



## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY 8TH OCTOBER 2018**  
**AT 6.00 P.M.**

**PARKSIDE SUITE - PARKSIDE**

**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 10 September 2018 (Pages 1 - 2)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 18/00748/ADV - Land at Victoria Ground, Birmingham Road, Bromsgrove, Worcestershire, B61 0DR - Proposed advertisement on net of net fencing system (Pages 3 - 6)
6. 18/00963/FUL - First floor rear extension - 12 Dordale Road, Bournheath, Bromsgrove, Worcestershire, B61 9JS (Pages 7 - 10)
7. 18/00979/FUL - Land at Victoria Ground, Birmingham Road, Bromsgrove, Worcestershire, B61 0DR - Erection of a net fencing system to prevent footballs from the Victoria Ground entering the parking area of Aldi (Pages 11 - 14)

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

27th September 2018

# **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 summary of the responses received from consultees and third parties, an appraisal of the main planning issues and a recommendation. All submitted plans and documentation for each application, including consultee responses and third party representations, are available to view in full via the Public Access facility on the District Council's website [www.bromsgrove.gov.uk](http://www.bromsgrove.gov.uk). Recent consultee and third party 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:-
  - i.
    - 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 Local Plan below, and Planning Policy Statements, specifically referred to as follows:-

BDP	-	Bromsgrove District Plan 2011-2030
SPG	-	Supplementary Policy Guidance
NPPF	-	National Planning Policy Framework
NPPG	-	National Planning Practice Guidance

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 Pauline Ross, Democratic Services Officer, at [p.ross@bromsgroveandredditch.gov.uk](mailto:p.ross@bromsgroveandredditch.gov.uk), or telephone (01527) 881406

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## **BROMSGROVE DISTRICT COUNCIL**

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

**MONDAY, 10TH SEPTEMBER 2018, AT 6.00 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), C. Allen-Jones (During Minute No's part of 33/18 to 35/18), S. J. Baxter, M. T. Buxton, M. Glass, C.A. Hotham, S. R. Peters and P. J. Whittaker

Officers: Mrs. T. Lovejoy, Mr. D. M. Birch, Mr. P. Lester, Miss. E. Farmer and Mrs. P. Ross

31/18 **APOLOGIES**

Apologies for absence were received from Councillors M. A. Sherrey, C. J. Spencer and S. P. Shannon, Councillor M. Glass present as substitute for Councillor C. J. Spencer.

32/18 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

33/18 **MINUTES**

The minutes of the meeting of the Planning Committee held on 6th August 2018 were received.

**RESOLVED** that the minutes of the meeting held on 6th August 2018 be approved as a correct record.

34/18 **18/00119/OUT - RESIDENTIAL DEVELOPMENT COMPRISING 14 UNITS PROVIDING A MIXTURE OF 2-4 BED HOMES - BRINE PUMP COTTAGE, WESTON HALL ROAD, STOKE PRIOR, BROMSGROVE, WORCESTERSHIRE, B60 4AL - MR. M. FLETCHER**

Officers reported that an oversight had occurred when this application was considered by Planning Committee Members on 6th August 2018. The education authority's Education Planning Obligations Assessment, as detailed at Appendix 1, had requested an s106 contribution; this was omitted from the committee report presented to Members for consideration on 6th August 2018.

Officers informed Members, that should they be minded to approve the additional recommendation; the decision notice had not been issued so could be rectified and the education contribution could be included in the legal mechanism.

# Agenda Item 3

Planning Committee  
10th September 2018

**RESOLVED** that authority be delegated to the Head of Planning and Regeneration Services to add the following obligation:-

- i) an education contribution of £1,769 per open market 2 or 3 bed dwelling and £2,654 per open market 4 or more bed dwelling.

35/18

**18/00691/LBC - ADDITIONAL ACCESS CONTROLS ON INTERNAL GROUND FLOOR DOORS AND INSTALLATION OF AUDIO VISUAL EQUIPMENT TO FACILITATE THE CONVERSION OF THE FIRST FLOOR MEMBERS ROOM TO PUBLIC MEETING ROOM: LISTED BUILDING CONSENT - PARKSIDE, MARKET STREET, BROMSGROVE, WORCESTERSHIRE, B61 8DA - MR. M. HARTLES**

Officers reported that the Conversation Officer had no objections to the Application and that Condition 2, as detailed on page 17 of the main agenda pack, had been amended to read Plan Reference P2232/37/3B Proposed Elevations.

