

**BROMSGROVE DISTRICT COUNCIL**

**VIRTUAL MEETING OF THE PLANNING COMMITTEE**

**MONDAY 15TH FEBRUARY 2021, AT 6.08 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, H. J. Jones (substituting for Councillor A. J. B. Beaumont), J. E. King (during Minute No's 82/20 to 87/20), H. D. N. Rone-Clarke (substituting for Councillor P. M. McDonald, P.L. Thomas and S. A. Webb (substituting for Councillor G. N. Denaro)

Officers: Ms. C. Flanagan, Mr. A. Hussain, Mr. D. M. Birch, Mr. P. Lester, Miss. C Wood, Mrs. P. Ross and Mrs S. Sellers

The Chairman took the opportunity to apologise to all those present for the late start to the meeting, which was due to technical issues.

82/20

**APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

The following apologies for absence were received: -

Councillor G. N. Denaro with Councillor S. A. Webb in attendance as the substitute Member, Councillor P. M. McDonald with Councillor H. Rone-Clarke in attendance as the substitute Member, Councillor A. J. B. Beaumont with Councillor H. J. Jones in attendance as the substitute Member and Councillor P. J. Whittaker.

83/20

**DECLARATIONS OF INTEREST**

Councillor H. J. Jones declared in relation to Agenda Item 6 – Planning Application 20/01343/FUL – 56 Braces Lane, Marlbrook, Bromsgrove, Worcestershire, B60 1DY, (Minute No. 87/20), 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 H. J. Jones took no part in the Committee's debate nor voting on this matter.

Councillor S. G. Hession declared in relation to Agenda Item 7 - Planning Application 20/01396/FUL – 18-20 Lea Green Lane, Wythall, Worcestershire, B47 6HE, (Minute No. 88/20), 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 S. G. Hession took no part in the Committee's debate nor voting on this matter.

Councillor S. A. Webb declared in relation to Agenda Item 6 - Planning Application 20/01343/FUL – 56 Braces Lane, Marlbrook, Bromsgrove, Worcestershire, B60 1DY, (Minute No. 87/20), in that the site lay within her County Councillor Division.

84/20

**MINUTES**

The minutes of the Planning Committee meeting held on 18<sup>th</sup> January 2021, were received.

**RESOLVED** that the minutes of the Planning Committee meeting held on 18<sup>th</sup> January 2021, be approved as a correct record.

85/20

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

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

86/20

**20/01274/FUL - VARIATION OF PLANNING CONDITIONS 2 (APPROVED PLANS), 3 (MATERIALS), 9 (UTILITY SERVICES PLAN) AND 11 (CONSTRUCTION MANAGEMENT PLAN) ATTACHED TO PLANNING PERMISSION 19/01037/FUL TO ALLOW ADJUSTMENTS OF HOUSE TYPES, GARAGES AND PLOTS AND TO SEEK APPROVAL OF MATTERS RESERVED BY CONDITIONS - 354 ALCESTER ROAD, BURCOT, BROMSGROVE, WORCESTERSHIRE, B60 1PW - HAGLEY HOMES LIMITED**

Officers reported that following the submission of an Archaeological Field Evaluation, Conditions 6 and 7 were no longer required, therefore it was recommended that Condition 6 and Condition 7 be deleted; as detailed in the published Update Report, copies of which were provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers reminded Members that a scheme for 12 dwellings was previously approved in October 2019, on the former Burcot Garden Centre site, the relevant planning history was detailed on page 9 of the main agenda report. The garden centre closed in July 2020 and had subsequently been demolished.

The applicant, Hagley Homes Limited, were now seeking a modification of the approved proposals, as detailed on page 7 of the main agenda report; under Section 73 of the Town and Country Planning Act 1990.

Officers drew Members' attention to the Proposed Site Layout presentation slide, which outlined the proposed changes that the developer was looking to achieve.

Officers reiterated that the number of dwellings proposed remained at 12, the same as the approved scheme, changes to the design of the scheme were detailed on page 12 of the main agenda report. All changes to the scheme were considered acceptable in relation to the Green Belt.

Officers further drew Members' attention to information regarding the S106 agreement, in the event that a S73 consent was granted, as detailed on page 9 of the main agenda report.

At the invitation of the Chairman, Mr. S. Holloway, the Applicant's agent addressed the Committee.

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

In response to Member's questions, officers clarified that the access road to the site would not be adopted by Worcestershire County Council Highways and that this was not a material planning consideration, so was not within Members remit when determining this application.

