

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

7TH DECEMBER 2015 AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P.L. Thomas (Vice-Chairman),
C. Allen-Jones, S. J. Baxter, M. Glass, C.A. Hotham, K.J. May,
C. M. McDonald, S. R. Peters and P. J. Whittaker

Officers: Mr. D. M. Birch, Ms. L. Buckton, Mr. A. Fulford,
Mrs. S. Hazlewood, Mr. A. Hussain, Mr. S. Hawley (Worcestershire
Highways Authority), Mr. D. Kelly, Mrs. H. L. Plant and Mrs. J. Smyth

56/15 **APOLOGIES**

Apologies for absence were received on behalf of Councillors M.T. Buxton and S.P. Shannon. Councillor C.M. McDonald was confirmed as Councillor Shannon's substitute for the meeting.

57/15 **DECLARATIONS OF INTEREST**

The following declarations of interest were made :

Councillor S.J. Baxter declared that she had a pre-determined view in relation to Item 7 on the Agenda (Planning Application 2015/0919 – The Dolphin Centre, School Drive, Bromsgrove). Councillor Baxter withdrew from the meeting prior to consideration of the item and took no part in its discussion nor voted on the matter.

Councillor C.A. Hotham declared an interest in relation to Item 9 on the Agenda (Planning Application 2015/0687 – Former Polymer Latex Site, Weston Hall Road, Stoke Prior) in that he knew the Architect for the Application. Councillor Hotham withdrew from the meeting prior to consideration of the item and took no part in its discussion nor voted on the matter.

Councillor C.M. McDonald declared that, in relation to Item 19 on the Agenda (Planning Application 2015/0928 – Rear of 186-210 New Road, Rubery), she had registered to speak to the Application as Ward Councillor. Councillor McDonald withdrew from the Committee into the public gallery prior to consideration of the item and subsequently withdrew from the meeting following the public speaking process and took no part in its discussion nor voted on the matter.

Councillor C. Allen-Jones declared an interest in Item 7 on the Agenda (Planning Application 2015/0919 – The Dolphin Centre, School Drive,

Bromsgrove) prior to its consideration, in that he had previously been involved in discussions relating to the Application. Councillor Allen-Jones withdrew from the meeting prior to consideration of the item and took no part in discussions or voting on the matter.

58/15 **MINUTES**

The minutes of the meeting of the Planning Committee held on 2nd November 2015 were submitted.

RESOLVED that the minutes of the meeting be approved as a correct record.

59/15 **TREE PRESERVATION ORDER (NO. 7) 2015 - TREES ON LAND AT 19-27 NEW ROAD, BROMSGROVE**

This matter was withdrawn from the Agenda by Officers and was not discussed.

60/15 **2015/0652 - REALIGNMENT OF FIERY HILL ROAD - FIERY HILL ROAD, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE B45 8LF - MR MARK GAY FOR CALA HOMES**

This matter was withdrawn from the Agenda by Officers to await additional Highway information to be submitted by the Applicant and was not discussed.

61/15 **2015/0834 - CONSTRUCTION OF A NEW CLASS A1 FOOD RETAIL STORE WITH ASSOCIATED CAR PARKING, SERVICING AND LANDSCAPING - 29 BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE B61 0DR - ALDI STORES LTD**

This matter was withdrawn from the Agenda by Officers and was not discussed.

62/15 **2015/0875 - DEMOLITION OF EXISTING SPORTS CHANGING BLOCK AND RE-DEVELOPMENT TO PROVIDE NEW PAVILION, CHANGING AND ASSOCIATED FACILITIES - SPORTS CHANGING BLOCK, CHURCH STREET, HAGLEY, WORCESTERSHIRE - HAGLEY PARISH COUNCIL**

Members noted late comments received from Sport England, who had no objections to the proposal.

RESOLVED that Planning Permission be granted, subject to the Conditions detailed on pages 55 to 57 of the main Agenda report.

