

BROMSGROVE DISTRICT COUNCIL

VIRTUAL MEETING OF THE PLANNING COMMITTEE

MONDAY, 7TH SEPTEMBER 2020, AT 6.02 P.M.

PRESENT: Councillors R. J. Deeming (Chairman), P. J. Whittaker (Vice-Chairman), S. J. Baxter (during Minute No's 25/20 to 30/20), A. J. B. Beaumont, S. P. Douglas, M. Glass, S. G. Hession, J. E. King and P.L. Thomas

Officers: Ms. C. Flanagan, Mr. A. Hussain, Mr. D. M. Birch, Miss. E. Farmer, Mr. P. Lester, Ms. S. Williams, Mr. G. Boyes, Mr. T. Ball, Mr. H. Davies, Worcestershire Highways Authority, Mrs. P. Ross and Mrs. S. Sellers

25/20 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

Apologies for absence were received from Councillors A. B. L. English and P. M. McDonald. It was noted that Councillor H. Rone-Clarke should have been in attendance as the substitute member for Councillor P. M. McDonald.

26/20 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

27/20 **UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING**

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

Councillor P. J. Whitaker explained that due to other commitments he had not read the Committee Update; officers agreed to include the Committee Updates when presenting their reports.

28/20 **TREE PRESERVATION ORDER (NO.6) 2020 - TREE/S ON LAND AT WHITE LODGE, WOODCOTE GREEN, B61 9ED**

The Chairman informed the Committee that he had received a request to defer this item, as a member of the public had requested to address the Committee; however, there was currently no provision in the Council's Constitution, Planning Committee Procedure Rules, Public Speaking Rules, for members of the public to address the Committee with regard to Tree Preservation Orders (TPO's).

The Committee considered a report which detailed proposals to confirm, without modification, Tree Preservation Order (No.6) 2020, relating to trees on land at White Lodge, Woodcote Green, B61 9ED.

Officers provided a detailed presentation and clarification on matters raised with regard to the management of trees the subject of Tree Preservation Orders.

Following a statement made by Councillor A.J.B. Beaumont, the Council's Legal Advisor took the opportunity to advise the Chairman that the report presented by the officer, was for discussion by Members of the Committee and that it was not appropriate for Councillor Beaumont, as Ward Member, to present a statement on behalf of the applicant.

In response to Councillor P. J. Whittaker, the Council's Legal Advisor further reiterated that, as stated by the Chairman, currently there was no provision for members of the public or Ward Members to address the Committee on TPO's. The Council's Planning Committee Procedure Rules, Public Speaking at Planning Committee, allowed members of the public and other parties to EITHER give their views in person OR in writing about an application for planning permission which affected them when it was being considered by the Planning Committee.

The Chairman further commented that the Planning Committee Procedure Rules, Public Speaking at Planning Committee, in respect of TPO's, would be referred to the Council's Constitution Review Working Group for consideration.

Officers responded to questions with regard to the granting of a temporary TPO.

Further discussion followed in respect of public speaking on TPO's.

RESOLVED that Tree Preservation Order (No.6) 2020 relating to trees on land at White Lodge, Woodcote Green, B61 9ED, be confirmed without modification, as detailed in the Provisional Order on Appendix 1 to the report.

29/20

19/01153/REM - APPLICATION FOR THE APPROVAL OF RESERVED MATTERS (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) PURSUANT TO OUTLINE PERMISSION REF. 16/1085 FOR RESIDENTIAL DEVELOPMENT CONSISTING OF 150 DWELLINGS TOGETHER WITH ACCESS, PARKING, LANDSCAPING AND ASSOCIATED WORKS (PHASE 3) - LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT - ST. MODWEN HOMES LIMITED

The Chairman informed Members that officers would be presenting a joint presentation for Applications 19/01152/FUL and 19/01153/REM – Longbridge East & River Arrow Development Site, Cofton Hackett, but

each Application would be considered, debated and voted on individually.

At this stage in the meeting, the Committee agreed to change the running order of the agenda.

Officers gave a detailed presentation on Applications 19/01152/FUL and 19/01153/REM and in doing so reminded the Committee that outline planning permission was granted for 150 dwellings on this area of land under a hybrid application ref 16/1085. The hybrid application had also included a detailed scheme for the community centre which had since been built and was now functioning on site.

