

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

8TH FEBRUARY 2016 AT 6.00 P.M.

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

Officers: Mrs. R. Bamford, Mr. D. M. Birch, Mr S Edden, Miss. E. Farmer, Mr. A. Hussain, Mr. D. Kelly, Ms. R. Lambert, Mrs. J. Male, Mrs. J. Smyth and Miss. C Wood

85/15 **APOLOGIES**

An apology for absence was received on behalf of Councillor S.P. Shannon.

86/15 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillor C.A. Hotham declared an Other Disclosable interest in Agenda Item 6 (Planning Application 2015/0944 – 28 Bittell Road, Barnt Green) in that he had a pre-determined view on the matter 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 M.T.Buxton declared an Other Disclosable interest in Agenda Item 10 (Planning Application 2015/0996 – Land at Norton Farm, Birmingham Road) in that a friend lived next door to the application site. Councillor Buxton withdrew from the meeting prior to discussion of the item and took no part in the discussion or voting on the matter.

Councillor K.J. May declared an Other Disclosable interest in Agenda Item 12 (Planning Application 2015/1056 – Manor Hill House, Swan Lane, Upton Warren) in that she was acquainted with the Applicants and that she had also registered to speak on the matter as Ward Member. Councillor May 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 the discussion or voting on the matter.

Councillor C. Allen-Jones declared an Other Disclosable interest in Agenda Item 12 (Planning Application 2015/1056 – Manor Hill House, Swan Lane, Upton Warren) in that he was acquainted with the Applicants. Councillor Allen-Jones withdrew from the meeting prior to discussion of the item and took no part in the discussion or voting on the matter.

Councillor P. L. Thomas declared an Other Disclosable interest in Agenda Item 12 (Planning Application 2015/1056 – Manor Hill House, Swan Lane, Upton Warren) in that he was acquainted with the Applicants. Councillor Allen-Jones withdrew from the meeting prior to discussion of the item and took no part in the discussion or voting on the matter.

87/15 **MINUTES**

The minutes of the meeting of the Planning Committee held on 11th January 2016 were submitted.

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

88/15 **2015/0895 - ADDITION OF LEAN TO ROOF AND DORMER ABOVE FLAT ROOF REAR EXTENSION - 2 NEW WHARF, TARDEBIGGE, WORCESTERSHIRE B60 1NF - MR T HILL**

At the invitation of the Chairman, Mr. T. Hill, the Applicant, addressed the Committee.

The Committee then considered the Application, which was recommended for refusal by Officers. Having considered the information provided, Members were of the view that the proposed modest roof extensions would not be disproportionate to the existing cottage and extensions and considered that the proposal to replace the current unattractive flat roof extension would enhance rather than detract from the character and appearance of the Conservation Area and the wider Green Belt and were therefore minded to approve the Application subject to standard Conditions.

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

- 1) The development must be started within 3 years from the date of the Decision Notice.

Reason: To comply with National Legislation

- 2) The Development hereby permitted shall be carried out in accordance with the approved plans / drawings listed in the Notice, namely:

Plans and Elevations – Drawing no. 348/01 rev B.

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

- 3) All new external walls and roofs shall be finished in materials to match in colour, form and texture to those on the existing building.

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

89/15

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

The Committee noted additional Officer information in regard to the submission of the original application, additional amended plans and public consultation responses, as detailed in the published Update report, copies of which were provided to the Committee and public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mrs. Kelman, a close neighbour to the application site, addressed the Committee in objection to the Application. Mr. N. Loveridge, the Applicant's Agent, also addressed the Committee. Councillor C.A. Hotham, in whose ward the application site was located, also addressed the Committee.

The Committee then considered the Application, which was being recommended for approval by Officers. Having considered the Officer's presentation and the public speaker representations, Members were of the view that further clarification was needed in regard to the submitted plans and agreed that a decision on the matter be deferred for Officers to provide information in relation to the queries raised, at a future meeting.

RESOLVED that a decision on the Application be deferred for Officers to provide further information in regard to the submitted Plans for the proposal.

90/15

2015/0957 - ERECTION OF ONE DWELLING - 1 STAPLE FLAT, LICKEY END, BROMSGROVE, WORCESTERSHIRE B60 1HD - MR MARTYN DALLAWAY

Officers reported on additional comments received from the Council's Tree Officer and Drainage Consultant, who had no objections to the scheme. Comments from the Highways Engineer, who had suggested three additional conditions plus informatives, were also reported, all 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. Clarke, objector, addressed the Committee. Mr. M. Dallaway, the Applicant, also addressed the Committee.

Councillor B.T. Cooper, in whose Ward the application site was located, also addressed the Committee.

