

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

7TH MARCH 2016 AT 6.00 P.M.

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

Officers: Miss. S. Bell, Mr. D. M. Birch, Mr. A. Fulford, Mr. S. Hawley (Worcestershire Highways Authority), Mr. D. Kelly, Mrs. S. Hazlewood, Mr. A. Hussain, Mr. S. Jones and Mrs. J. Smyth

100/15 **APOLOGIES**

Apologies for absence were received on behalf of Councillors S.J. Baxter, M.T. Buxton and M. Glass. Councillor L.J. Turner was confirmed as Councillor Baxter's substitute for the meeting.

101/15 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillor C.A. Hotham declared an interest in Agenda Item 6 (Planning Application 2015/0944 – 28 Bittell Road, Barnt Green) in that he had a pre-determined view and had registered to speak on the matter as Ward Member. Councillor Hotham withdrew from the Committee into the public gallery prior to consideration of the item then withdrew from the meeting following the public speaking process, and took no part in the discussion or voting on the matter.

Councillor P.L. Thomas declared an Other Disclosable Interest in Agenda Item 7 (Planning Application 2015/0947 – Sugarbrook Mill, Buntsford Hill, Stoke Pound) in that he was a customer of one of the retail units located on the application site. Councillor Thomas advised, however, that he had no predetermined view on the matter.

Councillor K.J. May declared an Other Disclosable Interest in Agenda Item 7 (Planning Application 2015/0947 – Sugarbrook Mill, Buntsford Hill, Stoke Pound) in that she also was a customer of one of the retail units located on the application site but that she had no predetermined view on the matter.

Councillor L.J. Turner declared an interest in Agenda Item 11 (Planning Application 2016/0081 – Hollys Cottage, The Fordrough, Truemans

Heath, Solihull) in that had registered to speak on the matter as Ward Member. Councillor Turner withdrew from the Committee into the public gallery prior to consideration of the item then withdrew from the meeting following the public speaking process, and took no part in the discussion or voting on the matter.

102/15

MINUTES

The minutes of the meeting of the Planning Committee held on 8th February 2016 were submitted.

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

103/15

UPDATE REPORTS

The Chairman highlighted an error on the Update Report in respect of Applications 2016/0081 (Hollys Cottage, The Fordrough, Truemans Heath, Solihull) and 2016/0095 (Becks Corner, Banks Green, Upper Bentley). For clarification it was reported that, subsequent to publishing and printing, it had been found that the additional update information relating to 2016/0081 had appeared under the update for 2016/0095 instead due to a system error. It was noted that there had been no additional information to report in respect of Application 2016/0095.

104/15

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

Officers reported on two additional representations received in relation to the application. An error that had been identified in the drafting of recommended Condition 7 was also highlighted that required amending, all as detailed in the Update report provided to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. S. Bryden, on behalf of the Applicant, addressed the Committee.

The Committee then considered the Application, which was recommended for approval by Officers. Further to a query on the wording of Condition 11, it was agreed that the wording be amended to provide better clarify on its purpose.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives detailed in pages 19 to 23 of the main report, but with Conditions 7 and 11 being amended to read as follows:

7. Prior to first use of the building hereby approved, secure parking for 6 cycles to comply with the Council's standards, shall be provided with the application site and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards.

11. Prior to installation on site, a lighting scheme for the site shall be submitted to and approved in writing by the Local Planning authority. The lighting scheme hereby approved shall be installed prior to the first use of the retail food store.

Reason: In the interests of visual amenity and pedestrian safety throughout the site.

105/15

2015/0944 - GROUND FLOOR FRONT BEDROOM EXTENSION AND REAR FLAT ROOF KITCHEN EXTENSION - 28 BITTELL ROAD, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE B45 8LT - MR MAX DEVISE

Officers reported on amended plans that had been received following discussions with the Applicant and the occupiers of 30 Bittell Road, and the need to amend Condition 2 to reflect the amended plans, as detailed in the Update report, copies of which were provided to Committee Members and the public gallery prior to commencement of the meeting. Members further noted the need to also delete the reference to the amended proposed Roof Plan for the application, as detailed the amended Condition 2.

