

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY, 5TH AUGUST 2019, AT 6.00 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), A. J. B. Beaumont, S. P. Douglas, M. Glass, C.A. Hotham, J. E. King, P. M. McDonald, P.L. Thomas and S. A. Webb

Officers: Ms. C. Flanagan, Mr. D. M. Birch, Ms. R. Brown, Mr. D. Edmonds, Ms. E. Farmer, Ms. C. Gilbert, Ms S. Williams, Mr. S. Agimal (Worcestershire Highways Authority) and Mrs. P. Ross

The Chairman announced that with regard to Planning Application 19/00459/FUL – Lokrum, Copyholt Lane, Bromsgrove, Worcestershire, B60 3AY; it had been suggested that the MP for Bromsgrove, Sajid Javid had written to the Planning Committee Chairman and the Portfolio Holder for Planning. The Chairman stated that he had not received any such letter.

20/19

APOLOGIES

Apologies for absence were received from Councillors S. J. Baxter, A. B. L. English and S. G. Hession; with Councillor C. A. Hotham present as substitute for Councillor A. B. L. English and Councillor S. A. Webb present as substitute for Councillor S. G. Hession.

21/19

DECLARATIONS OF INTEREST

Councillor J. E. King declared a Disclosable Pecuniary Interest in relation to Agenda Item 7 (Application 19/00477/FUL) – Rear 34 Lickey Square, Lickey, Birmingham, B45 8HB) and Agenda item 8 (Application 19/00501/FUL) – Site Adjacent To 73 Linthurst Newtown, Blackwell, Bromsgrove, Worcestershire, B60 1BS and that she would withdraw from the meeting room during the consideration of both items.

Councillor King withdrew from the meeting room prior to the consideration of both items and took no part in the Committee's consideration or voting on the matters.

Councillor M. Glass declared in relation to Agenda Item 6 (Application 19/00459/FUL) – Lokrum, Copyholt Lane, Bromsgrove, Worcestershire, B60 3AY, in 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 Glass 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.

C. A. Hotham declared in relation to Agenda item 7 (Application 19/00477/FUL) – Rear 34 Lickey Square, Lickey, Birmingham, B45 8HB. Having advised that, he had not commented on the Application, Councillor Hotham participated and voted on the matter.

P.L. Thomas declared in relation to Agenda Item 6 (Application 19/00459/FUL) – Lokrum, Copyholt Lane, Bromsgrove, Worcestershire, B60 3AY, in that he sat on the local governing body for Rigby Hall Special School. Having advised that, he had not commented on the Application, Councillor Thomas participated and voted on the matter.

Councillor S. A. Webb declared in relation to Agenda item 7 (Application 19/00477/FUL) – Rear 34 Lickey Square, Lickey, Birmingham, B45 8HB. Having advised that, she had not commented on the Application, Councillor Webb participated and voted on the matter.

Councillor S. A. Webb also declared in relation to Agenda Item 11 (Application 19/00713/FUL) – 385 Stourbridge Road, Catshill, Bromsgrove, Worcestershire, B61 9LG, in 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 Webb 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.

22/19

MINUTES

The minutes of the meeting of the Planning Committee held on 1st July 2019 were received.

RESOLVED that the minutes of the meeting of the Planning Committee held on 1st July 2019, be approved as a correct record.

23/19

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.

24/19

19/00459/FUL - CHANGE OF USE FROM DWELLING (C3) TO NEW INDEPENDENT SCHOOL (D1) - LOKRUM, COPYHOLT LANE, REDDITCH, BROMSGROVE, WORCESTERSHIRE, B60 3AY - A. CHALMERS

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

Officers reported that revised plans had been submitted (30.7.19) showing the car park provision (10 car spaces) and a dropping off bay to be relocated at the rear of the bungalow, and the comments received from County Highways in respect of the revised plans. Five additional letters of support had been submitted stating the need for the facility. A letter of comment stating that the land was not fit for purpose due to the location and an additional support letter from RCA Regeneration Limited, on behalf of the Applicant and summarised by Officers; as detailed in the published Update Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Officers drew Members' attention to page 22 of the main agenda report, which detailed that permission was being sought to convert the whole of the existing bungalow to a non-residential independent school. The school was intended for children with autism. A total of 18 children would be educated at the site. Three main classrooms would be provided, two in the bungalow and a third in the home office. Other rooms within the bungalow would be used for kitchen/dining facilities, reception and multi-purpose rooms/individual study.

The school would operate between 07:30 hrs to 17:00 hrs Monday to Friday, with 8 full time staff and 2 part time employees.

Officers highlighted that there were 3 dimensions of sustainable development to be considered, 'Economic, Social and Environmental', as detailed on pages 24 and 25 of the main agenda report.

Officers highlighted that there was a lot of interest in the application, generating 135 letters of support. However, some of the letters of support were not necessarily from residents in the locality; their letters clearly supported the need for such a facility, but they may not be personally familiar with the site and its environs.

