

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 7TH MARCH 2022, AT 6.03 P.M.**

PRESENT: Councillors H. J. Jones (Chairman), S. J. Baxter (substituting for Councillor A. B. L. English), A. J. B. Beaumont, G. N. Denaro, S. P. Douglas, J. E. King, M. A. Sherrey and M. Thompson (substituting for Councillor C. J. Spencer, during Minute No's 71/21 to 76/21)

Observers: Mr. R. Keyte, Legal Services

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Mr. G. Nock, Jacobs (via Microsoft Teams), Mr. G. Boyes, Ms. S Williams, Miss C. Gilbert, Mr. P. Lester, Ms. J. Chambers (via Microsoft Teams) and Mrs. P. Ross

71/21

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

Apologies for absence were received from Councillors A. D. Kriss, M. Glass, and P. M. McDonald.

Councillors C. J. Spencer and A. B. L. English with Councillors M. Thompson and S. Baxter in attendance, respectively as substitute Members.

72/21

**DECLARATIONS OF INTEREST**

Councillors S. J. Baxter declared an Other Disclosable Interest in relation to Agenda Item 10 (Planning Application 21/00873/FUL) – Land to the rear of 1-6 Smedley Crooke Place, Redditch Road, Hopwood, Worcestershire, in that she was a Member of Alvechurch Parish Council, who had been consulted on the Application. Having advised that, she had not attended any meetings or any discussions when the application was considered by the Parish Council; Councillor Baxter participated and voted on the matter.

73/21

**MINUTES**

The minutes of the Planning Committee meeting held on 7<sup>th</sup> February 2022, were received.

That the minutes be amended with regard to Minute No. 61/21-Declarations of Interest, as follows: -

“Councillor S. P. Douglas left the meeting room during the officer presentation and Member consideration of this item and only entered the meeting room in order to address the Committee, as Ward Councillor, under the Council’s public speaking rules.”

**RESOLVED** that, subject to the amendment as detailed in the preamble, that the minutes of the Planning Committee meeting held on 7<sup>th</sup> February 2022, be approved as a correct record.

74/21

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

The Chairman announced that a Committee Update had been circulated to all Planning Committee Members and she asked all Members if they had received and read the Committee Update.

75/21

**TREE PRESERVATION ORDER (14) 2021 TREES ON LAND AT 9 FAIRLIGHT DRIVE, BARNT GREEN, B45 8TB**

The Committee considered a report which detailed proposals to confirm, without modification, Tree Preservation Order (14) 2021, relating to trees on land at 9 Fairlight Drive, Barnt Green, Birmingham, Worcestershire, B45 8TB.

The Senior Arboricultural Officer provided a detailed presentation, and in doing so drew Members’ attention to the recommendation, as detailed on page 17 of the main agenda report.

Officers further informed the Committee that the provisional order was raised on 8<sup>th</sup> September 2021, as detailed in Appendix 1; following an enquiry received from the owner of the property indicating that he was considering removing the trees now included within the order. In view of the enquiry a site meeting was held with the owner of the property on 23<sup>rd</sup> August 2021 in order to inspect the trees and to consider their potential removal.

During the site meeting the owner outlined that ideally, he would have liked to remove all three trees within the provisional order as he considered that they represented a high level of safety risk to persons using the garden area of the property, in light of past instances of branch failure and other general debris fall from the trees. The owner also explained that if it were not acceptable to remove all of the trees from the provisional order, would it be acceptable to remove one of the trees from the provisional order.

Officers further informed the Committee that, having considered both of the options put forward by the owner and the issues highlighted and the condition of the trees; that his opinion was that the trees were worthy of retention and protection, for the reasons as detailed on page 18 of the main agenda report.

Officers drew Members' attention to the objection received from Mr. Peter Bridge, the owner of 9 Fairlight Drive, Barnt Green, Birmingham, Worcestershire, B45 8TB, as detailed at Appendix 2 to the report; and the officer's comments in relation to the points raised, as detailed on pages 19 and 20 of the main agenda report.

At the invitation of the Chairman, Mr. P. Bridge, the owner of 9 Fairlight Drive, Barnt Green, Birmingham, Worcestershire, B45 8TB, addressed the Committee in objection to TPO (14) 2021.

Members then considered the TPO.