At the invitation of the Chairman, Councillor C.A. Hotham, in whose Ward the application site was located, addressed the Committee.

RESOLVED that Planning Permission be granted, subject to the Conditions detailed in pages 27 to 28 of the main agenda report, but with Condition 2 being amended to read as follows:

- 2) The proposal shall be carried out as shown on the plans, schedules and other documents listed below:

Location Plan 28-103 received 30th October 2015
Site Plan 28-1000 received 3rd March 2016
Existing Ground Floor Plan 28-001 received 30th October 2015
Existing Roof Plan 28-002 received 30th October 2015
Existing Elevations Plan 28-003 received 30th October 2015
Proposed Ground Floor Floor Plan 28-100 received 3rd March 2016
Proposed External Elevations 28-102 received 3rd March 2016.

Reason: To make sure the development is carried out exactly as shown on the plans, to ensure that it relates to the area in which it is being built and protects how that area looks, in order to comply

with Policy DS13 of the Bromsgrove District Local Plan January 2004.

106/15 **2015/0947 - DEMOLITION OF EXISTING INDUSTRIAL BUILDINGS AND NEW RESIDENTIAL DEVELOPMENT OF 24 DWELLINGS - SUGARBROOK MILL, BUNTSFORD HILL, STOKE POUND, BROMSGROVE B60 3AR - SUGARBROOK MILL LTD**

At the invitation of the Chairman, Mr. S. Haskey, the Applicant's Agent, addressed the Committee.

RESOLVED that Planning Permission be refused for the reasons detailed on pages 38 to 39 of the main agenda report.

107/15 **2015/0969 - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 18 DWELLINGS - 118 KIDDERMINSTER ROAD, BROMSGROVE, WORCESTERSHIRE B61 7LD - MR ANDREW COCKAYNE**

RESOLVED that Reserve Matters approval be granted, subject to the approval of Application 2015/0992 (Amendment to Outline Application and receipt of the appropriate Legal Agreement in relation to that Application and subject to the Conditions and informatives detailed on pages 43 to 45 of the main agenda report.

108/15 **2015/1064 - DEMOLITION OF EXISTING BUILDING (GEORGE HOUSE) - GEORGE HOUSE, WORCESTER ROAD, BROMSGROVE, WORCESTERSHIRE B61 7AB - MR JAMES HINTON**

Officers reported on the publicity that had been undertaken in regard to the Application, the details of which had been omitted from the agenda report, and on which it was noted that no responses had been received. Clarification was also provided on the status of a Sycamore Tree facing St. John Street, all as detailed in the update report provided to Members and the public gallery prior to commencement of the meeting.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives detailed on pages 51 to 52 of the main agenda report.

109/15 **2015/1080 - PROPOSED DWELLINGS - 44 CHURCH STREET, HAGLEY, STOURBRIDGE, WORCESTERSHIRE DY9 0NA - MR LEIGH POWELL**

Members noted additional representations received from the Highways Authority and Officer responses in regard to a revised plan that had been received to retain the existing passing bay and the need to impose two

additional Conditions. Two further neighbour representations that had also been received were further noted, all as detailed in the update report provided to Members and the public gallery prior to the start of the meeting.

At the invitation of the Chairman, Mr. P. Watson, for the Applicant, addressed the Committee. Councillor S.R. Colella, in whose Ward the application site is located, also addressed the Committee.

RESOLVED that Planning Permission be granted, subject to the Conditions and informatives on pages 57 to 59 of the main agenda report and the following additional Conditions:

- 9) Before any materials or machinery are brought on to the site or any development, demolition, installation of services or site clearance works of any kind are commenced, the Developer shall erect protective fencing as illustrated by BS 5837:2012 on a line concurrent with the tree protection distances given in BS 5837:2012 and to the specific approval of the Local Planning Authority. The Developer shall maintain such fences to the satisfaction of the Local Planning Authority until all development has been completed. No activities on the land within the fenced areas shall be permitted, including excavation, changing of levels or disturbance in any way from the passage or storage of vehicles and machinery unless such activity is given the specific prior permission of the Local Planning Authority.

