 09.12.2016

No objection subject to conditions

**Parks & Green Space Development Officer Martin Lewis** Consulted 09.12.2016

No objection subject to conditions

Publicity:

32 letters sent on the 12th December 2016 (expired 2<sup>nd</sup> January 2017)

21 letters of re-consultation sent on the 26<sup>th</sup> May 2017 (expired 9<sup>th</sup> June 2017)

1 site notice posted on the 16th December 2016 (expired 6<sup>th</sup> January 2017)

## Neighbour Responses:

21 comments have been received. 18 of the comments are objections and the following issues have been raised:

- o Proposals are contrary to the Village Design Statement and Policy S8 of the Bromsgrove District Local Plan;
- o Large garden area would be lost which is contrary to the characteristics of the area;
- o Loss of hedgerow and trees;
- o Does not comply with government policy that prevents development on garden land;
- o Exacerbation of local traffic issues causing highway safety concerns close to junction with Plymouth Drive;
- o Proposal will impact on drainage, public amenities and wildlife;
- o Natural environment would be spoilt;
- o Harmful impact on the setting of the conservation area;
- o Loss of privacy;
- o Loss of light;
- o The form, density and scale of the development is out of character with this low density area;
- o Approval would set an unacceptable precedent;
- o Development over-powers street scene and would lead to a loss of openness;
- o Site could be of historical interest;
- o Electricity substation encroaches onto land proposed for the new build;
- o Proposal is very similar to what was previously refused;
- o Needless demolition of a very fine house;
- o Village is becoming increasingly congested;
- o Proposal amounts to an over-development of the site;
- o The plot has been reduced in size;
- o The trees fronting Plymouth Road should be protected as they are now covered by a TPO;
- o Harmful noise and disturbance during construction process;
- o Increased risk of surface water flooding;
- o Bat survey work is incomplete and further surveys need to be undertaken; and
- o badgers are in the vicinity

Two letters of support has been received highlighting the following matters:

- o The new properties are well proportioned;
- o The development is appealing and nonintrusive;
- o The application addresses the concerns previously raised
- o The layout has been carefully considered to comply with the Residential Design Guide;
- o There is no badger activity on the site; and
- o The current dwelling has no architectural merit;

A representation was received from Councillor Kit Taylor who stated that the application should be called into Planning Committee so Members can consider the impact of the development in the street scene, with particular regard to Plymouth Road.

## **Relevant Policies**

NPPF National Planning Policy Framework

## **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP7 Housing Mix and Density

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP21 Natural Environment

## **Others**

SPG1 Residential Design Guide

## **Relevant Planning History**

14/1011	Construction of single detached dwelling and alterations and extension of existing dwelling	Refused	20.03.2015
16/0412	Proposed dwelling and garage	Refused & dismissed at appeal	22.07.2016

## **Assessment of Proposal**

### Site Description

This application relates to an existing dwelling, no. 1 Plymouth Drive and its extensive residential curtilage. The site is located within the residential area and is bounded by residential dwellings to the north and west with the highways of Plymouth Road and Plymouth Drive located to the south and east of the application site.

### Proposed development

This application seeks planning permission for the demolition of the existing detached dwelling and the erection of 2 detached dwellings. The new dwellings would be accessed via a new entrance onto Plymouth Road. The application is a resubmission of application No.'s 16/0412 and 14/1007. Both of these applications sought to retain the existing dwelling and construct one additional dwelling within the curtilage. Both applications were refused on character grounds and an additional refusal reason regarding residential amenity was also included on the latter application.

### Planning Judgement

The principal issues for consideration in this case relate to the following:

- The principle of the proposed development;
- Character and Street Scene Impact;
- Impact on Neighbour Amenity;

Plan reference

- Access and parking;
- Landscape and trees; and
- Biodiversity

Each matter will be given consideration under a separate heading below along with any other material considerations.

## Principle of development

Paragraph 53 of the NPPF sets out that local planning authorities should consider setting out policies to resist inappropriate development of residential gardens where it would cause harm to a local area. This has been incorporated into the recently adopted Bromsgrove District Plan (BDP). Criterion of Policy BDP19 states that the development of garden land will be resisted unless it fully integrates into the residential area and is in keeping with the character and quality of the environment.

Other key policies in the Plan include BDP1 (Sustainable Development) states under criteria e) that regard will be had to residential amenity. BDP7 (Housing Mix and Density) seeks to achieve the best use of land whilst maintaining character and local distinctiveness.

The application site is located within the residential area of Barnt Green as defined on the Bromsgrove District Plan Proposals Map. There is general presumption in favour of residential development in urban areas however it is necessary to assess whether the proposals meet the specific criteria within the adopted plan and SPG1.

