

**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE PLANNING COMMITTEE**

**MONDAY, 7TH OCTOBER 2019, AT 6.00 P.M.**

PRESENT: Councillors P. J. Whittaker (Vice-Chairman, in the Chair), S. J. Baxter, A. J. B. Beaumont, S. P. Douglas, A. B. L. English, S. G. Hession, J. E. King, H. D. N. Rone-Clarke (Substitute), C. J. Spencer (Substitute) and P.L. Thomas

Officers: Mr. D. M. Birch, Ms. C. Flanagan, Mr. S Edden, Mr. D. Edmonds, Mr. S. Jones, Mr. P. Lester and Ms. A. Scarce

31/19 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors R. J. Deeming, M. Glass and P. M. McDonald, with Councillor C. Spencer attending as substitute for Councillor Glass and Councillor H. Rone-Clarke as substitute for Councillor McDonald.

32/19 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

33/19 **MINUTES**

The Minutes of the meeting of the Planning Committee held on 5<sup>th</sup> August 2019 were received.

**RESOLVED** that the minutes of the meeting of the Planning Committee held on 5th August 2019, be approved as a correct record.

34/19 **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.

35/19 **18/00769/FUL - THE ERECTION OF A 61 BED CARE HOME (USE CLASS C2) AND ASSOCIATED WORKS INCLUDING CAR PARKING, ACCESS, LANDSCAPING AND RELATED ENGINEERING WORKS - LAND ADJACENT TO BENNETT DRIVE, HAGLEY, DY9 0WA - HAGLEY CARE HOMES LIMITED**

Officers gave a detailed presentation of the application and highlighted a number of design elements and the landscaping which would be included within the development and made reference to the relevant national and local planning policies.

Officers provided a summary of the issues raised within the report, and, having particular regard to the nature of the development, its partial compliance with policy BDP14. There was a material consideration of the principle development and the views of the Worcestershire Economic Development Team were highlighted. It was confirmed that the Council's Viability Consultant had concluded the site was non-viable for a standalone employment use, whilst it was acknowledged that it could be viable for mixed residential and business use, residential use was not envisaged for this site. It was further accepted that the development would provide some employment.

Extensive discussions had taken place with Worcestershire Highways and the Developer to ensure that the parking spaces were sufficient and it was readily accessible by public transport or by foot and cyclists. It was stated that it would not have a material impact on the operation of the local highway network.

Responses from other consultees were also referred to and the contributions recommended to be made to address some of the areas discussed. This was reflected in the revised recommendations, which had been included within the updates provided prior to the meeting.

At the invitation of the Chairman, Mr R. Gardner of Avison Young, the Applicant's Agent addressed the Committee. Councillor R. Jenkins, as Ward Councillor for the area where the site was located also addressed the Committee.

Members were reminded that the decision they were making at this meeting was in respect of the report in front of them. There had been no objection in respect of parking from Worcestershire Highways nor any objection from Worcestershire Regulatory Services in respect of noise or air quality.

The Committee went on to consider the application with Officers responding to the points raised by Members during the debate, with particular reference to car parking and the approach taken when calculating the number of spaces and the anticipated number of employees. Whilst being sympathetic to the concerns raised, Members noted that this was a much needed facility.

Having considered the Officer's report, the information provided by the speakers and clarification from Officers of a number of points, Members were minded to approve the application.

**RESOLVED** that full planning permission be granted;

1. authority be delegated to the Head of Planning and Regeneration to determine the Planning Application, subject to:
  - a) The Satisfactory completion of a S106 planning obligation ensuring that:
    - i) Capital contribution for NHS Primary Care commission to mitigate the primary care impacts arising from the proposed development which would be used for medical infrastructure (financial figure to be confirmed);
    - ii) £18,500 – contributions for Community Travel to serve the Hagley area regarding the transport needs of elderly and disable residents who cannot use bus services and in accordance with the 2010 Equality Act;
    - iii) The occupancy of the development hereby approved shall be limited to persons aged 55 and over (the qualifying person), together with any spouse or partner and any surviving spouse or partner and ensuring that a minimum level of care is needed and taken up by future residents, with the exception of those persons diagnosed with dementia and requiring care, to which there is no age restriction;
    - iv) Planning Obligation Monitoring charge – the fee to be agreed by the Head of Planning and Regeneration in conjunction with the Planning Portfolio Holder following the meeting of full Council on 25<sup>th</sup> September 2019.
  - b) the expiry of the publicity period on 18<sup>th</sup> October 2019.
2. authority to be delegated to the Head of Planning and Regeneration Services, in consultation with the Chairman of the Planning Committee, to assess whether new material considerations have been raised, and to issue a decision after the expiry of the statutory publicity period accordingly; and
3. the Conditions set out on pages 26 to 29 of the main agenda report, with the following amendment to Condition 8:

External lighting and CCTV measures, to be amended from a timing of 'pre-commencement to 'preoccupation'.

