

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 2ND AUGUST 2021, AT 6.00 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), P. J. Whittaker (Vice-Chairman), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, A. B. L. English, H. D. N. Rone-Clarke (substitute for Councillor P. M. McDonald), M. A. Sherrey, P.L. Thomas and S. A. Webb (substitute for Councillor S. G. Hession)

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Mr. G. Boyes and Mrs. P. Ross

22/21

**TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

The Chairman opened the meeting and advised all those present that arrangements had been made to ensure that the meeting was held in accordance with social distancing requirements and Government guidance in respect of holding meetings at a physical location.

Apologies for absence were received from Councillor J. E. King, Councillor P. M. McDonald, with Councillor H. Rone-Clarke in attendance as the substitute Member and Councillor S. G. Hession with Councillor S. Webb in attendance as the substitute Member.

23/21

**DECLARATIONS OF INTEREST**

Councillor A. B. L. English declared in relation to Agenda Item No.4 - (Tree Preservation Order (5) 2021, Trees on Land West of Redditch Road, (Minute No. 25/21), in that she would be addressing the Committee for this item as Ward Councillor under the Council's public speaking rules. Following the conclusion of public speaking, Councillor A. B. L. English took no part in the Committee's debate nor voting on this matter.

24/21

**UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

The Chairman informed the Committee that Agenda Item number 7 – Planning Application 21/00561/FUL - 2 Dellow Grove, Alvechurch, Worcestershire, B48 7NR had been withdrawn from the agenda.

The Chairman announced that a Committee Update had been circulated to all Planning Committee Members prior to the meeting commencing.

25/21

**TREE PRESERVATION ORDER (5) 2021 - TREES ON LAND WEST OF REDDITCH ROAD, ALVECHURCH, NGR - 4029090-272065**

The Chairman further informed the Committee that a Supplementary Agenda pack had been issued for Agenda Item number 4 – Tree Preservation Order. An incorrect report title was shown on the original report and on the agenda facing sheet.

The Committee considered a report which detailed proposals to confirm, with modification, Tree Preservation Order (No.5) 2021, relating to the protection of trees on Land West of Redditch Road, Alvechurch, National Grid Reference (NGR) 4029090 – 272065.

The Senior Arboricultural Officer provided a detailed presentation, and in doing so drew Members' attention to the recommendation, as detailed on page 1 of the main agenda report.

Officers further informed the Committee that the provisional order was raised on 3<sup>rd</sup> March 2021, as detailed in Appendix 2 to the report; due to improvements having been made to the access point to the site off the Redditch Road and the beginning of storage of building and site management materials on the site.

On inspection it was noted that there were trees within the site marked with pink paint spots, which was generally a mark recognised to highlight trees targeted for removal. Land Registry checks showed that the site was under the ownership of a local builder and therefore the concern was that there was a potential risk that the site could be targeted for development. The site owner had verbally confirmed that he had no objections to the order being raised.

Officers drew Members' attention to the objection received and an Arboricultural report from Mr. Mark Chester of Cedarwood Tree Care on behalf of Mr. M. Smith, as detailed at Appendix 3 to the report; and the officer's comments in relation to the points raised, as detailed on pages 2 and 3 of the main agenda report.

Officers concluded that the trees within the order were in part visible from the main path and carriageway of Redditch Road and feeder road serving properties 18-28 Redditch Road and therefore offering a suitable degree of visual amenity value when viewed from a publicly accessible area and also added greatly to the character of the area.

At the invitation of the Chairman, Councillor A. B. L. English, Ward Member, addressed the Committee

Officers responded to questions with regards to Ash Dieback.

**RESOLVED** that provisional Tree Preservation Order (5) 2021 on Land West of Redditch Road, Alvechurch, NGR 4029090-272065, be confirmed with modification as detailed in the provisional order as raised and shown at Appendix 1 to the report. The modification related to tree T8 of the order, as detailed at Appendix 2 to the report, which was wrongly listed in the provisional order as an Ash tree when it was an Oak tree.

26/21

**21/00652/FUL - PROPOSED SUI GENERIS BUILDER'S MERCHANT WITH TRADE COUNTER AND ANCILLARY STORAGE, EXTERNAL STORAGE OF MATERIALS AND DISPLAY AREA, PARKING, LIGHTING COLUMNS, PERIMETER FENCING, HARD AND SOFT LANDSCAPING - LAND AT BUNTSFORD GATE BUSINESS PARK, BUNTSFORD DRIVE, BROMSGROVE, WORCESTERSHIRE - MR. A. HAYTON**

Officers reported that comments had been received from Worcestershire Regulatory Services (WRS) with regards to the submitted noise impact assessment and the proposed lighting scheme. The Conservation Officer with regard to the Grade II Listed Building Tan House Farm; Updated Planning Conditions 2 and 3 (as referred to on pages 38-41 of the main agenda report) and an additional Condition 14; as detailed in the published Committee Update, copies of which were provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers clarified that the Application had been brought to the Planning Committee for consideration as it was a Major development.

Officers presented the report and in doing so clarified that on 20<sup>th</sup> July 2021, the Ministry of Housing released an updated version of the NPPF which replaced the 2019 version. The report before Members reflected the updated 2021 version of the NPPF.

The application proposed Sui Generis Builder's Merchant with Trade Counter and ancillary storage, external storage of materials and display area, parking, lighting columns, perimeter fencing, hard and soft landscaping.