At the invitation of the Chairman, Mr. M. Hartles, Facilities and Business Development Officer, Leisure and Culture, Bromsgrove District and Redditch Borough Council addressed the Committee in support of the Application.

**RESOLVED** that Listed Building Consent be granted, subject to the Conditions and Informatives as set out on page 17 of the main agenda pack, with Condition 2 being updated to read:

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

P2232/37/5A Layout and Site Location Plan  
Schematic Layout July 2018  
Schematic Layout Parkside Suite July 2018  
P2232/37/3B Proposed Elevations  
P2232/37/4C Projector and Sound Apparatus

The meeting closed at 6.09 p.m.

Chairman

# Agenda Item 5

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Aldi Stores Ltd	Proposed advertisement on net of net fencing system  Land At, Victoria Ground, Birmingham Road, Bromsgrove, Worcestershire B61 0DR	09.10.2018	18/00748/ADV

**This application is being reported to Members because it is situated on Council owned land.**

**RECOMMENDATION:** That Advertisement Consent be **Refused**.

## Consultations

**Highways - Bromsgrove** Consulted 16.08.2018  
No Objection.

**Conservation Officer** Consulted 16.08.2018  
I object to the proposed poster hoarding like advertisement due to the site's sensitive location and recent permission of neighbouring sites.

## Publicity

None required.

1 representation received from Bromsgrove Sporting Limited (the company name of the football club at the Victoria Ground) - No objection to any advertising being included on the structure.

## Relevant Policies

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles  
BDP19 High Quality Design  
BDP20 Managing the Historic Environment

### **Others**

NPPF National Planning Policy Framework (2018)  
NPPG National Planning Practice Guidance  
SPG 2 Shopfronts and Advertisements Design Guide

## Relevant Planning History

18/00979/FUL	Erection of a net fencing system to prevent footballs from the Victoria Ground entering the parking area of Aldi	Pending
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## **Assessment of Proposal**

### **Site Description**

The application site is located on land south of the southern terrace of the Victoria Ground football stadium and sits just north of the Aldi car park, located on Birmingham Road. The site is situated within an area designated as Town Centre Zone in the Bromsgrove District Plan and is within the setting of several Grade II listed buildings and the Bromsgrove Town Centre Conservation Area.

### **Proposal**

The application is for advertisements to be displayed on the proposed netting that would form part of the proposed net fencing system to be installed to the south of the Southern terrace at the Victoria ground. The advertisements would be Aldi corporate signs, and due to their position on the netting they would only be visible when viewed from the southern side of the site.

### **Appraisal**

Paragraph 132 of the NPPF requires that advertisement applications be considered in terms of their impact on amenity and public safety, taking account of cumulative impacts.

### **Public Safety**

In this case, there are no concerns regarding the impact of the proposed advertisement on public safety, and Worcestershire County Highways have not raised any objection to the scheme as they do not consider that there would be any highway implications involved with this proposal.

### **Amenity**

Advertisement consent was granted in early 2018 for various signs (17/01271/ADV) to complement the new Aldi store located at 29 Birmingham Road (15/0834). These signs included various fascia signs on the building and an illuminated totem sign located at the entrance of the Aldi car park along Birmingham Road. The advertisement proposed on the netting would be additional to these signs to further advertise the new Aldi Store and would encompass the whole length of the 24 metre long netting. It is considered that this type of advertisement would appear as a large poster hoarding, which is uncharacteristic of this area.

SPG 2 states that 'proliferation of advertisements, especially on sites fronting main roads and railways, will not be permitted'. This is in line with Paragraph 132 of the NPPF which sets out that the cumulative impact of adverts should be taken into consideration. Given the amount of adverts already present within the Aldi site, it is considered that the scale of the proposed large hoarding style advertisement addition to the area would result in a proliferation of adverts in the area, which would result in a visual clutter.