Officers further responded with regards to the variation that the 4 bedroom dwellings were now proposed as 5 bedroom dwellings, and that because 8 of the 12 dwellings proposed were 3 bedrooms or less; the revised scheme complied with Policy BDP7. The 5 bedroom dwellings would have 3 car parking spaces.

Officers stated that the affordable 3 bedroom dwellings, in their opinion, were not distinguishable from the other proposed 3 bedroom dwellings.

Members were informed that the proposed location of the development on the site was considered to ensure that effects on residential amenity were minimised. The proposed Juliet balconies on Plots 10 and 11 had now been removed. With regards to separation distance, as referenced in the SPD, the distance of 21m being a minimum acceptable distance; officers commented that they had to consider the circumstances and context of the site taking into account gable side elevations, any existing vegetation, or any oblique angles, that would form part of the decision making when officers looked at any separation distances and amenity.

In response to questions from Members with regard to what appeared to be a loss of trees, officers commented that a scheme of landscaping and planting would be submitted to and approved by officers and that this would include the position of all trees.

**RESOLVED** that Planning Permission be granted subject to the Conditions as set out on pages 14 to 18 of the main agenda report; with Conditions 6 and 7 to be deleted for the reasons as detailed in the Committee Update.

**OF CONDITIONS 2 & 12 OF APPLICATION REF: 20/00335/FUL IN ORDER TO REMOVE HEDGEROW ALONG THE WESTERN BOUNDARY AND ALTER LANDSCAPING SCHEME - 56 BRACES LANE, MARLBROOK, BROMSGROVE, WORCESTERSHIRE, B60 1DY - MR. & MS. C & J HOPKINS AND SANGHA**

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

Officers reported that an additional letter of objection was received from the recent purchasers of 191A Old Birmingham Road raising concerns with regard to visual amenity. The objection, along with the officer's response were detailed in the Committee Update Report; 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 informed Members that the application followed a previously approved planning application at the site, and therefore remained extant, as detailed on page 34 of the main agenda report.

The current application before Members sought to amend the landscaping on site, so as to remove the existing hedgerow along the western boundary and to replace this with an alternative boundary treatment.

The proposed boundary treatment would comprise of 1.8 metre high "Green Screen" panels towards the front of the site, as detailed on page 48 of the main agenda report, 1.8 metre tall close boarded fence towards the middle of the site and existing timber post and panel fences to be retained at the rear of the site.

The implications of these changes required the variation of two conditions and the removal of two conditions that were placed on the original planning permission, as detailed on pages 34 and 35 of the main agenda report.

Officers further informed Members that the Council's Tree Officer had originally raised an objection to the removal of the existing hedgerow and the replacement with a 'Green Screen' feature.

However, following the change to the proposed 'Green Screen' species and the receipt of supporting information from the applicant's independent tree consultant and consultant ecologist, as detailed on page 36 of the main agenda report; the Council's Tree Officer had removed his objection.

Members were further informed that the applicant had stated that the existing hedge was required to be removed in order to create adequate turning space on the site to allow vehicles to access and egress the site

in forward gear. Members were asked to note that Worcestershire County Council (WCC) Highways had raised no objections to the original proposal which retained the hedge, however, they had acknowledged that the turning area was constrained and only just acceptable.

With regards to the residential amenity of the neighbouring property, 191A Old Birmingham Road, given that the height of the proposed replacement boundary treatment would exceed the existing hedgerow, there would be no adverse impact to privacy.

Officers reiterated that whilst it was appreciated that the existing hedgerow offered a more natural boundary feature of a greater width, it was also noted that this feature was not protected by a preservation order and therefore could be removed independently from the approved scheme at any time.

At the invitation of the Chairman, Mr. S. Bahia, addressed the Committee in objection to the application. Mr. K. Lawrence, the applicant's agent and Councillor H. J. Jones, Ward Councillor also addressed Committee Members.

The Committee then considered the Application, which had been recommended for approval by officers.

Officers responded to Members questions with regards to biodiversity and land ownership, and in doing so, drew Members attention to pages 36 and 37 of the main agenda report.

Members expressed their concerns with regard to the removal of an existing hedgerow, which the applicant was willing to leave in place as detailed on the original planning application. Members commented that WCC Highways had not raised any objections in respect of the original proposal, which retained the hedge, but had acknowledged that the turning area was constrained.

Officers clarified that WCC Highways had not been consulted with regard to the variations proposed by the applicant, as they had not raised any objections to the original planning application, and there were no changes proposed to the original parking layout.

Members further commented that the replacement 'Green Screen' was in their opinion, a poor substitute for a natural habitat for wildlife. Therefore, as highlighted earlier in the debate, Members were still concerned with the existing hedgerow being removed.

