

# ALVECHURCH PARISH COUNCIL

## PLANNING & HIGHWAYS COMMITTEE MEETING – 2020/07/06-129

**MINUTES OF THE PLANNING & HIGHWAYS COMMITTEE MEETING** held via Zoom on Monday 6<sup>th</sup> July 2020 at 7.00 pm.

**PRESENT:** Councillor M Worrall (Chairman), Cllrs; Cypher, Freeman, Hornsby, Lambert, Wallis and Willetts.

**IN ATTENDANCE:** Mrs J Smailes – Parish Clerk,  
Mrs C Mason – Committee Clerk/Minute Taker  
A Member of the Public in respect of Agenda Item 9 –  
Licensing Application at 1 Bear Hill, Alvechurch  
Two Members of the Public in respect of Agenda Item 8 –  
Planning App. No.: 20/00606/CUPRIO Change of Use Application

**1. APOLOGIES**

Apologies received from Councillor Humphries.

District Councillor English also sent apologies.

**2. DECLARATIONS OF INTEREST**

Councillor P Freeman declared an interest in Planning Application Number: 20/00606/CUPRIO.

Cllr Freeman: Other disclosable interest as the Solicitors for the Applicants are known to him. In accordance with the Standing Orders of the Committee, the Personal Interest Test was applied to determine whether there were any Prejudicial Interests to declare. No declaration of Prejudicial Interests was required.

**3. DISPENSATION REQUESTS**

None received.

**4. MINUTES OF PREVIOUS MEETING**

Approval of the Minutes of the Planning Committee meeting held on 1<sup>st</sup> June 2020 were proposed by Cllr Worrall – **Unanimous**.

**5. OPEN FORUM**

A neighbouring resident of 1 Bear Hill, Alvechurch made representation to the Committee regarding the Application for a Late Alcohol License for said premises. They outlined the detrimental impact that this would have on the area should Worcester Regulatory Services be minded to grant this Application.

Two Members of the Public, with one being a neighbouring resident, presented their objections to the Committee in respect of the current Change of Use Application at Thornborough Farm, Redhill Road, Kings Norton. Chairman Worrall confirmed that these representations would be taken into account during the Planning Committee's Consideration of this Application during Agenda Item 8.

**Chairman** .....

**Date** .....

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### 6. CLERKS REPORT

1. The Committee Clerk thanked Cllr Cypher for assistance he gave to a resident of Gravel Pit Lane in Rowney Green regarding water ingress on their land.

2. The Committee Clerk provided updates on the following Planning Applications:

20/00361/FUL The Gables, Ash Lane, Hopwood

20/00410/FUL Arrow Fields Farm, Old Birmingham Road, Alvechurch

20/00458/FUL Hopwood Court, Birmingham Road, Hopwood

3, The Committee Clerk shared correspondence from Senior BDC Planning Officers in respect of the following matters:

Appeal Ref: APP/P1805/W/19/3230823 Land to the rear of 1-6 Smedley Crooke Place

Planning Application No.: 19/01359/FUL Arosa, The Holloway, Alvechurch

4. The Committee Clerk noted the receipt of a new Application which has been received too late for consideration at this Meeting:

20/00623/CPL Certificate Proposed Lawful Use/Dev Hemscroft, Rowney Green Lane

### 7. TREE PRESERVATION ORDERS (TPOs)

None received.

### 8. PLANNING APPLICATIONS

Planning Log: 3624

Planning App. No.: **20/00606/CUPRIO**

**Address:**

**Thornborough Farm, Redhill Road, Kings Norton**

**Proposal:**

Change of Use of Agricultural Building to form one dwelling house

**APC Response:**

**Objection, on the following grounds:**

1. The Parish Council and BDC Officers have been provided with evidence showing significant rebuilding works being undertaken during the months of March and April this year. The photographic evidence shows an enlarged replacement building from that of the previous structure, incorporating a totally new steel frame and brick walls as part of the new construction. These works cannot and should not be considered as being 'repairs' to an existing building. They are best described as being a 'rebuild'. The sum of new building work results in the application technically failing to meet part of the set criteria stated, if submission is to qualify as being Permitted Development. The building, which is the subject of this application, should be considered as a new construction and not a conversion of the original smaller timber framed structure.

