

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 29TH APRIL 2019, AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), C. Allen-Jones (During Minute No's 82/18 to 83/18), S. J. Baxter, M. T. Buxton, C.A. Hotham, S. R. Peters, S. P. Shannon, M. A. Sherrey, C. J. Spencer and P. J. Whittaker

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Miss C. Gilbert, Mr. P. Lester
Mr. S. Hawley (Worcestershire Highways Authority) and Mrs. P. Ross

77/18 **APOLOGIES**

Apologies for absence were received from Councillor P. L. Thomas.

78/18 **DECLARATIONS OF INTEREST**

C. A. Hotham declared an Other Disclosable Interest in relation to Agenda Item 5 (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 room prior to the consideration of the item and took no part in the Committee's consideration or voting on the matter.

C. A. Hotham also declared in relation to Agenda Item 6 (Application 19/00062/FUL – Land Off Billesley Lane, Portway, Worcestershire, B48 7HF, as County Councillor for Beoley Parish Council, who had been consulted on the Application. Having advised that, he had not commented on the Application at Parish Council meetings owing to his role on the Council's Planning Committee, Councillor Hotham participated and voted on the matter.

79/18 **MINUTES**

The minutes of the meeting of the Planning Committee held on 11th March 2019 were received.

RESOLVED that the minutes of the meeting of the Planning Committee held on 11th March 2019, be approved as a correct record.

80/18 **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.

81/18

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

Members were reminded that this application was considered at Planning Committee on 11th March 2019, whereby Members resolved that the matter be deferred to enable Officers to have further discussions with Redditch and Bromsgrove Clinical Commissioning Group (CCG), in order to establish full reasons for them not seeking a contribution from the developer of this proposed care home.

Officers reported that a further response had been received from Redditch and Bromsgrove CCG, as detailed on page 31 of the main agenda report.

Officers further reported that information had been received from The Bromsgrove Society; in that the Society was aware of the existence of a Cold War Civil Defence Facility in the basement of the building. Members were informed that no development would take place until a programme of archaeological work had been submitted to and approved by the local planning authority; as detailed in Conditions 9 and 10, on pages 27 and 28 of the main agenda report.

The Committee then further considered the Application which was recommended for approval by Officers. Having considered the detailed response from Redditch and Bromsgrove CCG, Members were still concerned that no funding was being sought from the developer. Members felt that this appeared to be short sighted by the CCG with regard to the potential for additional demand in the future on local health services.

RESOLVED

- 1) that authority be delegated to the Head of Planning and Regeneration Services to determine the Full Planning Application following the satisfactory completion of a S106 planning obligation ensuring that:
 - (i) A financial contribution of £14,600 to be provided towards improvements to the bandstand infrastructure at Sanders Park, Bromsgrove;
 - (ii) A contribution of £7320.47 for the provision of recycling and refuse waste bin facilities;

- (iii) Occupancy restriction to those aged 55 years or older who are assessed to be in need of care;
- (iv) A financial contribution of £139,930 towards Worcestershire Acute Hospitals NHS Trust;

and

- 2) the Conditions as detailed on pages 26 to 30 of the main agenda report.

82/18

19/00062/FUL - MATERIAL CHANGE OF USE OF LAND FOR STATIONING OF CARAVANS ON 3 PITCHES FOR RESIDENTIAL USE WITH FACILITATING DEVELOPMENT (HARD STANDING, ACCESS TRACK, CREATION OF ACCESS, UTILITY BLOCKS) AND KEEPING OF HORSES (PART RETROSPECTIVE) - LAND OFF, BILLESLEY LANE, PORTWAY, WORCESTERSHIRE, B48 7HF - MS. C. STOKES AND MR. B. 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 a noise survey had now been submitted, which provided sufficient information, therefore the Recommendation had been amended to remove refusal reason 4; and that a further representation had been received on behalf of Portway BRAID in objection. The representation raised matters in relation to the following matters, most of which had already been covered in the original report:

