

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 11TH MARCH 2019, AT 6.00 P.M.**

PRESENT: Councillors R. J. Deeming (Chairman), C. Allen-Jones, S. J. Baxter, M. T. Buxton, C.A. Hotham, R. J. Laight, S. R. Peters, S. P. Shannon, C. J. Spencer and P. J. Whittaker

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

67/18

**APOLOGIES**

Apologies for absence were received from Councillors M. A. Sherrey and P. L. Thomas, with Councillor R. J. Laight present as substitute for Councillor P.L. Thomas.

68/18

**DECLARATIONS OF INTEREST**

Councillor C. A. Hotham declared in relation to Agenda Item 7 (Application 18/01209/FUL – Former Fire Station and Library Building, Windsor Street, Bromsgrove, Worcestershire, B60 2BJ), in that he was a member of Hereford and Worcester Fire and Rescue Service (HWFR). Councillor Hotham withdrew from the meeting prior to the consideration of the item and took no part in the Committee's consideration or voting on the matter.

69/18

**MINUTES**

The minutes of the meeting of the Planning Committee held on 4th February 2019 were received.

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 4th February 2019, be approved as a correct record.

70/18

**UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING AND CIRCULATED PRIOR TO THE START OF THE MEETING**

The Chairman confirmed with Members that they had received and read the update which had been published and circulated prior to the commencement of the meeting.

Following comments received from Planning Committee Members with regard to the comprehensive contents of the Update sheets for Agenda Item 9, Application 18/01596/S73 – Redditch Gateway Infrastructure Limited; the Chairman agreed to a ten minute adjournment of the meeting prior to the Committee's consideration of the item.

71/18

**18/00860/OUT - OUTLINE APPLICATION FOR DEMOLITION OF GARAGE AND DWELLING AND ERECTION OF 5 DETACHED DWELLINGS AND 1 BUNGALOW. ACCESS AND LAYOUT TO BE CONSIDERED. ALL OTHER MATTERS RESERVED - HAGLEY SPECIALIST CARS, 5 WORCESTER ROAD, WEST HAGLEY, STOURBRIDGE, WORCESTERSHIRE, DY9 0LF - MR. P. HEAD**

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of Councillor S. R. Colella, Ward Member.

Officers reported that the site had been in the Applicant's ownership since 1986 and that the Applicant had continued to develop and maintain a successful business. However, supporting information submitted by the Applicant indicated that the garage site and showroom was no longer viable due to internet sales and competition from manufactures retail wholesale outlets. The business had suffered from vandalism and theft from the garage forecourt resulting in a reduction in the out of hour's display of cars which had also affected sales.

Officers further reported that the application had been amended during the application process. Originally it was proposed to use the right of access the site had to Milestone Drive to access a number of the proposed dwellings. Following an objection from County Highways that element of the proposal had been removed. All of the proposed dwellings would not use Milestone Drive for access and would use Worcester Road.

Following concerns from Officers that 7 dwellings constituted an over development of the plot and that the stand-alone bungalow unit was particularly out of context with the character of the surrounding area; the proposed development was amended to reduce the number of dwellings from 7 to 6.

At the invitation of the Chairman Ms. M. Head, the Applicant and Councillor S. R. Colella, in whose Ward the Site was located, addressed the Committee.

The Committee then considered the Application, which Officers had recommended be granted. Officers further clarified that Hagley Parish Council had not been re-consulted with on the amended proposed development, which had been amended to reduce the number of dwellings from 7 to 6. Officers indicated that as outlined in the report, the Parish Council considered that they could not support any more than 3 dwellings on the site so had not been re-consulted.

Members discussed the application in detail and Officers responded to a number of queries raised with regard to the density and numbers of the proposed development being quite high. Members noted the comment from Worcestershire County Highways that the proposal was a lower trip generator than the existing garage use.

Officers clarified that Worcestershire County Council would be responsible for maintaining the public right of way.

Having considered the Application and all of the information provided, the Committee was minded to grant Outline Planning Permission.