Chairman .....

Date .....

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### PLANNING APPLICATIONS (continued)

2. This Application is contrary to the NPPF paragraphs 108 and 110 and the newly adopted Streetscape Design Guide. It is also contrary to the following policy of the Alvechurch Parish Neighbourhood Plan (NDP):

#### H4- Housing Design Principles – 8. (g)

This Application does not provide good access to local facilities and public transport links via convenient, direct paths with dropped kerbs suitable for children’s pushchairs, wheelchair users, walking with a stick or walking frame, or using a mobility scooter. There are no footpaths on Redhill Road, no street lighting and no bus route. This development would encourage reliance on vehicle use; therefore, APC is in accord with the comments of WCC Highways in this respect and supports the WCC Assessor’s recommendation to refuse this Application on grounds that its location does not meet the requirements of sustainability and has an unacceptable Highways impact.

3. This Application is contrary to the following policy of the Alvechurch Parish Neighbourhood Plan (NDP):

#### H4- Housing Design Principles – 8. (b)

The report by North Worcestershire Water Management states that although the application site falls within a Flood Zone 1 area, it does appear to be susceptible to surface water flooding on occasions. The report also notes concerns with the existing and future water removal capacity. This Application therefore does not promote sustainable waste water management both in respect of sustainable drainage and water capture (for use in activities such as gardening or vehicle washing).

4. This Application is contrary to the following policy of the Alvechurch Parish Neighbourhood Plan (NDP):

#### H1- Locations for New Housing Development – (c)

The close siting of stables and a ménage next to the application building would impact adversely on the residential amenity of the occupiers due to noise and odours. The potential for vermin to affect the property too is of concern due to the nearby location of the stables.

### **9. LICENSING APPLICATION AT 1 BEAR HILL, ALVECHURCH**

Although the Members of the Planning & Highways Committee are aware that they have not been formally invited to consider this License Application, it was agreed that following the Clerk’s initial correspondence to Worcestershire Regulatory Services on 24<sup>th</sup> June 2020, further representation was to be made to WRS stating the following points:

**Chairman** .....

**Date** .....

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### LICENSING APPLICATION AT 1 BEAR HILL (continued)

1. Alvechurch centre is currently designated an alcohol free zone, with Bear Hill and the immediate surrounding area containing residential properties, a number of which would be particularly impacted by a late licensed bar in this location.

2. Residents would almost certainly suffer losses of “quiet enjoyment” amenities should this license be granted, due to:

- Late night noise
- Anti-social behaviour
- Parking

3. Some residents have received notification of revised hours from the applicant’s agent; however the Smoking Area proposed at the rear has raised a number of concerns from neighbouring residents, particularly those on Swan Street, whose properties and gardens directly border and overlook the rear of the application property, as well as residents of Bear Hill itself. The proposal to have the smoking area offers no mitigation from noise and drifting cigarette smoke prior to this time across neighbouring properties.

Should the Licensing Justices be mindful to grant a license and accept the inclusion of a rear smoking designated area, its 10pm closure would simply force the clientele out onto the narrow pavement frontage of Bear Hill instead.

4. The Committee has significant concerns following representation from a resident to the rear of 1 Bear Hill who advised that there is limited access to the rear of the property for a fire escape. Access to the rear is by private gate only, which is locked and owned by the neighbouring property, permission for public use of this access, we understand, has not been given. We haven’t been able to establish if a formal ‘Right of Way’ exists for the benefit of 1 Bear Hill. This is also a factor and concern regarding the two residential properties proposed above the commercial ground floor use of 1 Bear Hill, due to only having access to the properties from the rear. As the original Application contains provision for two apartments on the upper floors, we find this a particularly disconcerting location for a Smoking Area.

5. Due to the road layout outside the properties there is very limited parking and this will exacerbate existing highway issues. The increase in traffic and taxis related to the commercial nature and license request is a noise and public safety issue.

6. Due to the current COVID 19 regulations there are also issues with the limited space for this type of commercial activity and license. It is therefore again likely the activities will move out onto the street which has implications for the prevention of crime and disorder; public safety and preventing a public nuisance.

