

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**3<sup>RD</sup> OCTOBER 2016 AT 6.00 P.M.**

PRESENT: Councillors C. Allen-Jones, B. T. Cooper (Substitute), C.A. Hotham, K.J. May, S. R. Peters, R. D. Smith (Substitute), C. J. Spencer and P. J. Whittaker

Officers: Mr. D. M. Birch, Miss. E. Farmer, Mr. A. Hussain, Mrs. T. Lovejoy, Mrs. J. Smyth, S Williams and Ms. M. Worsfold

30/16 **ELECTION OF CHAIRMAN**

In the absence of Councillor R.J. Deeming (Chairman) and Councillor P.L. Thomas (Vice-Chairman), who had tendered their apologies for the meeting, and following a call for nominations, it was

**RESOLVED** that Councillor P.J. Whittaker be appointed as Chairman for the meeting.

31/16 **APOLOGIES**

Apologies for absence were received on behalf of Councillor R.J. Deeming (Chairman), P.L. Thomas (Vice-Chairman), S.J. Baxter, M.T. Buxton and S.P. Shannon. Councillor R.D. Smith was confirmed as substitute for Councillor Deeming, Councillor B.T. Cooper was confirmed as substitute for Councillor Thomas and Councillor L.J. Turner was confirmed as Councillor Baxter's substitute.

32/16 **DECLARATIONS OF INTEREST**

Councillor C. A. Hotham declared an Other Disclosable Interest in Agenda Item 6 (Planning Application 2016/0723 – 47 Fiery Hill Road, Barnt Green, Birmingham B45 8JX) in that he knew the Applicant. Councillor Hotham withdrew from the meeting prior to consideration of the item and took no part in the discussion or voting on the matter.

Councillor C.A. Hotham also declared an Other Disclosable interest in Agenda Item 7 (Planning Application 2016/0787 - Land at Fiery Hill Road, Barnt Green) in that he had already spoken out on many occasions against the Cala application. Councillor Hotham withdrew from the meeting prior to consideration of the item and took no part in the discussion or voting on the matter.

33/16

**MINUTES**

The minutes of the meeting of the Planning committee held 5<sup>th</sup> September 2016 were submitted.

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

34/16

**2016/0832 - PRIOR NOTIFICATION APPLICATION FOR DEMOLITION OF A PUBLIC HOUSE - THE GREYHOUND PUBLIC HOUSE, 30 ROCK HILL, BROMSGROVE B61 7LR - MISS DAWN ADAMS**

The Committee considered an Application under Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 for a determination as to whether the Local Planning Authority's prior approval was required for the proposed demolition of the Greyhound Public House.

At the invitation of the Chairman, Mr. C. Day, representing the Campaign for Real Ale addressed the Committee, objecting to the demolition of the Public House. Mr D. Morris, on behalf of the Applicant, also addressed the Committee. Councillor L. C.R. Mallett, in whose Ward the Application site was located, also addressed the Committee.

**RESOLVED** that Prior Approval is required

35/16

**2016/0723 - REDEVELOPMENT OF SITE TO CREATE 4 APARTMENTS - 47 FIERY HILL ROAD, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE B45 8JX - MR. S. BOND**

Officers reported on an amended Plan received in relation to the proposed parking spaces meeting the required size for standard vehicles and an amendment to Condition 2 to reflect the amended plan. It was further highlighted that Condition 15 in the main agenda report also needed to be amended to reflect the additional 4 car parking spaces. Members noted that a further letter of objection had also been received, 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 Evans and Mr. A. Saunders addressed the Committee objecting to the proposed development. Mr S. Bond, the Applicant, also addressed the Committee.

**RESOLVED** that Planning Permission be granted, subject to the Conditions and Informatives set out on pages 8 to 12 of the main agenda report, but with Conditions 2 and 15 being amended to read as follows:

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

Drawing Numbers 02 Rev F Proposed Site Plan  
03 Proposed Floor Plan  
04 Elevations  
05 Street Scene  
01 Existing Site Plan  
Scale 1:500 Pedestrian Splays

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

- 15) 8 Car Parking Spaces shall be provided on site and shall be reserved solely for that purpose and such spaces be made available for the use before the development hereby approved is occupied and shall be retained in perpetuity.

Reason: In the interests of Highway safety and to ensure the free flow of traffic using the adjoining Highway.

36/16

**2016/0787 - VARIATION OF CONDITION NO. 27 OF PLANNING PERMISSION 2015/1057 TO ENABLE A FURTHER 15 DWELLING OCCUPATIONS (AN INCREASE FROM 30 TO 45 DWELLING OCCUPATIONS) TO BE ACCESSED FROM THE PLANNING APPROVED AND IMPLEMENTED JUNCTION WITH FIERY HILL ROAD, PRIOR TO THE COMPLETION OF THE REALIGNMENT OF FIERY HILL ROAD - LAND AT FIERY HILL ROAD, BARNT GREEN, WORCESTERSHIRE - MR MARK GAY**

Officers reported on an additional letter of objection and further additional information from the Applicants in regard to the proposed timescale for commencing the realignment works, as detailed in the published Update Report, copies of which were provided for Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. R. Bellamy, on behalf of the Applicant, addressed the Committee.