## Character, Density, Form and Layout

One reason for the refusal of previous application (16/0412) was as follows:

- 1) *By virtue of the plot size, siting and scale of the proposed dwelling, the proposal would create a cramped and contrived form of a development at odds with the established character and the identified low density of the locality, contrary to policies DS13, S7, S8 and BG4 of the BDLP, policies BDP7 and BDP19 of the BDP, the provisions of SPG1, The Lickey and Blackwell Village Design Statement and the NPPF.*

This decision was appealed by the applicant and the Planning Inspectorate agreed the scheme was harmful to the character and appearance of the area (APP/P1805/W/16/3161757). In particular concerns were raised over the size of plots when viewed from Plymouth Drive and the cramped nature of the development due to the close proximity between the existing and proposed dwelling.

It is therefore important to consider whether the amended scheme overcomes this refusal reason and subsequent appeal decision. There are a number of key differences between the two proposals. The previous scheme retained the existing dwelling and proposed a single dwelling fronting onto Plymouth Road. This amended scheme proposes the demolition of the existing dwelling with 2 new dwellings fronting onto Plymouth Road. The dwellings are served by a single access and set back approximately 20m from

Plymouth Road ensuring that they do not appear unduly prominent. The number of protected trees and remaining hedgerow provide further screening.

Both properties would have substantial rear gardens of between 15 and 20m in length which is not dissimilar to other properties along Plymouth Road and importantly the unconventional side garden proposed on the previous scheme has been removed.

The plots are 20-25m wide which is again similar to some properties along Plymouth Drive. In addition the detached properties do not appear cramped as they retain spacious gaps between each other and the site boundaries.

The dwellings on Plymouth Road vary greatly in design but are generally large detached properties on spacious plots which are of no greater than 2 storeys in height. The proposed dwellings are 2 storeys in height with hipped roofs reducing the overall bulk of the development. It is considered that the individually designed properties would fit comfortably into the character of the Plymouth Road street scene.

On balance it is considered that the proposal would reflect the traditional pattern of development along Plymouth Road in accordance with policies BDP7 and BDP19 of the BDP and SPG1.

## Residential Amenity

SPG1, Residential Design Guide, provides guidelines with regards to criteria that should be met in order to ensure acceptable implications of designs in terms of residential amenity.

The proposed dwelling on plot 1 would extend beyond the rear of the adjacent dwelling, No. 24 Plymouth Road but does not breach the 45 degree guideline ensuring that there would be no significant loss of light. A distance of 5m between the side elevations of plot 1 and No. 24 ensures that the proposal would not appear overbearing for the occupiers of the existing dwelling. The only window located on the side elevation of plot 1 facing No. 24 is at ground floor level. An appropriate boundary treatment would ensure that overlooking would not occur.

Plot 2 is sited a substantial distance from the nearest residential properties. A distance of 32m is retained from Peters Court to the north and 26m to No. 22 Plymouth Road which is to the south east. This level of separation ensures that there can be no significant amenity impact on these properties in accordance with the guidance within SPG1.

It is also necessary to consider the amenity levels that would be experienced for the occupiers of the proposed dwellings. Both are spacious properties with all habitable rooms having windows that provide an acceptable outlook.

SPG1 requires a minimum of 70sqm of private amenity space. The development leads to the sub-division of the existing residential garden of No.1 Plymouth Drive however the proposed private amenity space for each dwelling exceeds 200sqm. It is therefore considered that the areas provided are appropriate for large family sized dwellings.

Overall it is considered that the proposed dwellings would have an acceptable amenity impact in accordance with the guidance within SPG1 and Policy BDP1 of the BDP.

## Access and parking

The proposal creates a new access onto Plymouth Road and an area of hardstanding providing sufficient space for parking and the turning of vehicles. The County Highways Officer has been consulted and raises no concerns to the development subject to the imposition of planning conditions. The proposal therefore accords with Policy BDP16 of the BDP.

## Landscape and Trees

There are a number of trees on the site, some of which are covered by a Tree Preservation Order (TPO). The submitted layout indicates that the important trees on the site will be retained. Some tree will be removed however these are the trees of lower quality.

The Tree Officer considers that the proposals can take place without any undue impact on the important trees and therefore raises no objection subject to a number of conditions. It is therefore considered that the proposal could be developed without undue impact on existing landscaping in accordance with Policies BDP19 and BDP21 of the BDP.