36/19

**18/01053/FUL - DEMOLITION OF TWO STOREY WING OF EXISTING CLASS C2 USE BUILDING AND THE ERECTION OF A NEW PART-SINGLE/PART-TWO STOREY DETACHED BUILDING AND ASSOCIATED WORKS, INCLUDING RECONFIGURATION OF CAR PARKING - LICKEY HILLS NURSING HOME, WARREN LANE, LICKEY, B45 8ER - PRIORY HEALTHCARE**

Officers summarised the report and highlighted that there were two main issues in respect of the existing plan and the proposal. The first issue was in respect of the Green Belt and whether it was an inappropriate

development which would cause unacceptable harm to openness for the purposes of Green Belt policy. The second was whether the proposed development represented high quality design and protected the rural character. Officers provided Members with detailed explanations in respect of these issues, as detailed within the report in front of them.

The Committee discussed a number of areas and understood that there was a need for such a facility, but were disappointed in the design that had been brought before them and the significant impact that it would have on the Green Belt.

Having considered the Officer's report and clarification from Officers with regard to a number of points raised, Members were minded to refuse the application.

**RESOLVED** that Planning permission be refused for the reasons set out on page 38 of the main agenda report.

37/19

**19/00478/FUL - FULL PLANNING APPLICATION FOR THE ERECTION OF 6 DWELLINGS - LAND TO THE REAR OF 454 BIRMINGHAM ROAD, MARLBROOK, WORCESTERSHIRE, B61 0HR - MR. S. HUSSEY**

Officers clarified that the Application has been brought to the Planning Committee for consideration at the request of Councillor H. Jones, Ward Member.

Officers reported the current composition of the site which was located between a number of residential dwellings fronting Birmingham Road with dwellings along Hazelton Road and Belle Vue Close backing onto the site. Proposals were to retain the existing property at 454 Birmingham Road and the erection of six dwellings to the rear. Officers advised that the development was of a cohesive design and would make effective use of the land and would not appear cramped. It was an accessible location in an established residential area. The benefits provided by the delivery of six dwellings came at a time when the Council was unable to demonstrate a five year housing land supply and there was a national drive to boost housing levels. With this in mind it was noted that NPPF stated that where Councils were unable to demonstrate a five year housing land supply, then planning permission should be granted unless any adverse impact in doing so significant and demonstrably outweighed the benefits. In this instance Officers advised that the scheme was considered to be acceptable.

At the invitation of the Chairman, Mrs. N. de Sousa addressed the Committee in objection to the application. Mr. G. Jones of Tyler Parkes (Applicant's Agent) and Councillor H. Jones, Ward Councillor for where the site was located, were invited to address the Committee.

The Committee went on to consider the application with Officers responding to a number of points raised during that debate; the adequacy of the density of properties in the area, and the difficulties

arising from the Council not having a five year housing land supply. Particular reference was also made to refuse collection and the ability of the vehicle to access the area safely. Worcestershire Highways highlighted concerns which had been raised within the report and whether the dwellings being serviced off a shared driveway resulted in a severe impact on capacity or adversely impacted safety and concluded that they did not.

Having considered the Officer's report, the information provided by the speakers and clarification from Officers of a number of points which had been raised, Members were minded to approve the application.

**RESOLVED** that Planning Permission be granted subject to the Conditions as set out on pages 48 to 51 of the main agenda report.