Reason: In order to protect the trees which form an important part of the amenity of the site in accordance with Policies DS13 and C17 of the Bromsgrove District Local Plan January 2004;

- 10) Any section of the drive that incurs into the BS 5837:2012 Recommended Root Protection Area of any tree to be retained will need to be constructed using a suitable grade of cellular ground support material.

Reason: To ensure no detrimental impact is caused by the development to the health and stability of valuable tree stock either within the site or in adjoining land.

110/15

2016/0081 - REPLACEMENT DWELLING - HOLLYS COTTAGE, THE FORDROUGH, TRUEMANS HEATH, SOLIHULL, WORCESTERSHIRE B90 1PP - MR MATTHEW FRANCIS

Officers reported on an additional representation received and amended plans that had been submitted proposing a reduction in the height of the two storey replacement dwelling and Officer responses, as detailed in the update report circulated to Members and the public gallery prior to the start of the meeting.

At the invitation of the Chairman, Mr. M. Francis, the Applicant, and Mr. D. Jones, his Agent, addressed the Committee. Councillor L.J. Turner, in whose Ward the application site is located, also addressed the Committee.

The Committee then considered the Application, which was recommended for refusal by Officers. In having considered all of the information provided by officers and public speakers, Members were of the opinion that the proposed development would not be out of place in the general streetscene of The Fordrough, given there were already a number of bulkier, taller dwellings, than that being proposed. Members also considered that any harm to the openness of the Green Belt of the proposed development, weighed against the permissions already in place to extend the existing dwelling would be negligible.

Members were therefore of the view that very special circumstances existed and were minded to grant planning permission in accordance with the amended plans submitted, subject to appropriate conditions to be provided by Officers, including removal of permitted development rights for Classes A to E, and the removal of an existing brick outhouse to minimise any impact of the development.

RESOLVED that Planning Permission be granted, subject to the following Conditions:

- 1) The development must be begun not later than 28th July 2018.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) Details of the form, colour and finish of the materials to be used externally on the walls and roofs shall be subject to the approval, in writing, of the local planning authority before any work on the site commences.

Reason: To protect the visual amenity of the area in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

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

Site location plan, scale 1:1250
Block plan AMENDED 4th March 2016
Front, rear and side elevations, scale 1:50 showing 8.2m revised height: AMENDED 4th March 2016
Proposed ground and first floor plans, scale 1:50
Drawing / photograph OUT-01HOLLYSA

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

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the openness of the green belt in accordance with the National Planning Policy Framework

- 5) Prior to the commencement of the development, a detailed plan showing the proposed slab levels of the proposed dwelling, in relation to existing and proposed levels of the site and surrounding land, with reference to a fixed datum point, to have been submitted to and approved in writing by the local planning authority. The dwelling shall be constructed in accordance with the approved slab levels.

Reason: In order to ensure that the dwelling is of a scale and height appropriate to its green belt location in accordance with the National Planning Policy Framework

- 6) Prior to the first commencement of development, the brick outbuilding as circled in red on drawing / photograph OUT-01HOLLYSA shall be removed from the site

Reason: To protect the openness of the green belt in accordance with the National Planning Policy Framework

111/15

2016/0095 - ERECTION OF A DETACHED GARAGE AND CLADDING TO A SECTION OF THE FRONT ELEVATION OF THE DWELLING - BECKS CORNER, BANKS GREEN, UPPER BENTLEY, WORCESTERSHIRE B97 5SX - MR GRAHAM BEWSHER

At the invitation of the Chairman, Mr. G. Bewsher, the Applicant, addressed the Committee.

RESOLVED that Planning Permission be refused for the reason stated on page 69 of the main agenda report.

The meeting closed at 7.45 p.m.

Chairman