## Biodiversity

In accordance with the relevant legislation the local planning authority has a duty to ensure any proposal will not impact adversely upon protected species. An ecological survey was submitted with the application which indicated that the loft space had at some point been used as a maternity roost by pipistrelle bats. A further emergence survey was then undertaken to understand if the loft was still being used as a maternity roost. The survey did not identify any bats utilising the loft thereby indicating that it is not currently being used as a roost. Subject to the imposition of appropriate conditions there would be no undue harm to protected species in accordance with the NPPF.

## Conclusion

The proposal is considered to overcome the previous concerns regarding the impact on the character and appearance of the area and residential amenity. In addition the scheme is considered to be acceptable in terms of its impact on highways, landscape and biodiversity considerations. The proposal therefore accords with policies BDP1, BDP7, BDP19 and BDP21 of the BDP and the guidance contained within SPG1 and the NPPF.

**RECOMMENDATION:** That planning permission be approved

## Conditions:

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

16.10.01  
16.10.02  
16.10.03 Rev A  
16.10.04  
16.10.05 Rev A  
16.10.06 Rev A  
16.10.07 Rev A

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

- 2) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

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.

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) The new site access shall not be brought into use until the entrance has been set back 2.0 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.

Reason: In the interest of highway safety.

- 5) The development hereby permitted shall not occupied until one parking space for each dwelling has been equipped with an electric vehicle rapid charging point and once provided it shall be retained and maintained as such at all times.

Reason: To deliver sustainability benefits in accordance with policy BDP19 of the BDP

- 6) The development hereby permitted shall not be brought into use until the access, turning areas and parking facilities shown on Drawing No. 16.10.03 Rev A have been provided 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.

- 7) Prior to the first occupation of the dwellings hereby approved secure parking for 6 cycles per dwelling 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

- 8) All the trees located within the site and shown to be retained on Drawing No. 16.10.03 Rev A are afforded relevant protection in accordance with BS5837:2012 throughout any ground or construction works on site.

Reason: To protect important trees

- 9) Any encroachment into the BS5837:2012 RPA of T5 English Oak, T3 Sycamore and T6 Tulip Tree from the proposed driveway access shall be constructed on a Cellular No Dig Construction. This shall be used in conjunction with a porous road surface to allow air/moisture exchange to the rooting systems of these trees.

Reason: To protect important trees

- 10) 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 or similar detailed schedule of tree protection works in accordance with British Standard BS5837:2012 shall be submitted to and approved by the Local Planning Authority.

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 BDP19 and BDP21 of the Bromsgrove District Plan.

- 11) Prior to the commencement of any works on site including any site clearance, demolition, excavations or import of machinery or materials, the trees or hedgerows which are 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. These measures shall be maintained as detailed until all development has been completed.

Reason: In order to protect the trees, hedges & landscape features which form an important part of the amenity of the site and adjacent properties in accordance with policies BDP19 and BDP21 of the Bromsgrove District Plan

- 12) No works or development shall take place until a scheme for foul and surface water drainage has been submitted to, and approved in writing by the Local Planning Authority. If infiltration techniques are used then the plan shall include the details of field percolation tests.

Reason: To ensure satisfactory drainage

- 13) Prior to occupation of the dwellings, details of the siting of 2 bat boxes suitable for the Pipistrelle species shall be submitted to and approved in writing by the local



planning authority. The boxes shall be erected in accordance with the approved details and maintained thereafter for the lifetime of the development.

Reason: To ensure satisfactory mitigation for bat habitats

- 14) Three bat roost ridge tiles shall be incorporated into the construction of each dwelling and remain in perpetuity for the lifetime of the development.

Reason: To ensure satisfactory mitigation for bat habitats.

- 15) Before the commencement on site of any works which are the subject of this permission, a scheme of landscaping and planting 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 building hereby permitted is 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 visual amenity of the site in accordance with policies BDP19 and BDP21 of the Bromsgrove District Plan.

## **Informatives**

- 1) Any external lighting shall be PIR activated (as appropriate) or timed, and appropriately designed to prevent light pollution or spill to minimise potential disturbance of potential bat/bird/mammal forage or roosting sites and routes.

**Case Officer:** Andrew Fulford Tel: 01527 881323  
Email: A.fulford@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Robert Caldecott	Extension and re-roofing of 2 no poultry buildings, erection of polytunnel and relocation of previously approved agricultural workers dwelling (reference 13/0624)  Laurel Farm, Dagnell End Road, Redditch, Worcestershire, B98 9BD	08.06.2017	17/0200

## **RECOMMENDATION:**

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:
  - (i) Secure a permanent agricultural tie on the dwelling; and
  - (ii) Ensure that only one of either this permission or application 13/0624 can be implemented

## **Consultations**

**Worcestershire County Council Countryside Service** Consulted 06.04.2017  
No objection as long as the public right of way is not blocked or altered.