Officers responded to questions with regards to 'Amenity' and in doing so stated that, whilst it was accepted that the estate of Fairlight Drive was gated, which restricted public access, there were 14 other properties on the estate some of which would benefit from being able to see at least part of the trees. There would also be a large volume of visitors to a site containing 14 properties (family, friends and service providers); many of which would benefit from the amenity value these trees provided.

In response to the concern raised by Mr. P. Bridge with regard to the distance of the trees from his property and queried by some Members, officers made reference to British Standard BS 5837 and in doing so briefly explained safe distance and safe distance with regard to new planning applications.

An alternative recommendation was proposed and seconded that provisional Tree Preservation Order (No.14) 2021, trees on land at 9 Fairlight Drive, Barnt Green, Birmingham, Worcestershire, B45 8TB, be amended to remove T2 – Pine.

Officers clarified that by removing T2 – Pine from the TPO, replanting could not be included as the tree would not have a TPO on it.

On being put to the vote, the alternative recommendation was carried.

However, further debate ensued, whereby some Members commented that Mr. P. Bridge should be able to remove all three trees, with other Members questioning the trees amenity value, stating that the trees were not really that visible and that the property was right next door to a wooded area.

A further alternative recommendation was proposed and seconded that the three trees on land at 9 Fairlight Drive, Barnt Green, Birmingham, Worcestershire, B45 8TB, should not be protected and that TPO (14) 2021 should not be confirmed.

On being put to the vote, the alternative recommendation was carried, with the Chairman using their casting vote.

**RESOLVED** that provisional Tree Preservation Order (14) 2021, relating to trees on land at 9 Fairlight Drive, Barnt Green, Birmingham, Worcestershire, B45 8TB, not be confirmed.

76/21

**20/01568/FUL - REDEVELOPMENT AND CHANGE OF USE TO A LARGE PORTION OF AN EXISTING MIXED USE COMMERCIAL SITE KNOWN AS CUR LANE FARM, INVOLVING THE DEMOLITION OF EXISTING STORAGE BUILDINGS, AND THE ERECTION OF 7 NEW HOMES, SET OUT AROUND TWO NEW COURTYARDS, ACCESSED FROM A NEW ROADWAY INGRESS OFF CUR LANE. TWO OF THE EXISTING STORAGE BARNs WILL REMAIN TO THE NORTHERN END OF THE SITE. CUR LANE FARM, CUR LANE, UPPER BENTLEY, WORCESTERSHIRE - MR. M. FERRIS**

Officers clarified that the Application had been brought to the Planning Committee for consideration because it was a major planning application in relation to the creation of new floor space.

Officers reported that since publishing the agenda papers, Leisure Services had responded that no contributions were being sought for this development. The applicant had provided a response to the refusal reasons, which were summarised 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 presented the report and in doing so drew Members' attention to the presentation slides, as detailed on pages 54 to 62 of the main agenda report.

Planning permission was being sought to redevelop the site of various commercial buildings for residential use. All the existing buildings on site were lawful following the grant of planning permission on appeal for the site as a mixed use following an appeal decision (Refence APP/P1805/C/16/3160015 dated 28<sup>th</sup> April 2017. Two single storey buildings, to the north of the site (units 3 and 4) which were approved for agricultural storage use were excluded from the development and would be retained as part of the development and would share vehicular access as the residential development.

The site lay within the Green Belt where there was a presumption against new development save for a number of exceptions outlined at Paragraph 149 and 150 of the National Planning Policy Framework (NPPF).

One of these exceptions, at paragraph 149 (g) was "the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development." This was aligned with policy BDP 4(g) of the Bromsgrove District Plan (BDP).

Officers clarified that although the site was previously developed land, it was within the Green Belt and was outside any existing settlement. The site was not identified as one of the large expansion sites around Bromsgrove Town, and it was not in or adjacent to the large settlements identified in BDP 5B. However, it was adjacent to the Foxlydiate mixed use urban extension site identified under Policy RCBD1, the Redditch Cross Boundary Development area. As Members would be aware that permission had recently been issued for hybrid application 16/0263, as detailed on page 45 of the main agenda report.

Officers highlighted that, whilst the principle of the Foxlydiate development had been approved, the scheme and associated infrastructure/facilities/services proposed for the mixed use development were yet to be implemented on site. Whilst it was noted that the application site was adjacent to this cross boundary site, one of the main issues was whether the proposed development would provide a suitable site for housing, having regard to proximity to services and job opportunities and reliance on motor vehicles.