The new school would be in a rural environment within the Green Belt in the Bromsgrove District Plan, which was remote from settlements and towns where the majority of pupil and staff would reside.

The site was located outside of any existing settlement and did not have good transport links to the surrounding settlements. County Highways had raised objections to the proposal, as detailed on page 25 of the main agenda report.

Whilst Officers fully appreciated that there was a need for this facility for children in the Bromsgrove area, the application was considered to be inappropriate development within the Green Belt.

At the invitation of the Chairman, Mr. A. Snelgrove (on behalf of Mrs. Tolley and Mrs. Till) addressed the Committee in objection to the Application. Ms. A. Chalmers, the Applicant and Ms. L. Chance, Headteacher, addressed the Committee. Councillor M. Glass, in whose Ward the Site was located also addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Members commented that they had attended the site visit and were impressed with how calm and still the surroundings were and the attractiveness of the environment.

Whilst Members fully understood and appreciated that Officers were following planning guidance and legislation; they did however debate as to who would be affected by the harm to openness in the Green Belt and its unsustainable location, other than the staff and pupils. The Applicant had offered the provision of a mini bus, which, in Members opinion would make it somewhat sustainable. The location was, as highlighted by the Applicant and Headteacher, a learning environment more conducive to learning for pupils with autism.

Members further debated the concerns raised with regard to the extent of hard surface for the car park. Members were mindful that the Applicant had submitted revised plans which showed that the car parking provision (10 car spaces) and a dropping off bay had been relocated to the rear of the bungalow. Members commented that the revised plans showed only a limited amount of parking provision and Members were aware of other special schools within the District that had reinforced grass parking areas.

Having considered the Officer's report, the information provided by the public speakers, Members were of the view that there was a need for such a provision, which offered a calm and rural environment for children with autism; and the surfacing for the car-parking area could remain soft in appearance by the use of a reinforced membrane. Members considered these matters constituted very special circumstances to outweigh the harm that would be caused to the openness of the Green Belt. Members considered the concern over the geographic location of the site in terms of sustainability could be adequately mitigated by the use of a mini-bus for pupils. Members were therefore minded to approve the application.

Members further debated the matter of the use of the dwelling and that a condition be imposed that permission be granted to the Applicant only, and that should the operation of the site as a school cease, that the dwelling to be restored to a residential use; the provision of a mini-bus for pupils to serve the development from the outset, together with any other relevant conditions and informatives as required.

RESOLVED that Planning Permission be granted, subject to relevant Conditions and Informatives as appropriate:

25/19

19/00028/FUL - ERECTION OF 17 UNITS (B1C LIGHT INDUSTRY) COMPRISING OF 4 BLOCKS WITH ASSOCIATED SERVICE YARDS AND PARKING AREAS - PLOT 3B BUNTSFORD DRIVE, BROMSGROVE, WORCESTERSHIRE, B60 3DX - MR. D. CLARK

Officers reported that the Application site was located within the Buntsford Hill Business Park which had been allocated as Designated Employment Land within the Bromsgrove District Plan 2011-2030; the site also bounds onto the Green Belt. To the south west of the site there were two Listed Buildings, Tan House Farm a Grade II listed farmhouse and to the west a Grade II listed barn.

Officers drew Members' attention to page 14, paragraph 7.8 of the main agenda report; in regard to the reasons as to why financial contributions towards highway improvements in the area had been removed from the recommendation from County Council's, Highways Authority.

At the invitation of the Chairman, Mr. M. Namih, addressed the Committee in objection to the Application.

The Committee then considered the Application, which had been recommended for approval by Officers. Officers responded to the concerns raised by Members during the debate with regard to the financial viability of the proposed development and the viability assessment put forward by the Applicant.

Having considered the Officer's report, the speaker's representation and additional clarification on highway matters from the County Council's Highways Officer; Members were mindful that the application site was located within Designated Employment Land and therefore minded to approve the application.

RESOLVED that Planning Permission be granted, subject to the Conditions and Informatives, as set out on pages 15 to 18 of the main agenda report.

26/19

19/00477/FUL - PROPOSED NEW DWELLING HOUSE REAR OF NO. 34 ON SITE OF EXTANT PERMISSION FOR RESIDENTIAL DEVELOPMENT - 34 LICKEY SQUARE, LICKEY, BIRMINGHAM, WORCESTERSHIRE, B45 8HB - MR. R. MCALINDON

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

Officers reported that additional substantive comments to those in the Committee report had been received, as detailed in the published Update Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Officers drew Members' attention to page 32 of the main agenda report, which detailed the 'Relevant Planning History'.

At the invitation of the Chairman, Mr. P. Ollis, addressed the Committee in objection to the Application. Mr. D. Jones, the Applicant's planning agent also addressed the Committee on behalf of the Applicant.

The Committee then considered the Application, which had been recommended for approval by Officers. Officers responded to several questions from Members with regard to the separation distance between the proposed new dwelling and 17 The Badgers.