Due to the sensitive location of the site in terms of heritage assets, and the presence of other advertisements on the neighbouring sites, the Council's Conservation Officer has raised objection to the proposed poster hoarding style advertisement. The Conservation Officer is of the view that any development within the setting of designated heritage

assets such as 28, 31 & 33 and 48, 50 & 52 Birmingham Road, should look to sustain and enhance the character and appearance of the area, rather than detract from it and project a character more akin to a city-centre site or an out-of-town retail park. Further to this the Conservation Officer has set out that paragraph 9.3 of SPG 2 - Shopfronts and Advertisement Design Guide (2004) states that 'signs of businesses must be designed and sited to harmonise with their setting'; which this application fails to acknowledge in regards to its location within the setting of designated heritage assets.

## **Conclusion**

Overall it is considered that the proposed advertisement would fail to enhance the character and appearance of the area or sustain and enhance the significance of the setting of the heritage assets that surround the site. It is also considered that the scale of proposed advertisement would result in a proliferation of advertisements in the area, which would result in a visual clutter. As such it is considered that the proposed advertisement would have a detrimental impact to the amenity of the area and as such would not accord with the policies in the Bromsgrove District Plan, SPG 2 or the NPPF.

**RECOMMENDATION:** That advert consent be **Refused**.

## **Reason for Refusal**

1. The proposed advertisement would fail to enhance the character and appearance of the area or sustain and enhance the significance of the setting of the heritage assets that surround the site. It is also considered that the proposed advertisement would result in a proliferation of advertisements in the area which would result in a visual clutter. The proposed advertisement would therefore have a detrimental impact to the amenity of the area contrary to Policy BDP1, BDP19 and BDP20 of the Bromsgrove District Plan, SPG 2- Shopfronts and advertisements Design Guide and the NPPF.

**Case Officer:** Claire Gilbert Tel: 01527 881655  
Email: [claire.gilbert@bromsgroveandredditch.gov.uk](mailto:claire.gilbert@bromsgroveandredditch.gov.uk)

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# Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Nick Stockdale	First floor rear extension. 12 Dordale Road, Bournheath, Bromsgrove, Worcestershire, B61 9JS	24.09.2018	18/00963/FUL

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

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

## Consultations

**Belbroughton And Fairfield Parish Council** Consulted 16.08.2018

The Parish Council has no objection provided the cumulative increase in size is within the 40% guidelines.

**Worcestershire Wildlife Trust** Received 03.09.2018

Given that repair works have recently been carried out you can progress the application without further information

## Publicity

Four letters were sent to the adjoining occupiers on 16<sup>th</sup> August and expired on 9<sup>th</sup> September 2018.

One letter of support was received in respect of this application. The comments within this letter were not considered to be material planning considerations.

**M. A. Sherrey** Received 03.09.2018

The first floor infill would look more in place than the tired looking flat roof in the green belt, in fact it would enhance the green belt.

## Relevant Policies

### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP19 High Quality Design

BDP21 Natural Environment

### **Others**

NPPF National Planning Policy Framework (2018)

SPG1 Residential Design Guide

## Relevant Planning History

16/0241	First floor rear extension	Withdrawn	25.05.2016
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B/9346/1981      Erection of first floor extension      Granted      30.11.1981

## **Assessment of Proposal**

The application site is located within the Green Belt. Policy BDP4 of the Bromsgrove District Plan sets out that the development of new buildings in the Green Belt is considered inappropriate, except in specific circumstances. The circumstances are broadly consistent with those set out in the National Planning Policy Framework which in paragraphs 145 and 146 sets out the categories of development which may be regarded as not inappropriate, subject to certain conditions. The application development falls under the category of an extension of a building, or specifically in relation to policy BDP4, to an existing residential dwelling. In considering whether or not it would be inappropriate development, a determination has to be made as to whether or not it would result in a disproportionate addition over and above the size of the original building.

In this respect, Policy BDP4 interprets disproportionate additions as being extensions that would represent more than a maximum 40% increase of the original dwelling or more than a maximum total floor space of 140 square metres. The proposed extension when combined with previous additions to the original dwelling equates to 69% which exceeds 40% threshold.