Both applications were adjacent to each other within the area allocated as H2 in the Longbridge Area Action Plan on land formally known as East Works. Birmingham City Council had no comments to make on either proposal and had not requested any open space contributions on this occasion.

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

Officers reported that one additional letter of objection had been submitted and that Condition 5 had been revised, as detailed in the published Update Report, copies of which were provided to Members and published on the Council's website, prior to the commencement of the meeting.

This application was for the approval of Reserved Matters (appearance, landscaping, layout and scale), pursuant to outline permission for residential development consisting of 150 dwellings together with access, parking, landscaping and associated works (Phase 3).

The development included a 5 storey apartment building providing 57 units. Undercroft car parking would be provided for the apartments with vehicular access off East Works Drive.

Officers further reported that Birmingham City Council had no objections to the scheme and had supported the proposals.

There were a number of objections to the scheme which mainly related to traffic problems and the apartment building.

Officers commented that as stated earlier that, as a result of negotiations with the agent, Highways Authority and Urban Designer, it was agreed that a through route would be provided and that this would give good connectivity within the site.

At the invitation of the Chairman, Mrs. C. Naughton addressed the Committee in objection to the application. A written statement from Ms. S. Jones, in objection to the application was read out by an officer. Mr. J.

Tait, the applicant's agent addressed the Committee on behalf of the applicant.

With the agreement of the Chairman, Councillor J. E. King stated that she was disappointed that the Neighbourhood Development Plan had not been mentioned. Neighbourhood Development Plans enabled local people to come together to decide how they wanted an area to develop and to minimise any impact on local residents, amenities and to give careful consideration to noise, privacy and light from any proposed developments. The proposed 5 storey apartment building would be too high and overbearing, taking light away from the back gardens of the houses next to it and contravened H1.3 of the Neighbourhood Development Plan.

Officers responded to questions with regards to car parking and stated that there was sufficient parking for the apartment scheme with undercroft parking and parking bays reserved for the apartment building.

After officers had clarified where north was depicted on the relevant presentation slide, Members agreed that the proposed 5 storey apartment building would take light away and would certainly create shadows on the existing buildings and that that shadowing would prevent any evening sunlight to the houses behind the proposed 5 storey apartment building.

Members commented that it was a conflicting situation, they were aware that there was a shortage in meeting the Council's 5 year housing land supply, however Members still had concerns about the size and location of the proposed 5 storey apartment building.

Officers from Worcestershire County Council (WCC), Highways Authority responded to questions from the Committee with regards to creating a potential 'rat run' through the development. Officers explained that the applicant had undertaken to introduce some additional traffic modelling on the site regarding connectivity. The benefits of the revised proposed internal layout of the site would outweigh any disbenefits.

Officers from WCC Highways further clarified that the speed limit within the proposed development would be 20 mph. Should the application be approved and when the road network came forward, under Section 38 Highways adoption agreement, further traffic calming and various other matters could be implemented to control traffic, post planning.

Councillor S. P. Douglas also raised some queries, as to whether the flat roof of the proposed apartment block would be sustainable, a green roof or have solar panels.

In response to questions from Members, officers clarified that Proposal H2 of the LAAP required a target of 35% of dwellings to be affordable.

Members debated the benefits of discussing and determining Application 19/01152/FUL.

Officers highlighted that whilst some of the dwellings on Application 19/01152/FUL, had direct access off Groveley Lane; some of the dwellings relied on the infrastructure of the Reserved Matters Application 19/01153/REM for vehicle access to those dwellings. However, each application had to be determined on its own merits.

Members were still of the view that a 5 storey apartment building would be detrimental to the local area. The proposed building was wrongly positioned and contravened the Neighbourhood Development Plan. A 5 storey apartment building would be harmful to local residents and was out of character for the Groveley Lane area.

Officers responded to the Council's Legal Officer when asked if there was an opportunity for further negotiations on the design of the Reserved Matters application, should Members be minded to defer the application, in order for the applicant to reconsider the scheme and to address their concerns.

Following further discussion, Members also referred to the concerns raised by the public speakers, speaking in objection to the application.

