

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 3RD JULY 2023, AT 6.12 P.M.

PRESENT: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, D. J. A. Forsythe, E. M. S. Gray, R. Lambert, P. M. McDonald (substituting for Councillor D. G. Stewart), S. R. Peters (substituting for Councillor C. J. Baxter), J. Robinson and J. D. Stanley

Officers: Mr. M. Howarth, Mr. A. Hussain (via Microsoft Teams), Ms. K. Hanchett, Worcestershire County Council, Highways, Mr. D. M. Birch, Ms. E. Darby, Mr. G. Boyes, Ms. S. Williams, Mr. S Edden, Mrs. P. Ross and Mr G. Day

It was noted that prior to the commencement of the meeting, that a member of the public, who had missed the deadline to register for public speaking, had requested that they be allowed to address the Committee; the request was declined at the discretion of the Chairman.

12/23

APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES

Apologies for absence were received from Councillors S. J. Baxter and D. G. Stewart, with Councillors S. Peters and P. McDonald in attendance as the substitute Members respectively.

An apology for absence was also received from Councillor B. McEldowney.

13/23

DECLARATIONS OF INTEREST

Councillor M. Marshall declared a Non-Pecuniary Interest in relation to Agenda Item No.6 – 21/01626/REM Land at Perryfields Road, Bromsgrove, having been advised about previous public statements he had made with regards to this application. Councillor M. Marshall was asked to leave the meeting room for the duration of this item and took no part in the Committee's consideration nor voting on this matter.

Councillor J. Robinson declared in relation to Agenda Item No.6 – 21/01626/REM Land at Perryfields Road, Bromsgrove; and in doing so explained that he was due to commence a new job with National Highways, who were one of the consultees on this application.

Councillor J. Robinson remained on the Committee for the consideration of this item.

Councillor A. Bailes declared a Disclosable Interest in relation to Agenda Item No.6 – 21/01626/REM Land at Perryfields Road, Bromsgrove, in that he had previously represented Whitford Vale Voice at the non-determination appeal. Councillor A. Bailes left the meeting room prior to the consideration of this item and took no part in the Committee's consideration nor voting on this matter.

14/23

MINUTES

The minutes of the Planning Committee meeting held on 5th June 2023, were received.

Councillor A. Bailes asked for the following amendments: -

Page 6, typographical error, refuse and not efuse.

Page 8, paragraph be amended to read: -

'Members further questioned delivery and service, as they had some concerns that delivery and service vehicles accessing the site might park on the highway if there was not enough room for them on the site.'

RESOLVED that, subject to the amendments, as detailed in the preamble above that the minutes of the Planning Committee meeting held on 5th June 2023, be approved as a correct record.

At this stage in the meeting, the Chairman announced a change to the running order of the agenda.

15/23

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING

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

All Members agreed that they had received and read the Committee Update.

16/23

23/00511/FUL -CHANGE OF USE TO A MIXED USE VENUE AND PUBLIC HOUSE.THE DODFORD INN PUBLIC HOUSE, WHINFIELD ROAD, DODFORD, WORCESTERSHIRE, B61 9BG, MR. B. WYATT

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

Officers presented the report and in doing so, informed the Committee that the application was for a change of use to a mixed use venue, as a Public House and events venue to hold Civil Ceremonies.

Officers drew Members' attention to the additional comments received from Dodford with Grafton Parish Council; and the four additional Conditions as requested by Worcestershire County Council (WCC) Highways, as follows: -

Cycle parking
Electric vehicle charging point
Accessible parking provision, and
Motorcycle parking provision

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 presented the presentation slides, as detailed on pages 162 to 166 of the main agenda report.

Officers referred to both the District Plan under Policy BDP15 Rural Renaissance and the National Planning Policy Framework (NPPF), section 6 which sought to promote strong rural economies through sustainable growth and expansion of all businesses throughout rural areas, as detailed on page 156 of the main agenda report. The applicant had put forward this application to help sustain the existing pub, since it's closure during the Covid-19 pandemic.

No objections had been received from Worcestershire Regulatory Services (WRS) Noise. WCC Highways had raised no objections but had requested four additional Conditions, as referred to in the preamble above.

