

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 10TH DECEMBER 2018, AT 6.00 P.M.

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

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

46/18 **APOLOGIES**

An apology for absence was received from Councillor M. T. Buxton.

47/18 **DECLARATIONS OF INTEREST**

Councillor C. A. Hotham declared a Disclosable Pecuniary Interest in Agenda Item 9 – Planning Application 18/01376/FUL – 26 Blackwell Road, Barnt Green, Birmingham, Worcestershire, B45 8BU, in that he was the Applicant. Councillor Hotham withdrew from the meeting prior to consideration of this agenda item and took no part in the discussion or voting on the matter.

All Members present at the meeting also declared Other Disclosable Interests in Agenda Item 9 (Planning Application 18/01376/FUL - extension to existing garage roof and external staircase to form a guest bedroom – 26 Blackwell Road, Barnt Green, Birmingham, Worcestershire, B45 8BU), in that they were all acquainted with the Applicant, Mr. C. Hotham, through their roles as District Councillors.

Councillor C. Allen-Jones also declared an other disclosable interest in Agenda Item 8 (Planning Application 18/01231/FUL - access gates - Yew Tree Cottage, Chapmans Hill, Romsley, Halesowen, Worcestershire, B62 0HB), in that he had had discussions with the applicant in respect of their reasons for requiring the gates; but that he had no pre-determined views on the matter.

Councillor M. A. Sherrey declared an other disclosable interest in Agenda Item 5 (Planning Application 18/00282/FUL - residential development of 7 no. dwellings associated garaging - Yew Tree Farm, St Kenelms Road, Romsley, Halesowen, Worcestershire, B62 0NU), in that she had called in the application, due to the level of public interest

and concerns predominately relating to the safety of the highways; but that she had no pre-determined views on the matter.

48/18 **MINUTES**

The minutes of the meeting of the Planning committee held on 5th November 2018 were received.

RESOLVED that the minutes of the meeting held on 5th November 2018 be agreed as a correct record.

49/18 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)**

The Chairman confirmed with Members that they had received and read the updates to planning applications, which had been published and circulated, prior to the commencement of the meeting.

50/18 **18/00282/FUL - RESIDENTIAL DEVELOPMENT OF 7 NO. DWELLINGS ASSOCIATED GARAGING - YEW TREE FARM, ST. KENELMS ROAD, ROMSLEY, HALESOWEN, WORCESTERSHIRE, B62 0NU - KENDRICK HOMES LIMITED**

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor M. A. Sherrey, Ward Member.

Officers reported on additional comments, as received from Mott MacDonald Consultant Company who had been commissioned in order to provide a review of the highway matters, a further representation from Romsley Parish Council; comments from Ruth Bamford, Head of Service who had further considered the request for the unilateral undertaking for a planning obligation in the sum of £35,000 agreed between Worcestershire County Council and the Applicant; details of which had been summarised and detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. R. Arrowsmith, Chairman, Romsley Parish Council, addressed the Committee on behalf of Romsley Parish Council, in objection to the Application.

The Committee then considered the Application, which had been recommended for approval by Officers. Having noted all of the information provided by Officers and the representations made on behalf of Romsley Parish Council; Members went on to debate the concerns expressed by local residents and the Parish Council in respect of highway safety, the impact on local residents and road issues due to the road width and close proximity to the Co-op shop.

Members noted that, as detailed in the Update Report, the Parish and local community had monitored 80 safety incidents over a 12 day period in November 2018. Members were also mindful that, as seen in the video of CCTV, as referred to in the Update Report, that some incidents were due to driver behaviour and bad driving.

The Chairman invited the County Council's Highways Officer to comment and in doing so, he reiterated the areas which he had highlighted within the report before Members, and also clarified that the normal minimum width for a vehicle to pass was 4.1 metres, guidance stated 4.8 metres, therefore the 5 metres available was acceptable for the width of the road. Some of the concerns raised by residents were due to driver behaviour. The applicant had also proposed to increase the footpath width to a minimum 2 metres and had also allocated to Worcestershire Highways a 0.7 metre verge beyond the widened footpath, which would allow the highway to be widened should it be deemed necessary in the future.

