

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE

THURSDAY 12TH FEBRUARY 2026, AT 6.00 P.M.

PRESENT: Councillors H. J. Jones (Chairman), M. Marshall (Vice-Chairman), A. Bailes, S. J. Baxter, J. Clarke, D. J. A. Forsythe, E. M. S. Gray, S. R. Peters, J. Robinson and J. D. Stanley

Officers: Mr. D. M. Birch, Mr. M. Howarth (Anthony Collins Solicitors), Mr. B. Simm, Worcestershire County Council, Highways, Development Management and Control Manager, Ms. J. Chambers, Ms. E. Cox, Mr. J. Pavey-Smith and Mrs P. Ross

59/25 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES**

There were no apologies for absence.

60/25 **DECLARATIONS OF INTEREST**

Councillor M. Marshall declared with regard to Agenda Item No.6 – Planning Application 7 Churchfields Road, Bromsgrove, Worcestershire, B61 8EB, in that he would be addressing the Committee for this item as Ward Councillor, under the Council’s Public Speaking Rules. After addressing the Committee as Ward Councillor, Councillor M. Marshall left the meeting room and took no part in the Committee’s consideration nor voting on this matter.

Councillor J. Robinson declared in relation to Agenda Item No.5 – Planning Application 24/00533/REM – Land to west Foxlydiate Land and Pumphouse Lane, Bromsgrove, in that he was employed by National Highways who were one of the consultees on this planning application. However, Councillor J. Robinson explained that he had been granted a Dispensation and therefore would remain on the Committee for the consideration of this item.

61/25 **MINUTES**

The minutes of the Planning Committee meetings held on 6th November 2025 and 4th December 2025, were received for Members’ consideration.

With regards to the minutes of the meeting held on 4th December 2025, Councillor M. Marshall asked for the following amendments: -

Page 25, Minute No. 57/25, after paragraph 5, insert:-

'Members responded that location was a material consideration in a decision to award PIP and referred to the landscape assessment that had already been undertaken which pointed to the unsuitability for residential development of this location.'

Page 26, Minute No. 57/25, after paragraph 7, insert:-

'Members responded that there was no Grey Belt classification under the current NPPF and the land remained Green Belt. The land could be considered Grey Belt if it did not make a strong contribution to Green Belt purposes and this was for Members to determine. After some deliberation officers agreed that this was a matter for determination by Members.'

RESOLVED that, subject to the amendments, as detailed in the preamble above that the minutes of the Planning Committee meetings held on 6th November 2025 and 4th December 2025, be approved as correct records.

62/25

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 Members prior to the meeting commencing, with a paper copy also made available to Members at the meeting.

Members indicated that they had had sufficient time to read the contents of the Committee Update and were happy to proceed.

63/25

24/00533/REM - RESERVED MATTERS APPLICATION FOR THE ERECTION OF 217 DWELLINGS TO INCLUDE DETAILS OF APPEARANCE AND LANDSCAPING, LAYOUT, INTERNAL ROADS AND SCALE OF DEVELOPMENT PURSUANT TO THE APPROVED HYBRID PLANNING PERMISSION (REF: 16/0263) AT LAND AT FOXLYDIATE LANE AND PUMPHOUSE LANE, WEBHEATH, REDDITCH ("FOXLYDIATE") LAND TO WEST FOXLYDIATE LANE AND PUMPHOUSE LANE, BROMSGROVE. ST. PHILIPS HOMES LTD

Further information was included in the Committee Update, with regard to amended plans being received in respect of the boundary with Longbarn and the proposed play area, as detailed on page 3 of the Committee Update.

A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

The Reserved matters application was for the erection of 217 dwellings to include details of appearance and landscaping, layout, internal roads and scale of development pursuant to the approved hybrid planning permission (Ref: 16/0263) at land at Foxlydiat Lane and Pumphouse Lane, Webheath, Redditch ("Foxlydiat").

The application related to the first phase of the development of the wider Foxlydiat site and comprised of approximately 10.03 hectares.

Officers presented the report and presentation slides, as detailed on pages 46 to 60 of the main agenda pack.

Officers referred to the Design Code, as detailed on page 43 of the main agenda pack and briefly explained that the site was identified as a part of the larger Monarch Green sub-area within the Foxlydiat site and largely reflected the Design and Access Statement submitted with the hybrid application.

Members' attention was drawn to 'Landscaping', as detailed on page 40 of the main agenda pack, which provided detailed information and explanations in respect of The Design Code and proposed boundary treatments within the different character areas.