**Chairman .....**

**Date .....**

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### LICENSING APPLICATION AT 1 BEAR HILL (continued)

7. The premises are located within the Conservation Area and whilst the building itself is not Listed, it has been classed as a Heritage Asset by Bromsgrove District Council's Conservation Officer and it meets the criteria for the Local Heritage List. The property is also next to two Listed Assets – 14 The Square and the Telephone Kiosk on Bear Hill. As the initial Planning Application was based on A1 Retail use, the Parish Council supported the Application accordingly. Should the original Planning Application been proposed as being an A3 or A4 use, the Parish Council would have found this contrary to the following Policy of the Alvechurch Parish Neighbourhood Plan: **HDNE 1: BUILT HERITAGE AND LOCAL CHARACTER.**

8. The Parish Council has previously reported unauthorised works that have been undertaken to the premises and as such APC is awaiting implementation of a programme of re-instatement of certain works as prescribed by the Council's Conservation and Planning Officers.

### 10. PLANNING APPEALS

None received.

### 11. TO NOTE PLANNING DECISIONS RECEIVED FROM BDC

Planning Log: 3611                      Planning App. No.: **20/00387/FUL & 20/00388/LBC**  
Address:                                      **14 The Square, Alvechurch B48 7LA**  
Proposal:                                      Demolition Of Existing Single Storey Side/Rear Building  
Erection of Replacement Rear Building. Replacement Of  
Single Door To Double Doors To Swan Street and New  
Shop Front Facing Bear Hill And Minor Internal  
Alterations.

**APC Response:**                              **Objection**  
**BDC Decision:**                              **Refusal**

Planning Log: 3621                      Planning App. No.: **20/00547/FUL**  
Address:                                      **34 Swan Street, Alvechurch**  
Proposal:                                      Roof space conversion to provide an additional bedroom

**APC Response:**                              **Holding Objection**  
**BDC Decision:**                              **Granted**

Planning Log: 3616                      Planning App. No.: **20/20/00432/FUL**  
Address:                                      **Former Veterinary Surgery, 2 Birmingham Road,**  
**Alvechurch**  
Proposal:                                      Proposed Change of Use from Veterinary Centre to 5 no.  
Flats (2 bedroom). Additional First floor rear extension  
and Alterations to Ground floor projection.

**APC Response:**                              **Objection**  
**BDC Decision:**                              **Granted**

Chairman .....

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### 12. PLANNING & HIGHWAYS CORRESPONDENCE

All correspondence forwarded by way of weekly Correspondence Lists.

### 13. TO CONSIDER MEASURES TO DETER SPEEDING

The Committee Clerk provided an update of current Police activity in respect of speeding mitigation activity. Details of both the Police and Crime Commissioner's Agenda and the 20 MPH Campaign were also provided.

The Chairman asked for clarity on the VAS Signs in the Parish as it would be useful to know who owns and operates the signs and whether they are mobile or fixed units.

**Action Point:** Committee Clerk to obtain more information and revert to the Committee

### 14. COUNCILLORS REPORTS

Cllr Cypher requested sight of the email of 25<sup>th</sup> November 2019 regarding the disputed wording interpretation in respect of Appeal Ref: APP/P1805/W/19/3230823 Land to the rear of 1-6 Smedley Crooke Place.

**Action Point:** Committee Clerk to obtain a copy of the email

Cllr Cypher requested escalation of an urgent response to our previous request for an update on the current position of the Application for the construction of 25 dwellings at Alvechurch FC's ground

**Action Point:** Committee Clerk to approach Bromsgrove District Council's Planning Department for urgent advices.

Cllr Cypher also requested escalation of an update from Bromsgrove District Council Enforcement Officers as none has been forthcoming.

**Action Point:** Committee Clerk /Clerk to approach Bromsgrove District Council's Planning Department for urgent advices.

### 15. MEETING DATES

The date and time of the next Meeting:

As per the Meeting Schedule there will be no Planning Committee Meeting during August Recess, with the next Meeting scheduled for Monday 7<sup>th</sup> September 2020.

Should any Applications require a consultation response prior to the next Meeting and where a time extension cannot be secured, then these Applications will be considered under Delegated Powers (LGA 1972 s101) by an Officer and a minimum of two Members of the Planning Committee).

The meeting closed at **9.28** pm.

**Chairman** .....

**Date** .....