



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 10TH DECEMBER 2018
AT 6.00 P.M.

PARKSIDE SUITE, PARKSIDE, MARKET STREET, BROMSGROVE,
WORCESTERSHIRE, 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 November 2018 (Pages 1 - 4)
4. Updates to planning applications reported at the meeting (to be circulated prior to the start of the meeting)
5. 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 (Pages 5 - 16)
6. 18/01036/FUL - Erection of 1 three-bed dwelling house - Land Adjoining 171 Salwarpe Road, Charford, Bromsgrove, B60 3HT - Mr. R. Hall (Pages 17 - 22)
7. 18/01119/FUL - Amendments to previously approved scheme 18/00212/FUL - 1 Blakes Field Drive, Barnt Green, Birmingham, Worcestershire, B45 8JT - Mr. I. Watson (Pages 23 - 28)
8. 18/01231/FUL - Access gates - Yew Tree Cottage, Chapmans Hill, Romsley, Halesowen, Worcestershire, B62 0HB - E. Bayliss (Pages 29 - 32)
9. 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 (Pages 33 - 36)
10. 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

29th November 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. 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.

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 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, or telephone (01527) 881406

This page is intentionally left blank

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

5TH NOVEMBER 2018, AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), 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, Mr. P. Lester and Ms. A. Scarce

42/18 **APOLOGIES**

Apologies for absence were received from Councillors C. Allen-Jones and M. Buxton.

43/18 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

44/18 **MINUTES**

The minutes of the meeting of the Planning committee held on 8th October 2018 were received.

RESOLVED that the minutes of the meeting held on 8th October 2018 were received.

45/18 **18/01001/FUL - PROPOSED AGRICULTURAL STORAGE BUILDING AND ACCESS TRACK - LAND OPPOSITE CROFT COTTAGE, WOODGATE ROAD, STOKE PRIOR, BROMSGROVE, WORCESTERSHIRE, B60 4HG - MR. D. BADGER**

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

Officers also provided a verbal update in respect of the application, as follows:

- In respect of consultee comments, Stoke Parish Council had stated in a letter dated 1st November 2018 that they understand from Councillor Malcolm Glass that the above application will be considered by the Planning Committee on the 5th November, 2018. The Parish Council has not received any formal notification

Agenda Item 3

Planning Committee
5th November 2018

of this fact nor have they been invited to either attend the meeting or to submit any written statement which is the normal practice.

In the circumstances, they would be grateful if officers would ensure that this letter is submitted to the Committee at the meeting. It was also stated that the report submitted to the Committee made no reference to the points outlined in the earlier email of 17 October, which set out the Parish Council's position on this application.

- Members of the Parish Council attended a site visit with Mr Badger at which it was verbally agreed with Mr Badger that he proposed to re-position the building, reduce the size of the building, plant appropriate trees to screen the building from the highway and neighbouring properties and to ensure that the gate giving access to the public footpath would remain unlocked and uninhibited.
- Since that meeting took place, the Parish Council has not received any written confirmation from neither the applicant nor the officer that the above actions would take place. In the circumstances, the Parish Council's position remains that the building is too big and sited in the wrong place causing it to be unsightly.
- In respect of Worcestershire County Council Countryside Service - Public Rights of Way, Officers had discussed with Patrick White, the Senior PROW Officer for Operations in that area, who was satisfied with the proposed access track material where it affects the public right of way.
- Further information from Agent had been provided which confirmed the applicant's land ownership. Their animal health registration and a Rural Payments Agency letter confirming the County Parish Holding Number and Single Business Identifier. All of these have been viewed by the planning officer.
- In respect of objector comments, Mr Banham an objector had provide further comments and evidence regarding quad biking on grazing land within Woodgate which the applicant has identified as having access to graze sheep. He had also sought clarification on public consultation. In relation to this, two letters were sent to 10 neighbours in the vicinity of the site, the first related to the original scheme which proposed the agricultural building in the corner of the field, and allowed 24 days to comment on the proposal. A second letter was also sent to neighbour notifying them of the amendment to the scheme, this allowed 17 further days for comments. There had been some confusion locally due to the discussions between the applicant and Parish Council, which he was not party to.

Agenda Item 3

Planning Committee
5th November 2018

- The application had not changed following the first amendment, all comments received from the public had been summarised in the report.
- It was confirmed that Members had also been sent an email providing photographs of the site.

At the invitation of the Chairman, Mrs H. Moule, the applicant's representative, addressed the Committee, followed by Mr. R. Banham, objector.

The Committee then considered the Application, which Officers had recommended be granted. Members discussed the application in detail and Officers responded to a number of queries raised, in particular concerns were raised in respect of the location of the building itself, within the site, the applicant's intended use of the building, other agricultural uses that could take place in the building following grant of the building and the possible impact on the amenity of neighbouring properties of those uses, and potential vehicle access across the public right of way. Members also raised concerns over the proximity of the building to nearby properties and questioned the reasons for the revised location of the building. Members also discussed the use of the building and officers advised that it was not possible to place any further conditions restricting the agricultural uses of the building.

There was a brief adjournment of the meeting whilst clarification was sought in respect of motor vehicle access across the public footpath. The Officers read a brief statement clarifying advice from the Public Rights of Way officer.

Following the adjournment the Committee was minded to refuse Planning Permission.

RESOLVED that Planning Permission be REFUSED on the grounds of the location of the building and the adverse impact on residential amenity.

The meeting closed at 6.42 p.m.

Chairman

This page is intentionally left blank

Agenda Item 5

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Kendrick Homes Ltd	Residential development of 7 No. Dwellings associated garaging Yew Tree Farm, St Kenelms Road, Romsley, Halesowen, Worcestershire B62 0NU	02.05.2018	18/00282/FUL

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

RECOMMENDATION: That planning permission be Granted

Consultations

Highways - Bromsgrove Consulted 20.07.2018

Due to the number of objections raised to the proposed development a review of accident data was undertaken and the application considered by a qualified road safety auditor. This audit has not raised any concerns that there will be an erosion of highway safety as a result of this proposal. The traffic flows in the vicinity are relatively low, no accidents have been recorded in the immediate vicinity of the proposed development, and the existing road width fronting the proposed development is acceptable. Due to concerns raised by the local community the applicant has proposed to increase the footpath width to a minimum 2m; the applicant has also allocated to Worcestershire Highways a 0.7m verge beyond the widened footpath, this allows the highway to be widened should it be deemed necessary at a later date.

The applicant has offered a Unilateral Undertaking to the Highway Authority which provides £35,000 to the implementation of local highway schemes which will be developed in consultation with the Local Parish Council.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable highways impact and therefore there are no justifiable grounds on which an objection could be maintained. The Highway Authority therefore submits a response of no objection subject to conditions.