The proposal was considered appropriate development in the Green Belt, as detailed on page 156 of the main agenda report.

In conclusion the proposed use was of a similar nature to the existing use and was therefore not considered to cause any greater harm to the local community or local road network. In addition, the NPPF sought to promote strong rural economies, and for these reasons, officers were recommending approval.

At the invitation of the Charman, Mr. Myatt on behalf of the applicant addressed the Committee. Councillor R. Jennings, Chair of Dodford with Grafton Parish Council, addressed the Committee in objection to the application and the speech submitted by Councillor K. Taylor, Ward Councillor was read out by the Legal Advisor to the Planning Committee.

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

In response to questions from Members, officers clarified that Licensing were consulted with on the application, but no comments had been received. Officers referred to the current licensing restrictions on the premises and that there were other powers and statutory controls to deal with noise nuisance. Officers further reiterated that WRS had raised no objections due to noise and that no formal complaints had been received by WRS.

Officers stated that the site benefitted from Permitted Development Rights, Part 4, Class A, whereby temporary buildings and structures could be used within a site on a temporary basis. This would however not allow for a permanent marquee as that would require planning permission. Officers further highlighted on the presentation slide, as detailed on page 164 of the main agenda report, where any temporary marquees would be sited, which was away from most of the residential properties and could only be up for a short period of time.

In response to questions from the Committee in respect of the number of people attending future events (140), and suitable car parking facilities and the potential for overspill car parking on the lanes; the Highways Officer stated that this proposal did not fall within WCC, Streetscape Design Guide parking standards, and therefore officers had assessed it on the level of parking provided, which was appropriate and acceptable for the use the applicant had stated.

Members asked if a Travel Plan was included.

The Highways Officer stated that they were in agreement with a Travel Plan Condition being included and apologised for one not being included, it was important that the staff could get there sustainably.

Officers further clarified that such a Condition, as detailed in the preamble above, could be included should Members be minded to approve the application.

The Council's Legal Advisor advised the Chairman that for clarity the Alternative Recommendation to include a Travel Plan Condition needed to be proposed and seconded.

On being put to the vote, it was

RESOVED that Planning Permission be granted subject to the following 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,
- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings,

- 3) The inclusion of a Travel Plan,
- 4) Cycle Parking,
- 5) Electric vehicle charging point,
- 6) Accessible Parking Provision, and
- 7) Motorcycle Parking Provision.

17/23

TREE PRESERVATION ORDER (6) 2023 LAND SIDE OF 41 HIGH HOUSE DRIVE, LICKEY, BROMSGROVE B45 8ET

The Committee considered a report which detailed proposals to confirm, without modification, Tree Preservation Order (TPO) (6) 2023, relating to Land Side of 41 High House Drive, Lickey, Bromsgrove, B45 8ET.

The Senior Arboricultural Officer asked for it to be noted that the relevant Portfolio Holder was Councillor Whittaker and not Councillor Sherrey, as shown in the report.

The Senior Arboricultural Officer provided a detailed presentation, and in doing so drew Members' attention to the recommendation, as detailed on page 7 of the main agenda report.

The officer further informed the Committee that the provisional order was raised on 7th March 2023, as detailed at Appendix 1 to the report, as a result of a tree surgery company attending the site having been instructed to fell the trees which were included within the TPO.

The officer referred to the letter received from Mr. Terence Sowerby, as detailed at Appendix 2 to the report. The officer referred to their comments in relation to the issues raised in objection by Mr. Sowerby, as detailed on pages 8 and 9 of the main agenda report.

The officer further informed the Committee that there was no evidence of Bleeding Canker disease in the crown and that trees could go into remission or recover from Bleeding Canker.

At the invitation of the Chairman, Ms. L. Sowerby, on behalf of the land owner, addressed the Committee in objection to TPO (6) 2023.

Members then considered the TPO.

Officers responded to questions from the Committee with regards to 'Amenity' and in doing so stated that they believed that many people walked to High House Drive to enjoy the view, there was no long survey evidence, but he had visited the site and had witnessed people using it. High House Drive was not a gated entrance. As detailed in the report, High House Drive served 32 properties and Lickey Hills Primary and

Nursery School; and many people took advantage of the view. The officer had during his presentation referred to the 13 emails received in support of the TPO, as detailed on pages 17 to 32 of the main agenda report.

