

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 4TH NOVEMBER 2019, AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), S. J. Baxter, A. J. B. Beaumont, S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, J. E. King, H. D. N. Rone-Clarke (substitute) and P.L. Thomas

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Mr. S. Jones, Mr. S Edden, Mr. D. Edmonds, Mr. P. Lester, Mr. A. Young and Mrs. P. Ross

49/19 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

An apology for absence was received from Councillor P. M. McDonald, with Councillor H. Rone-Clarke present as substitute for Councillor P. M. McDonald.

50/19 **DECLARATIONS OF INTEREST**

Councillors H. Rone-Clarke, declared an Other Disclosable Interest in relation to Agenda Item 5 (Application 18/01593/FUL) – 11 Cherry Hill Avenue, Barnt Green, Birmingham, Worcestershire, B45 8LA), in that he was a Councillor for Barnt Green Parish Council, who had been consulted on the Application; but that he had no pre-determined views on the matter. Councillor Rone-Clarke participated and voted on the matter.

Councillors S. J. Baxter and S. G. Hession, declared an Other Disclosable Interest in relation to Agenda Item 8 (Application 19/00951/FUL) – 43A Barkers Lane, Wythall, Worcestershire, B47 6BY) and Agenda Item 10 (Application 161 Station Road, Wythall, B47 6AF), in that they were Councillors for Wythall Parish Council, who had been consulted on the Applications. Having advised that, they had not attended the meeting when the application was considered at the Parish Council meeting; Councillors Baxter and Hession participated and voted on the matter.

Councillor J. E. King declared an Other Disclosable Interest in relation to Agenda Item 6 (Application 19/00186/FUL – 8 St. Catherine's Road, Blackwell, Bromsgrove, Worcestershire B60 1BN, in that she had would be withdrawing to the public gallery to speak on this item as Ward Councillor under the Council's public speaking rules.

51/19

MINUTES

The Minutes of the meeting of the Planning Committee held on 7th October 2019 were received.

RESOLVED that the minutes of the meeting of the Planning Committee held on 7th October 2019, be approved as a correct record.

52/19

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 Update which had been published and circulated prior to the commencement of the meeting.

With the agreement of the Chairman the running order of the Agenda was altered, so that Agenda Item 6 (Application 19/00186/FUL), could be considered last.

53/19

18/01593/FUL - DEMOLITION OF EXISTING HOUSE AND GARAGE AND CONSTRUCTION OF NEW DWELLING - 11 CHERRY HILL AVENUE, BART GREEN, BIRMINGHAM, WORCESTERSHIRE, B45 8LA - MR. B. HASNAIN

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

Officers reported that a further Condition regarding site levels had been recommended, as detailed in the published Update Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Officers reported that the Applicant had worked closely with Officers, including the Conservation Officer to achieve an acceptable scheme and that as detailed in the main agenda report that the Conservation Officer had no objections to the revised Application. Stating that it was considered that the revised scheme would have a neutral impact on the character and appearance of the Conservation Area as required by the 1990 Act and the Bromsgrove District Plan.

Officers further reported that previous planning applications for a replacement dwelling had been withdrawn or refused due to concerns related to the design, scale and mass of the building on this site. This proposal showed that the scale of the proposed replacement dwelling had been reduced in response to the concerns raised by Officers; and the design of the house also took more reference from properties in the vicinity.

At the invitation of the Chairman, Mr. I. Taylor (speaking on behalf of residents), addressed the Committee in objection to the Application. Ms. F. Paolantoni, the Applicant's representative addressed the Committee on behalf of the Applicant. Councillor C. A. Hotham, in whose Ward the Site was located also addressed the Committee in objection to the Application.

The Committee then considered the Application, which had been recommended for approval by Officers. Members raised a number of questions with regard to; water retention, planning history, Class B and C permitted development rights and the conservation area; which Officers responded to.

Having considered the Officer's report and the information provided by all of the public speakers, and having conducted a Site Visit; Members were of the view that the proposed application was not out of character on the streets scene or the pattern of development along Cherry Hill Avenue. Members were therefore minded to approve the Application.

RESOLVED that Planning Permission be granted subject to:

- 1) Conditions 1 to 11, as set out on pages 22 to 24 of the main agenda report, additional Condition 12, as detailed on page 1 of the published Update Report; and
- 2) the following additional Condition restricting Class C permitted development rights:
 - 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Class C shall be carried out without express planning permission first being obtained from the Local Planning Authority.

