

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 2ND JULY 2018, 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, S. R. Peters,
C. J. Spencer and P. J. Whittaker

Observers: Ms. F. Mughal, Democratic Services Officer

Officers: Mrs. T. Lovejoy, Mr S Edden, Miss. E. Farmer, Miss C. Gilbert,
Mr. P. Lester, Mr. S. Hawley (Worcestershire Highways Authority) and
Mrs. P. Ross

11/18

APOLOGIES

Apologies for absence were received from Councillors M. T. Buxton,
S. P. Shannon and M. A. Sherrey, with Councillor M. Glass present as
substitute for Councillor M. A. Sherrey.

12/18

DECLARATIONS OF INTEREST

Councillor C. A. Hotham declared in relation to Agenda Item 5
(Application 17/01191/FUL – Land between The Croft and Hopwood
Garden Centre, Ash Lane, Alvechurch, Worcestershire, B48 7TT), that
he had a predetermined view on the matter and would be withdrawing to
the public gallery to speak on this item as Ward Councillor under the
Council's public speaking rules. Following the conclusion of public
speaking, Councillor Hotham withdrew from the meeting for the duration
of the Committee's debate and took no part in the Committee's
consideration nor voting on the matter.

Councillor C. A. Hotham also declared in relation to Agenda Item 6
(Application 17/01363/FUL – Land at corner of Redhill Road and
Redditch Road, West Heath, Birmingham, B38 9EJ0), that he had a
predetermined view on the matter and would be withdrawing to the
public gallery to speak on this item as Ward Councillor under the
Council's public speaking rules. Following the conclusion of public
speaking, Councillor Hotham withdrew from the meeting for the duration
of the Committee's debate and took no part in the Committee's
consideration nor voting on the matter.

Councillor S. J. Baxter declared an Other Disclosable Interest in Agenda
Item 8 (Application 18/00529/FUL – 4B Truemans Heath Lane,
Truemans Heath, Birmingham, Worcestershire, B47 5QB) - in that she

was Vice-Chairman of Wythall Parish Council, who had been consulted on the Application. Having advised that, she had not attended the meeting when the application was considered at the Parish Council meeting; Councillor Baxter participated and voted on the matter.

At the commencement of the public speaking, Councillor C. A. Hotham declared an Other Disclosable Interest in Agenda Item 7 (Application Land at Hollow Tree Lane, Tardebigge, Bromsgrove, B60 1PR), in that he knew the objectors husband. Councillor Hotham then withdrew from the meeting for the duration of the Committee's debate and took no part in the Committee's consideration nor voting on the matter.

13/18

MINUTES

The minutes of the meeting of the Planning Committee held on 4th June 2018 were received.

RESOLVED that the minutes of the meeting held on 4th June 2018 be approved as a correct record.

14/18

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)

The Chairman confirmed with Members that they had received and read the updates which had been published and circulated.

15/18

17/01191/FUL - ERECTION OF 3 RESIDENTIAL DWELLINGS - LAND BETWEEN THE CROFT AND HOPWOOD GARDEN CENTRE, ASH LANE, ALVECHURCH, WORCESTERSHIRE, B48 7TT - MR. N. CLARKE

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor C. A. Hotham, Ward Member.

Officers reported on an additional comment that had been received relating to drainage and that a further condition (Condition 10) was recommended in order to address ecological matters; as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. A. Smith, on behalf of Hopwood Residents Association and Chairman of Alvechurch Parish Neighbourhood Plan Steering Group, addressed the Committee in objection to the Application. Lauren Carpenter, the Applicant's Agent addressed the Committee on behalf of the Applicant. Councillor John Cypher, on behalf of Alvechurch Parish Council addressed the Committee in objection to the Application; and Councillor C. A. Hotham, Ward Member, also addressed the Committee.

The Committee then considered the Application, which had been recommended for approval by Officers.

Following the comments raised by Councillor Hotham, Members sought clarification from Officers in respect of Condition 5, as detailed on page 11 of the main agenda pack. Mr S. Hawley, County Council Highways Officer, provided clarification and stated that following the comments made by Councillor Hotham and having reviewed the application, it would not be reasonable to adopt Condition 5, as the Condition did not serve a purpose, he would advise not to impose such a Condition.

With the agreement of the Chairman, the Council's Planning Lawyer referred to a statement made by Mr. A. Smith, that planning permission be refused on the grounds of prematurity. The Council's Planning Lawyer informed the Committee that this may be appropriate where a proposed development was so substantial, that granting permission could prejudice a development plan policy, however, the Application being considered by Members, did not fall into that category, the Application was for the erection of 3 residential dwellings.

Members then sought further clarification from Officers on the village envelope boundary.

The Chairman agreed to an adjournment to enable Officers to locate and display an extract from the Bromsgrove District Plan 2011-2030, which would detail the boundary for Hopwood.

The meeting stood adjourned from 18:28 hours to 18:34 hours.