Romsley Parish Council Consulted 23.07.2018

Objection due to impact of proposal on Highway Safety.

Waste Management Consulted 23.07.2018

No objection.

Worcestershire Wildlife Trust Consulted 10.04.2018

No objection subject to conditions.

Senior Community Safety Project Officer Community Safety Consulted 10.04.2018

No objection however consideration should be given to ensuring the site has natural surveillance.

Arboricultural Officer Consulted 19.03.2018

While retention of the Aspens would be preferred, I consider that these are reaching the end of their safe useful life expectancy and that their removal can be adequately mitigated by the indicatively shown tree and hedge planting scheme. As much as possible of the front boundary hedge should be retained during construction to provide immediate screening of the development, ecological benefit and adverse impact on the street scene. I therefore have no objection subject to conditions.

Parks & Green Space Development Officer Martin Lewis Consulted 19.03.2018

No objection subject to control on lighting, particularly at the rear of the site where an existing wildlife corridor exists and subject to the replacement of the front hedgerow.

WRS - Contaminated Land Consulted 19.03.2018

Worcestershire Regulatory Services have no adverse comments to make in relation to contaminated land.

North Worcestershire Water Management Consulted 12.04.2018

To my knowledge the site itself is not at risk of flooding. The site is currently Greenfield. The proposed development will increase the amount of impermeable area, and therefore the amount of runoff generated on this site. In order to not increase flood risk elsewhere the development will need to include measures to not increase the amount of runoff leaving this site. The submitted water management report (Rev A) sets out that the applicant will discharge all surface water via infiltration (soakaway etc) providing that site investigations suggest that ground conditions are suitable. I welcome this as discharge to the ground is always the preferred options, where ground conditions allow. No objection is therefore raised subject to condition.

Hereford and Worcester Fire Officer Consulted 04.05.2018

No objection.

Publicity

43 letters were sent to the surrounding properties on 19th March 2018 and expired on 9th April 2018. Three subsequent 17 day amendment notifications were sent on 20th July 2018, 16th October and 6th November respectively. The amendments related to a number of highways alterations put forward by the applicant. The most recent consultation expired on 23rd November 2018.

88 letters of objection have been as a result of this consultation. The comments received have been summarised as follows;

- Hazardous traffic along St Kenelms Road (including width of road not allowing vehicles to pass, non-compliance with yellow lines and poor driving, use of southern part of the street for Coop staff, shoppers and deliveries, risk to pedestrians and coach collecting school children)
- Four additional vehicular accesses on road causes will exacerbate issues
- Creation of yellow lines will not improve situation with no enforcement
- Road improvements suggested to do overcome objections raised
- Land is within the Green Belt
- Number of dwellings is not considered a village infill
- Land is a pleasant open green field
- Land is outside the village envelope

- Application will set a precedent
- Pavement will be blocked by bins on waste collection day
- Disruption during construction period
- Loss of a view
- Proposed dwellings are not affordable
- There are enough homes of this style in Romsley
- Previous permissions refused locally
- Application would set a precedent
- Impact on ecology (bats/birds/badgers/deer/field mice/foxes/loss of trees and hedgerow etc)
- Date of Ecology Survey was in November
- Light pollution
- Overlooking of properties to the south
- Disruption during construction

Cllr. Sherrey Consulted 15.11.2018

The application should be called into planning committee due to the level of public interest and concerns predominately relating to the safety of the highways

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP2 Settlement Hierarchy

BDP4 Green Belt

BDP7 Housing Mix and Density

BDP16 Sustainable Transport

BDP19 High Quality Design

BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2018)

SPG1 Residential Design Guide

Relevant Planning History

17/01377/OUT	Proposed 8 No. homes and associated garages.	Withdrawn	10.01.2018
--------------	--	-----------	------------

Proposal

The application site is located within the Green Belt, with three boundaries adjacent to the designated village envelope. The site is located within the settlement of Romsley and is currently a grass field with a hedgerow along St Kenelms Road. The proposed development is for the construction of 7 dwellings.

The dwellings will consist of the following;

Plot 1 and 2 – Five bed detached dwellings

Plot 3 – Three bed detached dwelling

Plot 4 – Three bed semi-detached dwelling

Plot 5 – Two bed semi-detached dwelling

The proposed access for the dwellings will be sited from St Kenelms Road and the dwellings would be sited in a linear form continuing the existing street scene to the west. The proposal also comprises of engineering operations to facilitate the construction of an addition 2m width to the footpath within the red line plan along St Kenelms Road.

Assessment of Proposal

Green Belt

The development of new buildings in the Green Belt is considered inappropriate, except for a closed list of exceptions outlined in BDP4 of the Bromsgrove Local Plan and the National Planning Policy Framework (2018). BDP4 allows for limited infilling in Green Belt settlements. This policy is compliant with the NPPF which allows for limited infilling in villages under Paragraph 145(e). Romsley is a small settlement as defined in BDP2 of the District Plan. Furthermore, Romsley is one of the settlements within the District where a village envelope has been defined and therefore represents a village in respect of the definition within the NPPF.

The term 'limited infilling' is not defined, however it normally comprises of the development of a modest size gap in an otherwise substantially built-up frontage which is broadly linear in formation. There is no requirement within either the Local Development Plan or the NPPF for the site to be wholly within a defined village envelope. In this instance, the existing site is a break within a ribbon of development along both sides of St Kenelms Road. The linear form of development will create 7 dwellings which bridge this gap in the street scene and the layout follows the overall scale and density of the surrounding built form. The purpose of the policy is to allow for limited infilling which is within the village both physically and functionally. The application site is located opposite the post office and local convenience store and is adjacent to the pub along one of the main routes into the village; therefore the application site is considered to be both physically and functionally linked to the settlement and therefore can be considered as part of this village. Furthermore the scale of 7 dwellings when taking into consideration the size of the village of Romsley is considered to be limited infilling. Having regard to this, the development would present 'limited infilling' and would thus, not represent inappropriate development in the Green Belt within the context of Green Belt policies.

The proposed development also requires engineering operations to extend the width of the footpath to the south of the site within the red line. Paragraph 146 of the NPPF allows for engineering operations provided that they preserve openness and do not conflict with the purposes of the Green Belt. The engineering operations consist of widening the footpath to 2m with the re-siting of the front hedgerow. The proposed footpath is within the context of the existing street and will be a minor increase in hardstanding within the context of other built form. The proposal is considered to preserve openness and is an acceptable form of development in the Green Belt.