Should the tree become diseased, the TPO would not prevent work being carried out on the tree, written consent would be needed from the Council for sympathetic work to the tree to be carried out.

On being put to the vote, it was

RESOLVED that provisional Tree Preservation Order (6) 2023, relating to Land Side of 41 High House Drive, Lickey, Bromsgrove, B45 8ET, be confirmed without modification and made permanent, as raised and shown at Appendix 1 to the report.

18/23

21/01626/REM - RESERVED MATTERS APPLICATION OF PHASE 1, 149 RESIDENTIAL UNITS ON LAND ABUTTING STOURBRIDGE ROAD/PERRYFIELDS ROAD, WHICH IS IN LINE WITH THE OUTLINE PLANNING PERMISSION FOR 1,300 DWELLINGS (APPLICATION REFERENCE 16/0335) ALLOWED AT APPEAL UNDER REFERENCE APP/ P1805/W/20/3265948. THE RESERVED MATTERS APPLICATION SEEKS CONSENT IN LINE WITH CONDITION 1 FOR DETAILED MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT, AND SCALE.LAND AT, PERRYFIELDS ROAD, BROMSGROVE, TAYLOR WIMPEY UK LTD

Officers clarified that the Reserved Matters Application was deferred at the Planning Committee meeting held on 3rd April 2023 for Planning Committee Members to carry out a Site Visit, in order to consider the footpath crossing at Perryfields Road. The Site Visit had taken place on 27th June 2023.

Officers informed the Committee that Outline Planning Permission was allowed at appeal, as detailed in the report. This also included the external access arrangements from the Kidderminster Road and Stourbridge Road.

This Reserved Matters Application was for Phase 1 of the site, for 149 dwellings and included 42 affordable housing units. Officers reiterated that the Reserved Matters Application was for detailed matters of appearance, landscaping, layout and scale, as detailed on page 47 of the main agenda report.

Officers presented the presentation slides, as detailed on pages 58 to 83 of the main agenda report. The scheme showed the road meandering through the site.

Provision of informal open space would be in the form of a multi-functional green and blue infrastructure corridor providing a variety of plant species and incorporating a sustainable drainage system adjacent

to Battlefield Brook. With a smaller informal non-equipped open space area also proposed next to Perryfields Road.

The Access & Movement Parameters Plan showed the main movement route corridor, with the exact route to be agreed. The Inspector referred to the potential spine road in the Appeal decision and its intention to run through the site and be designed for speeds of 20mph to create an environment conducive to cycling and walking. It became apparent on this particular reserved matters application that a speed limit of 20mph would not be achieved on this indicative spine road. Therefore, negotiations had taken place to address this, and this had resulted in a layout that now showed the route meandering through the site to provide in built traffic calming measures in order to achieve the potential speed limit.

Officers referred to the Parameters Plans Access and Movement outline application presentation slide, and in doing so stated that the route was very similar to the outline application and highlighted where it had been altered. Worcestershire County Council (WCC), Highways and Mott MacDonald supported the scheme.

Issues had been raised in respect of connectivity especially with Perryfields Road. Following negotiations, it was considered that a more direct link to Perryfields Road should be provided.

Officers further referred to the removal of hedgerow, as detailed on pages 43, 50 and 51 of the main agenda report.

The proposed layout had been subject to Independent Road Safety Audits (RSA).

Officers further referred to the Street Scenes and sample of house type slides, as detailed on pages 66 to 83 of the main agenda report.

At the invitation of the Chairman, Mr. J. Gerner on behalf of The Bromsgrove Society addressed the Committee in objection to the application. Mr. G. Dallas also addressed the Committee in objection to the application; and Ms. H. Martin, Senior Planner, Stantec, addressed the Committee on behalf of the applicant.

Members then considered the Reserved Matters application, which officers had recommended be approved.