Officers further reported that the Tree Officer had not objected to the design of the amended application. In conclusion, it was considered that any resultant development could be accommodated without unacceptably harming existing residential amenities and would accommodate an acceptable level of privacy and separation as detailed in the guidance within the High Quality SPD.

Having considered the Officer's report, the information provided by the public speakers; and clarification from Officers with regard to the separation distance, Members were minded to approve the application.

RESOLVED that Planning Permission be granted, subject to the Conditions, as set out on pages 37 to 39 of the main agenda report.

27/19

19/00501/FUL - NEW BUILD SCHEME TWO DETACHED DWELLINGS - SITE ADJACENT TO 73 LINTHURST NEWTOWN, BLACKWELL, BROMSGROVE, WORCESTERSHIRE, B60 1BS - ACCESS HOMES LLP C/O AGENT CROSS & CRAIG ASSOCIATES

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

Officers reported that, the Conservation Officer had confirmed that the revised plans, as submitted by the Applicant, had addressed her initial concerns, as detailed in the published Update Report, copies of which were provided to Committee Members and the public prior to the commencement of the meeting.

Officers further reported that the application site was located on land between No's 67 and 73 Linthurst Newton, and that the site fell within the Green Belt. The mature tree belt within the carriageway of Linthurst Newtown, were protected under Bromsgrove District Tree Preservation Order (11) 2017 as Group (1) and T5.

Officers drew Members' attention to pages 4 and 45 of the main agenda pack 'Housing Land Supply' and 'Heritage & Design Issues'.

The proposal had been thoroughly assessed by Worcestershire County Council, Highways, who had concluded that there would not be an unacceptable impact arising from the development subject to a number of conditions, as detailed on page 46 of the main agenda report.

At the invitation of the Chairman, Mr. D. Middleton, Access Homes LLP, addressed the Committee.

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

Having considered the Officer's report, the information provided by the public speaker, Members were minded to approve the application.

RESOLVED that planning permission be granted subject to;

- a) the receipt of satisfactory amended plans relating to the design and scale of the development;
- b) the satisfactory views of the Conservation Officer;
- c) the Conditions 1 to 16, as set out on pages 48 to 51 of the main agenda report;

with the following additional condition:

- d) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Class A, B, C, D, E and F and Part 2, Class A shall be carried out without the prior approval of the local planning authority to an application in that behalf.

28/19

19/00604/FUL - SINGLE STOREY REAR EXTENSION - 7 STATION DRIVE, HAGLEY, STOURBRIDGE, WORCESTERSHIRE, DY9 0NX - MR. SHEPPARD

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

29/19

19/00624/FUL - ERECTION OF FACTORY EXTENSION WITH 2 STOREY OFFICE BLOCK (B1, B2 OR B8 USE) - 23 ASTON ROAD, BROMSGROVE, WORCESTERSHIRE, B60 3EX - MR. K. WILLIAMS

Officers clarified that the Application had been brought to the Planning Committee because it was a major planning application.

Officers reported that the Application was a resubmission of a previously approved development, as detailed on page 58 of the main agenda report. The factory extension would be finished in silver profiled

sheeting with blue flashings (walls) under a shadow pitch roof constructed from light grey profiled steel sheeting.

RESOLVED that planning permission be granted subject to the Conditions, as set out on pages 60 to 63 of the main agenda report.

30/19

19/00713/FUL - EXTEND EXISTING DROPPED KERB BY 3M ALONG THE FRONT OF PROPERTY IN ORDER TO ALLOW WIDER DRIVEWAY ACCESS- 385 STOURBRIDGE ROAD, CATSHILL, BROMSGROVE, WORCESTERSHIRE, B61 9LG - MR. A. DANE

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

Officers reported that the Application was for an extension of the existing dropped kerb.

At the invitation of the Chairman, Mr. Dane, the Applicant, addressed the Committee. Councillor S. A. Webb, in whose Ward the Site was located also addressed the Committee.

The Committee then considered the Application, which had been recommended for refusal by Officers. Members sought clarification from the County Council's Highway Officer with regard to the concerns raised.

In response to the Committee, the County Council's Highways Officer stated that the Application had not included adequate turning facilities within the Application site. Vehicles reversing from or onto the Stourbridge Road, which was a 'B' Class, classified road, would prejudice the safety and free flow of the moving traffic on the highway and the safety of pedestrians using the adjoining footpath.

Officers reiterated the comments made by the County Council's Highways Officers, with regard to adequate turning facilities not being included within the Application and further informed the Committee that; full planning permission was required for a hardstanding greater than 5 square meters in a non-porous material and with no provision for surface water to run-off into a porous area within the property boundary.

Members commented that, as detailed in the Application, the Applicant had failed to provide sufficient details and justification for the Application. Members were therefore minded to defer the Application in order for the County Council's Highways Authority to provide additional clarification to the Applicant in respect of the Application.

RESOLVED that the matter be deferred in order for the County Council's Highway Authority to provide additional clarification to the Applicant in respect of the Application and that the Application be brought back to Committee in due course for consideration.

Planning Committee
5th August 2019

The meeting closed at 8.11 p.m.

Chairman