

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 3RD JUNE 2019, AT 6.00 P.M.

PRESENT: Councillors S. J. Baxter, A. J. B. Beaumont, R. J. Deeming, S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, J. E. King, P. M. McDonald, P.L. Thomas and P. J. Whittaker (in the Chair Minute No. 10/19)

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

1/19 **ELECTION OF CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

RESOLVED that Councillor R.J. Deeming be elected Chairman of the Committee for the ensuing Municipal Year.

2/19 **ELECTION OF VICE-CHAIRMAN FOR THE ENSUING MUNICIPAL YEAR**

RESOLVED that Councillor P. J. Whittaker be elected Vice-Chairman of the Committee for the ensuing Municipal Year.

3/19 **APOLOGIES**

No apologies for absence were received.

4/19 **DECLARATIONS OF INTEREST**

Councillor R. J. Deeming, declared an Other Disclosable Interest in relation to Agenda Item 10 (Application 19/00383/FUL – Beaumont, Cofton Church Lane, Cofton Hackett, Birmingham, Worcestershire, B45 8DE), in that, as Ward Councillor he had brought the Application to Planning Committee for consideration. Councillor Deeming withdrew from the meeting prior to the consideration of the Application and took no part in its discussion nor voted on the matter.

Councillors S. J. Baxter and S. G. Hession, declared an Other Disclosable Interest in relation to Agenda Item 12 (Application 19/00396/FUL – Headley Rise, Packhorse Lane, Hollywood, Birmingham, B38 0DN), in that they were Councillors for Wythall Parish Council, who had been consulted on the Application. Having advised that, they had not attended the meeting when the application was

considered at the Parish Council meeting; Councillors Baxter and Hession participated and voted on the matter.

Councillor P. J. Whittaker declared a Disclosable Pecuniary Interest in relation to Agenda Item 13 - Planning Application 19/00492/LBC - Stoney Lane Farm, Stoney Lane, Broad Green, Alvechurch, Worcestershire, B60 1LZ, in that he was the Applicant. Councillor Whittaker withdrew from the meeting prior to consideration of this item and took no part in the discussion or voting on the matter.

Councillor J. E. King declared an Other Disclosable Interest in relation to Agenda Item 9 (Application 19/00302/FUL - 1 Blakes Field Drove, Barnt Green, Birmingham, Worcestershire B45 8JT), in that she had been involved in Parish Council discussions on the Application and considered she had a pre-determined 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.

Councillor King withdrew from the Committee into the public gallery prior to the consideration of the item and addressed the Committee as Ward Councillor under the public speaking rules and took no part in the discussion or voting on the matter.

5/19

MINUTES

The minutes of the meeting of the Planning Committee held on 29th April 2019 were received.

RESOLVED that the minutes of the meeting of the Planning Committee held on 29th April 2019, be approved as a correct record.

With the agreement of the Chairman the running order of the Agenda was altered, in order for Agenda Items 8 and 13, Listed Building Consent (Applications 19/00245/LBC and 19/00492/LBC), to be considered consecutively.

6/19

18/0811/S73 - MINOR MATERIAL AMENDMENTS TO APPROVED PLANS OF APPLICATION REFERENCE NUMBER: 15/1008 INVOLVING THE CONSTRUCTION OF 5 NO BLOCKS OF ASSISTED LIVING UNITS (TALLING 20 UNITS) AND 1 NO. BLOCK OF CLOSE CARE UNITS (TALLING 21 UNITS) AS PART OF THE RETIREMENT COMMUNITY (USE CLASS C2) - 23 GREENHILL, BURCOT GRANGE, BURCOT, BROMSGROVE, WORCESTERSHIRE, B60 1BJ - C/O MEEDHURST PROJECT MANAGEMENT

This matter was withdrawn from the Agenda by the Applicant and was not discussed.

7/19

19/00245/LBC - REPLACE ALL EXISTING TIMBER AND METAL SINGLE GLAZED WINDOWS WITH UPVC DOUBLE GLAZED UNITS - ST PETERS COMMUNITY CENTRE, ROCK HILL, BROMSGROVE,

WORCESTERSHIRE, B61 7LH - REV G. WILKINSON

Officers clarified that the Application had been brought to the Planning Committee for consideration at the request of the former Ward Member.