Members commented that it had proved useful to carry out a Site Visit and had listened to the concerns raised by the public speakers. Councillor E, Gray stated that she knew the area very well and had looked at all of the paperwork provided, and she had a number of questions with regard to the wriggle road and why a straight road could not be kept and made a road safety road with speed limits of 20mph. Therefore, keeping people away from Broad Street and Crabtree Lane. Councillor Gray further stated that she had no objections to the houses

being built but we appeared to be putting the needs and safety of future residents in these dwellings above the people in nearby streets. Mott MacDonald had stated in the report that monitoring of trip patterns in the Travel Plan are observed that differ significantly to those that were predicted. This in her opinion would be too late, as Phase 1 would be built. Therefore, something should be designed, from the outset, that was going to work, and she would like to see the original spine road reinstated and that this was something that residents in Sidemoor would ask for.

Officers stated that Members were tasked to consider the proposal as presented and not what could be.

Councillor Gray further commented that there were already issues with speeding and heavy traffic on Perryfields Road, hence a pedestrian crossing being installed.

In further response to Councillor Gray, Mr. G. Nock, Mott MacDonald stated that he had listened carefully to the public speakers and the concerns raised by Councillor Gray. Mr. Nock highlighted that care and attention was needed when balancing quite a few factors. With balancing any sections of a highway and layout in detail, there were four principle considerations: -

- Maintaining safety for all users.
- Maintaining functionality.
- Ensuring that the section of the highway that will serve 150 dwellings was adopted by WCC, Highways in perpetuity.
- Principle set by the Planning Inspectorate regarding the road to be designed for 20mph speed; and was also conducive to walking and cycling.

Balancing all of these was not an easy task, so it was balancing it in the most appropriate way. There were levels of undulation and by applying twists and turns to the road we find better compliance with the 20mph requirement; and it becomes self-enforcing. The layout conformed with the Planning Inspectorate and independent Road Safety Audits had been carried out. WCC Highways and Mott MacDonald considered what was before Members to be acceptable in planning terms.

Councillor S. Peters raised further questions with regard to the concerns raised by The Bromsgrove Society and in doing so commented that whilst understanding the need for the serpentine route to be adopted, that there would still be through traffic onto the Kidderminster Road and Stourbridge Road, and using this new spine road was totally unrealistic and most unfair to the residents of the new development to have traffic meandering through the estate.

In response Mr. G. Nock further stated that at a point in time we would see a new route connecting north / south, a public route open to all traffic. With regards to the concerns raised with vehicles meandering

round the bends, vehicle tracking had been undertaken and provided with the application which showed that larger vehicles (including refuse vehicles and buses) could navigate that section of the spine road in a safe and uniformed complied matter. He could not comment on the amenity impact but on a highway perspective that was supported.

Members raised further questions and concerns as summarised below: -

- Why was this section of the spine road now meandering, why did the rest of it not need to be meandered? If you look at other things that WCC Highways were doing in Bromsgrove to make roads 20mph, there were other things to make roads 20mph. Why was it absolutely essential that this section had to be meandered, when other methods could be used that were being used elsewhere.
- If officers were sure that Phase 1 was correct, wasn't it more convoluting when you get to Phase 2, why was all of Perryfields Road being closed off. Surely two convoluting routes, with traffic calming methods, would benefit the residents in all of the areas.
- Cannot understand why you do not stick with the original straight route and keep Perryfields Road open, therefore dividing the traffic between two routes.

In response Mr. G. Nock, clarified that with regard to the first phase they were working with quite a few linear constraints, there were less linear constraints on other sections of highway, but not on Phase 1. Should each of these parcels be part of any future reserved matters applications, it would be for Members to decide. He did not believe the decision before Members tonight was with regards to the 'stopping off' of Perryfields Road; as this had already been determined by the Planning Inspectorate. The first section of 150 dwellings and the parameters looked at were maintaining functionality and safety and ensuring that this part of the highway could be adopted in perpetuity by WCC, Highways had been considered and had been verified by Mott MacDonald as the Council's transport consultant.

Councillor P. McDonald stated that it would seem to him that the years we had been looking at this site, if we were going to pass anything or accept anything, we needed to get it right and we had to listen to local people who lived in the area. The previous proposal was certainly better than this one, so we are not going to get it right if we accept this tonight.