Members sought further clarification with regard to the Applicant offering a Unilateral Undertaking to the Highway Authority to provide £35,000 to the implementation of local highway schemes to be developed in consultation with the local Parish Council.

With the agreement of the Chairman, the Council's Planning Lawyer explained that any planning obligation had to be proportionate, necessary and reasonable in relation to the development before it could form a reason to grant planning permission. Because the highway authority had stated that the contribution of £35,000 proposed by the Applicant was not necessary, then in accordance with legislation, the Committee could not take into account the Unilateral Undertaking of £35,000, as offered by the Applicant, when making their decision. Members were tasked with making their decision in accordance with relevant legislation and guidance.

Members went on to debate the highway safety issues raised in more detail and having further considered all of the information as presented and clarification from Officers and the County Council's Highways Officer and with the matter being put to the vote, Members considered that:

1. the proposed four vehicular accesses on the street would encourage drivers to mount the kerb on St Kenelms Road at a greater speed resulting in an unsafe situation for pedestrians and the future occupiers of the dwellings. The proposed development was therefore contrary to policies BDP1, BPD16 and BPD19 and Paragraph 108 and 110 of the National Planning Policy Framework 2018;
2. the proposed development does not make the best use of the land and does not provide a good mix of housing and was therefore contrary to policy BDP7 and BDP19 of the District Plan and paragraphs 122 and 123 of the National Policy Framework 2018.

RESOLVED that Planning Permission be refused for reasons 1) and 2) as detailed above.

With the agreement of the Chairman the meeting stood adjourned from 19:01 hours to 19:07 hours in order for Members and Officers to take a comfort break.

51/18 **18/01036/FUL - ERECTION OF 1 THREE-BED DWELLING HOUSE - LAND ADJOINING 171 SALWARPE ROAD, CHARFORD, BROMSGROVE, B60 3HT - MR. R. HALL**

This matter was withdrawn from the Agenda by Officers and was not discussed.

52/18 **18/01119/FUL - AMENDMENTS TO PREVIOUSLY APPROVED SCHEME 18/00212/FUL - 1 BLAKES FIELD DRIVE, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE, B45 8JT - MR. I. WATSON**

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor C. B. Taylor, Ward Member.

At the invitation of the Chairman, Mr. D. Jones, the Applicant's agent addressed the Committee in support of the Application. Councillor C. B. Taylor also addressed the Committee.

The Committee then considered the Application, which had been recommended for approval by Officers. Having noted all of the information provided by Officers and the representations made, on being put to the vote, it was

RESOLVED that planning permission be refused on the basis of harm to the design and impact on the street scene.

53/18 **18/01231/FUL - ACCESS GATES - YEW TREE COTTAGE, CHAPMANS HILL, ROMSLEY, HALESOWEN, WORCESTERSHIRE, B62 0HB - E. BAYLISS**

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor C. Allen-Jones, Ward Member.

Officers reported that a letter of support had been received from the neighbouring farm owner at Mount Pleasant Farm outlining that the existing parking used by the applicants was directly opposite the barn entrance and that his operation would be improved if the vehicles that were currently on the street were moved off the lane; as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. P. Harris, the Applicant's representative, addressed the Committee.

Members then considered the application, which was recommended for refusal by Officers. Members commented that the Site Visit conducted had proved to be very useful. Members of the Planning Committee took into account the main published report, the update and the views of the public speaker during the meeting and reached a different view to that of the Officer's recommendation and were minded to approve planning permission.

Members further considered that the risk of crime in such a remote area amounted to very special circumstances sufficient to justify the inappropriate development in the Green Belt in this instance and that the proposed gates would have a cottage style as the existing and would therefore be acceptable in this rural location.

RESOLVED that Planning Permission be granted.

54/18

18/01376/FUL - EXTENSION TO EXISTING GARAGE ROOF AND EXTERNAL STAIRCASE TO FORM A GUEST BEDROOM - 26 BLACKWELL ROAD, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE, B45 8BU - MR. C. HOTHAM

Officers reported that comments had been received from Barnt Green Parish Council confirming that the Applicant, Mr. C. Hotham, was a member of the Parish Council and had temporarily left the meeting when the matter was being discussed and that the Parish Council had no objection to the development, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 34 and 35 of the main agenda report.

The meeting closed at 7.40 p.m.

Chairman