**Ramblers Association** Consulted 06.04.2017  
No Comments Received To Date

**Beoley Parish Council** Consulted 05.04.2017  
No Comments Received To Date

**WRS - Noise** Consulted 05.04.2017  
No objection

**WRS - Air Quality** Consulted 05.04.2017  
No Objection

**Drainage Engineers Internal Planning Consultation** Consulted 05.04.2017  
No Objection

**Agricultural Consultants** Consulted 05.04.2017  
No objection as long as dwelling is in close proximity to the farm yard.

**Highways - Bromsgrove** Consulted 28.04.2017  
No objection

Plan reference

## Publicity:

5 letters sent on the 6th April 2016 (expired 27th April 2017)

1 site notice posted on the 13th April 2017 (expired 4<sup>th</sup> May 2017)

Press Advert published in the Redditch Advertiser on the 21th April 2017 (expired 5th May 2017)

## Neighbour Responses:

None received

## Relevant Policies

NPPF National Planning Policy Framework

## **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP19 High Quality Design

## Relevant Planning History

13/0624	Erection of agricultural dwelling	Approved	21.01.2015
15/0216	Erection of Polytunnel with Relocation of Mobile Poultry Rearing Units	Approved	26.08.2015
16/0216	Erection of Agricultural Poultry Building	Approved	10.05.2016

## Assessment of Proposal

### The site and its surroundings

The application site is located to the north of the town of Redditch outside of any defined settlement. The application site relates to an established poultry farm which has a lengthy access drive off Dagnell End Lane. A small number of dwellings are located in the vicinity.

### The proposed development

The application seeks permission for the following:

- The extension and re-roofing of 2 poultry sheds to provide an additional 600sqm of accommodation for the rearing of chickens and turkeys;
- The erection of a poly tunnel to provide 224sqm of accommodation for turkeys; and
- The relocation of an agricultural workers dwellings approved under reference 13/0624

## Planning Considerations

The main issues to be considered in assessing the application are the following:

Plan reference

- (i) Green Belt
- (ii) Residential amenity
- (iii) Street Scene and Character Impact

(i) Green Belt

The site is located in the Green Belt. It is necessary to consider whether the proposal represents inappropriate development in the Green Belt and if so whether any very special circumstances exist that outweigh any identified harm.

Paragraph 89 of the NPPF and Policy BDP4 of the Bromsgrove District Plan sets out the exceptions to inappropriate development. One of these exceptions is buildings that are needed for purposes of agriculture. The applicant has provided a statement justifying the agricultural need for the various elements of the scheme.

The Council's agricultural consultant is of the view that the 2 poultry sheds are in need of upgrading and their size, design and layout are appropriate for the rearing of poultry. The proposed poly tunnel is similar to those already on site which are used for growing on "free-range" turkeys. Given the number of turkeys that are reared on-site no concerns are raised by the agricultural consultant.

The third element of the scheme is the agricultural workers dwelling. A new dwelling constitutes inappropriate development contrary to both Policy BDP4 of the BDP and paragraph 89 Of the NPPF. Inappropriate development should only be approved where there are very special circumstances that clearly outweigh the harm to the Green Belt.

In this case, permission was granted under reference 13/0624 for an agricultural workers dwelling. This permission is still extant but has not yet been implemented. The Council's Agricultural Consultant is still of the view that there is genuine need for the applicant to be on-site permanently to support the business. It is therefore necessary to consider whether the proposed location of the dwelling is acceptable. The approved dwelling would be located in the north east corner of the field close to the existing farm yard. The proposed polytunnel is now positioned where the dwelling was proposed under reference 13/0624. This has necessitated a shift of the dwelling to the south so it is positioned adjacent to the proposed polytunnel. The new location of the dwelling is very similar to that already approved. The location is still close to the farmyard with no additional harm arising.

Taking into account the similarities with the extant permission and the genuine need for the dwelling it is considered that there are very special circumstances to clearly outweigh the harm to the Green Belt in accordance with Policy BDP4 of the BDP and NPPF.

ii) Residential amenity

No concerns have been raised by Worcestershire Regulatory Services in terms of pollution. The various elements of the scheme are not in close proximity to any residential properties. The proposal therefore accords with Policy BDP1 of the BDP.

### iii) Street scene and Character Impact

The proposed poly-tunnel and extended poultry buildings are located in close proximity to the other agricultural buildings on the site and are designed to fit into their surroundings. The proposed dwelling is sited next to the proposed polytunnel ensuring that all buildings are clustered in close proximity to the farm yard. This ensures that the proposal retains the character of the area in accordance with Policy BDP19 of the BDLP.

