

**Bromsgrove District Council
Planning Committee**

**Committee Updates
7th March 2022**

20/01568/FUL Cur Lane Farm, Cur Lane, Upper Bentley

Consultee responses

Leisure Services

No contributions to be sought for this development on this occasion.

The applicant has provided a response to the refusal reasons and are summarised as follows:-

In response to refusal reason 1

The proposal will reduce the number of vehicle trips per day, down to 54, with a reduction of 160 trips per day, resulting in a benefit to road users. Additional benefits include sustainable enhancement measures as indicated in the report.

Para 105 of the NPPF notes that rural and urban areas must be considered differently in decision making. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

Para 111 also says development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highway objection on sustainability grounds is therefore flawed and contrary to NPPF para 111. Offers have been made in mitigation as asked for by Highways including for school transport costs. The planning benefits of reduction in vehicle trips in total is a significant benefit.

For information, when planning permission was granted for commercial uses following a public inquiry in 2017, part of that decision notice states in para 4 that 'The Council also confirmed that its main issue on sustainability in relation to ground (a) was also withdrawn'. (Ground (a) was seeking planning permission). The Council has thus formally accepted that this site was considered sustainable.

In response to refusal reason 2

Negotiations have taken place between the applicant, housing officers, and BDHT in respect to providing off site affordable housing. The agent states that BDHT considered the Cur Lane site to be sustainable but still prefer to have the affordable units in Bromsgrove.

To conclude the agent states that the proposal provides good design and also includes a safer relocated access to highways standards - and that BDC does not have a 5-year land supply.

Bentley and Paucefoot Parish Council

The Parish Council are unable to attend the meeting in person but wanted the following comments to be considered:-

We wish to reiterate our objection to this application as set out in our earlier submissions.

- the applicant has not justified the loss of employment land which, given its location adjacent to the Foxlydiate urban Extension that will provide 2,560 dwellings, should be given considerable

weight.

- the location is not sustainable, it will not reduce car dependency and will have high ongoing costs associated, such as home to school transport.
- the house designs bear no resemblance to any vernacular elements that relate to, or enhance, the local character of the area as required by the BDP.

Overall these proposals are in contravention of the Bromsgrove District Plan and the sustainability requirements of the NPPF. The Planning Committee should refuse the application.

21/01666/S73 Longbridge East, Groveley Lane, Cofton Hackett

Justification for the removal of the electricity sub station

Members may recall that a previous layout for the phase 3 scheme on this site included an apartment block. Members will be aware that the application concerned was withdrawn due to concerns raised by residents and members of Planning Committee in respect to the apartment block.

The applicant has clarified that the substation requirement was questioned when the apartment block was omitted the scheme. Aptus (the applicant's electricity and gas installer for the development) approached the Independent Distribution Network Operator (IDNO) and asked that they review the loading requirement for the site, and confirm whether the substation is still required. The IDNO have confirmed it is not required and the electric design has now been updated with the electric substation omitted.

A revised CEMP has been submitted and now addresses WRS Noise comments.

21/01354/FUL 10 Monument Lane, Lickey

1. Revised Proposed Floor Plan, Reference: 20-825-2-P4, dated AUG 2021, received on 22.2.22.

2. Revised Design and Access Statement has also been received on 22.2.22, including an extract of the Revised Proposed Floor Plan, Reference: 20-825-2-P4. This indicates wheelchair turning circles, and a 'through floor' lift (added 21.2.22) between the first floor proposed master bedroom and the ground floor kitchen/breakfast dining area.

Reference is made in this document to the need for an assisted bathroom, and it is noted that the Statement references that *'there would not be adequate space for an assisted bathroom within the existing bedroom'*. However, no evidence has been provided on this point.

The following key measurements have been taken:

- a) Wheelchair turning circle diameter 1.7 metres.
- b) Proposed Master Bedroom En-suite shower room is 2.1 metre width by 3.6 metre length.
- c) Existing 'Granny Annexe' shower room is 2.3 metre width by 3 metre length, and the existing 'lobby' between the bedroom and landing area is 2.2 metres width. The wheelchair turning circles are not included on the existing plans, however, based on the indicated 'wheelchair circles', it is considered that the existing bedroom and shower room appear to be of a sufficient size to accommodate wheelchair access.

3. Agreement has been given by the applicant on 3.3.22 that a confidential letter from his GP dated 29 October 2020, providing personal medical information in support of his application can be circulated to members. This letter has been emailed to all Committee Members on 4.3.22.