Officers reported that, as detailed in the report, that the applicant's aspirations for improving the air tightness and thermal performance, thus reducing heating costs of the building had been noted. However, it was considered that this did not necessitate the removal and replacement of all 23no existing single glazed windows. Weather stripping and draught proofing were visually more innocuous changes as well as thermally efficient and cost-effective. The existing windows were of varying styles and patterns, with joinery details only being provided for 1no window, W16. The introduction of double glazed units would appear visually very different to single pane of glass in terms of its reflectivity of light and double register effect, which in turn would draw the eye to the unsympathetic change.

At the invitation of the Chairman Councillor M. Thompson, in whose Ward the Site was located, addressed the Committee.

The Committee then considered the Application, which was recommended for refusal by Officers.

Officers responded to questions from Members with regard to the dormer windows that had been installed and the community centre being within the curtilage of the principal listed building. Whilst Members were sympathetic and understood the need for the community centre, Members were of the view that limited information had been submitted with the application; and that it would have been useful if more detailed information on costings to repair the existing windows and alternative finishes had been included with the application.

Having considered all of the information provided and Officer responses to the questions raised, Members were in agreement that the proposed alterations would cause harm to the special architectural interest of the building and were therefore minded to refuse the application.

RESOLVED that Listed Building Consent be refused for the reason as set out on page 24 of the main agenda report.

8/19

**19/00492/LBC - PROPOSED ALTERATIONS TO FABRIC OF
PROPOSED UNIT 3A (PART RETROSPECTIVE): LISTED BUILDING
CONSENT - STONEY LANE FARM, STONEY LANE, ALVECHURCH,
WORCESTERSHIRE, B60 1LZ - MR P. WHITTAKER**

RESOLVED that authority be delegated to the Head of Planning and Regeneration Services to determine the Listed Building Consent application following:

- a) The expiry of the consultation period on 3 June 2019 and in the event that further representations were received, that Delegated Powers be granted to the Head of Planning and Regeneration, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations had been raised, and to issue a decision after the expiry of the statutory publicity period accordingly;

and

- b) the Conditions as detailed on page 49 of the main agenda report.

9/19

19/00302/FUL - CONVERSION OF DWELLING HOUSE INTO TWO DWELLINGS PORCH TO THE SIDE TO SERVE UNIT 1 - 1 BLAKES FIELD DRIVE, BARNT GREEN, BIRMINGHAM, WORCESTERSHIRE, B45 8JT - MR I WATSON

Officers confirmed that the site had been subject to a number of previous planning applications, as detailed on pages 28 and 29 of the main agenda report.

At the invitation of the Chairman, Mr. J. Watson, addressed the Committee in objection to the Application, Mr. D. Jones, the Applicant's Agent addressed the Committee on behalf of the Applicant. Councillor J. E. King, in whose Ward the Site was located addressed the Committee. Mr. S. Nock on behalf of Lickey & Blackwell Parish Council also addressed the Committee in objection to the Application.

The Committee then considered the Application, which Officers had recommended for approval. Members who had attended the Site Visit commented that it had proved very useful.

In response to queries from Members, Officers confirmed that any internal works carried out or proposed internal works did not require planning consent; and that the existing retaining wall had not required planning permission as the wall was not more than 2 metres in height. In the applicants agents address to the Committee the agent confirmed that two families were already living at the address and paying Council Tax. Officers confirmed that Council Tax was not a planning matter.

Having considered the Officer's report and information provided by all of the public speakers, and having conducted a Site Visit; Members commented that the dwelling house was currently occupied by two families and that the only addition externally was the addition of a porch to the side of the dwelling to serve unit 1.

Members queried Officers on the permitted development options available to the property. Having had regard to this, Members decided it was necessary to remove the property's permitted development rights. The Committee were therefore minded to approve the Application, subject to the removal of the property's permitted development rights.

RESOLVED that Planning Permission be granted, subject to Conditions, as set out on page 30 of the main agenda report and a unilateral agreement to remove Part 1, Class A – E permitted development rights.

10/19

19/00383/FUL - CHANGE OF USE TO FORM A DOGGY DAYCARE COMPOUND - BEAUMONT, COFTON CHURCH LANE, COFTON HACKETT, BIRMINGHAM, WORCESTERSHIRE, B45 8BE - MR & MRS B. FIELD

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

Officers reported that an additional 5 letters of support had been received.