In response to Members questions, officers reiterated that domestic hedgerows were not protected under legislation. The existing hedgerow could be removed in its entirety by the applicant before the extant planning permissions were implemented. The new application offered the opportunity to secure a landscaping scheme, using 'Green Screen'

panels; as the applicant could erect a boundary treatment under permitted development, which could be a close boarded fence or wall.

In response to further clarification sought by Members in respect of the removal of the original Conditions 10 and 11 and variation of Conditions 2 and 12, officers drew Members' attention to pages 34 and 35 of the main agenda report.

An alternative recommendation was proposed and seconded that planning permission be refused due to the 'Green Screen' panels being an inadequate substitute for wildlife and biodiversity, therefore causing environmental damage.

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

**RESOLVED** that planning permission be granted subject to the Conditions and Informatives, as detailed on pages 37 to 39 of the main agenda report.

88/20

**20/01396/FUL - DEMOLITION OF NOS. 18 AND 20 LEA GREEN LANE AND ERECTION OF SEVEN DETACHED DWELLINGS - 18 - 20 LEA GREEN LANE, WYTHALL, WORCESTERSHIRE, B47 6HE - A & C & S PICKERSGILL AND MCGAULEY**

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor S. G. Hession.

Officers explained that the floor area of the development exceeded 1000 square metres, and therefore, under the Council's Scheme of Delegation had been referred for determination by Planning Committee Members.

Officers further reported that two additional representations had been received with regard to attending the virtual Planning Committee meeting, Committee Members being unable to attend Site Visits; and the ongoing problems due to poor drainage in the rear gardens and the removal of trees. The two representations along with the officer's responses were detailed in the Committee Update Report; 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 informed Members that the application sought planning permission to demolish the two existing bungalows and erect 7 detached dwellings. This would result in a net increase of 5 dwellings. Plots 1 to 4 would have four bedrooms with a further room in the roof space described as a cinema room. Plots 5 to 7 would have four bedrooms with no additional room in the roof space.

Members were further informed that extant permission existed for 7 dwellings on this site, which proposed a similar site layout. The proposal before Members differed in terms of house type design and number of bedrooms, which had been increased with the current scheme.

Concerns had been raised in respect of amenity and officers drew Members' attention to the Design and Amenity information, as detailed on pages 57 and 58 of the main agenda report.

The site sat alongside Lea Green Drive, which was a cul-de-sac development, and the proposal was arranged using perimeter block design principles. Furthermore, careful consideration had been given to ensure that separation distances between existing and proposed dwellings and garden sizes had been achieved to accord with the SPD design guidelines.

At the invitation of the Chairman, Mr. G. Gadd, addressed the Committee in objection to the application. Mr. K. Lawrence, the applicant's agent and Councillor S. G. Hession, Ward Councillor also addressed Committee Members.

The Committee then considered the Application, which had been recommended for approval by officers.

Members referred to the objection received from Wythall Parish Council in respect that they did not feel it was possible to enforce that the use of the additional floor space was restricted to a cinema room and was not converted at a later date.

Members commented that they were in agreement with the matters raised in objection to the application and BDP7 of the Bromsgrove District Plan (Local Plan) - namely 'Damage to the area is not outweighed by public benefits of increasing housing supply'.

The proposed development would make the housing supply worse, as 5 bedroom dwellings were not as affordable or accessible to everyone. The Local Plan referred to opening up housing to more people by making homes affordable by prioritising 2 bedroom and 3 bedroom dwellings.

Officers responded to questions from Members with regards to the number of sparrow boxes on the proposed site and s106 monies.

Officers responded to Members questions with regards to the concerns raised by local residents in respect of ongoing drainage issues. Officers stated that the area was known to be an area that suffered from poor drainage and boggy land during heavy rain. North Worcestershire Water Management had commented that due to known flood risk in the area, it was important to ensure water was correctly managed to ensure no increase in flood risk elsewhere. A drainage strategy including a full set of calculations verifying the capacity of attenuation was to be used and the pre- and post- development runoff rates and volumes would be required, which could be conditioned.

Officers further commented that the conditions would address the issue of drainage, so could therefore improve the situation. Once the local flood authority was involved in the drainage scheme, it would seek the best possible outcome for the site.

Officers further reiterated that North Worcestershire Water Management had raised no objections to the application.

An alternative recommendation was proposed and seconded that planning permission be refused due to the proposed development not being in line with Policy BDP7 of the Bromsgrove District Plan, in respect of housing mix.

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

**RESOLVED** that planning permission be granted subject to the Conditions, as detailed on pages 60 to 64 of the main agenda report.

The meeting closed at 7.58 p.m.

Chairman