### **Conclusion**

The proposal is considered to be acceptable within the Green Belt and there is no substantial harm arising in terms of character or amenity considerations. The proposal therefore accords with policies BDP1, BDP4 and BDP19 of the BDP and the NPPF.

### **RECOMMENDATION:**

- (1) Minded to **APPROVE FULL PLANNING PERMISSION**
- (2) That **DELEGATED POWERS** be granted to the Head of Planning and Regeneration Services to determine the planning application following the receipt of a suitable and satisfactory legal mechanism in relation to:
  - (i) Securing a permanent agricultural tie on the dwelling; and
  - (ii) Ensuring that only one of either this permission or application 13/0624 can be implemented

### Conditions:

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

2565-006  
2565-007(2)

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

- 2) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

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.

- 3) Prior to their first installation, details of the form, colour and finish of the materials to be used externally on the walls and roof of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area

- 4) All new external walls and roofs on the poultry buildings shall be finished in materials to match in colour, form and texture those on the existing buildings. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

- 5) Prior to the commencement of development details of the finished ground floor levels of all the approved dwelling shall has been submitted to and approved in writing by the Local Planning Authority . The sections shall show the development relative to the ground levels adjoining the site. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is carried out at suitable levels in relation to adjoining land and buildings in the interests of the amenity of surrounding residents and future occupiers of the site

- 6) The occupation of the dwelling shall be limited to a person solely or mainly employed, in the locality in agriculture as defined in Section 336(1) of the Town and Country Planning Act 1990, or in forestry, and to any resident dependants of any such persons.

Reason: It is not intended to allow any development in this area (in the Green Belt) other than that essential to meet agricultural or similar needs in accordance with policy BDP4 of the Bromsgrove District Plan and the guidance within the National Planning Policy Framework.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to 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 Policy BDP4 of the Bromsgrove District Plan

- 8) Prior to the commencement of any works on site, a detailed scheme of all hard and soft landscaping and any walls fences, hedges or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented within 12 months from the date when the building hereby permitted is 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.

Plan reference

Reason: In order to ensure adequate screening and ecological enhancement of this green belt site in accordance with policies BDP4 and BDP19 of the Bromsgrove District Plan and guidance within the National Planning Policy Framework.

**Case Officer:** Andrew Fulford Tel: 01527 881323  
Email: [A.fulford@bromsgroveandredditch.gov.uk](mailto:A.fulford@bromsgroveandredditch.gov.uk)



# Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr D Sikham	2 storey rear and side extension 2 Thicknall Rise, Hagley, Stourbridge, Worcestershire, DY9 0LQ	01.06.17	17/00353/FUL

**RECOMMENDATION:** That planning permission be **GRANTED**

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

## Consultations

**Clent Parish Council** Consulted 11.05.2017  
No Comments Received To Date

**Highways - Bromsgrove** Consulted 11.05.2017  
No Objection

23 neighbour notification letter sent on 11/05/2017 expired 01/06/2017

18 responses submitted from neighbouring properties in objection, raising comments as summarised below:

- It would be out of character and spoil the areas open outlook.
- The proposed extension would substantially fill the space at the side of the existing dwelling, thereby bringing the building at the end of Thicknall Rise much closer to Newfield Road.
- Would significantly impact upon the appearance of the locality.
- It would be overly dominant
- Would not be in keeping with the other houses
- Would breach the building line to Newfield Road
- This also includes aspects which are not material planning considerations such as, the previous refused and up held at appeal application for a single dwelling on the site

Councillor Colella comments received 29/05/2017

I would like to object to the above planning application based on the following points.

- The proposed extension over steps the building line
- Causes interruption to a clear line of sight at the junction
- Changes the street scene
- The recent support for REFUSAL of the application for a new building at this location supports the need to preserve the open plan and clear visibility of the junction.

I therefore request that the case officer refuses this application. Should the Case Officer be minded to approve the application I would like to exercise my right to call the application before the Planning Committee.

## **Relevant Policies**

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP19 High Quality Design

### **Others**

SPG1 Residential Design Guide

NPPG National Planning Practice Guidance

NPPF National Planning Policy Framework

## **Relevant Planning History**

### **Applications**

09/0403	2 Storey Side & Rear Extension	Refused	14.07.2009
10/0206	Two Storey Side and Rear Extension (as amended by drawings received 15/04/10). Appeal Ref 10/00009/NONDET	Non - Determination Dismissed at Appeal	14.06.2010
10/1222	2 Storey Side & Rear Extension Appeal Ref 11/00022/REF	Refused Allowed at Appeal	04.02.2011
14/0341	Renewal of Planning Application 10/1222 which was allowed at appeal- 2 Storey side and rear extension	Granted	30.05.2014

## **Assessment of Proposal**

2 Thicknall Rise is a two-storey detached property situated on the junction of Thicknall Rise and Newfield Road. The property is within the residential area of Bromsgrove where the principle of residential development is considered to be acceptable and assessed in terms of Policy BDP19 of the BDP 2011-2030.