Members were further informed that the Highways Engineer had recommended refusal of the application on the grounds that it was a rural unsustainable location and for the reasons, as detailed on pages 45 and 47 of the main agenda report.

Officers stated that in conclusion the proposed development would not be inappropriate in Green Belt terms, as there would be a minor benefit in terms of the openness of the Green Belt due to the reduction of built development on this application site. The Council could not demonstrate a five year housing land supply and given that the proposal complied with policy for development within the Green Belt, the presumption in favour of sustainable development applied.

The provision of housing would make a small contribution to the housing supply position in the district as well as providing jobs through the construction process in the short term. However, future occupants of the proposed development would not have suitable access to local services and facilities and as such would be heavily reliant on a private motor vehicle.

It was considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Whilst new dwellings in this location would bring some benefits, these would be largely limited and were outweighed by the significant harm caused by virtue of the unsustainable location of the application site.

At the invitation of the Chairman, Mr. M. Layland addressed the Committee on behalf of the Applicant.

The Council's Principal Solicitor, read out a speech on behalf of Bentley Paucefoot Parish Council, in objection to the Application.

The Committee then considered the application, which Officers had recommended be refused.

Officers responded to questions from the Committee with regard to replacing existing buildings, prematurity and Vacant Building Credit (VBC) and in doing so, explained that VBC did not apply, as the existing buildings were being used and were therefore not empty buildings. With regard to prematurity and potential future infrastructure, Members should be mindful to assess and determine the proposed application on its own merits and the current infrastructure available, not on any future infrastructure.

Members raised questions in respect of the applicant offering to purchase properties (off site) within Bromsgrove to be offered to Bromsgrove District Housing Trust (BDHT) to be made available as social rented accommodation.

Officers reiterated that as detailed in the report, Policy BDP 8 of the BDP required 30% affordable housing on brownfield sites accommodating less than 200 houses. The proposal would generate the need for 2 affordable dwellings to be provided on site.

On being put to the vote it was

**RESOLVED** that Planning Permission be refused for the reasons as detailed on page 51 of the main agenda report.

77/21

**21/01666/S73 - APPLICATION REFERENCE NUMBER: 21/00778/FUL, DATE OF DECISION: 13/10/2021, CONDITION NUMBER(S): 2, 8 - VARIATION OF CONDITION 2 (PLANS APPROVED) AND 8 (WORDING OF CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN), LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT, WORCESTERSHIRE, - GRACE SADLER**

Officers drew Members' attention to the published Committee Update, which provided information on the justification for the removal of the electricity substation. A revised Construction Environmental Management Plan (CEMP) had been submitted which addressed the comments from Worcestershire Regulatory Services regarding noise, as detailed on page 64 of the main agenda report. Copies of the published Committee Update were provided to Members of the Committee and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and in doing so commented that Members may recall that planning permission was granted in October 2021 for 109 dwellings to be erected on Phase 3 of the East Works site at

Longbridge. A copy of the committee report was attached at Appendix 1 to the report.

This application sought under the provisions of Section 73 of the Town and Country Planning Act 1990, sought to vary conditions numbers 2 and 8 of planning application 21/00778/FUL; as detailed on pages 65 and 66 of the main agenda report.

**RESOLVED** that Planning Permission be approved, subject to the Conditions as detailed on pages 67 to 71 of the main agenda.

78/21

**21/01354/FUL - FIRST FLOOR SIDE EXTENSION TO PROVIDE EN-SUITE BATHROOM AND SINGLE STOREY SIDE EXTENSION TO PROVIDE GROUND FLOOR UTILITY AREA, 10 MONUMENT LANE, LICKEY, BIRMINGHAM, WORCESTERSHIRE, B45 9QQ - MR. B. DAS**

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

Officers reported that since publishing the agenda papers the following revised documents had been received: -

- Revised Proposed Floor Plan, reference 20-825-2-P4 dated August 2021 was received on 22<sup>nd</sup> February 2022.
- Revised Design and Access Statement received on 22<sup>nd</sup> February 2022. Reference was made in this document to the need for an assisted bathroom, and it was noted that the Statement references that 'there would not be adequate space for an assisted bathroom within the existing bedroom.' However, no evidence had been provided on this point.