**RESOLVED** that

- 1) authority be delegated to the Head of Planning and Regenerations Services to determine the Planning Application following the expiry of the Site Notice consultation period on 10<sup>th</sup> October 2016;
- 2) in the event that a representation is received as a result of the Site Notice consultation period, authority be delegated to the

Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised relevant to the Application, and to issue a decision accordingly;

- 3) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application following receipt of a suitable and satisfactory Supplemental Agreement; and
- 4) subject to the Conditions set out on pages 24 to 30 of the main agenda report.

37/16

**2016/0790 - TWO-STOREY REAR AND SIDE EXTENSIONS - 26 TOLLHOUSE ROAD, BROMSGROVE, B60 3QL - MR R. POWELL**

At the invitation of the Chairman, Councillor M. Thompson addressed the Committee on behalf of Mr. Parfitt, the next door neighbour to the Application site, objecting to the proposed development.

**RESOLVED** that Planning Permission be granted, subject to the Conditions set out on pages 33 to 34 of the main agenda report.

38/16

**2016/0820 - REPLACEMENT DWELLING (PART RETROSPECTIVE) - 40 MARLBOROUGH AVENUE, BROMSGROVE, B60 2PD - MR M. LEWIS**

Officers reported on two additional letters of objection received in relation to the amended plans that had been submitted, 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, Mrs. A. Pickup, the next door neighbour addressed the Committee objecting to the Application. Mr M. Lewis, the Applicant, also addressed the Committee. The Chairman further agreed to a statement being read out on behalf of Councillor P. L. Thomas, in whose Ward, the application site was located, in his absence.

The Committee then considered the Application, which had been recommended for approval by Officers. Having considered the Officer's report and the representations made by the speakers, Members were of the view that the proposal was an over-development of the site and would have a detrimental impact on the amenities of No. 42 Marlborough Avenue in terms of loss of daylight and were therefore minded to refuse the application.

**RESOLVED** that Planning Permission be refused for the following reason:

The replacement dwelling would represent over-development of the plot and would have an unacceptable overbearing impact on the amenity of the occupiers at the property 42 Marlborough Avenue, due to the loss of light into the ground floor side windows and a direct outlook onto a blank elevation. The proposal is therefore 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.

39/16

**2016/0841 - PROPOSED EXTENSION - THE GRANARY, DAGNELL END ROAD, REDDITCH, WORCESTERSHIRE B98 9BE - MR I. JOHNSON**

This Application for Planning Permission was considered in conjunction with Item 11 on the Agenda (Listed Building Consent Application 2016/0842), The Granary, Dagnell End Road, Redditch).

Officers reported on various additional representations and amended plans in relation to proposed parking to the north of the application site received from the Applicant with Officer responses, including the need to amend the refusal reason; a further response from Worcestershire Highways who had no objection to the proposal; and clarification that Councillor J.M.L.A. Griffiths, in whose Ward the Application site was located, had called in the proposal for the Committee to determine, all as detailed in the published Update Report, copies of which were circulated to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. I. Johnson, the Applicant, and Mrs. E. Mitchell, the Applicant's Agent, addressed the Committee. Councillor J. M. L. A. Griffiths also addressed the Committee on the matter.

**RESOLVED** that Planning Permission be refused for the following amended reason:

The proposed extension would not respect the architectural character or setting of the Listed Building by virtue of its position, design, size, height and materials, and would result in a highly visible, dominant structure, out of scale with the building. The matters raised by the Applicant do not justify the clear harm to the character and setting of the Listed building. Therefore, the proposal would result in harm to a designated heritage asset contrary to Section 16 of the Planning (Listed Buildings and Conservation Area) Act 1990, Policy S39 of the Bromsgrove District Local Plan 2004, the guidance of SPG 4 (Converted Rural Buildings) and paragraphs 132 – 134 of the National Planning Policy Framework (NPPF).

40/16

**2016/0842 - PROPOSED EXTENSION - LISTED BUILDING CONSENT - THE GRANARY, DAGNELL END ROAD, REDDITCH, WORCESTERSHIRE B98 9BE - MR I JOHNSON**

This application for Listed Building Consent was considered in conjunction with Item 10 on the Agenda (Planning Application 2016/0841 - The Granary, Dagnell End Road, Redditch).

Officers reported on various additional representations and amended plans in relation to proposed parking to the north of the application site received from the Applicant with Officer responses, including the need to amend the refusal reason; a further response from Worcestershire Highways who had no objection to the proposal; and clarification that Councillor J.M.L.A. Griffiths, in whose Ward the Application site was located, had called in the proposal for the Committee to determine, all as detailed in the published Update Report, copies of which were circulated to Committee Members and the public gallery prior to commencement of the meeting.

At the invitation of the Chairman, Mr. I. Johnson, the Applicant, and Mrs. E. Mitchell, the Applicant's Agent, addressed the Committee. Councillor J. M. L. A. Griffiths also addressed the Committee on the matter. i

**RESOLVED** that Planning Permission be refused for the following amended reason:

The proposed extension would not respect the architectural character or setting of the Listed Building by virtue of its position, design, size, height and materials, and would result in a highly visible, dominant structure, out of scale with the building. The matters raised by the Applicant do not justify the clear harm to the character and setting of the Listed building. Therefore, the proposal would result in harm to a designated heritage asset contrary to Section 16 of the Planning (Listed Buildings and Conservation Area) Act 1990, Policy S39 of the Bromsgrove District Local Plan 2004, the guidance of SPG 4 (Converted Rural Buildings) and paragraphs 132 – 134 of the National Planning Policy Framework (NPPF).

The meeting closed at 8.00 p.m.

Chairman