**RESOLVED** that Outline Planning Permission be granted, subject to Conditions, as detailed on pages 15 to 18 of the main agenda report.

72/18

**18/01036/FUL - ERECTION OF 1 THREE-BED DWELLING HOUSE - LAND ADJOINING 171 SALWARPE ROAD, CHARFORD, BROMSGROVE, B60 3HT - MR. R. HALL**

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

Officers reported that the proposal was for a three bedroom dwelling, which would be situated between No's 169 and 171 Salwarpe Road and would incorporate part of the former rear garden of 61 Humphrey Avenue.

At the invitation of the Chairman, Mr. D. Hateley, on behalf of Mr. and Mrs. Hateley, addressed the Committee in objection to the Application. Ms. D. Farrington 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 Visit had proved useful. Having considered the Application and all of the information provided, Members of the view that the proposed dwelling would be overbearing and would have a detrimental impact on property No's 169 and 171 Salwarpe Road. The separation distance fell short of the required 12.5m and the increased density per hectare would make the development appear cramped.

**RESOLVED** that Planning Permission be refused for the reasons set out on page 25 of the main agenda report.

73/18

**18/01209/FUL - PROPOSED RESIDENTIAL ACCOMMODATION WITH CARE (CLASS C2) COMPRISING 67 APARTMENTS WITH COMMUNAL FACILITIES, LANDSCAPING AND PARKING - FORMER FIRE STATION AND LIBRARY BUILDING, WINDSOR STREET, BROMSGROVE, WORCESTERSHIRE, B60 2BJ - MR. A. TAYLOR**

Officers reported that the Applicant had spent a considerable amount of time in seeking pre-application advice from Officers and had addressed concerns raised regarding previous schemes. The proposed development would be setback from the URC Church, the listed building along Windsor Street, in order to avoid dominance over the church.

At the invitation of the Chairman Mr. M. Norton, addressed the Committee in objection to the Application, and Mr. R. Gaskell, the Applicant's agent, addressed the Committee.

Consideration was then given to the application which had been recommended for approval by Officers. Members raised a number of queries with Officers with regard to the storage and collection of the communal waste bins; and the relevant planning history, as detailed on page 34 of the main agenda report.

Members commented that they were pleased to see that a mobility scooter store had been included in the proposed extensive communal facilities; and that having conducted a Site Visit were of the view that the development would be an enhancement to the area.

Whilst Members welcomed the proposed development, Members expressed their concerns that Redditch and Bromsgrove Clinical Commissioning Group (CCG) was not seeking a contribution from the developer. Officers confirmed that the response, as detailed on page 30 of the main agenda report, was the full response as received from the CCG. Officers further clarified that they had contacted the CCG on two separate occasions to confirm that they would not be seeking a contribution from the developer; to which the CCG had responded that their original comment stood. Members were informed that Redditch and Bromsgrove CCG was not a statutory consultee.

Members were of the opinion that the proposed development would create extra demand on local health services in the area, more specifically with GP surgeries becoming increasingly overloaded and the potential for GP appointment waiting times to be increased.

Officers reported that the proposed development would have a high level of flexible care built in and that the scheme would allow residents to receive more acute care as their needs intensified. Occupancy restriction would be to those aged 55 years or older who were assessed to be in need of care, as detailed on pages 27 and 43 of the main agenda report.

Having considered the Application and all of the information and having sought clarification from Officers; Members accepted and understood that the scheme would provide an element of care and acute care for potential residents. However, the Committee expressed deep concerns, as highlighted during their in depth discussion, with regard to the CCG not seeking any contribution from the developer.

Members were of the view that their concerns were paramount and that a response should be sought from Redditch and Bromsgrove CCG with regard to the concerns raised by Committee Members. The comment received from the CCG appeared to Members to be ambivalent.

**RESOLVED**

- a) that this matter be deferred to enable Officers to have further discussions with Redditch and Bromsgrove CCG, in order to reiterate the concerns raised by Committee Members and to establish full reasons for them not seeking a contribution from the developer of this proposed care home; and
- b) that the outcome of those discussions be brought back to a future meeting of the Planning Committee for consideration.