Officers further reported that the Application site was located within the Green Belt and was currently a grassed field. The applicant had recently laid hard core for an access and parking area and had constructed a wooden shed on site. This required planning permission and therefore the proposal was part retrospective. The site was located outside of any existing settlement and did not have good transport links to the surrounding settlements. The location had created the requirement to use a collection service which was indicative of this unsustainable location. No information had been provided in respect of the details or logistics of the pick-up service or details on the bus, or number of trips inward and outward required collecting the dogs that the business intended to accommodate. Officers highlighted that the Council did not consider a reliance on a collection service as a reasonable or enforceable Condition and that County Council Highways was also in agreement that a condition to control a collection service was not reasonable.

Worcestershire Regulatory Services (WRS) had provided detailed comments in respect of this proposal. A high percentage of calls received by WRS related to barking dogs. Barking noise in any setting can be different volumes/intensities and occur at random times of day for varying durations. In this instance the site had a number of dwellings within 500m of the site. Furthermore the area was largely undeveloped with open expanses which would allow the noise to travel in an otherwise quiet area. No noise assessment, noise management plan or proposed mitigation had been supplied with the application.

At the invitation of the Chairman, Miss B. Field, the Applicant addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Having considered all of the information provided and clarification from Mr S. Hawley, County Council Highways Officer; that the lack of adequate footway provision and street

lighting would discourage both pedestrian and cycling access to the proposal; Members were minded to refuse the Application.

Whilst the Committee noted that a number of residents had supported the proposal stating that the service was welcomed; the Committee had concerns regards the narrowness of the lane and gave considerable weight to this and the written objection and verbal information provided by Worcestershire Highways.

RESOLVED that Planning Permission be refused for the reasons as set out on pages 36 and 37 of the main agenda report.

11/19

19/00395/FUL - PROPOSED STAND TO COVER EXISTING TERRACE SEATING - VICTORIA GROUND, BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE, B61 0DR - BROMSGROVE SPORTING FOOTBALL CLUB LIMITED

Officers clarified that the Application had been brought to the Planning Committee for consideration because it was situated on Council owned land.

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

- 1) the Conditions set out on pages 41 and 42 of the main Agenda report.

12/19

19/00396/FUL - ALTERATIONS AND EXTENSIONS TO EXISTING DWELLING - HEADLEY RISE, PACKHORSE LANE, HOLLYWOOD, BIRMINGHAM, B38 0DN - MR & MRS COX

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 drew Members' attention to page 45 of the main agenda report and the applicant's case for Very Special Circumstances; in that the work that was possible under permitted development rights would have a far more detrimental effect of the openness on the Green Belt than the proposals. Members were reminded that they were being asked to consider the Application before them and not the possible work that the Applicant could carry out under permitted development rights.

At the invitation of the Chairman, Mr. and Mrs. Cox, the Applicants addressed the Committee.

With the agreement of the Chairman, the Council's Legal Adviser 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 had been recommended for refusal by Officers.

In response to queries from Members, Officers clarified that attic space would not be counted as usable habitable floor space. As detailed on page 44 of the main agenda report, previous extensions to the property in the form of a rear extension and detached garage linked by a front wall amounted to an increase in the original footprint of 43.5%. The existing dwelling was 136.36 square metres. The proposed additions of 121.74 square metres resulted in a total of 258.1 square metres taking into account the removal of the existing detached garage of 27 square metres. This amounted to a cumulative increase in the total floor area to the original dwelling of 89.2%. This could not be considered proportionate to the original dwelling.

Whilst there was no concern about the design of the extension in character and appearance terms. This was, however, a distinct from the matter of openness. The Applicant's agent appeared to accept that the existing extensions exceeded the guidelines and that any further extensions would be contrary to policy.

Having considered all of the information provided and the responses from Officers to the queries raised; the Committee were minded to approve the application.

Members considered that the extent of work possible under permitted development rights would have a far more detrimental effect on the openness of the Green Belt than the proposals. Members considered this to constitute very special circumstances to outweigh the harm caused to the Green Belt by virtue of inappropriateness.

RESOLVED that Planning Permission be granted, subject to a specific Condition requested by Members to remove Part 1, Class A – E permitted development rights.

The meeting closed at 7.59 p.m.

Chairman

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