The proposed builders merchants were akin to a warehouse (Class B8) use but also had unique characteristics due to the type of goods it stocked and the level of outside storage which distinguished it from other warehouses and made it a 'sui generis' use. In this case, there was no potential user identified for the unit, but it was anticipated that the site would generate 15-20 new full time jobs.

The application site was located within Buntsford Hill Business Park which was allocated as Designated Employment Land within the Bromsgrove District Plan 2011-2030. The existing site was an undeveloped plot within the business park with an existing access adjacent to a car dealership and office building with car park.

The site was within the designated employment lane which bounded onto the Green Belt. To the south west of the site were two Listed Buildings: Tan House Farm a Grade II listed farmhouse and to the west a Grade II listed barn.

It was accepted that in this instance that the proposed sui generis use would fulfil the purpose of BDP14 in allocating land for employment purposes and would not harm the vitality and viability of the nearby town centre.

Officers drew Members' attention to the comments from Worcestershire County Council, Highways, as detailed on page 37 of the main agenda report.

Officers concluded that the proposed development was in accordance with the relevant policies of the Bromsgrove District Plan and could be properly characterised as sustainable development for the purposes of the NPPF. The proposal would bring a long term vacant site into use and would provide employment opportunities.

Officers responded to questions from Members with regard to the levels on the site.

Members also noted that WCC, Highways had not raised any objections to the application and had commented that the applicant had provided sufficient car parking and cycle parking.

**RESOLVED** that Planning Permission be granted, subject to:-

- a) authority be delegated to the Head of Planning and Regeneration to determine the planning application subject to the satisfactory views of Worcestershire Regulatory Services and Conservation; (it was noted that satisfactory views had been received, as detailed in the Committee Update); and
- b) authority be delegated to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of Conditions, as detailed on pages 38 to 41 of the main agenda report, with amended Conditions 2 and 3 and additional Condition 14, as detailed in the Committee Update.

27/21

**21/00699/FUL - PROPOSED EMPLOYMENT UNIT (INDUSTRIAL, RESEARCH AND DEVELOPMENT, GENERAL INDUSTRIAL, STORAGE AND DISTRIBUTION UNDER USE CLASSES E(G) (EXCLUDING OFFICES UNDER E(G)(I)), B2 AND B8), ACCESS, PARKING, SERVICE YARDS, LANDSCAPING AND ASSOCIATED DEVELOPMENT INFRASTRUCTURE. PLOT 5, THE COFTON CENTRE, GROVELEY LANE, COFTON HACKETT, WORCESTERSHIRE, B31 4PT - ST MODWEN DEVELOPMENTS LTD**

Officers reported that comments had been received from North Worcestershire Water Management who had no objections to the application subject to a drainage condition being added, Updated Planning Conditions (as referred to on pages 58-62 of the main agenda report) with an additional drainage Condition 10. There were no objections from Worcestershire County Council, Highways, as detailed in the published Committee Update, copies of which were provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers clarified that the Application had been brought to the Planning Committee for consideration as it was a Major development.

Officers presented the report and in doing so highlighted that the proposal was for a proposed employment unit (Industrial, research and development, general industrial, storage and distribution under Use Classes E(g) excluding Offices under E(g)(i), B2 and B8), access, parking, service yards, landscaping and associated development infrastructure.

Officers responded to questions from Members and clarified the Classes.

Officers further explained that the site formed part of the existing Cofton Centre employment site, which was accessed directly from Groveley Lane and shared an existing driveway that served a number of existing buildings.

The application proposal related to the southernmost part of the Cofton Centre and a final development plot which was currently used on a temporary basis for car storage by a lease car fleet management company. It was almost entirely hard surfaced with some limited landscaping to its northern boundary.

The application site had been allocated as Designated Employment Land within the Bromsgrove District Plan 2011-2030 as well as within the Longbridge Area Action Plan (AAP).

The proposed development benefitted from an extant outline planning permission which encompassed part of the wider Cofton Centre site.

A separate HGV and car park entrance would eliminate a conflict between delivery vehicles and car traffic. The application sought approval for 142 car parking spaces (including 7 accessible spaces within proximity of the ancillary office entrance).

The proposed building had the potential to generate between 310 and 389 full time equivalent jobs.

At the invitation of the Chairman, Mr. J. Tait, the Planning Agent, addressed the Committee via Microsoft Teams.

The Committee then considered the Application, which Officers had recommended for approval.

Members commented that they were pleased to see that the design was to high environmental standards.

Officers responded to questions with regard to Condition 9, as detailed on page 62 of the main agenda report, explaining that in September 2020 there were amendments made to the planning regulation which included changes of the classification of uses of property. Class A, B1 and D1 and the new Class E.

Members also queried the wording of Condition 9, namely 'no part of the buildings shall not be used for these use classes', was 'shall not' correct?

Officers agreed to seek clarification from the Case Officer, who had been unable to attend the meeting.

**RESOLVED** that Planning Permission be granted, subject to:-

- a) authority be delegated to the Head of Planning and Regeneration to determine the planning application subject to the satisfactory views of Worcestershire County Council, Highways and North Worcestershire Management; (it was noted that satisfactory views had been received, as detailed in the Committee Update); and
- b) authority be delegated to the Head of Planning and Regeneration to agree the wording of Condition 9, as discussed in the preamble above.

28/21

**21/00561/FUL - CONSERVATORY ON THE REAR ELEVATION (PART RETROSPECTIVE). 22 DELLOW GROVE, ALVECHURCH, WORCESTERSHIRE, B48 7NR - MR. M. FOOTES**

This application was withdrawn from the Agenda.

The meeting closed at 6.45 p.m.

Chairman