63/15

2015/0919 - NEW SPORTS AND LEISURE CENTRE, INCLUDING SWIMMING POOLS, HEALTH AND FITNESS SUITE, CLIMBING WALL, MULTI-USE STUDIO / FUNCTION AND COMMUNITY SPACES, WET AND DRY CHANGING, OFFICES, ASSOCIATED BUILDING AND CAR PARK, ACCESSIBLE PARKING, CAR PARK ACCESS, SERVICES AND LANDSCAPING - THE DOLPHIN CENTRE, SCHOOL DRIVE, BROMSGROVE, WORCESTERSHIRE B60 1AY - MR JOHN GODWIN

Officers reported on two petitions received; the first stating “objections to the loss of the Sports Hall use”; the second “to keep a sports hall at the proposed new leisure centre” and three further additional representations together with responses from the Applicant. The receipt of amended plans with a number of revisions was also highlighted together with Officer comments, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. P. Ganner addressed the Committee, objecting to the Application. Mr. B. Bloomfield, the Agent for the Applicant, also addressed the Committee.

The Committee then considered the Application which was recommended for approval by Officers. In response to a technical query in regard to the validity of the application and the timeline for the serving of the Notice of the Application on the owners of the land in question, the meeting was briefly adjourned for Officers to liaise with the Applicant’s Agent. On reconvening the meeting and for the benefit of everyone present, the Applicant’s Agent was invited to provide clarification on the timeline for the serving of the Notice.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives detailed on pages 75 to 80 of the main Agenda report.

Further to concluding the above application the Chairman adjourned the meeting for 5 minute to allow members of the public vacate the public gallery.

64/15

2015/0687 - RESIDENTIAL DEVELOPMENT OF 202 DWELLINGS - FORMER POLYMER LATEX SITE, WESTON HALL ROAD, STOKE PRIOR, WORCESTERSHIRE B60 4AL - MR RICHARD PITT

Officers reported on a representation received from the Campaign for the Protection of Rural England (CPRE). Final comments were also noted from the Council’s Urban Designer, Leisure Services, Drainage Engineer and Strategic Housing Officer. Further comments from Worcestershire Highways, including a request for an additional Highways Condition and contributions to the planning obligation were also highlighted and accepted as was an update response from the Viability Consultant, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Councillor C.J. Bloore addressed the Committee in terms of highway concerns. Mr. P. Coles, for the Applicant, also addressed the Committee.

RESOLVED that

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application following receipt of a suitable and satisfactory legal mechanism in relation to:
 - a) the provision of 15% affordable housing (15 units)
 - b) a contribution of £408,079 towards the provision of enhanced education facilities at Aston Fields Middle School and St. John's CE Middle School;
 - c) a contribution of £23,000 towards public transport improvement measures including bus stops on Shaw Lane and cycle parking provision at Ryefields Road;
 - d) the provision and maintenance in perpetuity of the proposed on-site public open space, local equipped area of play and areas for habitat enhancement;
 - e) the provision of and maintenance in perpetuity of the proposed drainage facilities on the site (including the balancing ponds and pumping station);
- 2) subject to the Conditions detailed on pages 99 to 104 of the main Agenda report; and
- 3) the following additional Condition:
 - 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (for any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A and B shall be carried out without the prior approval of the Local Planning Authority to an application in that behalf.

This Condition shall apply to the following plots: 10, 11, 15, 16, 37, 38, 54, 55, 56, 57, 67, 70, 95, 96, 152, 153, 154, 155, 178, 180, 181, 193, 194.

Reason: To protect the amenity of future occupiers in accordance with Policy DS13 of the Bromsgrove District Local Plan 2004.

65/15

2015/0611 - PROPOSED RESIDENTIAL DEVELOPMENT OF TWO DWELLINGS: DEMOLITION OF 416A BIRMINGHAM ROAD AND REPLACEMENT WITH A TWO-STOREY DWELLING AND ERECTION OF AN ADDITIONAL SINGLE-STOREY DWELLING - 416A BIRMINGHAM ROAD, CATSHILL, WORCESTERSHIRE B61 OHL - MRS DIANE JINKS

Officers reported on representations that had been received which had been omitted from the agenda report in relation to a petition that had been received objecting to the application and five further representations of objection, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. M. Sharpe addressed the Committee objecting to the application.