Officers clarified that the outline application had been approved through the appeal process and it set the parameters for this allocated site. Members were being tasked to make a decision on the acceptability on this site, the access route through the site, the house types and design and setting of those dwellings.

Following on from this some Members commented that they could not agree with the 'stopping off' of Perryfields Road and by imposing this on

the new residents of Phase 1, was unacceptable for the people who would be living there.

Officers stated that the information from WCC Highways and Mott MacDonald did not refer to the stopping up of the road, Members needed to be aware of this.

The question of what other methods were looked at was raised again, for example - islands and speed bumps.

Mr. G. Nock reiterated that the appropriate levels of horizontal design, in a residential area, were in accordance with the design guide and would be adopted by WCC Highways to be maintained in perpetuity. The Road Safety Audit had also considered it to be acceptable.

The Highways Officer informed the Committee that the design before Members fully accorded with their adopted Streetscape Design Guide and it also allowed the road to be adopted by WCC Highways. Some of the roads referred to by Committee Members were existing roads, being retro fitted and were not new roads, which were assessed under WCC Streetscape Design Guide. Therefore, WCC Highways had deemed it acceptable, as had the Council's independent consultants. There were no reasons to refuse on highways grounds.

The Chairman drew Members' attention to the Recommendations, as detailed on pages 55 and 56 of the main agenda report, and in doing so asked for a Proposer for those Recommendations.

Officers stated that in the absence of a Proposer, did Members want to follow a different Recommendation, as officers did not have any reasons for refusal.

The Council's Legal Advisor commented that Members should not be confused with what had been agreed in the outline application by the Planning Inspectorate, Members were being asked to determine the Reserved Matters application as presented. The feeling they were getting was that Members were looking at going against the officer recommendation; and if that was the case, a Proposer and Secunder was required along with clear and precise planning reasons for refusal.

In response to Members suggesting returning to the original spine road and looking at alternative traffic calming methods; officers reiterated that Members needed to consider and make a decision on the application before them tonight.

In response to the Chairman, the Highways Officer stated that there was nothing more they could add. Members were being tasked to determine if the application before them was acceptable. Members had heard from WCC Highways and Mott McDonald that the application was acceptable.

At this stage in the meeting, the Chairman commented it may be helpful if Members referred to the (laminated) information before them, 'Material and Non-Material Planning Considerations.'

Members then stated that the meandering would have a design and visual impact that would not be acceptable.

Officers commented that this was not what they had heard from Members during the course of the meeting. Members had expressed concerns with regard to highway issues and not visual impact.

Councillor E. Gray referred to the 'Material and Non-Material Planning Considerations' and in doing so stated, that the design was flawed and had a cumulative impact on the surrounding areas, which was unacceptable. There would be highway impact on the surrounding areas and impact on the residents who already lived there, resulting in cumulative impact with speed and increase in traffic on the other roads.

Officers clarified that it was never going to be a straight road, but the only real change was the meandering to Phase 1 only.

The Council's Legal Advisor commented that Members were putting forward a highways ground for refusal. The difficulty was that WCC Highways and Mott MacDonald had both said that the application was acceptable. Should, this then go to appeal the Inspectorate would expect to see technical evidence supporting Members reasons for refusal.

The Chairman asked if the Alternative Recommendation was still for refusal, as proposed and seconded.

The Council's Legal Advisor took the opportunity to further address the Committee and in doing so, stated that Members needed to be clear on the reasons for refusal, the impact on the highway and what would cause that impact.

Councillor E. Gray emphasised that it was all around the area, not just the new residents. Whilst you were slowing traffic down to 20mph, the traffic would end up on other roads, which were already congested. A new road going from A to B was being looked at, the whole of the area and the cumulative impact the design would have has not been considered. It was a congestion and a quantity issue. Plus, the size of the vehicles that Members witnessed, on the Site Visit, going down that road. Speed restrictions could be introduced on other roads.

In response the Highways Officer informed the Committee that the cumulative impact of the development traffic had been assessed and taken into account at the outline stage. The spine road was never straight. The cumulative impact on the wider network with a 20mph spine road going through the site had been assessed and deemed acceptable by the Inspectorate at appeal.

Councillor J. Robinson questioned again what other options had been looked at as evidence.

