

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**1<sup>ST</sup> AUGUST 2016 AT 6.00 P.M.**

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

Officers: Ms. S. Bell, Mr. D. M. Birch, Mr. S. Hawley (Worcestershire Highways Authority), Mr. S. Jones, Mrs. S. Sellers and Mrs. J. Smyth

18/16 **APOLOGIES**

Apologies for absence were received on behalf of Councillors S.J. Baxter, M. Glass and S.P. Shannon. Councillors L.J. Turner and K.J. May were confirmed as substitutes for Councillor S.J. Baxter and M. Glass respectively.

19/16 **DECLARATIONS OF INTEREST**

Councillor C. Allen-Jones declared an other disclosable interest in Item 7 (Planning Application 2016/0085 – Construction of underground Pipeline and associated works) in that the site was in his Ward and he had received representations from the Parish Council on the matter.

20/16 **MINUTES**

The minutes of the meeting of the Planning Committee held on 4<sup>th</sup> July 2016 were submitted.

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

21/16 **16/0572 - AMENDMENT TO CONDITION 3 ATTACHED TO 09/0509 TO THE FOLLOWING: THE FIRST FLOOR WINDOWS TO THE NORTH-WEST FACING ELEVATION OF THE APPROVED EXTENSION SHALL HAVE A TOP HUNG CASEMENT OPENING ONLY, TWO OF THESE WINDOWS SHALL BE OBSCURE GLAZED, THE BEDROOM WINDOW SHALL BE CLEAR GLAZED, AND SHALL REMAIN SO IN PERPETUITY UNLESS AGREED IN WRITING BY THE LOCAL PLANNING AUTHORITY - GLENFIELD HOUSE NURSING HOME, MIDDLE LANE, HEADLEY HEATH, B38 0DG - MR. CAHAL GRANT**

Officers reported on a representation received from the occupier of the neighbouring property reiterating their objections to the proposal in view of the fact that they were not, as intended, able to attend the meeting

and address the Committee in person. In terms of the neighbour's objections, the relevant Conditions were provided for Members' information, 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. C. Grant, the Applicant addressed the Committee. Councillor G.N. Denaro, in whose Ward the application site was located, also addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Having noted the Officers report and having seen the extent and height of the hedging that had been provided as boundary treatment on a Site Visit, Members were of the view that, whilst they acknowledged the imposition of the obscure glazing of all three windows in the original planning permission had been appropriate at the time, this was no longer the case in that they considered that any overlooking from the bedroom window would be minimal due to the considerable height of the trees which were close to reaching the same level as the eaves height of the approved extension.

The Committee was therefore minded to allow the modification of Condition 3 as detailed in the report. Members were also minded to amend Condition 4 to remove the implemented section of the Condition but retain the section relating to replacement of species and Condition 5 to maintain the height of the trees at eaves height.

**RESOLVED** that planning permission be granted, to amend Conditions 3, 4 and 5 attached to Planning Permission 2009/0509, as detailed below:

- "3). The first floor windows to the north-west facing elevation of the approved extension shall have a top hung casement opening only, two of these windows shall be obscure glazed, the bedroom window shall be clear glazed, and shall remain so in perpetuity unless agreed in writing by the Local Planning Authority.
- 4) Any trees / hedgerows removed, dying, being severely damaged or becoming seriously diseased shall be replaced by plants of similar size and species to those originally planted.
- 5) The trees/hedgerow required under Condition 5 shall be maintained at a height no less than the eaves height of the approved extension."

22/16

**16/0449 - DEMOLITION OF EXISTING PETROL FILLING STATION AND WORKS TO PROVIDE NEW ACCESS TO THE RETAIL PARK AND EXTENDED CAR PARK, REPLACEMENT OF EXISTING UNIT FACADES AND ROOFS, PROVISION OF ADDITIONAL MEZZANINE FLOORSPACE (A1 RETAIL AND ANCILLARY SPACE), AND ASSOCIATED DEVELOPMENT - LAND AT BROMSGROVE RETAIL PARK, BIRMINGHAM ROAD, BROMSGROVE**

Officers reported on further representations received from the Council's Climate Change Officer and Worcestershire Regulatory Services – Air Quality, together with Officer responses and proposals for two amended Conditions, an additional Condition and two additional informatives, 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.