74/18

**18/01210/FUL - PROPOSED DEMOLITION OF EXISTING DWELLING AND ERECTION OF 2 NO. DWELLINGS - 1 PLYMOUTH DRIVE, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE, B45 8JB - MR. S. STOKES**

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

Officers reported that the application followed a number of applications on this site, including application reference 16/0412 for the construction of 1 dwelling in the garden of No. 1 Plymouth Drive which was refused and dismissed at Appeal, and extant planning permission reference 16/00150 for the demolition of existing dwelling and the construction of two dwellings on site.

The amendments from the previously approved scheme altered the design of the dwellings fenestration and re-orientated the dwellings within the plot and retained an access off Plymouth Drive. Given the siting and orientation of the proposed dwellings it was not possible to part implement both schemes on site.

Officers drew Members' attention to the fact that it was acknowledged that the position of the dwellings were closer to the previously refused application reference 16/0412 and therefore it was important to ensure that the concerns raised at that appeal were overcome and not recreated with this amendment.

Officers clarified that the previous planning application 16/0412 was refused and dismissed at appeal. Officers apologised for not including this information on page 50 of the main agenda report.

At the invitation of the Chairman Mr. J. Watson, addressed the Committee in objection to the Application, and Councillor C. B. Taylor, in whose Ward the Site was located, addressed the Committee.

The Committee then considered the Application, which had been recommended for approval by Officers. Having considered the Officer's report and all representations made, Members were of the view that even though the dwellings had been re-orientated and were of architectural value, the proposal would still represent over-development of the site; the close proximity of the proposed dwellings would result in the development appearing cramped due to the gap being smaller.

The Committee agreed that the reasons in paragraphs 6 and 7 of the Planning Inspector's previous decision applied to the previous Application 16/0412 and were therefore minded to refuse the application for the reason detailed in the resolution below.

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

- 1) by virtue of the plot size, siting and scale of the proposed dwellings, the proposal would create a cramped and contrived form of a development at odds with the established character and the identified low density of the locality, contrary to policies BDP1, BDP7 and BDP19 of the Bromsgrove District Plan 2011-2030; the provisions of SPG1, The Lickey and Blackwell Village Design Statement and the NPPF.

**Further to concluding the above application the Chairman adjourned the meeting for 10 minutes to allow Committee Members to read the Update Sheets.**

75/18

**18/01596/S73 - VARIATION OF CONDITIONS 2 AND 8 TO AMEND THE PARAMETERS OF DEVELOPMENT FOR THE NORTHERN DEVELOPMENT PARCEL, AND PHASE 1 GROUND ENGINEERING WORKS (AND CHANGES TO CONDITIONS 12,16,18,21,29,31,32, 36 AND 37 TO ALLOW HEDGEROW AND TREE REMOVAL PRIOR TO THE COMING INTO EFFECT OF THE RELEVANT CONDITION, AND CONDITIONS 28 AND 29 TO RELATE TO UPDATED FLOOD RISK ASSESSMENT) IN RESPECT OF HYBRID PLANNING PERMISSIONS 17/01847/OUT (STRATFORD REFERENCE NUMBER), 17/00700/OUT (REDDITCH REFERENCE NUMBER), AND 17/00701/OUT (BROMSGROVE REFERENCE NUMBER) DATED 11 JUNE 2018. ORIGINAL DESCRIPTION OF DEVELOPMENT (FOR 17/01847/OUT, 17/00700/OUT, 17/00701/OUT): 'HYBRID APPLICATION COMPRISING: OUTLINE PLANNING APPLICATION (WITH MATTERS OF APPEARANCE, LANDSCAPING, LAYOUT, SCALE AND DETAILS OF INTERNAL CIRCULATION ROUTES RESERVED) FOR THE DEVELOPMENT ON A PHASED BASIS OF 32HA OF EMPLOYMENT LAND FOR BUSINESS/INDUSTRIAL USES (USE CLASSES B1, B2, B8). THE DEVELOPMENT SHALL INCLUDE: LANDSCAPING, PAR**

Members were reminded that the original Hybrid Outline Planning Application 17/00701/OUT was considered at Planning Committee on 5th February 2018.