The Committee then considered the Application, which was recommended for approval by Officers. Having considered the Officer's report and the representations made, Members were of the view that, the proposal would result in an over-development of the site and would have a detrimental impact on and be out of character in the streetscene and were minded to refuse the Application for those reasons.

RESOLVED that Planning Permission be refused for the following reason:

"The proposed dwelling would result in an over-development of the plot, having an adverse impact on the character of the streets scene, form and layout of the area, contrary to Policies DS13 and S7 of the Bromsgrove District Local Plan and guidance contained within the Council's adopted Supplementary Planning Guidance Note 1: Residential Design Guide, and the provisions of the National Planning Policy Framework.

91/15

2015/0992 - AMENDMENT TO ACCESS IN RELATION TO OUTLINE APPLICATION 2014/0755 FOR THE ERECTION OF 18 DWELLINGS - 118 KIDDERMINSTER ROAD, BROMSGROVE, WORCESTERSHIRE B61 7LD - MR ANDREW COCKAYNE

RESOLVED that:

- 1) Authority be delegated to the Head of Planning and Regeneration Services to determine the Outline Planning Application, following receipt of a suitable and satisfactory legal mechanism in relation to the following:
 - a) a contribution of £59,184 towards the improvement of Sidemoor First School, Parkside Middle School and North Bromsgrove High School;
 - b) a contribution of £64,080 towards the maintenance of local public open space; and
 - c) a contribution of £52,830 to mitigate for the additional demands on the wider transport network that the development will generate; and
- 2) The Conditions and Informatives detailed on pages 26 to 28 of the main Agenda report.

92/15

2015/0969 - DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF 18 DWELLINGS (APPROVAL OF RESERVED MATTERS) - 118 KIDDERMINSTER ROAD, BROMSGROVE, WORCESTERSHIRE B61 7LD - MR ANDREW COCKAYNE

The Committee considered the Application, which was recommended for approval by Officers. Members sought clarification in regard to Condition 3 relating to the proposed installation of obscure glazing in windows serving a ground floor lounge and dining room on Plot 5, which Officers advised could be removed if they did not consider the proposal to be appropriate. Concerns were also expressed in regard to the proposed installation of only top hinged windows in habitable rooms. Members queried whether this proposal would be compliant with Building Regulations which, it was believed, required all habitable rooms to have a suitable opening window for escape purposes in the event of fire. .

The Committee considered that, in view of the queries highlighted, a decision on the matter be deferred for Officers to discuss the issues raised by Members with the Applicant.

RESOLVED that the matter be deferred for Officers to have further discussions relating to the proposed scheme with the Applicant.

93/15

2015/0996 - RESERVE MATTERS APPLICATION, INCLUDING APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, FOLLOWING OUTLINE PLANNING APPROVAL REFERENCE NO. 2012/0709 FOR RESIDENTIAL DEVELOPMENT COMPRISING 316 DWELLINGS - LAND AT NORTON FARM, BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE - BARRATT WEST MIDLANDS AND DAVID WILSON MERCIA

At the invitation of the Chairman, Mr. P. Curnow, objector, addressed the Committee. Mr. P. Coles, on behalf of the Applicant, also addressed the committee.

In response to a Member's query, Officers advised that a SuDS drainage condition had been attached to the Outline Planning Permission. At the Member's request, Officers agreed to check to ensure that this had been the case.

RESOLVED that Reserve Matters approval be granted, subject to the Conditions and Informatives detailed on pages 41 to 45 of the main Agenda report.

Following the conclusion of the Committee's consideration of the above Application at 8.10pm, the Chairman agreed to a 10 minute comfort break. The meeting reconvened at 8.20pm.

94/15

2015/1006 - ERECTION OF 3 NO. TWO STOREY DWELLINGS WITH PARKING AND TURNING AREA - 99 WILDMOOR LANE, CATSHILL, BROMSGROVE, WORCESTERSHIRE B61 0PQ - MR IAN WAGSTAFF

Officers reported on the reasons for the Ward Councillor, Councillor H. J. Jones, calling in the Application, information on which had been omitted from the report. Members were also informed on the need to amend the printed recommendation following receipt of an anticipated amended Plan, which the Highways Authority considered acceptable, as detailed in the published Update Report, copies of which were circulated to Committee Members and the public gallery prior to consideration of the application.

At the invitation of the Chairman, Mr A. Thompson, on behalf of himself and Mr. D. Downes, objectors, addressed the Committee. Mr. R. Tranter, the Applicant's Agent, also addressed the Committee. Councillor H.J. Jones, in whose Ward the application site was located, also addressed the Committee.

The Committee then considered the Application, which was recommended for approval by Officers. Whilst Members supported the proposal in general there were some concerns in regard to the proposed bin store for the three properties, which were considered to be unnecessary.

RESOLVED that,

- 1) Planning Permission be granted, subject to the Conditions and Informatives detailed on pages 49 to 52 of the main agenda report; and
- 2) an amended plan being submitted removing the bin store.