Design

St Kenelms Road has a mix of character, the existing street scene comprises of a mix of two storey and single storey dwellings which vary with pitched and hipped roof types. The

north of the street is fairly spacious with a verdant character given its edge of settlement location. The dwellings on the north of the street are generally set back within their plot and set in from their side boundaries. The buildings to the south and east of the site are sited hard on the footpath and to the south of the site there is also the cul-de-sac Kenelm Court which consists of 10 bungalows. The proposed dwellings have been designed to reflect the character and density of the locality. The scheme sites the two larger dwellings on the west of the site and the dwellings get smaller and more rural in character when travelling towards the east to reflect the rural character at the edge of the settlement. The dwellings have been set back to provide parking and turning and some trees and hedging are shown along the front boundary to maintain the verdant edge of settlement character. For these reasons, it is considered that the proposal would reflect the traditional pattern of development along St Kenelms Road in accordance with policies BDP7 and BDP19 of the BDP and SPG1.

Neighbour Amenity

The proposed dwelling at plot 1 will be sited adjacent to the existing dwelling No. 24 St Kenelms Road. Given the orientation of these dwellings no concerns are raised in respect of overlooking, overbearing or loss of light to the occupiers of this property. Furthermore, the proposed dwellings have been designed not to cause an adverse relationship for the future occupiers of the development given the staggered linear form and distances achieved. The neighbour's comments have been considered in respect of overlooking and loss of privacy to the properties opposite. However, the separation distance achieved given the set back of the proposed dwellings within the plots is approximately 31 metres and the orientation of the proposed dwellings would not directly face onto the dwellings on the south of St Kenelms Road opposite. Therefore, overall it is considered that the proposed dwellings would have an acceptable amenity impact on all the surrounding properties in accordance with the guidance within SPG1 and Policy BDP1 of the BDP.

Highways

The proposed development proposes 4 vehicular accesses to facilitate the 7 dwellings. A significant number of objections have been received from the local residents and the Parish Council in respect of the existing parking/blocking of road issues due to its width, close proximity to the Co-op shop and the fact that the road is one of the main arteries into the village. Due to the number of objections raised the County Highways Authority has undertaken a review of accident data and the application has been considered by a qualified road safety auditor. This review of the data has not raised any concerns or demonstrated that the proposal will result in an erosion of highway safety. The traffic flows in the vicinity are relatively low, no accidents have been recorded in the immediate vicinity of the proposed development, and the existing road width fronting the proposed development is acceptable.

Due to the existing situation on the roads and the concerns raised by the local community the applicant has proposed to increase the footpath width to a minimum 2m; the applicant has also allocated to Worcestershire Highways a 0.7m verge beyond the widened footpath, this would allow the highway to be widened should it be deemed necessary in the future. The applicants have also agreed to provide a unilateral undertaking to County Highways for works to the highways outside of the application site. These works are outside of the red line of the application site and having regards to County Council

comments these are not required to make the application acceptable. This does not therefore form part of my assessment and is therefore not conditioned within this recommendation. Furthermore in order to ensure no displacement of vehicles from the proposed development occurs the applicant has provided off-street car parking spaces for each dwelling within the proposed development this includes a turning area to enable vehicles to enter and leave the site in a forward gear.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if the proposed development would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Therefore having regards to the above, Worcestershire County Council have confirmed that the existing situation will not be worsened as a result of the proposed development and in addition to this the applicant has provided some mitigation to the existing situation. Therefore although residents are experiencing issues of vehicles illegally parking and/or blocking the road, the existing issues do not make it reasonable to refuse planning permission in respect of highways matters.

Trees/Ecology

The proposal results in a loss of the Aspens trees on the west boundary, this does not cause concerns given these trees are reaching the end of their safe useful life expectancy and their removal can be adequately mitigated. The front hedge will be required to be removed due to the works widening the footpath. Although the loss of this hedge is not ideal, this is a single species hedge and can be replaced adequately by condition. The Tree officer has raised no objection to the scheme on the basis of the trees to be removed and the replanting proposed.

The applicants have submitted a Preliminary Ecological Appraisal which has suggested that there was no evidence of roosting bats, badgers or reptiles and amphibians on site and has recommended various mitigation measures to avoid committing an offence to any possible protected species. Concerns have been raised locally in respect of the loss of wildlife as a result of this proposal. Whilst the habitat has been identified as less than ideal through the ecology survey, it as an open farmland space with trees and open countryside to the north. Therefore it has been considered necessary to condition the recommendations as outlined within the Ecology Appraisal and the landscaping plan to ensure that the development results in a net gain of ecological habitats.

Drainage

Based on information from North Worcestershire Water Management the site itself is not at risk of flooding. The site is currently Greenfield. The proposed development will increase the amount of impermeable area, and therefore the amount of runoff generated on this site. In order to not increase flood risk elsewhere the development will need to include measures to not increase the amount of runoff leaving this site. The submitted water management report (Rev A) sets out that the applicant will discharge all surface water via infiltration (soakaway etc) providing that site investigations suggest that ground conditions are suitable. No concerns have been raised on this matter subject to conditions.

Conclusion

Other concerns that have not been yet addressed in this report however have been raised during the consultation with the local community include; no affordable dwellings proposed, there are enough dwellings of this style in Romsley, disruption during construction, the development will result in loss of a view, previous applications locally have been refused and that the proposal would set a precedent for future proposals. I will address these matters in turn.

No affordable housing has been proposed as part of this proposal however given the scheme is not for over 10 units the relevant policies do not require this to be provided. BDP7 of the Local Plan does however require proposals for housing take account of identified housing needs in terms of size and type. To ensure mixed and vibrant communities are created developments are required to focus on 2-3 bed properties given the need for this scale dwelling across the district. The current proposal proposes five 2-3 bed properties and is therefore considered to reflect this identified local need.

In respect of whether Romsley has enough of this type of dwelling, both locally and nationally there is a shortfall of housing. Bromsgrove District Council cannot currently demonstrate its five year land supply and therefore this would not be the case.

Although construction is a short term disruption it is acknowledged that St Kenelms Road is a main road into the village and therefore it has been considered reasonable to condition a construction plan to consider the timings of work, the schedule of deliveries and the parking for operatives to ensure that any disruption to the village is kept to a minimum.

The development is proposed to be on an existing green field and there will be a change of view to the neighbouring dwellings, particularly those sited to the south. The loss of a view is not however a material planning consideration.

Whether other applications have been refused locally or whether the proposal would set a precedent locally do not justify refusal of this application. Each application is considered on its individual merits and therefore would need to be assessed against the current local and national policies at the point of submission of the Local Planning Authority.