Having re-convened Officers displayed an extract from the Bromsgrove District Plan 2011-2030; and further explained that the Alvechurch Parish Neighbourhood Plan, was in draft and had not been adopted, and that the village envelope boundary was not relevant to the Application being considered

Members went on to debate the definition of village, development outside of the village envelope and if the application complied with the NPPF. Mr S. Hawley, County Council Highways Officer, commented that, with regard to the Site Visit conducted by some of the Members; and that following appeal, planning permission was granted to the bungalow on the opposite side. The appeal allowed for development outside of the village envelope as it considered that it formed part of the village. There was no definition of village.

Members considered how much weight they should give to the emerging Alvechurch Parish Neighbourhood Plan.

Having considered the Officer's report and the representations made by the speakers, Members expressed their concerns with the design of the dwellings, in particular flat roofs and were therefore minded to refuse the

Application, as it was out of keeping with other residential properties in the area and would impact on the existing street scene.

RESOLVED that Planning Permission be refused on the grounds that the development was not in keeping with other residential properties in the area, in particular the flat roof elements to the front and rear. It would therefore impact on the existing street scene.

16/18

17/01363/FUL - RECONFIGURATION OF EXISTING PLAYING FIELDS TO PROVIDE NEW CLUB HOUSE AND STAND, MATCH PITCH AND FLOODLIGHTS, WITH THREE FURTHER GRASS PITCHES AND ONE ALL WEATHER PITCH, PLUS ASSOCIATED CAR PARKING AND LANDSCAPING - LAND AT CORNER OF REDHILL ROAD AND REDDITCH ROAD, WEST HEATH, BIRMINGHAM, B38 9EJ - MR. R. THORNDIKE ON BEHALF OF ALVECHURCH FC / THE HAYES SPORTS PARTNERSHIP

Officers reported on comments received from Sport England, that the proposals were considered to accord with exceptions E2 and E5 of Sport England's policy and the guidance in Paragraph 74 of the NPPF. Sport England had raised no objections to the Application subject to the imposition of the conditions, as detailed in the published Update Report.

Officers drew Members' attention to the additional Conditions 17, 18, 19 and 20, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

Officers further reported that the existing facilities would continue to be used until the new facilities were completed.

At the invitation of the Chairman, Mr. J. Jowitt, the Applicant's Agent, addressed the Committee on behalf of the Applicant. Councillor C. A. Hotham, Ward Member, also addressed the Committee. Councillor Hotham commented that he was aware that officers had work tirelessly with the applicants in relation to this planning application.

The Committee then considered the Application, which officers had recommended for approval. Members were in agreement that new facilities were needed and they would congratulate Alvechurch Football Club / The Hayes Sports Partnership.

Officers provided clarification on the lighting system and informed the Committee that, as detailed in the report, Worcestershire Regulatory Services had received information relating to the proposed external lighting and that the proposed external lighting was acceptable. Members further considered the car parking for 145 cars and the proposed changing room facilities.

Having had regard to all of the information presented, the Committee were minded to approve the Application.

RESOLVED that authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to;

- 1) the satisfactory completion of a planning obligation (Unilateral Undertaking) to ensure that the shuttle bus arrangements detailed in the Mayer Brown technical note 21/05/2108 Rev A are provided;
- 2) Conditions 1 to 16, as set out on pages 26 to 29 of the main agenda pack;

the following additional Conditions and Informative:

Conditions

- 17) Prior to the first occupation of the development hereby permitted a report must be submitted to the Local Planning Authority which clearly demonstrates that the development has met the BREEAM 'Very Good' standard (or a successor equivalent);

Reason: In accordance with Policy BDP19 of the Bromsgrove Local Plan.

- 18) No development shall commence until further details of the design and specification of the proposed 3G artificial grass pitch, proposed changing pavilion and associated works have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The AGP shall not be constructed other than in accordance with the approved details.

Reason: To ensure that the development is fit for purpose and sustainable.

- 19) Use of development shall not commence until:

(a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf – FIFA Quality or equivalent International Artificial Turf Standard (IMS)

(b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fit for purpose, sustainable and provides sporting benefits.

- 20) Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply

to the proposed 3G AGP and associated facilities and include details of pricing policy, sinking fund, hours of use, access by non-football club users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.

Informative

- 1) The Local Planning Authority have worked with the applicant in a positive and proactive manner to seek solutions to problems arising in relation to dealing with the planning application through negotiation and amendment.

17/18

18/00488/FUL - CHANGE OF USE FROM GRAZING TO EQUESTRIAN USE / GRAZING. ERECTION OF EIGHT STABLES, WOOD CONSTRUCTION UPON A CONCRETE BASE WITH ADJOINING STORE AND TACK ROOM - LAND AT HOLLOW TREE LANE, TARDEBIGGE, BROMSGROVE, WORCESTERSHIRE, B60 1PR - MRS J. JOHNSON

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor P. J. Whittaker, Ward Member.