38/19

**19/00619/REM - APPLICATION FOR APPROVAL OF RESERVED MATTERS RELATING TO APPEARANCE, LANDSCAPING, LAYOUT, SCALE AND ACCESS (INTERNAL TO THE SITE) FOR A USE CLASS B8 (STORAGE AND DISTRIBUTION) BUILDING WITH ANCILLARY FLOORSPACE INCLUDING USE CLASS B1 (OFFICES); EARTHWORKS; PLOT AND STRUCTURAL LANDSCAPE WORKS INCLUSIVE OF AN ECOLOGICAL ENHANCEMENT AREA; INTERNAL ACCESS ROADS, CAR PARKING, GATEHOUSE; UTILITIES AND PLANT INFRASTRUCTURE; ON THE NORTHERN DEVELOPMENT PARCEL PURSUANT TO S73 PERMISSIONS SDC 18/03746/VARY, BDC 18/01596/S73, RBC 18/01626/S73 FOLLOWING OUTLINE PERMISSIONS SDC 17/01847/OUT, BDC 17/00701/OUT, RBC 17/00700/OUT - REDDITCH GATEWAY LAND ADJACENT TO THE A4023, COVENTRY HIGHWAY, REDDITCH, WORCESTERSHIRE - STOFORD GORCOTT LIMITED**

Officers reminded the Committee that the principle of the development of the application site had been granted planning permission in June 2018 under 17/00701/OUT, and subsequently varied in April 2019. This application was for planning permission regarding the reserved matters, relating to appearance, landscaping, layout, scale and details of internal circulation routes reserved, for the development on a phased basis, for employment land for business/industrial uses.

The site plan highlighted to Members that the application before them related to the northern development parcel of the wider Redditch Gateway site. This particular section was land within both Stratford-on-Avon's boundary and that of this Council. There was a small area of green land on the boundary of Redditch Borough Council, which was consulted on both applications as a neighbouring authority, given the proximity of the application site to land within its area. It was confirmed that as the application did not fall within Redditch, a reserved matters application had not been submitted to Redditch Borough Council.

The Committee was advised that some responses from third parties were matters of principle which had already been discussed at the

earlier stage of the process. Members' attention was drawn to the Update report, which had been published prior to the meeting and which highlighted a number of further representations and comments from the Applicant. It also confirmed that Stratford-on-Avon District Council's Planning Committee had approved the parallel application on 2<sup>nd</sup> October 2019.

Officers advised that there were a number of conditions attached to this application as highlighted on page 73 of the main agenda report, however these had not been presented in their final form. Officers advised that there had been 43 Conditions attached to the Outline application, with delegated authority being requested on some matters. It was confirmed that the conditions reflected those which had been approved at Stratford-on-Avon on 2<sup>nd</sup> October 2019.

The Chairman allowed a brief adjournment of the meeting to allow the resident speakers to review the content of the Planning Update document, which had been published prior to the meeting.

At the invitation of the Chairman, Mrs. Berry and Mr. Quartly (on behalf of the Winyates Green Residents Association) addressed the Committee in objection to the application. Ms. J Russell, Applicant, also addressed the Committee.

Officers responded to comments made by the objectors and made particular reference to the Steering Group which had been set up by Stratford-on-Avon District Council, which had been aware of the proposals put forward.

Members commented that this was the third time that this application had come before the Committee and whilst it had some sympathy with residents, it was noted that this land had always been designated as employment land and this proposal was an opportunity for economic development within the area. Members also commented on the development's EPC rating and the inclusion of EV points, which was encouraging in the context of the impact of climate change.

Having considered the Officer's report, the information provided by speakers and clarification from Officers of a number of points, Members were minded to approve the application.

**RESOLVED** that

- a) delegated powers be granted to the Head of Planning and Regeneration to agree the final scope and detailed wording and numbering of Conditions, as detailed on page 77 of the main agenda report.

**EXTENSIONS - INKFORD HOTEL, ALCESTER ROAD, WYTHALL, WORCESTERSHIRE, B47 6DJ - MR. R. HAIDER**

Councillor S. Baxter and S. Hession declared that they were Members of Wythall Parish Council but had not been party to any discussions on this matter at the Parish Council meetings.

Officers summarised the report and highlighted that it was for the conversion and change of use of the building, including the reduction of the number of car parking spaces. The property was in the Green Belt and had ceased trading as a hotel in 2014, being vacant since that date. It was now in a state of disrepair. A previous planning application for change of use had been granted in July 2010 which had now lapsed.

Whilst the proposals were considered to represent inappropriate development in the Green Belt by reason of the additional extensions, the harm caused would be limited in terms of spatial and visual aspects. The wider benefits which would result from granting permission would in this case outweigh any harm caused. Reference was again made to the Council's lack of a five year housing land supply and the economic and social benefits, represented the very special circumstances of this development. The full details of the planning obligations were highlighted on pages 90 to 91 of the main agenda pack report.