Comments have been received from Community Safety in respect of the layout of the proposed development. They have suggested that external lighting be considered and that the front hedge be no greater than 1m in height for community safety reasons. The ecologist and tree officer have both requested that the hedgerow be reinstated to offset for any loss in habitats. Furthermore these officers have also raised concerns in respect of external lighting and required the maintenance of dark routes to protect wildlife which is outlined in the submitted ecology appraisal. On balance it is considered that given the location of the site is in a busy part of the village on the main road with a shop and pub in close proximity it is considered that the activity around the site will reduce any issues of community safety concerns and therefore the lighting can be reduced and the hedgerow re-instated to protect wildlife.

The proposal is considered to be an appropriate form of development within the Green Belt. Furthermore, the scheme has been designed to reflect the local character of the

area in respect of layout, density and design. No objections have been received from the consultees and the development does not raise any other planning considerations.

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 approved shall be carried out in accordance with the following plans and drawings:

360-01-01 - Planning Layout, Location Plan and Street Scene

360-04-01 - Plots 1 and 2 Floor Plans

360-04-02 - Plots 1 and 2 Elevations

360-05-01 - Plot 3 Floor Plans

360-05-02 - Plot 3 Elevations

360-06-01 - Plots 4 and 5 Floor Plans

360-06-02 - Plots 4 and 5 Elevations

360-07-01 - Plots 6 and 7 Floor Plans

360-07-02 - Plots 6 and 7 Elevations

356-02-702 P5 – Highways Overlay

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 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) Prior to occupation of the proposed dwellings, 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.
- c) Details of ecological enhancements such as bat boxes and additional planting

The approved scheme shall be implemented within 12 months from the date when (any of the building(s) hereby permitted are first occupied.

Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

Reason: In order to protect the trees which form an important part of the amenity of the site in accordance with policies BDP19 and BDP21 of the Bromsgrove District Plan January 2011-2030.

- 5) 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 with fencing around their Root Protection Areas. This fencing shall be constructed as detailed in Figure 2 and positioned in accordance with Section 4.6 of British Standard BS5837:2012 and shall be maintained as erected 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 BDP1, BDP19, BDP22, BDP21 & BDP22 of the Bromsgrove District Plan 2011 - 2030 & S11 of the National Planning Policy Framework.

- 6) Development shall not commence until a method statement for the protection of the water environment from pollution during the course of construction has been submitted to and approved in writing by the local planning authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. Development shall be carried out in accordance with the approved details.

Reason: Given the proximity of the site to the adjacent ditch to ensure that the site does not result in flooding. This is required to be a pre commencement condition, as often the first phases of a development (ground works) can pose the highest risk.

- 7) No building operations shall take place until a scheme for surface water drainage for all impermeable areas 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 and results of field percolation tests. If soakaway drainage is not possible on this site, an alternative method of surface water disposal should be submitted for approval. The scheme shall include the results of an assessment into

the potential of disposing of surface water by means of a sustainable drainage system (SuDS). There shall be no increase in runoff from the site compared to the pre-development situation up to the 1 in 100 year event plus an allowance for climate change. The scheme shall provide an appropriate level of runoff treatment. The development shall be implemented in accordance with the approved strategy prior to the first use of the development and thereafter maintained.

Reason: Given the proximity of the site to the adjacent ditch to ensure that the site does not result in flooding.

- 8) No part of the development hereby approved shall begin until a Construction Management Plan to include details of:
- a. Parking for site operatives and visitors
 - b. Area for site operatives' facilities
 - c. Parking and turning for delivery vehicles
 - d. Areas for the storage of plant and materials
 - e. Wheel washing equipment
 - f. Boundary hoarding (set clear of any visibility splays)
 - g. Hours of operation for the construction phase of the development

have been submitted to, and approved in writing by, the Local Planning Authority. Only the approved plan shall be implemented throughout the construction period.

Reason: To ensure the provision of adequate on-site facilities, in the interests of highway safety and to prevent indiscriminate parking in accordance with the NPPF. This condition is required to be pre-commencement as site operatives would be required to access the site from the start of any site clearance or development.

- 9) All proposed works shall be carried out in accordance with the recommendations as set out in the Preliminary Ecological Appraisal by Cotswold Wildlife Surveys dated November 2017.

Reason: To ensure that the proposal results in a net gain of biodiversity having regard to BDP21 of the Bromsgrove District Local Plan No. 4 and Paragraph 170 of the NPPF.

- 10) The Development hereby approved shall not be occupied until the first 5 metres of the accesses into the development, measured from the edge of the carriageway, have been surfaced in a bound material.

REASON: In the interests of highway safety.

- 12) The Development hereby approved shall not be occupied until an area has been laid out within the curtilage of each dwelling for the following parking provision:

2 and 3 bed dwellings ' 2 car parking spaces per dwelling
5 bed dwellings ' 3 car parking spaces per dwelling

all at a gradient not exceeding 1 in 8. This area shall thereafter be retained for the purpose of parking a vehicle only.

REASON: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 13) The Development hereby permitted shall not be first occupied until one of the proposed car parking spaces at each dwelling has been fitted with an electric vehicle charging point and thereafter the charging point shall be kept available for the charging of electric vehicles.

REASON: To encourage sustainable travel and healthy communities.

- 14) The Development hereby approved shall not be occupied until the access, parking and turning facilities have been provided as shown on drawing 356-02-702 P5

Reason: To ensure conformity with submitted details.

- 15) The Development hereby approved shall not be occupied until the access, turning area and parking facilities shown on the drawing 356-02-702 P5 has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

REASON: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

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

This page is intentionally left blank

Agenda Item 6

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Roger Hall	Erection of 1 three-bed dwelling house. Land Adjoining 171 Salwarpe Road , Charford, Bromsgrove, B60 3HT,	09.10.2018	18/01036/FUL

Councillor Shannon has requested that this application is considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be **Refused**

Consultations

Highways - Bromsgrove Consulted 09.10.2018

No objection subject to conditions relating to access and visibility splays, turning and parking, provision of cycle parking and an electric vehicle charging point.