The following key measurements had been taken: -

- a) Wheelchair turning circle diameter 1.7 metres.
- b) Proposed Master Bedroom En-suite shower room is 2.1 metre width by 3.6 metre length.
- c) Existing 'Granny Annexe' shower room is 2.3 metre width by 3 metre length, and the existing 'lobby' between the bedroom and landing area is 2.2 metres width. The wheelchair turning circles are not included on the existing plans, however, based on the indicated 'wheelchair circles', it is considered that the existing bedroom and shower room appear to be of a sufficient size to accommodate wheelchair access.

Agreement was given by the applicant, on 3<sup>rd</sup> March 2022 for a confidential letter from his GP (dated 29 October 2020), which provided personal medical information in support of his application, to be circulated to Committee Members. All of the above information had been 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 presented the report and in doing so provided Members with additional presentation slides that detailed the proposed floor plan with wheelchair turning circles and lift.

Officers drew Members' attention to the Relevant Planning History as detailed on page 103 of the main agenda report and in doing so commented that it was not clear if the applicant's circumstances had changed since Planning Application 17/00833/FUL was refused in 2017, as detailed under Very Special Circumstances (VSC's) on page 106 of the main agenda report. Whilst mindful of, and sympathetic to the personal circumstances and medical condition of the applicant, individual personal circumstances should not outweigh the harm by way of inappropriateness, particularly in this instance.

Officers further drew Members' attention to pages 105 and 106 of the main agenda report – Green Belt; and in doing so highlighted that extensions which exceeded 40% were considered disproportionate. Disproportionate additions in the Green Belt represent inappropriate development, and inappropriate development was, by definition, considered harmful to the openness of the Green Belt. In this instance, the proposal would be contrary to Policy BDP4 of the Bromsgrove District Plan, as it was calculated that the original floor area was 219 square metres, previous extensions amounted to 229.5 square metres and the current proposals comprised an additional 19 square metres, so the cumulative floor space would amount to 248.5 square metres; representing a 113.5% increase, over and above the original floorspace. This represented inappropriate development in the Green Belt and caused significant harm to the openness of the Green Belt. (These figures took into account the detached triple garage constructed in 2008 which was within 5 metres of the dwelling).

Officers concluded that it was not considered that sufficient VSC's, by way of significant evidence of personal medical needs had been demonstrated, to outweigh the substantial weight given to the harm arising by reason of inappropriateness.

At the invitation of the Chairman, Mr. T. Kidsley, on behalf of the Applicant addressed the Committee. Councillor R. J. Deeming, Ward Councillor, also addressed the Committee.

Members then considered the application, which officers had recommended be refused.

Some Members commented that as you aged your health did deteriorate and that it was reasonable to want to remain in your own home.

In response to questions regarding the rear decking area, officers stated that it was not clear as to what would be removed, however, not all of the space could be used.



Members further commented that pages 106 and 107 of the main agenda report provided very clear information on VSC's.

In response to questions on the previous extensions, officers explained that Members should balance the principles of the Green Belt and personal needs.

Members stated that whilst they understood the principles of the Green Belt and that previous extensions had created a large house, looking at the size of the garden, would the proposed extensions really harm the openness of the Green Belt.

The Council's Legal Advisor stated that Members should consider the impact of the previous extensions and the proposed extensions and should consider the long term future planning process and the overall effect on the building, which would become visually dominant.

Some Members highlighted that whilst being aware extensions which exceeded 40% were considered disproportionate, the applicant had been employed in a very caring profession and wanted to remain in his home and that this should be strongly considered.

Members were mindful of the information provided by both the applicant and officers with regard to VSC's.

Having considered the application, which officers had recommended for refusal; Members were of the opinion that there were Very Special Circumstances and that the medical needs of the applicant and his personal circumstances outweighed the harm to the openness of the Green Belt.

An alternative recommendation that Planning Permission be granted was proposed and seconded.

On being put to the vote, the Committee voted in favour of the alternative recommendation.

**RESOLVED** that Planning Permission be granted.

- a) that delegated powers be granted to the Head of Planning Regeneration to determine the conditions of the planning application to include: -
  - I. The development must be begun not later than the expiration of three years beginning with the date of the grant of this permission;
  - II. All new external walls and roofs shall be finished in materials to match in colour, form and texture those on the existing building; and
- b) that any permitted development rights be removed.

At this stage in the meeting, the Chairman announced that a brief comfort break would be taken.

Accordingly, the meeting stood adjourned from 19:41pm to 19:48pm.