Mr. G. Nock referred to the four principles he had highlighted during the course of the meeting with regard to balancing the constraints on site, the requirement of speeds of 20mph, the functionality and road safety element, with safety being paramount. The residual and cumulative impact, with reference to those being severe on congestion was considered by the Inspectorate. And that any unacceptable impact outside of this reserved matters application was also considered as part of the outline application by the Inspectorate.

Councillor J. Robinson raised the question again if other options had been looked at / examined and why this was the best option being put forward, he had not seen any evidence that other options had been looked at / examined. Without this information he could not be assured that this was the safest route and therefore, without this information, he was unable to make the best decision on this application.

Officers stated that Members needed to make a decision on the scheme in front of Members, and whether it was acceptable or not.

The Council's Legal Advisor further clarified that the Members reasons for refusal were on highways grounds and that they disagreed with the officer recommendation; on the basis that Members were concerned that the current proposal would result in congested vehicle movement and would have an impact on that road.

On being put to the vote on the Alternative Recommendation, it was

RESOLVED that the Reserved Matters application be refused, for the reasons as detailed in the preamble above, with officers determining the final wording.

19/23

23/00429/FUL - PROPOSED DWELLINGHOUSE, 32 LICKEY SQUARE, LICKEY, BIRMINGHAM, WORCESTERSHIRE, B45 8HB, MR. D. JONES

Officers informed the Committee that this was a full application to erect a new dwelling on the site of a previously approved dwelling, which was granted planning permission on planning applications 21/00312/FUL and 22/00978/FUL, as detailed on page 89 of the main agenda report. The access of the development would be by means of the access approved under the earlier consents, as detailed in the preamble above.

The Ward Councillor, Councillor B. Kumar had also requested that the application be determined by Planning Committee Members.

As set out in the report planning permission was granted for a detached dwelling in this location in July 2021 and in February 2023.

Officers clarified that the current application was deferred at the Planning Committee meeting held on 5th June 2023, in order for Planning Committee Members to carry out a Site Visit. The Site Visit had taken place on 27th June 2023.

As detailed in the report the principle of the development including its means of access from Lickey Square had been established and it was only necessary to compare the respective detailed changes between the current proposal and the extant approvals in terms of siting and appearance; and to consider if the current application was acceptable or not.

Officers presented the report and the presentation slides, as detailed on pages 100 to 119 of the main agenda report. Officers drew Members' attention to the following slides: -

- Site layout as approved under applications 21/00312/FUL and 22/00978/FUL
- Composite site plan
- Boundary to 16 The Badgers
- Elevations as approved under ref 22/00978/FUL
- Proposed Elevations
- Visibility splays

As stated in the report the proposed dwelling had been rotated clockwise via its south-west corner by approximately 18 degrees.

Members would have noted from the Site Visit the hedgerow that obscured visibility. The applicant was aware that the hedgerow needed to be repositioned in order to create the required visibility splay. Officers referred to Condition 13, as detailed on page 97 of the main agenda report; and stated that the visibility splays were achievable.

Officers further stated that presumption in favour of sustainable development therefore applied in accordance with Paragraph 11(d) of the Framework. In this case, Paragraph 11 (d) ii commented that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

Officers were satisfied that the proposed development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits of the application; having regards to the contribution the proposed development would make towards addressing the current significant housing shortfall.

At the invitation of the Chairman, Mr. P. Ollis addressed the Committee in objection to the application.

Councillor B. Kumar also addressed the Committee, on behalf of Lickey and Blackwell Parish Council and as Ward Councillor, in objection to the application.

The Committee then considered the Application, which Officers had recommended that planning permission be granted.

Members commented that the Site Visit was useful.

Councillor A. Bailes asked questions with regard to the size, mass, gross floor area (GFA), footprint and maximum height of all three dwellings, as shown on the Composite site plan slide, as detailed on page 104 of the main agenda report.

Officers commented that they would ask Members seeking such clarification to refer their questions to officers before the Committee meeting; as officers did not have such information to hand. However, officers referred to the dimension information as detailed on page 90 of the main agenda report; which detailed 'The proposed development', page 116 of the main agenda report the 'Proposed Elevations' presentation slide and page 104 of the main agenda report the 'Composite site plan' presentation slide.