Drainage Engineers Internal Planning Consultation Consulted 09.10.2018

No objections

Arboricultural Officer Consulted 09.10.2018

No objections

Public notifications

One site notice was posted 25.10.2018 and expired 18.11.2018

Ten neighbour letters were sent 09.10.2018 and expired 02.11.2018

Three representations have been received in objection to the proposal, raising the following issues:

- Design
- Impact on amenity
- Highways
- Ecology
- Noise during construction
- Inaccuracy of plans
- Setting a precedent for future development
- Anti-social behaviour on land
- Legal matters relating to shared easements

One representation has been received in support of the proposal.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP7 Housing Mix and Density

BDP16 Sustainable Transport

Plan reference

BDP19 High Quality Design
BDP21 Natural Environment

Others

NPPF National Planning Policy Framework (2018)
NPPG National Planning Practice Guidance
SPG1 Residential Design Guide

Relevant Planning History

17/01430/FUL	Erection of 1 three-bed dwelling house.	Refused	02.02.2018
14/0143	Proposed extension and conversion of existing residential property to form 5 No. apartments with ancillary parking and landscaping.	Refused	15.08.2014

Assessment of Proposal

The application site is located within the Charford, which lies within a residential area of Bromsgrove, as defined on the Bromsgrove District Plan Proposals Map. The proposal is for a three bedroom dwelling, which would be situated between 169 and 171 Salwarpe Road, and would incorporate part of the former rear garden area of 61 Humphrey Avenue.

The main issues to consider with this application are the principle of development, design, residential amenity, highways, landscaping and ecology.

Principle of development

Policy BDP19(n) of the Bromsgrove District Plan 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. This policy accords with paragraph 70 of the recently published National Planning Policy Framework (NPPF 2018). In addition to this, Policy BDP7 of the District Plan seeks to achieve the best use of land whilst maintaining character and local distinctiveness, and paragraph 122(d) of the NPPF 2018 emphasises the desirability of maintaining an area's prevailing character and setting (including residential gardens). Other key policies in the District Plan include BDP1(e) which states that regard should be had to residential amenity.

The Council cannot currently demonstrate a 5 year supply of housing land. Paragraph 11 of the NPPF 2018 states that where policies that are most important for determining the application are out-of-date, planning permission should be granted. Footnote 7 clarifies that this applies to applications involving the provision of housing in situations where the local authority cannot demonstrate a five year supply of housing. In this case, relevant policies BDP1, BDP7 and BDP19 are in accordance with the policies contained within the new version of the NPPF, and thus are not considered out of date. These policies are therefore afforded substantial weight.

Although there is a general presumption in favour of residential development in urban areas, it is necessary to assess the proposal against the relevant District Plan policies described above, as well those within the National Planning Policy Framework (NPPF), and the guidance contained within The Residential Design Guide (SPG1).

Character, Density, Form and Layout

The area is characterised by traditional two storey dwellings which are a mixture of terraced and semi-detached properties. The pattern of development is very uniform, comprising a pair of semi-detached properties, followed by a gable ended block of four terraces in repetition. The majority of properties in the area have lengthy rear gardens. There is a consistent building line set back from the road providing space for properties to have front gardens and off road parking. Corner plots generally contain a pair of semi-detached dwellings with spacious verdant open areas to the front and side. The prevailing density in the area is approximately 28 dwellings per hectare.

The application seeks to utilise an area of garden land from both 171 Salwarpe Road and 61 Humphrey Avenue to create a single detached dwelling fronting on to Salwarpe Road. The dwelling extends approximately 1.5m forward of the established building line and would visibly reduce the spaciousness and visual openness currently experienced around the corner plot of No. 171. The visual appearance of openness would be further eroded by the need for 1.8m high fencing adjacent to Salwarpe Road to create a private garden of sufficient size for No. 171. This sense of enclosure is not observed on other corner plots in the area which remain open. The existing houses along the length of Salwarpe Road conform to a strong building line on both sides of the road and therefore the siting of the proposed dwelling would appear at odds to this. Further to this, the addition of a third dwelling within the original curtilage of No.'s 171 Salwarpe Road and 61 Humphrey Avenue would result in an increased density of 37 dwellings per hectare. This is substantially higher than surrounding properties and evident due to the resultant substantially smaller gardens of the application site, No. 171 Salwarpe Road and No. 61 Humphrey Avenue.

As well as the loss of openness and density concerns, the single detached dwelling would be at odds with the consistent pattern of terraced and semi-detached dwellings in the vicinity and consequently, would appear as cramped. By reason of its siting, design and density the proposed development would not integrate into the area and therefore, the loss of garden land should be resisted. The proposal would fail to provide a local enhancement but would instead materially harm the character and appearance of the area. For these reasons the proposal would be contrary to policies BDP7 and BDP19 of the District Plan and SPG1.

Residential Amenity

Other key policies in the District Plan include BDP1(e) which states that regard should be had to residential amenity. SPG 1 provides standards for separation distances between dwellings in order to protect residential amenity.

The dwellings in closest proximity to the application site are no. 171 Salwarpe Road to the south of the application site and no. 169 to the north of the application site. The rear elevation of No.171 Salwarpe Road contains two ground floor windows that serve an open plan kitchen and breakfast area. These windows are just 8.2m from the side elevation of the proposed 2 storey dwelling which would be 7m high. This falls short of

the separation distance of 12.5m required between windowed elevations and opposing flank walls, which is set out within SPG1. This close relationship would appear overbearing when viewed from this habitable room of No. 171 and would potentially cause a loss of light and outlook. Whilst a third window serves this room on the front elevation it is considered that this one unaffected window is not sufficient to overcome the harm to the rear aspect of the property.

No. 169 Salwarpe Road has an open plan kitchen and living room area on the side of their property closest to the application site. This large room is served by 3 windows, which are spread across the front, side and rear elevations. The blank side elevation of the proposed dwelling is within 4.4m of the side elevation of No. 169 and the proposed dwelling would also be sited on land that is 0.8m higher. This close relationship would result in a loss of sunlight received through this south facing window and undoubtedly the proposal would appear overbearing when viewed from this habitable room. Whilst there are windows on the front and rear serving this room it is considered that due to the south facing window being impacted the level of harm would still be significant on the occupiers of this property.

It is also necessary to consider the amenity of the future occupiers of the proposed dwelling. The proposed dwelling would be a reasonably sized three bedroom property, with all habitable rooms receiving sufficient natural light. The proposed rear garden would exceed the minimum standards of SPG1 in terms of both garden length and area. The living conditions of the future occupiers would therefore be acceptable.

In conclusion, although the amenity levels experienced by the future occupiers would be satisfactory, the proposal would have a detrimental impact on the living conditions of the occupiers of adjacent property no.'s 171 and 169 Salwarpe Road, contrary to Policy BDP1 of the Bromsgrove District Plan and the guidance contained within SPG1.

Access and parking

The scheme provides a total of 2 parking spaces which would be accessed off Salwarpe Road and would require the installation of a dropped kerb. This level of provision accords with the County Council's parking standards and therefore should not lead to any additional on street parking. The County Highways Officer raises no concerns to the development subject to a number of recommended planning conditions. The proposal therefore meets the requirements of Policy BDP16 of the BDP.