79/21

**21/01819/FUL - DEMOLITION OF EXISTING GARAGES AND REPLACEMENT WITH A PORTACABIN TO HOUSE TOILET FACILITIES, VICTORIA GROUND, BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE, B61 0DR - MR. M. GARDINER**

Officers clarified that the Application had been brought to the Planning Committee for consideration as the site was situated on Council owned land.

Officers presented the report and informed the Committee that the application sought the demolition of existing garages and replacement with a portacabin to house toilet facilities.

Members' attention was drawn to the following officer's presentation slides: -

- Site Location
- Proposed site plan, floor plan and elevations
- Site Photos

**RESOLVED** that Planning Permission be granted, subject to the Conditions as detailed on page 126 of the main agenda report.

80/21

**21/00873/FUL - DEVELOPMENT OF 22 DWELLINGS, ASSOCIATED LANDSCAPING AND SITEWORKS AND CONSTRUCTION OF NEW ACCESS FROM EXISTING HIGHWAY ROUNDABOUT, LAND TO REAR OF 1-6 SMEDLEY CROOKE PLACE, REDDITCH ROAD, HOPWOOD, WORCESTERSHIRE - MR. D. RICKETT,**

Officers reported that additional information had been received by Members of the Committee on 6<sup>th</sup> March 2022; the Applicant's Response to the Planning Officer's Report. The Committee Update provided the officer's response on the issues raised, namely, Green Belt/Fall Back, Alvechurch Neighbourhood Plan, Prematurity and Other Matters and Conclusion; as detailed on pages 3 and 4 of the Committee Update, copies of which were provided to Members of the Committee and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and in doing so explained that the application was for the development of 22 dwellings, associated landscaping and siteworks and construction of new access from the existing highway roundabout.

Officers drew Members' attention to the presentation slides as detailed on pages 156 to 173 of the main agenda report.

Officers highlighted that Alvechurch Parish Council (APC) had objected to the application for the reasons as detailed on pages 133 and 134 of the main agenda report. Stating that the proposed development was outside of the Village Envelope, on Green Belt land and did not therefore conform to the APC's Neighbourhood Development Plan (NDP).

The full planning application was for the development of 22 dwellings, associated landscaping and siteworks and construction of new access (fourth arm) from the A441/B4120 roundabout. The development would close off the existing site access from A441 Birmingham Road and would include removal of all materials pertaining to the current use of the site.

The application proposed a range of market and affordable homes, as detailed on pages 136 and 144 of the main agenda report.

Officers further drew Members' attention to the Relevant Planning History and the applications that had previously been refused and dismissed at Appeal, as detailed on pages 135 and 136 of the main agenda report; and the Planning Inspectors assessment of the 2012 applications for 21 dwellings, as detailed on page 141 of the main agenda report.

Officers drew Members' attention to the comments received from Highways, that they had no objection to the proposed application, subject to conditions and requirements, in accordance with paragraph 111 of the Framework, as detailed on pages 147 and 148 of the main agenda report.

Highways had stated that the previous scheme (Planning Application 17/01290/OUT be refused due to the re-use of the existing access, which was close to the roundabout with the A441 and B4120, 'which were considered to be substandard and as a result failed to ensure a safe and suitable access for all users was provided'.

Officers referred to the Five Year Housing Land Supply, as detailed on pages 137 and 138 of the main agenda report: -

"The Council had identified that (inclusive of the 5% buffer required by the Framework) it could currently demonstrate a housing land supply of 4.6 years. Therefore, despite progress which had been made in identifying sites and granting planning permissions the Council still considered that it could not demonstrate a five year housing land supply.

Where a Local Planning Authority could not demonstrate a five year housing supply, Paragraph 11 (d) of the Framework was engaged. Paragraph 11 required that decisions on planning applications applied a presumption in favour of sustainable development. 11 (d) went on to

state that where there were no relevant development plan policies, or the policies which were most important for determining the application were out-of-date, permission should be granted unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for restricting the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Officers concluded that the Framework and Policy BDP4, was clear that very special circumstances would not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, was clearly outweighed by other considerations. In considering such a proposal, the Framework was clear that substantial weight should be given to any harm to the Green Belt.

The Proposal would be inappropriate development in the Green Belt causing substantial harm to the openness.

Officers drew Members' attention to the reasons for refusal, as detailed on pages 152 and 153 of the main agenda report.

At the invitation of the Chairman, Mr. C. Robinson, on behalf of the Applicant addressed the Committee. Councillor C. Hotham, Ward Councillor, also addressed the Committee.

