

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 6TH AUGUST 2018, 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, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer, L. J. Turner and P. J. Whittaker

Officers: Mrs. T. Lovejoy, Mr. D. M. Birch, Miss C. Gilbert, Mr. P. Lester, Miss. C Wood and Mrs. P. Ross

20/18 **APOLOGIES**

Apologies for absence were received from Councillor S.J. Baxter, with Councillor L. Turner present as substitute for Councillor S. J. Baxter.

21/18 **DECLARATIONS OF INTEREST**

Councillor M. J. Sherrey declared in relation to Agenda Item 7(Applications 18/00185/FUL and 18/00186/LBC – Land Rear of 37 Nash Lane, Nash Lane, Belbroughton, Worcestershire), that she 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 Sherrey remained in the public gallery for the duration of the Committee's debate and took no part in the Committee's consideration nor voting on the matter.

Councillor P. L. Thomas declared an Other Disclosable Interest (details conferred in confidence to the Council's Legal Officer), in relation to Agenda Item 7 (Applications 18/00185/FUL and 18/00186/LBC – Land Rear of 37 Nash Lane, Nash Lane, Belbroughton, Worcestershire, and that he would be withdrawing from the meeting room during the Committee's consideration of this item.

22/18 **MINUTES**

The minutes of the meeting of the Planning Committee held on 2nd July 2018 were received.

RESOLVED that the minutes of the meeting held on 2nd July 2018 be approved as a correct record.

23/18

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 prior to the commencement of the meeting.

24/18

18/00041/FUL - ERECTION OF NEW INDUSTRIAL UNITS FOR B2 (GENERAL INDUSTRIAL) AND B8 (STORAGE AND DISTRIBUTION) USES - LAND ADJACENT CORBETT BUSINESS PARK, SHAW LANE, WORCESTERSHIRE

Officers drew Members' attention to the fact that the Application had been brought to the Planning Committee for consideration because it was a major application for which officers did not have delegated powers to determine.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives, as set out on pages 18 to 23 of the main agenda pack.

25/18

18/00119/OUT - RESIDENTIAL DEVELOPMENT COMPRISING 14 UNITS PROVIDING A MIXTURE OF 2 - 4 BED HOMES - BRINE PUMP COTTAGE, WESTON HALL ROAD, BROMSGROVE

Officers reported on additional comments that had been received from North Worcestershire Economic Development and Regeneration and Leisure Services; Officers also drew Members' attention to the updated Recommendation, 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 Conservation Officer had objected to the proposal. A Tree and Arboricultural Impact Assessment had been submitted in support of the application together with a tree protection plan. The tree officer had recommended that two trees, namely T3 and T14 be retained, as detailed in the tree survey. On this basis, no objection was raised in terms of the impact on trees.

The Committee then considered the Application, which had been recommended for approval by Officers. Members expressed concerns in regard to: the site being designated employment land, the provision of the agreed 30% affordable homes element of the whole development site, which they considered to be low and what efforts the landowner had made in order to use the site as employment land.

Officers clarified that as stated in the report, the site had been allocated for employment use for at least 14 years and that despite this length of time employment use for the site had not been delivered. BDP14.5, advised that, planning policies should avoid the long term protection of

sites allocated for employment use where there was no reasonable prospect of a site being used for the allocated employment use.

Members were informed that the Brine Pumps had been capped.

Officers further clarified that Members were being asked to determine the application, which was an outline planning application for the development of the site for 14 dwellings; with all matters reserved for future consideration.

RESOLVED that authority be delegated to the Head of Planning and Regeneration Services to grant Outline Planning Permission, subject to:

- 1) the receipt of a suitable and satisfactory legal mechanism in relation to:
 - i) the provision of 5 affordable housing units;
 - ii) the provision of a financial contribution £40,000 towards the play area and open space to the west of the development at Shaw Lane;
 - iii) a contribution of £50.98 per dwelling for the provision of wheelie bins;
- and
- 2) subject to the Conditions, as set out on pages 36 to 41 of the main agenda pack.

26/18

18/00185/FUL & 18/100186/LBC - CONVERSION OF EXISTING OUTBUILDINGS TO FORM NO.1 BEDROOM DWELLINGS AND A HOME OFFICE FOR ONE OF THE PROPOSED DWELLINGS - LAND REAR OF 37 NASH LANE, BELBROUGHTON

Officers clarified that the Applications had been brought to the Planning Committee for consideration at the request of Councillor M. A. Sherrey, Ward Member.

In order to facilitate Officer's presentations and public speaking representations, the two Applications were discussed together. It was reported, however, that for purposes of clarity the Committee's decisions on the two Applications would be recorded separately in the formal minutes of the meeting.

Officers reported that the Applications were for planning permission and listed building consent. In considering whether to grant listed building consent Members should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possessed. Officers drew Members' attention to the full comments received from Councillor M. A. Sherrey, Ward Member and the reasons for Councillor M. A. Sherrey requesting that the Applications be called into Planning Committee, and

representations received from some of the owners of the site regarding the certificate of ownership process of the Applications.

Officers clarified that although the site had been described as to the rear of 37 Nash Close, the site and the outbuildings within it did until recently relate to the outbuildings to 3 High Street. 3 High Street, Belbroughton, was a Grade II listed building. The outbuildings were used as ancillary accommodation to the butchers and 3 High Street for a long period of time.

In respect of the conversion works to the outbuildings, Green Belt policy supported the re-use of buildings provided that the buildings were of permanent and substantial construction.