Having being put to the vote, an alternative recommendation was agreed to defer the application, to enable the applicant to reconsider the proposed development in order to address the concerns raised by the Committee; namely, that the proposed development was out of character for Groveley Lane and would be detrimental to the local area. Harm would occur due to the sighting and massing of the structure. The 5 storey apartment building would be overpowering and, in their opinion, was wrongly positioned. It also contravened H1.3 of the Neighbourhood Development Plan.

Therefore, it was

RESOLVED that the application be deferred, to a future meeting of the Planning Committee, in order for officers to liaise with the applicant, as detailed in the preamble above.

30/20

19/01152/FUL - FULL PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT CONSISTING OF 18 DWELLINGS (PHASE 3A) TOGETHER WITH ACCESS, PARKING, LANDSCAPING AND ASSOCIATED WORKS - LONGBRIDGE EAST AND RIVER ARROW DEVELOPMENT SITE, GROVELEY LANE, COFTON HACKETT - ST. MODWEN HOMES LIMITED

Consideration of this matter was deferred to a future meeting of the Planning Committee.

31/20

20/00483/FUL - DEMOLITION OF NOS. 163 AND 165 BIRMINGHAM

**ROAD AND CONSTRUCTION OF FIVE DETACHED DWELLINGS - 163 -
165 BIRMINGHAM ROAD, BROMSGROVE, WORCESTERSHIRE, B61
0DJ - WILLIAM & JANE AND ROY & SUSAN THORN AND HUGHES**

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

Officers presented the report and presentation; and explained that planning permission was being sought for the demolition of no's 163 and 165 Birmingham Road and the construction of five detached dwellings.

The site comprised of two residential dwellings fronting Birmingham Road and their curtilages. The site was located between a number of residential dwellings fronting Birmingham Road, with dwellings within Oakland Grove and All Saints Road.

Officers drew Members' attention to the 'Impact on 163 and 165 as a non-designated heritage asset' as detailed on pages 85 and 86 of the main agenda report. It was noted that although 163 and 165 were heritage assets of low significance, it was considered that their demolition would result in an impact. The benefits of the proposed redevelopment were however more substantial.

Officers drew Members' attention to the 'Illustrative View' provided by the Applicant.

At the invitation of the Chairman, Mrs. S. Jones, Mrs L. Baker and Ms. A. Wardman, addressed the Committee in objection to the Application. Ms. G. Jenkinson, the Applicant's agent and Councillor R. Laight, in whose Ward the Site was located also addressed the Committee.

The Committee went on to consider the application which officers had recommended for approval.

Officers responded to Councillor P. J. Whittaker with regards to the 'Existing and Proposed Street Scene' slide.

RESOLVED that Planning Permission be granted subject to the Conditions as set out on pages 92 to 96 of the main agenda report.

32/20

**20/00824/FUL - EXTENSION TO REAR OF EXISTING GARAGE - 52
HARTLE LANE, BELBROUGHTON, STOURBRIDGE,
WORCESTERSHIRE, DY9 9TJ - MR. S. PLANT**

Officers presented the report and presentation and in doing so explained that planning permission was being sought for an extension to the rear existing garage at the premises.

The application site was located within the Green Belt in the village envelope of Belbroughton. New buildings in the Green Belt were

considered to be inappropriate development subject to a closed list of exceptions. An exception to inappropriate development was the extension to a building provided the extension was proportionate to the original building.

The proposed extension was 23% above the original and this was considered proportionate and thereby appropriate development in the Green Belt.

Officers responded to questions from Members and provided clarification on the floor plans and that the purpose of the proposed extension was to enable the applicant to carry out restoration works, restoring cars.

Officers further informed the Committee that one objection had been received raising concerns over an increase in noise caused by the car restoration works. Given the small scale of the extension with no proposed windows, in the position of an existing Permitted Development shed, officers would not expect the existing use within the building to be materially increased as a result of this proposed development to the detriment of the neighbouring property.

Officers responded to Councillor P. J. Whittaker with regards to Condition 5 and it was noted that the Council's Tree Officer had requested that the Hawthorn tree located to the south of the development was to be protected throughout the construction phase of the development.

Officers also clarified that the Application had been brought to the Planning Committee for consideration as the applicant was an employee of the Council.

RESOLVED that Planning Permission be granted subject to the Conditions as set out on pages 123 and 124 of the main agenda report.

The meeting closed at 8.21 p.m.

Chairman

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