- Green Belt harm,
- Sustainability of the site,
- highway safety,
- impact of proposal on hedgerow along Billesley lane,
- Impact of proposal on the landscape character and visual amenity of the area,
- Ecological and Biodiversity harm of proposal- including the submission of a letter relating to a hedgerow survey by Swift Ecology,
- Unauthorised encampment has resulted in a breakdown in community cohesion and a perception by the settled community of domination,
- Insufficient information provided relating to drainage, noise and air quality;

as detailed in the published Update Report, copies of which were provided to the Committee and public gallery prior to the commencement of the meeting.

Officers further reported that Paragraph 144 of the NPPF, sets out that

substantial weight should be given to any harm to the Green Belt and that the Planning Policy for Traveller sites (PPTS) made it clear that, subject to the best interest of the child, personal circumstances and unmet need were unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances.

Very special circumstances had been submitted by the applicant; however it was not considered that these would amount to very special circumstances to clearly outweigh the harm that the proposal would cause to the Green Belt.

At the invitation of the Chairman, Mr. K. Price, on behalf of Portway BRAID, addressed the Committee in objection to the Application. Mrs. A. Heine the Applicant's Agent addressed the Committee. Councillor C. B. Taylor, in whose Ward the Site was located and Mr. K. Jones, Vice-Chairman, Beoley Parish Council also addressed the Committee in objection to the Application.

The Committee then considered the Application, which had been recommended for refusal by Officers. Members commented that the Site Visit had proved useful.

Officers responded to questions from Members with regard to temporary consent.

Having considered all of the information provided and Officer responses to the queries raised with regard to the unauthorised removal of the existing established hedgerow on the proposed development site, which had also been cleared in order to create vehicular access; Members were in agreement with Officers that due to the removal of the hedgerow at the front of the site, the proposed development site would be highly visible from along Billesley Lane. Members were in agreement that there would be a substantial amount of development at the proposed site, therefore harming the Green Belt in terms of both inappropriateness and the impact on openness.

RESOLVED that Planning Permission be refused for the reasons as set out on page 3 of the Update Report.

83/18

19/00222/FUL - SINGLE STOREY CAR PORT ADJACENT TO THE EXISTING GARAGE - CEDAR HAVEN, 96-98 BARKERS LANE, WYTHALL. WORCESTERSHIRE, B47 6BS - MR. A. DIXON

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

Officers reported that the proposal was for single storey car port that would add a further 27.6 square metres. A limit of 40% was applied to extensions and the proposal together with the previous extensions would

amount to a 55% increase. The proposal was therefore considered inappropriate development in the Green Belt.

A previous application for a development of the same footprint with a pitched roof was refused and dismissed at appeal as it was considered to be inappropriate development.

Very special circumstances were put forward by the agent, for the reasons as detailed on page 54 of the main agenda report. However, this matter was considered at the appeal, whereby the Inspector did not accept the reasons and only limited weight was given to those matters in the determination of the appeal.

At the invitation of the Chairman, Mr. A. Dixon, the Applicant and Councillor G. N. Denaro, in whose Ward the Site was located, addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Members commented that the Site Visit had proved useful.

The Committee then considered the Application, which Officers had recommended for refusal. Having considered all of the information provided and Officer responses to the queries raised; Members accepted that the development constituted inappropriate development in the Green Belt. However, Members considered that very special circumstances existed in that the enclosure was required for security of vehicles at the property and that the design of the extension with a flat roof had a reduced impact, all within the existing enclosure of boundary walls and gates surrounding the property creating limited harm to the openness of the Green Belt.

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

1. Removal of permitted development rights relating to extensions and outbuildings;
2. That the structure remained open to the front and side (north and east elevations) in perpetuity; and
3. An anti-theft bollard or device to be installed in front of each bay of the car port hereby approved.

The meeting closed at 7.04 p.m.

Chairman