The proposed extension would be to provide a two storey side extension over the existing garage with a pitched roof similar to that of the existing house. It is noted that Thicknall Rise and Newfield Road both have an irregular building line and the proposal would be set forward of the building line of Newfield Road, however it would not project any further

out onto Newfield Road than the existing garage. The proposal would not be set in; however it would be set down and set back from the existing house and remains subordinate to the main dwelling.

It would also be partially screened by existing planting when viewed from along Newfield Road from the east and there would remain a significant distance between the proposed side elevation and the footway on Newfield Road.

It is noted that the proposal has been previously accessed and approved under Bromsgrove District Local Plan 2004. The main change since this approval is the adoption of the Bromsgrove District Plan. However, it is considered that the proposal raises no new material considerations. As such, it is considered that the works still comply with the provisions of Policy BDP19. The extension would continue to reflect the character of the original house, remain subservient to it and would not detract detrimentally to the character of the street scene.

Due to the location of the proposal in relation to the adjoining properties, it is not considered that the proposal would adversely affect their existing amenities.

The Highways Officer has not raised any concerns or objections to the proposal and therefore there would be no reason to warrant a refusal based on highways grounds.

18 objections have been received regarding the proposal, raising concerns over the overly large size of the extension, the impact the extension would have on the character of the street scene and highway safety. These concerns have been addressed above.

## **Conclusion**

This scheme continues to reflect the character of the original house; it remains subservient to it and would not detract detrimentally to the character of the street scene. No new material planning issues have been raised or exist and as such it is my view that the proposed development continues to comply with the provisions of the adopted development plan and is acceptable.

**RECOMMENDATION:** That planning permission be Granted

## **Conditions:**

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

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 permitted shall be carried out in accordance with the Materials specified in Question 11 of the Application Form and the Approved Plans/ Drawings listed in this notice:

Plan reference

Proposed and Existing Plans Drg No MC/206/01 received 06.04.2017  
Location Plan received 06.04.2017

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

**Case Officer:** Julie Male Tel: 01527 881338  
Email: [j.male@bromsgroveandredditch.gov.uk](mailto:j.male@bromsgroveandredditch.gov.uk)

# Agenda Item 9

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Richard de Sousa	Erection of new dwelling (Amendment to 15/0598)  452 Birmingham Road, Catshill, Bromsgrove, Worcestershire, B61 0HR	25.07.2017	17/00359/FUL

**Further to a late call in request from the local Ward Member, Councillor Cooper, the Chairman, Cllr Deeming, has agreed that this application be considered by Planning Committee rather than being considered under delegated powers (Verbal request 19.06.2017)**

**RECOMMENDATION:** That planning permission be Granted

## **Consultations**

**WRS - Contaminated Land** Consulted 31.05.2017  
No objection subject to conditions (set out at the end of the report)

**Highways - Bromsgrove** Consulted 31.05.2017  
No objection subject to conditions (set out at the end of the report)

**Arboricultural Officer** Consulted 31.05.2017  
No Comments Received To Date

**Catshill And North Marlbrook Parish Council** Consulted 31.05.2017  
No Comments Received To Date

**Lickey And Blackwell Parish Council** Consulted 31.05.2017  
No Comments Received To Date

## **Relevant Policies**

**Bromsgrove District Plan**  
BDP1 Sustainable Development Principles  
BDP19 High Quality Design

**Others**  
SPG1 Residential Design Guide  
NPPF National Planning Policy Framework

## **Relevant Planning History**

12/0331	Removal of workshop and erection of 2 dwellings.	Refused	19.06.2012
12/0575	Removal of workshop and erection of dwelling and detached garage	Refused	17.08.2012

15/0598	Removal of workshop and erection of bungalow	Approved	05.11.2015
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## **Public Comments**

2 comments received, summarised as appropriate:

A previous application for a dormer bungalow was rejected by planning committee. This application is trying to reverse the decision made by the planning committee previously.

The bungalow that has planning permission on the site has a 'green' design and this had a large bearing on the decision that was made by the planning committee to approve it. The new proposal is not 'green' with an open fire and chimney.

The building proposed will be slightly taller, if the applicant were to install velux windows (to the side elevation) then my privacy would be affected

## **Assessment of Proposal**

Planning permission for the erection of a single dwelling was granted at this site by Members under application 15/0598 on the 02nd of November 2015. Thereby this permission remains extant and capable of implementation.