A minor amendment to the additional condition 12 detailed in the Update report was proposed, which referred to the re-instatement of the "footway" along Alcester Road rather than the "footpath" referred to in the Update report, which Members were in agreement with. In discussing this amendment it was suggested that this could go further and include use by cycle and scooter users, however following clarification from the Worcestershire Highways Officer, it was accepted by Members that this was not feasible due to the width of the footway.

The Committee were mindful that the building had been empty for some time and had become derelict and the application would address this. It would also go some small way towards addressing the housing need and the improvements to the footway would be welcomed.

Having considered the Officer's report and received clarification on a number of points raised by Officers, Members were minded to approve the application.

**RESOLVED** that

- a) Planning Permission be granted, subject to the Conditions as set out on pages 92 to 94 of the main agenda report and the inclusion of Condition 12 as detailed in the Planning update document, and as amended in the pre-amble above;
- b) Delegated powers be granted to the Head of Planning and Regeneration to determine the planning application following the satisfactory completion of a S106 planning obligation ensure that;

- (i) The Council receive a contribution of £2,524.30 for refuse and recycling bins;
- (ii) A financial contribution of £5,037 towards the NHS Clinical Commissioning Group (CCG) be secured;
- (iii) S106 monitoring fee (as of 1 September 2019, revised Regulations were issued allowing the Council to include a provision for monitoring fees in Section 106 Agreements to ensure the obligations set down in the agreement are met. The fee/charge is subject to confirmation following authorisation to proceed with this provision at the meeting of full Council on 25<sup>th</sup> September 2019).

40/19

**19/01037/FUL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF TWELVE DWELLINGS (OF WHICH FOUR ARE AFFORDABLE) AND ANCILLARY LANDSCAPING, GARAGES AND BIN STORAGE - BURCOT GARDEN CENTRE, 354 ALCESTER ROAD, BURCOT, BROMSGROVE, WORCESTERSHIRE, B60 1PW - MR. M. RICHARDSON**

Members were reminded that this application had come before them at the July 2019 meeting, when it had been refused on the grounds of insufficient provision of affordable housing and that the affordable housing had not been distributed throughout the application site and was easily distinguishable from the market housing. The new submission hoped to address this with the Officer drawing Members' attention to page 102 of the main agenda report which provided a breakdown of the revisions made. It was also highlighted that Policy BDP8 related to a requirement of 30% affordable housing provision in brownfield sites over a threshold of eleven dwellings. Details of the revised NPPF, which was published in February 2019, were also included on page 108 of the main agenda report. The number of units proposed was considered to meet the policy requirement of BDP8. Full details of how the other areas of refusal had been addressed were also included within the main agenda report.

The Committee was referred to the Update report in which it was stated that the Worcestershire Acute Hospitals Trust had withdrawn its request for financial contributions.

At the invitation of the Chairman, Mr. M. Bouldrey and Mrs S. Hibbert addressed the Committee in objection to the application. Mr. S. Warner, Applicant's Agent, also addressed the Committee.

Members were reminded that the application had been re-submitted in light of the previous reasons for refusal, all of which had been addressed by the applicant. Those changes were welcomed and Members thanked them for taking on board its comments and bringing forward the revised application.



Having considered the Officer's report, the information provided by the speakers and clarifications from Officers of a number of points, Members were minded to approve the application.

**RESOLVED** that

- a) the application be granted, subject to the Conditions as set out on pages 115 to 119 of the main agenda report; and
- b) delegated powers be granted to the Head of Planning and Regeneration to determine the planning application following the satisfactory completion of a S106 planning obligation ensuring that:
  - i) the provision of four affordable dwellings on the site to be restricted to shared ownership in perpetuity;
  - ii) Highway Infrastructure Delivery Plan contributions of £35,200.48;
  - iii) Contribution of £36,000 towards off-site open space enhancement at Lickey End Recreation Ground;
  - iv) £627.36 contribution for refuse and re-cycling bins;
  - v) A financial contribution of £4,416 towards Redditch and Bromsgrove CCG; and
  - vi) A section 106 monitoring fee.

The meeting closed at 9.02 p.m.

Chairman

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