Officers reported on the update received from Highways and that, following discussions regarding the proposed viability splay, the applicant had commissioned a speed survey. The results of this survey had been assessed and the proposed 2.4m x 70m was considered acceptable, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Mr. G. Mackenzie and Mrs. Jane Keene addressed the Committee in objection to the Application. Mr. D. Swift addressed the Committee on behalf of the Applicant. .

The Committee then considered the Application, which had been recommended for refusal by Officers. Members commented that the site rose away from the land and the proposed stable buildings would be situated approximately 30m from the nearest residential property. Members further commented that they had given the Application a great deal of consideration as they were aware that the Applicant had made the Application due to their existing stables being displaced from an existing green belt site. Members noted the comments raised in objection to the Application with regard to drainage. Members were of the view that the Application would not cause harm to the character and appearance of the site and the wider open countryside; and therefore there would be minimal impact to the green belt.

The Committee were therefore minded to grant Planning Permission, subject to suitable conditions as deemed by Officers.

RESOLVED that Planning Permission be granted, subject to Conditions relating to:-

- 1) Drainage (to be contained within the Site)
- 2) Additional landscaping
- 3) Ensure that the stables were not used for commercial purposes

and any other suitable Conditions appropriate to the development by Officers.

18/18

18/00529/FUL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 8 TWO AND THREE STOREY HOUSES WITH PARKING. ACCESS FROM TRUEMANS HEATH LANE - 4B TRUEMANS HEATH LANE, TRUEMANS HEATH, BIRMINGHAM, WORCESTERSHIRE, B47 5QB - MR B. SKILLETT

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor L. J. Turner, Ward Member.

Officers reported that the Applicant had responded to a number of comments raised during the consultation by local residents, with regard to waste collection, drainage, amenity concerns, planning history. Comments had been received from Councillor Adam Kent, County Councillor for Wythall with regard to concerns raised in respect of the loss of jobs at the site, the density of the development, parking arrangements, drainage and access. In respect of the loss of local jobs, Bromsgrove currently had sufficient land allocated for business uses within the District. The existing site was within the residential area and therefore a residential use was considered to be more appropriate in this location. All other issues raised had been addressed within the Officers report, as detailed in the published Update Report, copies of which were provided to Committee Members and the public gallery prior to the commencement of the meeting.

At the invitation of the Chairman, Ms. C. Hassam addressed the Committee in objection to the Application. Mr. R. Cobb, the Applicant's Agent, addressed the Committee on behalf of the Applicant. With the agreement of the Chairman, the Council's Planning Lawyer read out a statement from Councillor L. J. Turner, Ward Member, who had been unable to attend the meeting.

The Committee then considered the Application, which had been recommended for approval by Officers. Member sought clarification on the following concerns:

- Access to the site by the Fire Service
- Parking arrangements

- Waste Collection

Mr S. Hawley, County Council Highways Officer, informed the Committee that the road was not a public road and that the road was wide enough and met the requirements from the fire service, which required a minimum of 2.75m access road. Members were also provided with further clarification to their queries on other highways concerns and in doing so, informed the Committee that it was estimated that the proposed dwellings would carry out approximately 8 trips per day; the site currently had 50 movements per day, so the proposal would be less intensive than the current arrangements.

Officers responded to Members questions with regard to the waste bin collections, more specifically the number of bins that would be left on the road on collections days; and the proposed rear access which Members felt would encourage crime.

Officers further clarified that the site was not designated employment land.

Having had regard to all of the information presented, the Committee was of the view that both the general layout and the design of the dwellings were not it keeping with the area. Members were therefore minded to refuse the Application.

RESOLVED that Planning Permission be refused for the following reason:

- 1) The proposed development does not respect the general layout and density of the area and the design of the properties did not reflect local character. The development was therefore harmful to the character and appearance of the locality and to the visual amenity of the area. The development therefore failed to comply with Policy BDP19 (High Quality Design), the Residential Design Guide SPG and Section 7 of the NPPF which required high quality design.

19/18

18/00560/FUL - ERECTION OF TELESCOPIC TOWER WITH ANTENNAS FOR HOBBY AMATEUR RADIO PURPOSES - RICHMOND HOUSE, ICKNIELD STREET, HEADLEY HEATH, BIRMINGHAM, WORCESTERSHIRE, B38 0EP - L. VOLANTE

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor G. N. Denaro, Ward Member.

At the invitation of the Chairman, Mr. L. Volante, the Applicant addressed the Committee. With the agreement of the Chairman, the Council's Planning Lawyer read out a statement from Councillor G. N. Denaro, Ward Member, who had been unable to attend the meeting.

The Committee then considered the Application, which Officers had recommended for refusal. Having considered all of the information provided and the Applicant's responses to the queries raised by the Committee, Members were of the view, that the structure was slender in appearance and well shielded by the surrounding trees. As highlighted by the Applicant, that it was a hobby of his and that the structure would be folded down a high percentage of the time. Members were therefore minded to approve the Application.

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

- 1) that the telescopic tower to be retracted and tilted over when not in use.

The meeting closed at 8.21 p.m.

Chairman