

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

MONDAY 6TH FEBRUARY 2023, AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Chairman), A. D. Kriss (Vice-Chairman),
A. J. B. Beaumont, S. P. Douglas, A. B. L. English, M. Glass, J. E. King,
P. M. McDonald and C. J. Spencer

Observers: Mr. A. Hussain

Officers: Mr. D. Birch, Mr. R. Keyte, Mr. S. Edden, Mr. P. Lester and
Mrs. S. Hazlewood, Mrs. K. Hanchett, Worcestershire County Council,
Highways, Mr A. Sukvinder, Worcestershire County Council, Highways,
Mr. G. Day and Mr. M. Sliwinski.

33/22 **TO RECEIVE APOLOGIES FOR ABSENCE AND NOTIFICATION OF
SUBSTITUTES**

Apologies for absence were received from Councillors G. N. Denaro,
and M. A. Sherrey.

34/22 **DECLARATIONS OF INTEREST**

Councillor J. E. King declared in relation to Agenda Item No.5 -
(Planning Application – 22/00978/FUL - 32 Lickey Square, Lickey,
Birmingham, Worcestershire, B45 8HB), in that she would be addressing
the Committee for this item as Ward Councillor under the Council's
public speaking rules and left the room prior to the debate.

Councillor A. D. Kriss declared in relation to Agenda Item No.5 -
(Planning Application – 22/00978/FUL - 32 Lickey Square, Lickey,
Birmingham, Worcestershire, B45 8HB), in that he had met with both the
applicant and objectors in relation to this application and left the room
prior to the debate.

35/22 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING
OF THE PLANNING COMMITTEE HELD ON 5TH DECEMBER 2022**

The minutes of the Planning Committee meeting held on 5th December
2022 were received.

RESOLVED that, the minutes of the Planning Committee meeting held
on 5th December 2022, be approved as a correct record.

36/22

UPDATES TO PLANNING APPLICATIONS REPORTED AT THE MEETING (TO BE CIRCULATED PRIOR TO THE START OF THE MEETING)

The Chairman announced that a Committee Update had been circulated to all Planning Committee Members and asked all Members whether they had received and read the Committee Update.

All Members agreed that they had received and read the Committee Update.

37/22

22/00978/FUL - NEW DWELLING ON THE SITE OF A PREVIOUSLY APPROVED DWELLING (REF 21/00312/FUL) USING A PREVIOUSLY APPROVED ACCESS DRIVE - 32 LICKEY SQUARE, LICKEY, BIRMINGHAM, WORCESTERSHIRE, B45 8HB - MR. D. JONES

The application was brought to the Planning Committee for consideration at the request of Councillor J. E. King, Ward Councillor.

Officers presented their report and in doing so drew Members' attention to pages 31 to 48 of the Public Reports Pack.

The application was for 32 Lickey Square, Lickey, B45 8HB and sought approval for a new dwelling on the site of a previously approved dwelling (ref 21/00312/FUL) using a previously approved access drive.

Officers drew Members' attention to page 35 of the Public Reports Pack, comparing the previously approved and proposed applications. Officers informed the Committee of the differences between the plans in that the proposed building had a reduced footprint due to the removal of some aspects of the design which included the chimney and flat roofed orangery.

The application sought a mixture of two and three storey sections with the front north facing side being two storey and the southern facing side three storey. The overall height remained the same as the previously approved building and the change was possible due to the sloped topography of the land.

Officers also drew Members' attention to page 45 of the Public Reports Pack which detailed the cross-sectional differences between the two applications.

Finally, Officers informed Members that the Council could not currently demonstrate a five-year housing land supply. The presumption in favour of sustainable development applied in accordance with Paragraph 11(d) of the Framework and therefore significant weight was attributed to the positive contribution the proposal would make towards addressing this current significant shortfall.

At the invitation of the Chairman, Dr Peter Ollis (a nearby resident), Dr. Bakul Kumar (representing Lickey and Blackwell Parish Council) and Councillor Janet King (Ward Councillor) spoke in objection to the application.

Members then considered the application, which Officers had recommended that planning permission be granted.

Members asked the Officer in attendance from Worcester County Council (WCC), Highways to clarify the public speaking comments made with concerns regarding the visibility splays being inadequate. Officers responded that the visibility splays had been approved during the previous application and had been agreed by the planning inspectorate and were deemed acceptable.

Members sought further clarification if there were any differences in the lounge level between the two applications, Officers drew Members' attention to the images on pages 47 and 48 of the Public Reports Pack which detailed very little variation in the height of the lounge level.

After questions from Members, Officers detailed that there was an increase in the number of windows on the property on the southern side from 5 windows to 9 windows. Officers also clarified that the rear of the property faced the garden of number 16 The Badgers and was, therefore, not directly overlooking any windows.