95/15

2015/1056 - PROPOSED REAR SINGLE STOREY TOILET BLOCK EXTENSION TO BE USED WHEN FUNCTIONS TAKE PLACE - MANOR HILL HOUSE, SWAN LANE, UPTON WARREN, BROMSGROVE, WORCESTERSHIRE B61 9HE - MR MICHAEL MOFFATT

Officers reported on a consultee representation from Dodford with Grafton Parish Council who had no objection to the planning application.

At the invitation of the Chairman, Mr. D. Bishton, the Applicant's Agent, addressed the Committee. Councillor K. J. May, in whose Ward the application site was located, also addressed the Committee.

RESOLVED that Planning Permission be refused for the reasons detailed on pages 55 to 56 of the main agenda report.

96/15

2015/1057 - VARIATION OF CONDITION NO. 40 OF PLANNING PERMISSION 2013/0121 TO ENABLE 30 DWELLING OCCUPATIONS, TO BE ACCESSED FROM THE CURRENT PLANNING APPROVED JUNCTION WITH FIERY HILL ROAD, PRIOR TO THE COMPLETION OF THE REALIGNMENT OF FIERY HILL ROAD - LAND AT FIERY HILL ROAD, BARNT GREEN, WORCESTERSHIRE B45 8LF - MR MARK GAY FOR CALA HOMES

Officers reported on a representation received from Barnt Green Parish Council who had no objection to the application. Members further noted the need to amend the recommendation, further to the Parish's Council's response, and the requirement for a Supplemental Agreement to the Section 106 Agreement, imposed under Planning Permission Reference 2013/012, 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.

RESOLVED that:

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application for the variation of Condition 40, as detailed on page 59 of the main agenda report, following the receipt of a suitable and satisfactory Supplemental Agreement; and
- 2) the relevant Conditions that still apply to the Development, imposed under Planning Permission 2013/0121, to be imposed to cover the following general matters:
 - Time Conditions
 - General Conditions
 - Landscaping Conditions
 - Tree Conditions
 - Ecology and Biodiversity Conditions
 - Construction Conditions
 - Archaeological Conditions
 - Contaminated Land Conditions
 - Drainage Conditions
 - Highway Conditions
 - General Informatives.

97/15

2015/1082 - FIRST FLOOR EXTENSION AND ALTERATIONS - 53 PARK ROAD, HAGLEY, STOURBRIDGE, WORCESTERSHIRE DY9 0QQ - MR IAN TETLOW

At the invitation of the Chairman, Mr. I. Tetlow, the Applicant, addressed the Committee. Councillor R.E. Jenkins, in whose Ward the Application site was located, also addressed the Committee.

The committee then considered the Application, which was recommended for refusal by Officers. Having considered the information provided, Members were of the view that the proposed extensions would not appear over-dominant and would improve, rather than detract, from the character of the original house and the streetscene, and were therefore minded to approve subject to standard conditions, including a condition that the side window proposed in in the western elevation serving as a secondary bedroom window be obscure glazed to protect the amenity of the neighbouring property.

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

- 1) The proposal must be started within 3 years from the date of this notice.

Reason: To comply with National Legislation.

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

Location Plan Received 02/06/2015

Block Plan Received 02/06/2015

Existing First Floor Plan Drg No 02 Received 02/06/2015

Existing Elevations Drg No 03 Received 02/06/2015

Proposed Ground Floor Drg No 04A Received 21/10/2015

Proposed First Floor Plan Drg No 05A Received 21/10/2015

Proposed Elevations Drg No 05A Received 21/10/2015

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.

- 3) The materials you use on the roof and walls of your development should match those of the existing building. If matching materials cannot be found then you must give details of, or send a sample of the type, colour and finish of the materials that you are going to use to the Council. The Council will agree these details with you in writing and you must use these materials when you build the development.

Reason: To make sure that the development 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

- 4) The window to be installed on the west side elevation at first floor to serve the new bedroom shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The top opening and obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

98/15 **LOCAL GOVERNMENT ACT 1972**

RESOLVED that, under Section 100 1 of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, as amended, the relevant paragraphs of that part being as set out below, and that it is in the public interest to do so:

Item No. Paragraphs

99/15 3 and 5

99/15 **LAND AT BIRMINGHAM ROAD**

The Committee considered and noted a confidential information report in relation to land at Birmingham Road, which contained exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the Local Government Action 1972, as amended.

For clarity paragraph 3 relates to the financial or business affairs of any particular person, including the authority holding the information. Paragraph 5 relates to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

In view of the exempt nature of the report the public and press were excluded from the meeting during its discussion.

RESOLVED that the content of the report be noted.

The meeting closed at 10.07 p.m.

Chairman