The current proposal also seeks the erection of a single dwelling and includes some alterations to the proposed scale and design. The amendments are as follows:

- the eaves height of the dwelling would be increased from 2.3m to 3m and the ridge height would be increased from 4m to 5.5m.
- the number of bedrooms would be increased from two to three with a single bedroom, bathroom and dressing room being provided at first floor level
- provision of two velux windows on the front and rear elevations

The proposal needs to be assessed in terms of the policies of the Bromsgrove District Plan 2017, namely policies BDP1, BDP19 and the advice of SPG1 (Residential Design Guide).

I consider that the principle of development of a single dwelling at this location to be acceptable and the existing approval 15/0598 remains capable of implementation. The assessment needs to consider whether the proposed amendments would be acceptable in terms of the current policies. The proposed dwelling would be sufficiently separated from Nos. 450, 452 and 454 Birmingham Road and also from 1 and 3 Hazleton Road (min 18m). I do not consider that the incorporation of velux rooflights would result in any loss of residential amenity to any adjoining occupier. The amended design and appearance of the proposed dwelling does not raise any concerns. There is sufficient parking and amenity space. The proposal would comply with policies BDP1 and BDP19.

The comments in the representations received are noted but the proposal does *not* include any dormer windows and the impact on amenity is acceptable as outlined above.

**RECOMMENDATION:** That planning permission be **GRANTED**.

## **Conditions**

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

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 permitted shall be carried out in accordance with the Materials specified in Question 9 of the Application Form and the Approved Plans/ Drawings listed in this notice:

Proposed Site Plan@1:500,  
Dwg. No. 01 Proposed Plans and Elevations

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

- 3) 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 the specification of the Worcestershire County Council Highways Design Guide.

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

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

Reason: In order to comply with the Councils Parking standards.

- 5) 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, Classes A to E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the residential amenity of the area and ensure sufficient private amenity space to serve the dwelling.

- 6) The development hereby permitted shall not be brought into use until one of the new parking spaces has been equipped with an electric vehicle rapid charging point and once provided it shall be retained and maintained as such at all times.

Reason: In order to comply with policy BDP16 of the Bromsgrove District Plan 2017.

- 7) No development shall commence until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), shall have been submitted to and approved in writing by the Local Planning Authority. If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 7 days of the report being completed and it shall be approved in writing by the Local Planning Authority.

Reason: Required as a pre commencement condition 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

## **Informatives**

- 1) The local planning authority have 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) 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:** David Kelly Tel: 01527 881345  
Email: D.kelly@bromsgroveandredditch.gov.uk



Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs Carl & Maria Jordan	Erection of single and two storey extensions 9 Withybed Lane, Alvechurch		17/00428 /FUL

**RECOMMENDATION:** That planning permission be **GRANTED**

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

### Consultations

**Alvechurch Parish Council** Consulted 12.05.2017

No objections; however APC would question whether there would be a loss of privacy to the neighbouring property (No 11) due to the addition of a Juliet balcony.

### **Publicity**

7 letters sent 12.05.2017 (expired 02.06.2017)

- 2 representations received raising the following issues:
- Overbearing
- Loss of privacy and overlooking
- Out of keeping
- Loss of light

### **Councillor Deeming**

Cllr Deeming has requested the application be considered by Planning Committee in the absence of a Ward Member to represent the area. For noting, since the call-in of the Application, a new Councillor has been duly elected to the Ward the application site is located in.

### Relevant Policies

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP19 High Quality Design

#### **Others**

SPG1  
NPPF National Planning Policy Framework

### Assessment of Proposal

The application site is semi-detached dwelling located in a designated residential area of Alvechurch, Worcestershire.

The two storey side extension forming a ground floor Dining room, Kitchen/ Utility and first floor Bedroom with en-suite and Bathroom is to located to the western boundary adjacent to 11 Withybed Lane. The single storey aspect forming a part of

Name of Applicant	Proposal	Expiry Date	Plan Ref.
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the Dining room is located to the rear of the property, to the eastern boundary adjacent 7 Withybed Lane. The site is located in a designated residential area.

### **Design and Streetscene Impacts**

The single storey rear element could be achieved as permitted development under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015. The two-storey element to the west is set behind the rear elevation of the adjoining occupier at number 11 Withybed Lane. The development is subservient to the original dwelling and considered acceptable within the streetscene.

### **Residential Amenity**

The issues of loss of light and privacy are dealt with by the application of the 45 degree code as indicated in SPG1. In relation to the impact on 11 Withybed Lane, the development is set behind their rear elevation and not affected by the 45 degree code. In relation to number 7 Withybed Lane, the single storey development conflicts with the 45-degree code but the mono pitch roof reduces the impact and furthermore, the applicant has a permitted development fall-back to build this element of the proposal without requiring planning permission. In addition, the orientation of the properties with south facing rear elevations minimises any loss of light to the property on the east boundary.