Landscaping and Trees

The proposal will require the some sections of a hedgerow to be removed and a laburnum tree. The Council's Tree Officer considers that these features are of limited amenity value and consequently raises no objection to their removal. The proposal therefore accords with Policy BD19 and BDP21 of the BDP.

Ecology

No ecological appraisal has been submitted with the application, however the dwelling would be constructed on an area where there is a substantial amount of hardstanding, and the characteristics of the site mean that a request for a survey would not be reasonable. Notwithstanding this, the applicants would be required under separate legislation to ensure that there was no harm to protected species such as bats. Although areas of hedgerow would be removed as part of the proposal, as long as this occurred

outside of the bird nesting season, no significant concerns should arise. The proposal therefore raises no ecological concerns in accordance with Policy BDP21 of the BDP.

Conclusion

Paragraph 7 of the NPPF (2018) defines the purpose of the planning system is to contribute to sustainable development, and Paragraph 8 describes the 3 overarching objectives to be economic, social and environmental objectives. Having regard to these and the relevant planning merits considered in the above report, a balancing exercise will be undertaken to assess whether the current proposal achieves sustainable development.

In relation to the economic objective the development would provide some limited benefit to the local economy in terms of providing employment for construction trades and increasing demand for building materials. With reference to the social objective the proposal would make a limited contribution towards the supply of housing in the locality and provide a new dwelling in a location defined as being appropriate for residential development. In terms of environmental considerations the proposal would significantly harm the character of the local area and materially impact upon the living conditions of an adjoining occupier. On balance it is considered that the substantial adverse impacts arising to the environmental objective would clearly outweigh the limited social and economic benefits of the proposal. The proposal is therefore considered to represent an unsustainable form of development that would be contrary to the policies contained within the District Plan and the Framework, and the guidance contained within SPG1.

Neighbour objections

Three letter of objection has been received in relation to the proposal raising the following concerns:-

The proposed dwelling would be out of keeping, cramped, and would harm the character and appearance of the area. These design matters have been addressed within the report.

Loss of privacy to garden area of 171 Salwarpe Road. As the only first floor windows proposed on the side elevation are would serve bathrooms, they would likely be fitted with obscure glazing. In any event, a planning condition could ensure this.

Loss of privacy to number 124 Salwarpe Road, opposite the application site. However the distance between the front windows of the proposed dwelling and number 124 would be approximately 23 metres, which would exceed the standard of 21 metres contained in SPG1, and thus would preserve satisfactory privacy.

Loss of outlook, overshadowing, and an overbearing impact to neighbouring properties. These matters have been considered within the report, having regard to the separation standards set out in SPG1.

Highways matters including traffic congestion, parking and the safety of motorists and pedestrians. The scheme has been considered by County Highways and has been deemed not to raise highway concerns. Notwithstanding this, it is noted that paragraph 109 of the NPPF states that a proposal should only be refused on highway grounds if the impacts are severe.

There is no dropped kerb to access the parking area. The site is located off an unclassified road where a dropped kerb can be installed without the requirement of planning permission.

Noise and disturbance caused during the construction phase. However, this disturbance is only temporary and therefore the level of harm arising is unlikely to be substantial. A level of disturbance would arise in the case of any development.

Incorrect "north point" on plans. These reflect ordnance survey records and therefore there are no concerns in relation to this.

Ecology impacts. This has been considered within the report. The applicants would be required to ensure that there was no harm to protected species such as bats. The protection of bats is covered under separate legislation.

Tree Assessment relates to previous application. The differences between the previous application and the current proposal would not result in a different impact to the trees on the site. The comments therefore remain valid.

Development would set a precedent. Any future planning application would need to be considered on its own merits.

Further concerns were raised regarding the shared nature of quasi-easements that would need to be mutually agreed with future occupiers, and also that the empty land is attracting anti-social behaviour. However these are considered to be civil matters rather than planning considerations.

RECOMMENDATION: That planning permission be **Refused**

Reasons for Refusal

1. By reason of its siting, density and design the proposed detached dwellings would be at odds with the uniform pattern of development and the open, spacious character of this residential area. The proposed development would therefore be contrary to policy BDP19 of the Bromsgrove District Plan, the guidance within SPG1 and the NPPF.
2. By reason of its siting and scale the proposed development would appear overbearing and would cause a loss of light to habitable windows of both adjacent dwellings, causing substantial harm to the amenity levels experienced by the occupiers, contrary to Policy BDP1 of the Bromsgrove District Plan, the guidance with SPG1 and the NPPF.

Case Officer: Charlotte Wood Tel: 01527 64252 Ext 3412
Email: Charlotte.Wood@bromsgroveandredditch.gov.uk

Agenda Item 7

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Ian Watson	Amendments to previously approved scheme 18/00212/FUL 1 Blakes Field Drive, Barnt Green, Birmingham, Worcestershire, B45 8JT	30.10.2018	18/01119/FUL

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

RECOMMENDATION: That planning permission be **Granted**

Consultations

Lickey and Blackwell Parish Council Consulted 12.10.2018

Lickey and Blackwell Parish Council have no objections to this application.

Publicity

6 Neighbour notification letters sent out 12.10.2018 - No objections received

Councillor Kit Taylor - After various discussions with residents, I share their concerns regarding the number of planning applications that have been submitted.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2018)

SPG1 Residential Design Guide

Relevant Planning History

P11/0107	Demolition of existing dwelling and erection of 3 detached dwellings with associated parking		14.10.2011
11/1102	Demolition of existing dwelling and erection of 3 no. detached dwellings and associated parking.	Refused	22.02.2012

Agenda Item 7

Plan reference

12/0895	Erection of a detached dwelling house.	Approved	10.01.2013
13/0660	Non Material Amendment		11.09.2013
13/0738	Proposed new 6 bedroom detached dwelling.		10.01.2014
13/0739	Erection of bedroom over garage area, remodelling of internal floor plan and provision of roof dormers.	Approved	11.12.2013
14/0144	Proposed new 6 bedroom detached dwelling with the addition of a family room to the rear from the previously approved planning application 13/0738.	Approved	11.04.2014
14/0592	Erection of single storey detached car port and surfaced drive	Approved	03.11.2014
14/0746	Proposed Extensions and Alterations to Existing Bungalow	Approved	12.11.2014
14/1007	Demolition of existing bungalow and erection of pair of semi-detached dwellings	Refused	06.10.2015
16/0655	Proposed new render to external walls, replacement roof tiles, elevational changes and new porch		23.08.2016
17/01096/FUL	Single and 2 storey side extensions		03.01.2018
18/00212/FUL	Amendments to previous planning approval (17/01096) slightly raising ridge height to follow pattern of development and alter some fenestrations. Removal of high level conservatory and replacement with low level orangery.		13.04.2018

Plan reference

16/00006/REF	Demolition of existing bungalow and erection of pair of semi-detached dwellings	Dismissed at Appeal	18.05.2016
12/00023/REF	Demolition of existing dwelling and erection of 3 no. detached dwellings and associated parking.	Dismissed at Appeal	20.09.2012

Assessment of Proposal

Site Description

The site lies in an area designated as residential in the Bromsgrove District Plan 2017. Blakesfield Drive is a cul-de-sac which is accessed off the northern side Plymouth Road.