The Committee then considered the Application, which was recommended for approval by Officers. Having considered the Officer's report and information provided by the public speaker, Members were of the view that a Site Visit would provide further information in terms of the proposed development and issues raised by residents objecting to the application.

RESOLVED that a decision on this matter be deferred to allow the Committee to undertake a Site Visit.

66/15

2015/0819 - ERECTION OF 41 DWELLINGS, LANDSCAPING AND ASSOCIATED DEVELOPMENT INFRASTRUCTURE - LAND OFF EAST WORKS DRIVE, COFTON HACKETT, WORCESTERSHIRE - MR RICHARD HICKMAN FOR ST MODWEN DEVELOPMENTS

Officers reported on Consultee responses that had been received from Birmingham City Council, Severn Trent Water, the Applicant, awaited comments from North Worcestershire Water Management and proposed additional conditions, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior consideration of the Application.

At the invitation of the Chairman, Mr R. Hickman, for the Applicant, addressed the Committee. A further registered speaker, objecting to the Application, had left the meeting earlier in the evening and did not therefore address the Committee.

The Committee then considered the Application, which was recommended for approval by Officers. Members expressed concerns in regard to: the piecemeal approach to the development of the larger site as a whole which they considered did not accord with the goals of the Longbridge Area Action Plan (LAAP); the provision of the agreed 35% affordable homes element of the whole development site, which they were concerned was at risk of not being achievable due to the way it was being developed; and the proposed siting of the affordable housing element of the application scheme in one

single area rather than spread across the development. Members also commented on the proposal to develop Phase 2 in two stages rather than one which they considered preferable, specifically in regard to achieving additional affordable housing units sooner rather than later. Comments were also made as to the lack of a SuDS scheme. Officers provided clarification on issues raised and further advised in regard to the trigger point when an application would have to be submitted for the Community Centre proposed to be provided.

Having considered all of the information, Members were of the view that further discussions with the Applicant were needed.

RESOLVED that a decision on the Planning Application be deferred for Officers to liaise with the Applicants to discuss the points raised by the Committee.

67/15

2015/0829 - ERECTION OF TWO INDUSTRIAL / WAREHOUSE BUILDINGS WITH ANCILLARY OFFICES FOR USE WITHIN CLASS B2 (GENERAL INDUSTRIAL) AND / OR CLASS B8 (STORAGE AND DISTRIBUTION) ALONGSIDE THE CONSTRUCTION OF VEHICULAR ACCESS, PARKING AND SERVICING AREAS, EARTHWORKS, LANDSCAPE AND DRAINAGE WORKS - PLOT 10 ACANTHUS ROAD, REDDITCH, WORCESTERSHIRE B98 9EX - MR MATTHEW SMALL

Officers reported on updated comments from the County Council relating to financial contributions associated with the development who are satisfied that the application will have no adverse impact on the network subject to conditions, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Ms. S. Phillipson, the Applicant's Agent, addressed the Committee.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives detailed on pages 144 to 149 of the main Agenda report.

68/15

2015/0836 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 49 RETIREMENT LIVING APARTMENTS (CATEGORY II TYPE ACCOMMODATION) INCLUDING COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING AND 37 AFFORDABLE APARTMENTS - FORMER FIRE STATION AND LIBRARY BUILDING, WINDSOR STREET, BROMSGROVE, WORCESTERSHIRE B60 2BJ - MCCARTHY AND STONE RETIREMENT LIFESTYLES LTD

At the invitation of the Chairman, Mr. M. Norton, a resident objecting to the application, addressed the Committee. Ms. L. Matthewson, the Applicant's Agent, also addressed the Committee.

The Committee then considered the Application, which was recommended for refusal by Officers. Members were in agreement with Officers in terms of the

poor design of the development and negative impact it would have on the character and appearance of the streetscene and adjacent listed buildings. The Committee also shared Officers concerns relating to the Applicant's failure to enter into a Section 106 Agreement. They were, however, of the view that the site and its location was suitable for the proposed use and did not support the inclusion of refusal reason 4 that related to the site being identified for retail led development and the proposal therefore being contrary to Policy.