54/19

19/00328/FUL - RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM B1 (LIGHT INDUSTRIAL) USE TO B8 (STORAGE AND DISTRIBUTION) USE, AND ERECTION OF ASSOCIATED COLD STORAGE FACILITIES TO THE REAR OF THE PREMISES - 30 THE AVENUE, RUBERY, BIRMINGHAM, WORCESTERSHIRE, B45 9AL - ADAM FOOD SERVICES LIMITED

Officers reported that the Application was a retrospective application for change of use from B1 (light industrial) use to B8 (storage and distribution) use, and erection of associated cold storage facilities to the rear of the premises. The Application related to No. 30 The Avenue, a business premises situated at the far end of a small industrial estate accessed via residential streets. The industrial estate was first developed in the early 1960's for light industrial uses.

Members' attention was drawn to pages 40 and 41 of the main agenda report with regard to 'Permitted Development Rights – Massing' and 'Visual Impact'.

Officers reported that whilst the building could be seen from the rear of residential properties on Richmond Road and Barrington Road, it sat more than 15 metres away from the common boundary and some further 20 metres away from the principal windows of those properties and was seen against the backdrop of the host building which was higher.

The Application followed an investigation by the Council's Planning Enforcement Officers concerning the erection of a cold store to the rear of the premises. The cold store had no unacceptably adverse impact upon amenity in terms of its height, impact upon sunlight or its visual appearance to the extent that would warrant refusal on those grounds.

Members' attention was drawn to the comments submitted by Worcestershire Regulatory Services (WRS), as detailed on page 33 of the main agenda report.

At the invitation of the Chairman, Mrs. S. Mallett addressed the Committee in objection to the Application. Mr. M. Nathan, the Applicant's agent addressed the Committee. Councillor P. M. McDonald, in whose Ward the Site was located also addressed the Committee in objection to the Application.

The Committee then considered the Application, which Officers had recommended for refusal. Having conducted a Site Visit, and having noted the comments made by the public speakers and WRS; Members were of the opinion that the proposal would be detrimental to the existing residential dwellings. Members were mindful that, as highlighted by Officers, the industrial estate was first developed in the early 1960's for light industrial uses and that as such the industrial estate was not designed or intended for distribution purposes.

Members were particularly concerned with regard to the noise from vehicles accessing the facility and the significant impact such noise would have on the residents living on Richmond Road and Barrington Road. Members were therefore minded to refuse the Application.

RESOLVED that Planning Permission be refused for the reasons set out on page 42 of the main agenda report.

With the agreement of the Chairman the meeting stood adjourned from 19:10 hours to 19:20 hours in order for Members and Officers to take a comfort break.

55/19

19/00951/FUL - CHANGE OF USE APPLICATION TO CONVERT A CARAVAN STORAGE AREA TO CARAVAN PARK - 43A BARKERS LANE, WYTHALL, WORCESTERSHIRE, B47 6BY - WILSON

Officers reported that there had been an amendment to Refusal Reason 2), as detailed on page 2 of the published Update Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Officers further reported that the Application was for change of use to convert a caravan storage area to a caravan park. The Application sought permission to replace the existing caravan storage of over 100 caravans with a development of 18 residential timber clad caravans.

The proposed development would constitute inappropriate development which was harmful to the Green Belt, as detailed on pages 47 and 48 of the main agenda report. Furthermore, the proposed development would be within 5 metres of a commercial dog kennel, which Officers were of the opinion would be incompatible and likely to have an impact on the living conditions of future occupiers from dog noise and could pose a threat to the future operation of this established business.

Officers stated that the application site was remote from any of the identified sustainable settlements and not conveniently located in terms of service and facilities, thus placing a high reliance on use of the private car.

At the invitation of the Chairman, Mr. D. Broadhead, the Applicant's agent addressed the Committee.

The Committee then considered the Application which was recommended for refusal by Officers. Members sought clarification from Officers with regard to the established commercial dog kennel, the impact on the openness of the Green Belt and the reference to Affordable Housing.

Having noted all of the information provided by Officers and the public speaker, on being put to the vote, it was

RESOLVED that Planning Permission be refused for Reason 1, as detailed on pages 52 and 53 of the main agenda report; and amended Reason 2, as detailed on page 2 of the published Update Report.