**RESOLVED** that Planning Permission be granted, subject to:

- 1) the Conditions and Informatives set out on pages 23 to 29 of the main agenda;
- 2) Conditions 2 and 5 being amended as set out below:

Plan Numbers

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

Drawing Numbers:

15230-2001 REV 7 PROPOSED SITE PLAN  
15230-2004 REV B PROPOSED FLOOR PLANS  
UNITS 3, 4 AND 5  
15230-2005 REV B PROPOSED FLOOR PLANS UNITS  
1 AND 2  
15230-2007 REV A PROPOSED GA ELEVATIONS UNITS  
3, 4 & 5  
15230-2009 REV A PROPOSED GA ELEVATIONS UNITS  
1 & 2  
15230-2011 Site Location Plan  
15-6503-SK005 Rev P1 Drainage Attenuation Proposals

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

Soft Landscaping

- 5) With the exception of demolition and site clearance, before any other development commences, a scheme of

landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include a plan detailing the disposition of planting, cross referenced to a schedule listing the species, size and number of plants proposed and a tree planting specification. The approved scheme shall be carried out concurrently with the development and completed prior to the first occupation of the development.

If within a period of five year from the date of the planting of any tree / shrub / hedge planted pursuant to this Condition (including any replacement), is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree / shrub / hedge of the same species and size as to that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written approval to any variation.

Reason: To ensure the environment of the development is improved and enhanced in accordance with Policies DS13, E4 and C5 of the Bromsgrove District Local Plan – January 2004; and.

3) The following additional Condition and Informatives

Condition

External Storage of Recyclables and General Waste

24) Before the site is brought back into use, details of the means of separate storage for recyclable materials and general waste generated as a consequence of use by operators and the public, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a plan identifying the location of such facilities in addition to a specification of the means of storage.

Reason: To safeguard amenity and mitigate the risk of contamination of the watercourse in accordance with Policies SD13 and E4 of the Bromsgrove District Local Plan – January 2004 and Policy WCS 17 of the Waste Core Strategy.

Informatives

Low Emission Boilers

4) The Applicant is encouraged to install Ultra-Low NOx boilers with maximum NOx Emissions less than 40 mg/KWhis in the interests of air quality.

Trolley Management

- 5) The Applicant is encouraged to utilise an appropriate mechanism for trolley management to prevent trolleys from being able to leave the site.

23/16

**16/0085 - CONSTRUCTION OF UNDERGROUND WATER PIPELINE (APPROXIMATELY 10.8 KM IN LENGTH), BREAK PRESSURE TANK, EXTENSION TO FRANKLEY WATER TREATMENT WORKS AND ASSOCIATED WORKS ALL IN ASSOCIATION WITH THE BIRMINGHAM RESILIENCE PROJECT (BRP). WORKS PROPOSED AT THE FOLLOWING LOCATIONS:- LAND TO THE WEST OF FRANKLEY WATER TREATMENT WORKS (EXTENSION TO THE WATER TREATMENT WORKS). - LAND TO THE EAST OF PUTNEY LANE, NR ROMSLEY (BREAK PRESSURE TANK). - PIPELINE RUNS BETWEEN FRANKLEY WATER TREATMENT AND THE DISTRICT BOUNDARY WEST OF WAYSTONE LANE, BELBROUGHTON. - LAND TO THE WEST OF FRANKLEY TREATMENT WORKS, WORCESTERSHIRE - SEVERN TRENT WATER LIMITED**

Officers reported on various representations received and consultations that had taken place between the Applicant, County Highways, Romsley Parish Council, the Romsley Community Liaison Group and the Council's Planning Officers subsequent to the matter being deferred from the 4<sup>th</sup> July 2016 Planning Committee meeting, 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. Members also noted the need for an additional Condition relating to the final Romsley Construction Management Plan submitted on the 1<sup>st</sup> August 2016.

At the invitation of the Chairman, Mr. G. Smith, for the Applicant, addressed the Committee. Parish Councillor R. Arrowsmith also addressed the Committee on behalf of Romsley Parish Council.

**RESOLVED** that

- 1) the Committee being minded to approve full Planning Permission, and in accordance with the Town and Country Planning (Consultation) (England) Direction 2009, the Application be referred to the Secretary of State under Section 9 of that Direction to afford the Secretary of State the opportunity to consider whether to utilise the call-in powers conferred by Section 77 of the Town and Country Planning Act 1990; and
- 2) given 1) above, that should the Secretary of State not be minded to call the Application in, authority be delegated to the Head of Planning and Regeneration Services to determine the full Planning Permission subject to the Conditions and Notes set out

on pages 52 to 53 of the main Agenda report; and the following additional Condition:

- “10) The construction works solely relating to the Break Pressure Tank and pipeline road cross to the B4551 near Romsley Village shall be undertaken and implemented in accordance with the approved Construction Traffic Management Plan (CTMP) submitted on 1<sup>st</sup> August 2016 without deviation, unless agreed in writing with the Local Planning Authority.”

The meeting closed at 7.02 p.m.

Chairman