RESOLVED that

- 1) Planning Permission be refused for reasons 1, 2, 3 and 5 as stated on pages 161 to 162; and
- 2) Refusal reason 4 be deleted.

Following the conclusion of discussions on the above Application, the Chairman agreed a 10 minute adjournment of the meeting for a comfort break.

69/15

2015/0922 - ERECTION OF A SINGLE DETACHED DWELLING - 103 WILDMOOR LANE, CATSHILL, BROMSGROVE, WORCESTERSHIRE B61 0PQ - MR LEE KIRBY

Officers reported on an amended plan received further to a request from the Highways Authority in relation to parking provision and amendments to boundary treatments which had resulted in additional representation. Members further noted the need to update Condition two to reflect the submission of the amended plan, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. G. Evans, a resident, addressed the Committee in objection to the application. Councillor H. J. Jones, in whose Ward the application site was located, also addressed the Committee.

The Committee then considered the Application, which Officers had recommended for approval. Having considered the Officers report and information provided by the public speakers, Members were of the view that the proposal was over-development of the site.

RESOLVED that Planning Permission be refused for the following reason:

"The proposed addition of a fifth dwelling to the wider site would represent over-development of the site, contrary to Policies DS13 and S7 of the Bromsgrove District Local Plan and paragraphs 56 and 57 of the National Planning Policy Framework".

70/15 **2015/0928 - VARIATION OF CONDITION 3 OF PERMISSION 2011/0164 TO EXTEND OPENING TIMES FROM 9 AM TO 9 PM MONDAY TO SATURDAY INCLUDING BANK HOLIDAYS - REAR OF 186-210 NEW ROAD, RUBERY, WORCESTERSHIRE B45 9JA - MR IAN ROBINSON**

Officers reported on an up to date layout plan of the building and an additional statement provided by the Applicant, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. I. Robinson, the Applicant, and Mrs. A. Taylor, the Applicant's Agent, addressed the Committee. Councillor C.M. McDonald, in whose Ward the application site was located, also addressed the Committee.

RESOLVED that Planning Permission be granted, subject to the Conditions detailed on page 177 of the main agenda report.

71/15 **2015/0841 - PROPOSED DETACHED GARAGE - 8 KNOWESLEY CLOSE, BROMSGROVE, WORCESTERSHIRE B60 2RG - MR C R LAMBERT**

Officers clarified that the Application had come before the Committee for determination due to the Applicant being a relative of a member of staff.

RESOLVED that Planning Permission be granted, subject to the Conditions detailed on page 164 of the main agenda report.

72/15 **2015/0870 - NEW EXTERNAL RAMP TO SACRISTY DOOR - ST PETERS ROMAN CATHOLIC CHURCH, ROCK HILL, BROMSGROVE, WORCESTERSHIRE B61 7LH - PARISH OF ST. PETER, BROMSGROVE**

Officers reported that a material sample had been provided for the ramp walls to the satisfaction of Officers, as detailed on the published Update Report. Officers also clarified that the application had come before the Committee for determination due to the Applicant's Agent being a relative of a member of staff.

RESOLVED that Planning Permission be granted, subject to the Conditions detailed on page 164 of the main agenda report with Condition 2 being updated to read:

- 2) The development hereby permitted shall be carried out in accordance with the Approved Plans / Drawings listed in the notice:

Drawing No. 1406 12 Site Location Plan
Drawing No. 1406 08 Proposed Plans and Elevations
Drawing No. 1406 09 Proposed Section

Materials: Ramp walls Woodkirk Grey/Buff in accordance with sample received 26.11.2015.

Reason: For the avoidance of doubt and in the interests of proper planning.

73/15

2015/0878 - ERECTION OF FACTORY EXTENSION WITH TWO-STOREY OFFICE BLOCK B1, B2 OR B8 USE - 23 ASTON ROAD, BROMSGROVE, WORCESTERSHIRE B60 3EX - MR KIM WILLIAMS

RESOLVED that Planning Permission be granted, subject to the Conditions detailed on pages 169 to 170 in the main agenda report.

The meeting closed at 10.02 p.m.

Chairman