21/01819/FUL Victoria Ground, Birmingham Road, Bromsgrove

No Updates

21/00873/FUL Land To Rear Of 1-6 Smedley Crooke Place, Redditch Road, Hopwood

On 6 March all Members received the Applicant's Response To Planning Officer's Report.

This is a 7-page statement. The Officer's response is outlined below.

Green Belt/Fall Back Paragraphs 3-10 and 17

In relation to the purpose of the Green Belt, this is outlined on pages 141-142 of the committee report.

The applicant in their response, reiterates in paragraph 10 "that one has to assess the likelihood of increased and taller storage across the entire site. The planning officer has dismissed this possibility on the basis of a single site visit undertaken in January 2022. Given that the site is secured and operational presumably there was no access or ground assessment. Certainly, there is no engineering or specialist market assessment to demonstrate that the site is unlikely to be intensified in its use; this is simply not good enough. In comparison, evidence has been presented by the appellants to demonstrate that the site is capable of intensified use ... "

It is worth reiterating that the site is currently covered by structures these are transient and not permanent and there are no permanent structures on this site. The planning officer has been previously involved with this site and it is strongly refuted that any consideration is based purely on a single site visit over this time. While the applicant has indicated that the site is capable of intensified use, it is noted that the applicant has submit no evidence regarding this matter such as an engineering or specialist market assessment for the LPA to assess.

It is correct that as outline in paragraph 11 of the applicants response that there only has to be a possibility of the use intensifying for it to be a material consideration. Members should consider whether there is a possibility of this long standing speculative site (with applications dating back to 2006) will be intensified.

Alvechurch Neighbourhood Plan Paragraph 13-15

In terms of Policy H6 of Alvechurch Neighbourhood Plan and any conflict with Policy BDP7, it is worth while noting what was indicated in the Examiners report for the neighbourhood plan (Alvechurch-Report-Final-Version-071118.pdf (bromsgrove.gov.uk)).

In paragraph 4.32 it states that "I do not consider Policy H6 to be significantly out of step with Policy BDP7. While Policy H6 seeks to increase the proportion of smaller 1 and 2 bedroom properties over the existing low level of such properties in the Plan area, it would still allow for 50% of new properties to be of moderate and larger size houses (3 and 4 bedrooms or more) suitable for families. In other words, the policy does not simply focus on the provision of 1 and 2 bedroom properties".

In paragraph 4.33 "Moreover, Policy H6 3 is heavily caveated. It says that developers should seek to achieve the stated mix '...unless viability, market requirements at that time or other material considerations show a robust justification for a different mix'. Policy H6 4 goes on to say, 'The mix will be informed by the latest Strategic Housing Market Assessment and/or local documents and evidence...'. In other words, the housing mix proposed in Policy H6 3 is not set in stone but is open to negotiation".

It is noted that the applicant claims that there is no market requirement for 1 bed dwellings in this location. However, no robust justification has been submitted to confirm this, or explain that the local housing market has changed since the ANP was adopted in 2019, which sought 1 bed dwellings. Nor has evidence been submitted regarding the predominance of 3 and 4 bed

development that is being sought on this site. The proposal is still considered to be contrary to Policy H6.

Prematurity - Paragraph 16

Prematurity is not one of the reasons for refusal.

Other Matters and Conclusion Paragraphs 18-28

The proposal would be inappropriate development in the Green Belt, causing substantial harm to openness. I have also identified harm to one of the purposes of the Green Belt and non-Green Belt harm in terms of the scheme being contrary to the Alvechurch Neighbourhood plan which add further weight against the proposal.

As the Council cannot demonstrate a 5 year housing land supply, Paragraph 11 (d) of the Framework indicates that permission should be granted, unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. The application of Green Belt policy provides that to be the case here. Officers do not agree on Green Belt matters in this case. As such, the proposal would not be the sustainable development for which Paragraph 11 (d) of the Framework indicates a presumption in favour.

In summary the other material considerations, including the identified benefits to the supply of housing in the area and the provision of affordable housing as part of the scheme and the other benefits raised in the Committee report and indeed the summary of benefits provided by the applicant in this response do not justify allowing the application given the harm that has been identified and the resulting conflict with the development plan when taken as a whole.

21/00324/FUL Cup & Bean, 121 Worcester Road, Hagley

Worcestershire Regulatory Services has confirmed that there are no open service requests relating to any complaints at the application site.