Members found no reason to object to the application which had an identical height and a lesser footprint compared to the approved application and commented on the application making good use of the basement level.

Members were therefore minded to approve the application and on being put to the vote it was:-

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 27 to 30 of the Public Reports Pack.

38/22

22/01066/OUT - OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE ERECTION OF UP TO 78 DWELLINGS AND A FLEXIBLE COMMERCIAL/COMMUNITY USE BUILDING WITH ASSOCIATED ACCESS, INFRASTRUCTURE, LANDSCAPING, AND OPEN SPACE PROVISION - LAND AT LITTLE INTALL FIELDS FARM, STOKE POUND LANE, STOKE PRIOR, WORCESTERSHIRE - MR. B. LITTLE

Officers presented their report and in doing so drew Members' attention to pages 77 to 89 of the Public Reports Pack.

The application was for land at Little Intall Fields Farm, Stoke Pound Lane, Stoke Prior and sought outline approval for the erection of up to 78 dwellings with associated works.

Members were shown the location of the proposed development detailed on pages 78 to 80 of the Public Reports Pack. Officers outlined that the development was inside the Green Belt and outside of the defined residential area as detailed in the local plan.

Officers informed Members that the application sought outline planning permission and the presentation slides detailed on pages 83 to 85 and 88 to 89 of the Public Reports Pack, were for illustrative purposes only of how the development could look if approved.

The loss of agricultural land was highlighted, but Officers deemed this loss to be acceptable. However, the impact on the Green Belt was that the openness would be impacted and was in conflict with policy in relation to safeguarding the land in the Green Belt and protecting the countryside from erosion.

It was noted that 50% of the development was assigned to affordable housing whereas the Council's policy required a minimum of 40%, it was also noted that the development was intended to be constructed to the passive house standard.

Officers informed the Committee that although one of the main objections were highways matters, particularly regarding access and traffic, WCC Highways had identified no problems with the development which would constitute an objection.

Members' attention was drawn to page 86 of the Public Reports pack, which detailed a number of heritage assets near to the proposed development site. Officers informed Members that a detailed heritage assessment had been undertaken, the assessment highlighted differing amounts of harm which were contrary to the development plan and national policies.

Officers concluded that pages 72 to 74 of the Public Reports Pack reviewed the special circumstances with arguments/justifications for the harm and that it was not clearly outweighed by the benefits and a special circumstance case for approval contrary to the Green Belt policy did not exist.

At the invitation of the Chairman, Mr John Roundell (representing a number of objectors) and Councillor Chris Jewson, Stoke Parish Council spoke in objection to the application. Mr Brynley Little (the applicant) spoke in support of the application.

Members then considered the application, which Officers had recommended that planning permission be refused.

Members commented about the lack of footpaths around the site and that it would be detrimental to public safety, as in their opinion there

would be an increase in residents travelling by foot with the addition of 78 dwellings.

Members were in support of the increased allocation of affordable housing and the commitment to develop to a passive house standard. It was also highlighted that although the community/commercial use building was not shown to be in an ideal location it would still be of benefit to the area.

WCC Highways informed Members that the assessed proposal in their opinion was in a sustainable location. Based off on an all-day traffic monitoring survey, an estimate 32 additional vehicles would be added to the AM peak traffic which amounted to an additional 5%, this was not deemed as a substantial increase. WCC Highways also stated that the proposed development would have splays relevant to the recorded speeds on the adjoining roads. WCC Highways did note the comments on the lack of bus provision on site and had requested a section 106 contribution for a community transport facility should the development be approved.

Members agreed and recognised the need for more affordable housing and that Bromsgrove District Council (BDC) did not have a robust 5 year housing supply, however, they were not in agreement regarding whether the development was in a suitable location.

Officers clarified that for an Alternative Recommendation, Members needed to give clear indications on what grounds each of the four areas of refusal outlined on pages 74 and 75 of the Public Reports Pack would be satisfied/mitigated. In respect of this, Members gave reasons why they believed each of the 4 refusal points could be satisfied, which would allow an Alternative Recommendation to be moved.

1. In regard to the land being outside of the defined village and in the Green Belt and therefore inappropriate development. Members disagreed in that the land parcel was adjacent to multiple areas of residential development and was, therefore, a natural development location.
2. In regard to the proposed form of the development being incompatible with the countryside setting. Members proposed that the development had multiple areas of greenery, and landscaped space which presented a rural presentation to the site.
3. In regard to the heritage impact, Members proposed that the development sought social/economic enhancements to the area which included an allocation of 50% affordable housing which was very important for the economically active.
4. In regard to the loss off agricultural land, due to the high proportion of undeveloped land in the District being Green Belt it was argued that in order to meet the Councils 5 year housing supply there was a need to develop some of this land.