Members then considered the application, which officers had recommended be refused.

Officers responded to questions from the Committee with regard to 'Prematurity', and in doing so stated that as part of the consultation response from Strategic Planning they had raised the ongoing District Plan Review. Whilst prematurity should not be considered as a primary reason to refuse a planning application, it should be considered alongside other more pertinent matters which were contrary to the NPPF, especially when taken as a whole.

In response to questions in respect of Highways, Mr. G. Nock, Jacobs, who had acted on behalf of Worcestershire County Council (WCC), Highways Authority; commented that Members should consider the proposal before them and have regard to the design, visibility and capacity of the proposal. A supporting GG104 Safety Risk Assessment had been produced by the Applicant which considered the appropriate design standards for roundabout and the approach roads. A Road Safety Audit (RSA) Stage 1 had been carried out. County Highways had assessed this element and had concluded that the roundabout satisfied the requirement of the NPPF to ensure safe and suitable access. Enhancements in respect of safe access for pedestrians had been proposed, as detailed on page 148 of the main agenda report.

Further debate followed and officers responded to questions with regard to flooding, brown field site and the need for the Local Authority to build more homes. During the debate it was noted that, the BDP and Green Belt were under review, however, it was also noted that the proposal had to be determined at this point and under current policies.

**RESOLVED** that Planning Permission be refused for the reasons as detailed on pages 152 and 153 of the main agenda report.

81/21

**21/00324/FUL - TIMBER HIT AND MISS CEDAR FENCE, REAR DOUBLE GATE AND UPVC CORRUGATED ROOF SHEETING TO PROVIDE SHELTER TO EXISTING EXTERNAL SEATING AREA. PARTIAL CONVERSION OF CAR PARK TO PERMANENT USE OF EXTERNAL SEATING AREA WITH CANOPY AWNING AND PROPOSED CLAD SHIPPING CONTAINER TO BE USED AS DRY STORE. RETAINING 2NO. EXISTING PARKING SPACES, CUP & BEAN, 121 WORCESTER ROAD, HAGLEY, WORCESTERSHIRE, DY9 0NG - MR. E. STRINGFELLOW**

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

Officers reported that Worcestershire Regulatory Services (WRS) had confirmed that there were no open service requests relating to any complaints at the application site, as stated 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 presented the report and drew Members' attention to the presentation slides as detailed on pages 189 to 192 of the main agenda report. 22 objections had been received to the public consultation, as detailed on page 177 of the main agenda report.

The application site comprised 121 Worcester Road and land to the rear with parking/manoeuvring space beyond. Pedestrian access was gained through the building from the entrance door off Worcester Road and vehicular access off Church Street. The site was located wholly within Hagley Local Centre as defined on the Bromsgrove District Plan Proposals Map and within the urban area.

The proposal sought permission for the retention of a covered hit and miss timber structure with corrugated roof, attached to the rear of the building which was used as a covered seated area/smoking area. The retention of an external seating area to the rear of the building to include storage facilities. Proposed canopy over the external seating area and proposed partial timber clad shipping container to be used as a dry store.

The site was located within a highly sustainable location, parking restrictions and parking bays (with time restrictions) were located in the

vicinity, the increase for parking associated with the proposed development would be negligible.

Highways and WRS had raised no objections.

At the invitation of the Chairman, Ms. M. Thompson, on behalf of Church Street Residents, addressed the Committee in objection to the application. The Applicant, Mr. E. Stringfellow and Councillor S. Colella, Ward Councillor, also addressed the Committee.

Members then considered the application, which officers had recommended be granted.

Members thanked the public speakers and commented that they had thoroughly read the report and had noted the issues and concerns raised by the residents and the impact on residential amenity. However, Members were also mindful that the applicant had applied due diligence to the concerns raised, as detailed on pages 183 of the main agenda report; and the officer's conclusion, as detailed on page 184 of the main agenda report.

It was also noted that, as reported by officers; that WRS had confirmed that there were no open service requests relating to any complaints at the application site. It was further noted that the temporary rights of the business to operate as a hot food takeaway would be coming to an end on 23<sup>rd</sup> March 2022.

Therefore, Members were in agreement with the officer's recommendation.

**RESOLVED** that Planning Permission be granted, subject to the Conditions as detailed on pages 185 and 186 of the main agenda report.

The meeting closed at 8.41 p.m.

Chairman