Councillor A. Bailes stated that the access plans did not show any form of detail and therefore questioned the access road into the site from Lickey Square and in doing so referred to the Worcestershire County Council (WCC) Streetscape and Design Guide, which required a minimum width of 15 metres into the site, so that the access was safe and that two vehicles could pass each other.

Officers referred to page 102 of the main agenda report and stated that the access road to the dwelling was wide enough for two vehicles to pass.

Councillor A. Bailes further questioned the 15 metres access into the site and that there was no specific information supplied, therefore he could not be sure that it was compliant.

The Highways Officer apologised and stated that this was exactly the information they should have been included in their consultation response, however, officers would assure the Committee that it did meet the minimum requirements within the WCC Streetscape Design Guide.

Councillor A. Bailes referred to page 119 of the main agenda report, which showed an encroachment between the solid line and the dotted line, which was noted during the Site Visit. The encroachment area was full of trees and hedges and therefore the visibility could not be met. The land was in third party land, so could Members have an undertaking by WCC Highways that the encroachment would be cleared to assure the visibility splay.

The Highways Officer stated that she would absolutely give this undertaking and then further responded to Councillor A. Bailes; and confirmed that with regard to the TPO protected trees, that none of the TPO trees were within the visibility splay. Members were further informed that with regard to third party land, that a Condition would be applied to this planning permission requiring the applicant to provide the visibility splay, so it would be a requirement for the applicant to clear the land.

With regard to further assurance that the TPO protected trees were not included within the encroachment area and comments made by one of the public speakers and information received by Members prior to the Site Visit; officers referred to page 3 of the Committee Update. The Committee Update detailed an additional representation in respect of visibility splay drawings and the officer's response. A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 94 to 98 of the main agenda report.

20/23

23/00566/FUL - TWO NEW DETACHED DWELLINGS ON THE SITE OF TWO APPROVED DWELLINGS (EXTANT CONSENT REF 19/01388/FUL) USING THE PREVIOUSLY APPROVED ACCESS DRIVEWAY, LAND TO THE REAR OF 34 AND 36 LICKEY SQUARE, LICKEY, BIRMINGHAM, B45 8HB, MR. M. FRANCIS

The Ward Councillor, Councillor B. Kumar had requested that the application be determined by Planning Committee Members.

An additional representation from an existing contributor in respect of visibility splay drawings, TPO protected trees and inadequate separation and the officer's response was detailed on page 4 of the Committee Update. A copy of which was provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers informed the Committee that the application was for two detached dwellings on the site of two approved dwellings (extant consent ref: 19/01388/FUL), using the previously approved access driveway.

Planning Committee Members had carried out a Site Visit on 27th June 2023.

Officers highlighted that means of access had been established under the extant consent (ref: 19/01388/FUL), and that it was only necessary to compare the respective detailed changes between the proposal and the extant approval in terms of siting and appearance whether the current application was acceptable.

Officers drew Members' attention to the presentation slides, as detailed on pages 136 to 152 of the main agenda report.

Officers further stated that presumption in favour of sustainable development therefore applied in accordance with Paragraph 11(d) of the Framework. In this case, Paragraph 11 (d) ii commented that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.

Officers were satisfied that the proposed development would not result in any adverse impacts which would significantly and demonstrably outweigh the benefits of the application; having regard to the 5 year housing land supply. The application had been assessed on its merits.

At the invitation of the Chairman, Mr. P. Ollis addressed the Committee in objection to the application.

Councillor B. Kumar also addressed the Committee, on behalf of Lickey and Blackwell Parish Council and as Ward Councillor, in objection to the application.

Members commented that the Site Visit was very useful in order to visualise the site.

In response to questions from Members, officers confirmed that the separation distances complied with the Council's High Quality Design SPD. Officers referred to the presentation slide 'Proposed Elevations Plot 1', as detailed on page 146 of the main agenda report; and in doing so clarified that Plot 1 would be dug down and sit below ground level, but would be two storey, with the basement sitting below ground level.

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 131 to 134 of the main agenda report.

The meeting closed at 9.00 p.m.

Chairman