Further to the preamble above, Councillor S. P. Douglass proposed an Alternative Recommendation that the application be approved, the Alternative Recommendation was seconded by Councillor J. E. King. On being put to the vote the Alternative Recommendation was not approved by the Committee.

RESOLVED that Planning Permission be Refused, subject to the reasons as detailed on pages 74 and 75 of the Public Reports Pack.

39/22

22/01146/FUL - DEMOLITION OF THE FORMER PRINCE OF WALES PUBLIC HOUSE AND THE ERECTION OF A 72 BEDROOM CARE HOME FACILITY WITH FRONTAGE PARKING TOGETHER WITH THE CHANGE OF USE OF FORMER AGRICULTURAL LAND AT THE REAR TO ANCILLARY AMENITY SPACE FOR RESIDENTS INCLUDING THE PROVISION OF GREEN CARE FARMING WITH LANDSCAPING, AND ASSOCIATED WORKS. (CROSS BOUNDARY APPLICATION - SOLIHULL AND BROMSGROVE), - PRINCE OF WALES PUBLIC HOUSE, HIGH STREET, SOLIHULL, B90 1JW - GNM DEVELOPMENTS LTD

The application was brought to the Planning Committee for consideration as it was a cross boundary application with Solihull Metropolitan Borough Council (SMBC). The site was dissected by the BDC/SMBC boundary in such that approximately half of the site lay within BDCs jurisdiction. Given that the site crossed an administrative boundary, it was considered necessary for the application to be subject to a section 106 legal agreement to ensure that both the care home and the associated open space were provided across the site.

Officers presented their report and in doing so drew Members' attention to pages 99 to 105 of the Public Reports Pack.

The application was for Prince of Wales Public House, Solihull, B90 1JW and sought the demolition of the former Prince of Wales public house and the erection of a 72 bedroom care home facility. The application also sought the change of use of the former agricultural land at the rear to ancillary amenity space for residents.

Officers detailed that the proposal was not deemed inappropriate and that there would be no new buildings on the land within the BDC boundaries. It was clarified that the site would not have permitted development rights, so any further development needed to be subject to planning permission.

Officers informed Members that on 1st February 2023 SMBC had approved the planning application subject to a section 106 agreement, however, the section 106 agreement was such that both Authorities were required to approve their respective applications for development to proceed.

Members then considered the application, which Officers had recommended that planning permission be granted.

Members clarified through Officers that the entirety of the building would be within SMBC boundaries, Officers also clarified that the reason why there were very few Conditions attached, was due to BDC only being able to enforce matters within their own administrative boundary, therefore, only those which related to the ancillary amenity space.

Members enquired about the green farm mentioned in the report. Officers detailed that it was an area for the keeping of livestock and growing vegetables/food for the recreational stimulus of residents.

Members held a positive view of the development and stated that there was a shortage of care homes and Members were therefore minded to approve the application.

On being put to the vote it was.

RESOLVED that Planning Permission be granted, subject to:-

- a) **DELEGATED POWERS** being granted to the Head of Planning, Regeneration and Leisure as outlined on page 95 of the Public Reports Pack and,
- b) the Conditions as detailed on pages 95 and 97 of the Public Reports Pack.

40/22

22/01220/FUL - DEMOLITION OF ONE EXISTING AGRICULTURAL BUILDING; REPAIR OF THREE FURTHER AGRICULTURAL BUILDINGS (RETROSPECTIVE) - FORMER POULTRY HOUSES, ROSE COTTAGE FARM, SEAFIELD LANE, PORTWAY, WORCESTERSHIRE B48 7HN - A E BECKETT & SONS LTD

Officers presented their report and in doing so drew Members' attention to pages 113 to 120 of the Public Reports Pack.

The application was for Rose Cottage Farm, Seafield Lane, B48 7HN and sought the retrospective approval for the demolition of one existing agricultural building and the replacement of three further agricultural buildings.

Officers informed Members that the application was partially retrospective as some of the work had already been undertaken to replace the derelict agricultural buildings.

Officers informed Members that the development complied with the Green Belt policy, and that there was no change of usage.

WCC Highways had no objections to the application, the site access was unchanged and the visibility splays were acceptable, with no access problems and the impact on the highway would not be substantial.

At the invitation of the Chairman, Mr Bill Sullivan (a nearby resident) addressed the Committee in objection to the application. Mr Simon Beckett (the applicant) addressed the Committee in support of the application.

Members then considered the application, which Officers had recommended that planning permission be granted.

Members commented that the application sought to remove a building which would benefit the Green Belt in regard to openness. Members also commented that there was no change of use so the owner could have used the original buildings for the proposed purpose without planning permission. Therefore, Members saw no reason to refuse the application and on being put to the vote it was

RESOLVED that Planning Permission be granted, subject to the Conditions as detailed on pages 111 and 112 of the Public Reports Pack.

The meeting closed at 8.17 p.m.

Chairman