The proposed conversion would result in new windows being inserted into some of the existing openings within the buildings that were proposed to be converted, as detailed on page 49 of the main agenda pack.

Members were further informed that the Conservation Officer had no conservation objection. However, a large number of objections had been received, 71 objections to the Full Planning Application and 69 with regard to the listed building consent application.

At the invitation of the Chairman, Ms. S. Horne (on behalf of Mrs. J. Brown) and Mr. B. Robinson addressed the Committee in objection to the Applications. Mr. N. Brown, the Applicant's Agent, addressed the Committee on behalf of the Applicant. Councillor M. A. Sherrey, Ward Member, also addressed the Committee.

The Committee then considered both Applications, which officers, had recommended for approval. Having considered the Officer's report and all of the public speakers' representations, Members were of the view that with regard to Planning Application 18/00185/FUL, the size of the dwellings would be insufficient in surface area and therefore too small for one bedroom dwellings.

During the discussion Members commented that the recent Committee site visit, undertaken in respect of both Applications had proved very useful. The site had some interesting pretty buildings which needed to be preserved. However, the buildings were too small to be converted into one bedroom dwellings.

Members also considered that the design and layout of the site would result in an insufficient provision of external amenity space for the future occupiers of the proposed dwellings.

Members were therefore minded to refuse the Planning Application.

Further discussion followed on the Listed Building Consent (LBC) Application.

Following some misunderstanding and with the agreement of the Chairman, Officers clarified that in considering whether to grant LBC, Members should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possessed.

Following on from this, Members were minded to approve the Listed Building Consent Application.

RESOLVED that

1) Planning Permission be refused for the reasons detailed below:

- (1) The proposal, by reason of the size of the internal living space within Building 1, would result in a cramped development which would fail to provide sufficient functional living space for the future occupiers of building 1, contrary to policy BDP19.M of the Bromsgrove District Plan adopted January 2017 and the NPPF (2018);
- (2) The proposal, by reason of the design and layout of the site, would result in an insufficient provision of external amenity space for the future occupiers of the proposed dwellings, contrary to policy BDP19.M of the Bromsgrove District Plan adopted January 2017, SPG1 – Residential Design Guide adopted January 2004 and the NPPF (2018).

and

2) Listed Building Consent be granted, subject to the Conditions and Informatives as detailed on pages 56 to 59 of the main agenda pack.

27/18

18/00423/FUL - TWO STOREY SIDE EXTENSION TO FORM NEW BEDROOM SUITE, GROUND FLOOR CLOAKROOM AND NEW RECEPTION ROOM - CHADWICH HEIGHTS, SANDY LANE, BROMSGROVE

Officers clarified that the Application had been brought to the Planning Committee for consideration due to the requirement for a legal agreement.

RESOLVED that

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application following:
 - i) the applicant entering into a suitable unilateral agreement to ensure that no further extensions can be carried out under Part 1, Class A of the General Permitted Development (England) Order 2015;

and

- 2) subject to the Conditions as detailed on pages 63 and 64 of the main agenda pack.

28/18

18/00458/FUL - RETENTION AND REBUILDING OF ANCILLARY BUILDING - 36 FAIRFIELD ROAD, BOURNHEATH, BROMSGROVE

Officers clarified that Policy BDP4.4 of the Bromsgrove District Plan (BDP) (2017) stated that development of new buildings in the Green Belt was considered to be inappropriate unless specific circumstances applied. Criterion (c) allowed extensions to existing residential dwellings up to a maximum of 40% increase of the original dwelling or increases up to a maximum total floor space of 140m² (original dwelling plus extensions) provided that the scale of development had no adverse impact on the openness of the Green Belt.

With the agreement of the Chairman, the Council's Legal Officer clarified that the outbuilding could be retained as it was now a lawful building, Officers had no powers to enforce against it being retained.

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

RESOLVED that

- 1) authority be delegated to the Head of Planning and Regeneration Services to determine the Planning Application following:
 - i) the applicant entering into a suitable unilateral agreement to revoke the single garage approved under planning application 2002/1252;
- and
- 2) subject to the Conditions and Informative as detailed on pages 69 and 70 of the main agenda pack.

29/18

18/00463/FUL - CONSTRUCTION OF 2 NO. 2 BEDROOM 4 PERSON AND 3 NO.1 BEDROOM 2 PERSON AFFORDABLE HOUSES TOGETHER WITH EXTERNAL WORKS, CAR PARKING AND LANDSCAPING - LAND TO THE REAR OF NO. 15 YORK AVENUE, BROMSGROVE

At the invitation of the Chairman, Mr. E. Thompson, New Business Manager, Bromsgrove District Housing Trust (BDHT), the Applicant, addressed the Committee in support of the application.

RESOLVED that Planning Permission be granted, subject to the Conditions, as set out on pages 76 to 79 of the main agenda pack.

30/18

18/00569/FUL - CONSTRUCTION OF 4 NO. 1 BEDROOM AFFORDABLE FLATS TOGETHER WITH EXTERNAL WORKS, CAR PARKING AND LANDSCAPING - LAND OFF LINGFIELD WALK, CATSHILL, BROMSGROVE

At the invitation of the Chairman, Mr. E. Thompson, New Business Manager, Bromsgrove District Housing Trust (BDHT), the Applicant, addressed the Committee in support of the application.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives, as set out on pages 83 and 84 of the main agenda pack.

The meeting closed at 7.42 p.m.

Chairman