Officers provided updates which detailed further consultation responses from the BDC Conservation Officer, Warwickshire County Council Ecology and further Officer comments and Conditions; as detailed in the published Update Report, copies of which were provided to the Committee and public gallery prior to commencement of the meeting.

Officers reported that the Variation of Conditions 2 and 8 were confined to the northern development parcel and did not impact on Redditch or Stratford. In order to accommodate a building of the floorspace and aspect ratio required, a larger single development platform was required than could be accommodated within the employment zones approved through the original hybrid consent. In order to achieve the specific requirements of the potential corporate occupier, the development zones in the northern development parcel needed to be amended.

At the invitation of the Chairman, Mr. L. Quartly, on behalf of Winyates Green Residents Association, Mappleborough Green Parish Council and Mappleborough Green School, addressed the Committee in objection to the Application. Mr. P. Rouse addressed the Committee on behalf of the Applicant.

Members discussed the application in detail and Officers responded to a number of queries raised with regard to the Northern development parcel as AMENDED, which detailed that the maximum building height not to exceed AOD 12.3 and that the original Area 1 maximum building height detailed not to exceed AOD 121.0.

Officers clarified that the Variation of Condition 2 was to reflect the amended Phase 1 Ground Engineering works which would facilitate the first development plateau.

With the agreement of the Chairman, Mr. P. Rouse addressed the Committee in order to provide further clarification.

Members discussed the proposed Variations in some detail and expressed their concerns that enabling works could take place, which would include the removal of hedgerow, veteran trees and more importantly the rerouting of Blacksoils Brook, in order to accommodate a potential corporate occupier; with the possibility that the potential corporate occupier may not proceed, resulting in the unnecessary loss of those features.

Following further discussion and clarification from Officers regarding enabling works, Members agreed that rather than defer the item, they were in agreement that, the Planning Committee Chairman to agree a specifically worded Condition that would limit the commencement of enabling works (including hedgerow, veteran trees and the rerouting of

Blacksoils Brook) until the reserved matters had been granted for that parcel.

**RESOLVED:**

- a) that subject to the prior agreement of a Condition by the Planning Committee Chairman, to ensure that the removal of hedgerow, veteran trees and rerouting of Blacksoils Brook could not be commenced before reserved matters have been approved for that parcel; and
- b) that authority be delegated to the Head of Planning and Regeneration to grant permission following agreement of final sequence, scope and wording of other conditions, but subject to the prior agreement of a) as detailed above.

76/18

**18/01620/FUL - VARIATION OF CONDITION 2 OF 17/00761/FUL (RESIDENTIAL DEVELOPMENT OF 148 DWELLINGS (AMENDMENT TO 15/0687)) - ALTERATIONS TO APPROVED LAYOUT AND REMOVAL OF TWO DWELLINGS - FORMER POLYMER LATEX SITE, WESTON HALL ROAD, STOKE PRIOR, WORCESTERSHIRE - MR. M. ELLIOT**

Officers reported on a Variation of Condition 2 of 17/00761/FUL (Residential development of 148 dwellings (Amendment to 15/0687)) – Alterations to approved layout and removal of two dwellings.

Members were informed that Condition 2 of 17/00761/FUL agreed drawings / plans by which the development would be implemented, that Barratt Homes had amended the layout of the approved scheme due to a legal right of access over an area of land for Corbett House. This had resulted in amendments to the scheme and the loss of two dwellings, which had been identified as affordable housing. To ensure that this provision was retained it was proposed to relocate these affordable housing to another part of the site.

Further changes proposed in the form of plot substitutions were detailed on page 119 of the main agenda report.

**RESOLVED** that authority be delegated to the Head of Planning and Regeneration to determine the Planning Application:

- a) following the satisfactory completion of a Second Supplemental agreement to the S106 legal agreement 17/00761/FUL; and
- b) subject to Conditions set out on pages 119 to 123 of the main agenda report.

The meeting closed at 9.46 p.m.

Chairman