The applicant contends that the proposal is small in scale and would only extend above an existing flat roof part of the dwelling to the rear. Whilst that would be the case, the key factor concerning harm due to inappropriateness for the purposes of the Framework is proportionality and size rather than visual impact. Importantly in this respect, cumulatively with those other existing extensions, the proposal would further add to the already significantly extended dwelling, which, under the current development plan policy would be considered disproportionate.

Whilst the proposed extension itself would only represent a small percentage increase in size of the current dwelling, this is not a factor which carries any weight in the context of the significant cumulative additions to the original property. Having regard to this, the proposal must be regarded as inappropriate development in the Green Belt of which is provided substantial weight and should not be approved except in very special circumstances.

An assessment of the impact on openness is not confined to visual impact but is primarily concerned with physical presence. Although the proposed extension would be located within the existing built form, it is considered the extension would introduce some additional bulk, particularly to the roof space. On this occasion, it is considered the development would affect openness to some extent by occupying space. Therefore the proposal would cause limited harm to the openness of the Green Belt.

It has been put forward that the extension would improve the design of the dwelling, removing the existing flat roof section. The single storey flat roof element is unobtrusive to the overall design of the dwelling and the proposed pitch on the first floor element removes the symmetry achieved on the existing rear extension. Although no concerns are raised in respect of the design of the scheme, the design is not such an improvement



to the dwelling to justify otherwise inappropriate development in the Green Belt. I would consider the design of the extension to be a neutral matter in the planning assessment.

Having regard to the above, although little weight is afforded to harm through loss of openness to the Green Belt, this does not remove the harm that would be caused to the Green Belt by reason of inappropriateness to which substantial weight should be given. Furthermore, no special circumstances exist or have been put forward that would justify the development.

The proposed extension proposes a side window which faces onto the neighbouring dwelling No. 14 Dordale Road. It is noted that there is an existing window on this elevation however the proposed window will be closer to the boundary. No. 14 has no windows on this side facing elevation and a lean to garage that extends to the boundary. The property has a greater depth and therefore the window would not cause an issue of overlooking into this dwelling or onto the rear private amenity space of this dwelling. The application would not raise any concerns in respect of the amenity of the neighbouring properties. The application is not considered to give rise to any other planning issues and no objections have been received from the consultees.

The applicant has submitted information in respect of protected species. No further information is required in this respect. Members will note Worcestershire Wildlife Trust have not raised any objections to the scheme.

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

### **Reason for Refusal**

- 1) The proposed extension would constitute a disproportionate addition over and above the size of the original dwelling which is considered to be inappropriate development in the Green Belt by definition and substantial weight should be afforded to this harm. The development would affect openness to some extent by occupying space. Therefore the proposal would cause limited harm to the openness of the Green Belt. No very special circumstances exist which would outweigh the harm that would be caused to the Green Belt. Therefore the proposal would be contrary to BDP4 of the Bromsgrove District Plan 2011-2030 and section 13 of the National Planning Policy Framework.

**Case Officer:** Emily Farmer Tel: 01527 881657  
Email: emily.farmer@bromsgroveandredditch.gov.uk

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Name of Applicant	Proposal	Expiry Date	Plan Ref.
Aldi Stores LTD	Erection of a net fencing system to prevent footballs from the Victoria Ground entering the parking area of Aldi  Land At, Victoria Ground, Birmingham Road, Bromsgrove, Worcestershire B61 0DR	09.10.2018	18/00979/FUL

**This application is being reported to members because it is situated on Council owned land.**

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

### **Consultations**

**Conservation Officer** Consulted 16.08.2018

Whilst I have have no objections to the principle of net fencing system or its location, it is considered that the design and character of the proposed net would result in an unsympathetic and uncharacteristic addition to the street scene, therefore causing harm to the setting of designated heritage assets.

**Sport England** Consulted 16.08.2018

No objection.

**Sports and Leisure Services Manager** Consulted 16.08.2018

No objection.