56/19

19/01177/FUL - FIRST FLOOR SIDE AND SINGLE STOREY FRONT EXTENSIONS - 44 MALVERN ROAD, BROMSGROVE, WORCESTERSHIRE, B61 7HE - MR & MRS MCCARTHY-SMITH

Officers reported that the Application had been brought to the Planning Committee for determination as one of the Applicants was an employee of the District Council.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on page 57 of the main agenda report.

57/19

19/01196/FUL - RE-MODELLING OF EXISTING BUNGALOW WITH REAR, SIDE AND FRONT EXTENSIONS AND ROOF SPACE CONVERSION INTO DORMER BUNGALOW - 161 STATION ROAD, WYTHALL, B47 6AF - MR. J. KERR

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

Officers reported that the application dwelling was a relatively small bungalow with an 'L' shaped floor plan with relatively low hipped roofs. The proposed gable ended front extension would project forward from the recessed 'L' shaped part of the front elevation by 3 metres and would be 8 metres wide and have a ridge height of 6 metres, (the same as the ridge height of the existing bungalow). There would also be an additional gable ended glazed porch projecting further forwards by 1.2 metres and would be 3.4 metres wide and 4 metres high.

The hipped side extension would have a ridge height of 6 metres high, the same as the existing ridge height and be the same width as the existing bungalow, including garage, and would be on the same alignment as the most forward part of the existing 'L' shaped bungalow.

There would also be single storey/one and a half storey side and partial rear extensions.

The proposed development would be large relative to the small bungalow occupying the site and would fail to respect its form or characteristics.

At the invitation of the Chairman, Mr. Boora, the Applicant's agent addressed the Committee. Councillor G. N. Denaro, in whose Ward the Site was located also addressed the Committee.

The Committee then considered the Application, which Officers had recommended for refusal. Members commented that the Site Visit conducted had proved to be very useful. Having noted that there were no objections from third parties and the views of the public speakers; Members reached a different view to that of the Officers recommendation and were minded to approve planning permission. Members further commented that the proposed development was not in the Green Belt and were of the opinion that the proposed development would be acceptable in this location.

RESOLVED that Planning Permission be granted.

58/19

**19/01261/FUL - SINGLE STOREY EXTENSION TO DWELLING - 11
PARKSTONE AVENUE, BROMSGROVE, B61 7NS - MR. I. FELTON**

Officers reported that the Application had been brought to the Planning Committee for determination as the Applicant's spouse was an employee of the District Council.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on page 65 of the main agenda report.

59/19

**19/00186/FUL - DEMOLISH EXISTING BUNGALOW AND
CONSTRUCTION OF 2 DETACHED DWELLINGS WITH INTEGRAL
GARAGES - 8 ST. CATHERINE'S ROAD, BLACKWELL,
BROMSGROVE, WORCESTERSHIRE, B60 1BN - MR. A. PULLEN**

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

Officers reported that additional views had been received from Lickey and Blackwell Parish Council, an additional comment from the Case Officer, and that an additional Condition regarding site levels had been recommended; as detailed in the published Update Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Officers further reported that the Application sought consent for the demolition of the existing dwelling and the construction of two detached dwellings. The access to the dwellings would be via the existing access. The existing driveway would be extended along the southern boundary of the site to serve the second dwelling. The Highways Officer and Tree Officer had raised no objections.

Officers drew Members' attention to the comments received from Lickey and Blackwell Parish Council and the Officers response and additional Condition 11; as detailed on page 1 of the published Update Report.

At the invitation of the Chairman, Mr. O. Parker and Mr. N. Suggett, addressed the Committee in objection to the Application. Mr. P. Tilsley, the Applicant's Agent addressed the Committee on behalf of the Applicant. Councillor J. E. King, in whose Ward the Site was located also addressed the Committee in objection to the Application.

Officers clarified that the proposed site was not in the Green Belt, the site lay within an area zoned as residential and would be a sustainable location for the development of two detached dwellings.

The Committee then considered the Application, which had been recommended for approval by Officers. Members raised a number of

questions with regard to the relevant planning history and any potential impact on St. Catherine's Road; which Officers responded to.

Having considered the Officer's report and the information provided by all of the public speakers; Members commented that both of the proposed dwellings would sit within generous sized plots. They had been designed to fit in with the existing street scene on St. Catherine's Road, which had a mixed character of residential properties.

RESOLVED that Planning Permission be granted subject to:

- 1) Conditions 1 to 10, as set out on pages 30 to 32 of the main agenda report; and
- 2) the following additional Condition:
 - 11) as detailed on page 1 of the published Update Report.

The meeting closed at 8.30 p.m.

Chairman