Planning History

The planning history includes a number of house extensions which were approved. Importantly the extensive extensions approved under application 14/0746 have been commenced prior to expiry. Excavations and drainage for this extension has been viewed on site by a Building Control Officer in relation to building control application 17/1953/DEXBN. The most recent approval 16/0655 for minor external alterations has been completed.

There have been a number of planning applications which have sought to subdivide the plot into 3 dwellings resulting in appeal APP/P1805/A/12/217334 being dismissed. A single dwelling in the original rear garden of 1 Blakesfield Drive was approved under references 12/0895, 13/0738, 14/0144 which has been fully implemented and more recently 18/00212/FUL. Additionally, an appeal was dismissed to build a pair of semi-detached dwellings (APP/P1805/W/15/3138497).

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

- (i) Character Impact; and
- (ii) Amenity Impact

Character

This application is to carry out amendments to a previously approved scheme 18/00212/FUL, which has been partially implemented, therefore it is important to consider the approved scheme when assessing the changes in this application.

The changes proposed are as follows:

Front Elevation:

- Centrally placed gable to be raised by 1.5 metres. This does not raise the roof above its current highest point.

Plan reference

- Formation of a 5.5 metre high bay window with a footprint of 700mm (depth) by 2.8 metres (width).
- Addition of a flat dormer window in the roof.

Rear Elevation:

- Centrally placed gable to be raised by 1.5 metres. This does not raise the roof above its current highest point.
- Increase part of the roofline by 400mm to align with the existing roofline
- Alter the roof of the rear dormer window in the roof space from a pitched roof to a flat roof

Southern Side Elevation:

- Addition of two small obscure glazed windows - one to serve an ensuite and the other to serve a bedroom at first floor level
- Change from two doors to one door and six windows at ground floor level

Northern Side Elevation:

- Two small obscure glazed windows to serve an ensuite and dressing room at the first floor level
- Two high level windows and a door to serve a gym and a games room at ground floor level.

On balance these changes to the scheme are considered to be no more harmful to the character of the area than the previous consent.

Amenity

In assessing the impact on adjacent property No. 28 Plymouth Road, the first floor accommodation faces the side elevation of No.28 and its rear garden the separation distances comfortably exceed minimum standards. At its nearest point the first floor extension would be 17m from the shared boundary with No.28. This distance is sufficient to ensure that the proposal would not be overbearing or cause a loss of privacy.

The proposal therefore has no undue amenity impact in accordance with SPG1 and Policy BDP1 of the Bromsgrove District Plan (BDP)

Conclusion

The proposal in terms of character and amenity considerations is considered to be acceptable in accordance with policies BDP1 and BDP19 of the Bromsgrove District Plan and the National Planning Policy Framework.

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 approved shall be carried out in accordance with the following plans and drawings:

Site and Block Plan

Proposed Front Elevation - Dated July 18

Proposed Rear Elevation - Dated July 18

Proposed Side Elevations - Dated July 18

Proposed Ground Floor Layout - Dated July 18

Proposed First Floor Layout - Dated July 18

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

Case Officer: Nina Chana Tel: 01527 548241 Ext 3207
Email: nina.chana@bromsgroveandredditch.gov.uk

This page is intentionally left blank

Agenda Item 8

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Elaine Bayliss	Access gates Yew Tree Cottage, Chapmans Hill, Romsley, Halesowen, Worcestershire B62 0HB	11.12.2018	18/01231/FUL

Councillor Allen-Jones has requested this application be considered by Planning Committee rather than being determined under delegated powers.

RECOMMENDATION: That planning permission be refused.

Consultations

Romsley Parish Council Consulted 01.10.2018
No objection.

Arboricultural Officer Consulted 01.10.2018
No objection.

North Worcestershire Water Management Consulted 01.10.2018
No objection.

Highways - Bromsgrove Consulted 06.11.2018
The Highways Authority is unable to support this planning application on the basis of the vehicular access. No objections have been received in respect of the gates and associated pillars.

Crime Risk Manager Consulted 07.11.2018
The area is not considered to be a high crime area. There is a record of 10 reported incidents for the post code area since 1st January and the last crime recorded against the applicants address is in 2010 when a shed was broken into.

C. Allen-Jones Consulted 02.11.2018
Further to discussion with the applicants in respect of their reasons for requiring the gates should the recommendation be to refuse planning permission the application shall be called into committee.

Publicity

Two letters were sent to the adjoining properties on 1st October and expired on 25th October 2018.

One site notice displayed on 3rd October and expired 27th October 2018.

No comments have been received from third parties following this public consultation.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP4 Green Belt

BDP19 High Quality Design

Others

NPPF National Planning Policy Framework (2018)

SPG1 Residential Design Guide

Relevant Planning History

18/00764/FUL	Proposed two storey side extension	Pending Decision
--------------	------------------------------------	------------------

Assessment of Proposal

The application site is located within the Green Belt. The site comprises of a small cottage at the north boundary of its plot at the end of a small run of dwellings to the east of farmland. The front boundary has dense vegetation and the character of the area is very undeveloped and open. The proposal is for entrance gates 1.85m high constructed in close board timber with rendered brick pillars at a height of 2m. Given the road is not classified the site has the benefit of permitted development rights for the means of access to a highway under Part 2, Class B of the General Permitted Development Order 2015 (As Amended) subject to the works being required in connection with development permitted by any other class within the Order. In this instance the access is being carried out in connection to the hardstanding for parking within the site. The hardstanding benefits from permitted development rights under Part 1, Class F provided the area is of hardstanding is porous or has a surface run off within the curtilage of the dwelling. In this instance within the application form the applicant has confirmed the proposed materials for the hardstanding of the drive will be gravel therefore the Council are satisfied that this part of the scheme is permitted development and therefore does not form part of the assessment of this application. In this case the comments received from consultees in respect of the access and surfacing cannot carry weight against the scheme. Given the access gates exceed 1m in height and are adjacent to the road used by vehicles planning permission is required for this part of the proposal.