The two storey element to the west is 3 metres from the common boundary with 7 Withybed Lane. There are no proposed side windows, with high level rooflights indicated. The first floor window to the rear incorporates a 'Juliet' Style balcony which leads to no additional harm by being set forward of the existing rear elevation by 3.5 metres.

I have taken into consideration the representations received from 7 Withybed Lane and 11 Withybed Lane. I am satisfied that the proposals would not lead to any adverse harm to the amenities enjoyed by the occupiers of these dwellings with regard to loss of light outlook or privacy. The scheme will not be overbearing and Members will be additionally aware that the applicant is able to exercise rights afforded under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The scheme is therefore considered acceptable.

**RECOMMENDATION:** That planning permission be **GRANTED**

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

# Agenda Item 10

**Name of  
Applicant**

**Proposal**

**Expiry Date    Plan Ref.**

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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 permitted shall be carried out in accordance with the Materials specified in Question 11 of the Application Form and the Approved Plans/ Drawings listed in this notice:

Drawing 3117-001 Plans and Elevations dated 09.03.17

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

**Case Officer:** Paul Murphy Tel: 01527 881201  
Email: p.murphy@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr & Mrs R Wilkes	First Floor Side Extension  40 Penshurst Road, Bromsgrove, Worcestershire, B60 2SN,	17.07.2017	17/00554/FUL

**RECOMMENDATION:** That planning permission be **Granted**

**In accordance with the Council's Constitution and Scheme of Delegation, the application is before Members as the Applicant is a Council employee**

### **Consultations**

**Highways - Bromsgrove** Consulted 08.06.2017

I have no highways objection to the proposed extension

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP19 High Quality Design

#### **Others**

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

### **Relevant Planning History**

None

### **Assessment of Proposal**

#### **Site Description**

This particular application site relates to a modern detached house located on a private drive just off to the North of Penhurst Road. Penhurst Road is located on the Oakalls development in Bromsgrove. The house is of a brick construction with half hipped tile roof with a double garage with pitched roof to the side. The site is set within a well established residential location and the principle of residential extensions may be considered acceptable.

In accordance with the Councils 'Constitution' and 'Scheme of Delegation Members will note that this application is at Committee as the proposal under consideration is a property owned by a member of staff employed by Bromsgrove District Council.

Your Policy BDP19 requires works and proposals to respect and positively reinforce the characteristics the character of the locality. Here the extension integrates positively to the main/host dwelling and reflects the original form sharing matching materials, a similar roof format and window detailing. For these reasons it is considered that the works do comply with policy BDP19 of the BDP.

## **Design Appearance**

The extension has been designed with a hipped roof to match the existing property and the proposed materials will match the existing as indicated. The extension remains fully subservient to the main dwelling. The roof line is set down and is located well back from the front wall of the dwelling. It is considered acceptable in terms of you policy BDP19 of the BDP and the guidance in SPG1 Residential Design Guidelines.

## **Access and Parking**

The property currently has a double garage with parking to the fore. The proposed extension will create another bedroom which will increase the number of parking spaces required. It is noted that the garaging is being retained however there is also sufficient off road parking to accommodate the additional car parking requirements of the new development in accordance with policy guidance.

## **Amenity**

The extension is set over the existing garage. It is noted that the neighbouring house (Number 38) is angled away from the application site. Number 36 is located at right angles and its side wall is located over 15m away from the new first floor as proposed. With a new hipped roofline and catslide roof to the rear, there are no adverse amenity issues to neighbouring properties with no overlooking or loss of light. It is considered that the extension complies with the advice contained in SPG1 Residential Design Guidelines

## **Conclusion**

The proposal is well considered and positively meets policy advice and guidance. There are no adverse amenity issues caused by the proposal and is therefore considered acceptable.

**RECOMMENDATION:** That permission be **GRANTED** subject to conditions

## **Conditions:**

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

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) All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building, per details on application form

Question 11, or if a near match cannot be found, the written approval of the Local Planning Authority should be obtained for materials prior to development commencing. The development shall then be carried out in accordance with the approved details.

Reason:- To ensure that the development is satisfactory in appearance, to safeguard the visual amenities of the area and in accordance with Policies in the Local Plan.

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

0419/001 Location Plan

0419/002 Proposed Plans and Elevations

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

**Case Officer:** Sarah Willetts Tel: 01527 881607  
Email: Sarah.willetts@bromsgroveandredditch.gov.uk

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