### **Publicity**

**18 Neighbour Letters** Sent 16.08.2018 Expired 09.09.2018

**18 Neighbour Letters** Sent 06.09.2018 Expired 23.09.2018

**Site Notice** Posted 21.08.2018 Expired 14.09.2018

**Press Notice** Published 17.08.2018 Expired 03.09.2018

1 Representation received from Bromsgrove Sporting Limited (Company name of Football Club at Victoria ground) - support the application.

### **Relevant Policies**

#### **Bromsgrove District Plan**

BDP1 Sustainable Development Principles

BDP12 Sustainable Communities

BDP17 Town Centre Regeneration

BDP19 High Quality Design

BDP20 Managing the Historic Environment

BDP21 Natural Environment

BDP25 Health and Well Being

## Others

NPPF National Planning Policy Framework (2018)

NPPG National Planning Practice Guidance

## Relevant Planning History

18/00748/ADV	Proposed advertisement on net of net fencing system	Pending
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## Assessment of Proposal

### Site Description

The application site is located on land south of the southern terrace of the Victoria Ground football stadium and sits just north of the Aldi car park, located on Birmingham Road. The site is situated within an area designated as Town Centre Zone in the Bromsgrove District Plan and is within the setting of several Grade II listed buildings and the Bromsgrove Town Centre Conservation Area.

### Proposal

The application is for the erection of a net fencing system constructed of a 24x 6 metre protective net supported by 9no lattice work 6 metre high posts. The netting is proposed to be a thick, tightly knitted knotless mesh, with a mesh size of 30mm and a diameter of 3mm.

The proposal is required to ensure that footballs are contained within the football ground site and do not enter the adjoining land which forms the car parking area to Aldi retail store.

### Historic Environment and character and appearance of area

The proposed net fencing system would be a large structure which would be clearly visible from Birmingham Road, which provides an important view North out of the Bromsgrove Town conservation area towards the Lickey Hills and to the Grade II listed 31-33 Birmingham Road. The Conservation Officers view is that the proposed fencing system would fall within the immediate setting of these heritage assets.

The Councils Conservation Officer has raised no objection to the principle of the net fencing system or its location. However, the Conservation Officer does object to the design and character of the proposed net, as they consider it would result in an unsympathetic and uncharacteristic addition to the street scene, therefore causing harm to the setting of designated heritage assets.

The proposed design of the netting would be a thick tightly knitted knotless mesh covering 144m<sup>2</sup>; the density (30x30mm) and size of which would result in the structure having a large hoarding type appearance. The Councils Conservation Officer considers that this would appear as a dominant and incongruent feature within the streetscene.

The Councils Conservation Officer considered that the harm caused by the proposal would amount to less than substantial harm. The NPPF sets out that Great weight should be attached to the conservation of designated heritage assets, and that any harm should require clear and convincing justification and should be balanced against the public benefits of the scheme.

The Councils Conservation officer is of the view that clear and convincing justification has not been provided for the proposed use of this particular type of dense netting, which has a high visual impact, over the use of a more discreet less dense netting of lower visual impact which would result in lesser harm to the settings of the surrounding designated heritage assets.

It would appear that some public benefits would arise through improved safety when visiting the adjacent retail store; however it is considered that this same level of public benefit could be achieved through the use of a less dense mesh netting system.

### **Amenity**

Due to the sitting and design of the proposed net fence, it is not considered that it would adversely affect the amenities of the occupiers of the neighbouring residential properties.

### **Conclusion**

Overall due to the density and appearance of the mesh netting, it is considered that the proposed net fencing system would appear as an incongruent feature in the street scene which would fail to sustain and enhance the significance of the surrounding designated heritage assets. It is therefore considered that the proposal would be contrary to the policies in the Bromsgrove District Plan and the NPPF.

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

### **Refusal reason:**

- 1 Due to the density and appearance of the mesh netting, the proposed net fencing system would appear as an incongruent feature in the street scene which would fail to sustain and enhance the significance of the Grade II listed buildings adjacent the application site and the setting of the Bromsgrove Town Centre Conservation Area. This is contrary to Policies BDP17.5, BDP20.2 and BDP20.3 of the Bromsgrove District Plan and the NPPF.

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