Green Belt

The site is located within the Green Belt. BDP 4 of the Bromsgrove District Plan (BDP) states that the construction of new buildings is to be regarded as inappropriate development. This is reflected in Paragraph 145 of the National Planning Policy Framework (2018). The term 'building' within the Framework refers to any structure or erection and therefore includes gates and walls. Gates and walls are not in the list of exceptions to inappropriate development within Paragraphs 145 and 146 of the NPPF and therefore, would be considered as inappropriate development by definition. The proposal therefore amounts to inappropriate development within the Green Belt and should be given substantial weight against the scheme.

The applicant has advanced a special circumstance to justify this development. The applicants contend that the gates would be required to reduce crime and the fear of crime

given the rural location of the dwelling. The West Mercia Consultancy Crime Risk Manager has provided comments on this application. He has looked over the recorded crime rates in the area and confirmed that this is not a high risk area. The applicants have a fall back available to them to erect a gate which is no greater than 1m in height utilising their permitted development rights. It is appreciated that a 2m high gate is more difficult to scale than a 1m, however the vehicular access and off street parking does not require consent so a refusal of these gates would not restrict removing cars from being parked on the road. Furthermore external lighting and CCTV could be utilised to reduce any risk of crime to the property. Having regards to this, it is therefore considered the justification put forward by the applicant is to be afforded moderate weight in favour of the scheme. This argument put forward by the applicant therefore does not amount to very special circumstances required to outweigh the substantial harm that would be caused to the Green Belt.

Street Scene

Chapmans Hill is within a rural location characterised by open frontages with low lying boundaries predominately consisting of vegetation with a small number of dwellings on the east and farmland to the west. BDP19 of the Bromsgrove District Plan ensures development enhances the character and distinctiveness of the local area. This is reflected in Paragraph 127 of the NPPF which requires developments are sympathetic to local character, including the built environment and landscape setting. The proposed gates would have a height of 1.85 metres constructed of close board timber with rendered brick pillars at a height of 2m. The design of the gates and associated pillars would have an urban appearance and would create significant built form in an otherwise undeveloped rural area. The proposed height and design of the gates does not reflect the rural character of the area and is therefore considered to be contrary to this policy BDP19 and paragraph 127 of the NPPF.

Highways

The County Highways Officer has objected to the scheme on the basis that insufficient information has been provided in respect of adequate vehicular visibility splays, pedestrian splays and the fact it is recommended the vehicle enters and leaves the parking area at 90 degrees to the carriageway and not at an angle as shown on the site plan. These comments are noted and the applicant has been notified of these comments given the highway safety implications. However, for the purposes of assessing this application the access itself is not development and cannot therefore be considered as part of this application.

Conclusion

The erection of the gates amounts to inappropriate development within the Green Belt, by definition, and should therefore not be approved except in very special circumstances. When taking into account the consultee comments from West Mercia Consultancy and the other security options available to the applicant it is not considered that the considerations put forward by the applicant amount to very special circumstances to outweigh the harm to the Green. Further harm has been identified to the rural character of the area which has been defined to be open and undeveloped in its character.

RECOMMENDATION: That planning permission be refused

Reasons for Refusal

- 1) Access gates are not in the list of exceptions to inappropriate development in the Green Belt within Paragraphs 145 and 146 of the NPPF and therefore, would be considered as inappropriate development, by definition, of which is to be afforded substantial weight.. No very special circumstances have been put forward or exist that would outweigh the harm that would be caused to the Green Belt. The proposal would therefore be contrary to BDP4 and BDP19 of the Bromsgrove District Plan and the guidance contained in Paragraphs 145 and 146 of the NPPF.
- 2) Chapmans Hill is within a rural location characterised by open frontages with low lying boundaries predominately consisting of vegetation with a small number of dwellings on the east and farms to the west. The proposed gates would have a height of 1.85 metres constructed of close board timber with rendered brick pillars and would have an urban appearance. The proposed height and design of the gates and associated pillars is not sympathetic to the local character of the area and is therefore considered to be contrary to BDP4 and BDP19 of the Bromsgrove District Plan and the guidance contained in Paragraph 127 of the NPPF.

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

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr C Hotham	Extension to existing garage roof and external staircase to form a guest bedroom 26 Blackwell Road, Barnt Green, Birmingham, Worcestershire, B45 8BU	28.12.2018	18/01376/FUL

RECOMMENDATION: That planning permission be granted.

Consultations

Barnt Green Parish Council Consulted 08.11.2018
No Comments Received To Date

Conservation Officer Consulted 08.11.2018

This property is separated from the Barnt Green Conservation Area by the railway line which connects Barnt Green to Bromsgrove and beyond. I therefore do not consider that this modest extension to the garage will impact on the significance of the Barnt Green Conservation Area.

Network Rail Consulted 08.11.2018

No objection however given the proximity of the works to the railway the applicant is advised to make contact with Network Rail prior to undertaking the works.

Publicity

Two neighbour letters were sent to the adjoining occupiers on 8th November and expire on 2nd December.

A site notice was displayed on 9th November and expires 3rd December.

A press notice was placed in the Bromsgrove Standard on 16th November and expires 3rd December.

To date no comments have been received as a result of this consultation.

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles
BDP19 High Quality Design
BDP20 Managing the Historic Environment
BDP21 Natural Environment

Others

SPG1 Residential Design Guide
NPPF National Planning Policy Framework (2018)

Relevant Planning History

B/2007/1038	Proposed detached garage with accommodation over and greenhouse	09.11.2007
-------------	---	------------

Assessment of Proposal

The application site is located within a residential area where the principle of development is considered acceptable. The site backs onto the Barnt Green Conservation Area and railway. The proposed development is for a hip to gable roof extension to the rear roof slope of an existing garage sited to the side/rear of the dwelling and an external staircase to facilitate a bedroom and bathroom on the first floor.

The existing garage is a modern addition constructed in 2007. The hip to gable extension will not be highly visible from public views and the rear gable is proportionate to the scale of the building. The proposed extension is therefore not considered to detract from the character of the building or locality.

The site backs onto the Conservation Area however given the separation of built form within the Conservation Area disconnected by the railway line the Conservation Officer has confirmed the development would not impact on the significance of the Barnt Green Conservation Area.

The proposed development comprises of an external staircase to provide access to the first floor accommodation. The staircase wraps around the north corner of the building and therefore results in an elevated platform in this position. There is a neighbouring property to the north which is at a lower land level however given the position of this dwelling within its plot, the boundary treatments and the separation distances achieved no concerns are raised in respect of neighbour amenity to this dwelling.

No objections have been received in respect of this application and it is considered to be an appropriate form of development in this location.

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

Plan reference

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 approved shall be carried out in accordance with the following plans and drawings:

General Arrangements Dwng No. 910.1

REASON: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

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

This page is intentionally left blank