It was noted that amendments had been submitted, in such, that brick walls were now included along the Avenue frontage. This was considered acceptable. Elsewhere external facing boundaries included walls with inset fence panels and internal boundaries timber fencing with hedgehog gaps.

The residents of Longbarn had expressed concern regarding the proposed boundary treatment along the boundary with their property and had requested that a wall be erected. Longbarn was a Non Designated Heritage Asset (NDHA). The landscaping proposals did not include a wall at this location. There was no planning requirement for a wall in this location. This was confirmed by the Council's Conservation Officer. The existing boundary treatment was hedgerow and fence. In this instance the developer was proposing additional hedge planting along the boundary. The species had been discussed with the Council's Tree Officer and had been amended to introduce trees which were compatible with the hard surfacing of the driveways/parking and had lighter canopy. The proposed landscaping was considered acceptable with regard to the boundary with Longbarn.

Officers further referred to the Urban Design (Place Services) comments, as detailed on page 32 of the main agenda pack and identified the two location where 2.5 storey dwellings would provide a termination to those vistas.

Some retaining structures were proposed in order to address changes in the levels across the site.

Officers highlighted that the residents of Longbarn on Birchfield Road had expressed concern at the proximity of proposed dwellings to the rear of that property. Longbarn and its neighbour The Byre were considered to be Non-Designated Heritage Assets (NDHA). The proposed dwellings would be set approximately 21.2m from the rear of Longbarn and a similar distance from The Byre, this was significantly more than the separation requirements of the High-Quality Design SPD (12.5m). The nearest proposed dwellings were also approximately 5m away from the shared boundary.

Members' attention was drawn to the 'Scale' information, as detailed on page 39 of the main agenda pack, which provided information on the scale of buildings.

With regard to the Internal Road Access, the proposed plans had been amended to reflect the details of the access approved under the hybrid planning permission. The layout acknowledged and provided a link to the cycle route to be provided through the protected trees onto Foxlydiat Lane. This route formed part of the detailed grant of planning permission and details would be addressed by Condition 17 of the hybrid.

The layout also included footpath links joining up to those on the approved layout for the former Foxlydiat Hotel site (19/00615/OUT) in order to ensure permeability between the sites. A footway was shown through an area of open space close to the site entrance onto Foxlydiat Lane and plots 52-55. This part of the site was subject to a noticeable change in levels. The Council's Urban Design Consultant had suggested a planning condition, requiring details be included and this was considered appropriate. Adequate off-street parking and cycle parking was proposed within the individual plots. The Highway Authority had been consulted with on the application and had raised no objections.

As detailed in the Committee Update, the position of the play area had been adjusted within the Village Green in order to provide two separate access points linked to the proposed footpath network. The proposed equipment now included the provision of a springer with a backrest and interactive boards which were useable from ground level. It was considered that these improved the range of play options to improve inclusivity. The amended plan would be captured in the list of approved plans suggested condition, as set out on page 44 of the main agenda pack. Prior to the Planning Committee meeting commencing, the Council's Leisure Services had agreed that they were happy with the amendments.

At the invitation of the Chairman, Mr. P. Frost, local resident addressed the Committee in objection to the application. Mr. J. Kirby, the Applicant's Planning Agent addressed the Committee in support of the application, and Councillor N. Rands, on behalf of Bentley Pauncefoot Parish Council, addressed the Committee in objection to the application.

Members then considered the application whereby officers had recommended that the Reserved Matters application be approved.

In response to questions from Committee Members with regard to the 1 metre retaining wall, officers explained that the responsibility of maintaining the retaining wall in potential residents gardens, was a conveyancing matter and not a planning matter.

Some Members referred to the following issues:-

- The exposed high voltage cable seen during their site visit. Would these still be in situ or placed underneath the ground?

Officers explained that the high voltage cables would be removed and / or buried with other cables once connected to the new sub-station to be provided on the site.

- Who would be responsible for the maintenance of the new play area? Would potential residents be expected to pay towards the cost of a maintenance company? Members were seeking reassurance that the new play area would not be neglected.

Officers explained that the Section 106 (s106) legal agreement offered the new play area to the Council or to a Management Company to maintain.

- Were officers confident that the applicant had done everything they could to prevent existing residents from being overlooked?

Officers stated the applicant had amended the boundary with Longbarn three times, in order to address the concerns raised. There would be additional hedge planting along the boundary, as detailed in the officers report. Officers were satisfied that the boundary had been discussed at great length and that the boundary was acceptable.

A brief discussion followed on the position and orientation of the proposed dwellings. Officers briefly explained that the orientation of the dwellings would provide an acceptable opportunity for solar benefit and that should the proposed dwellings all be completely south facing that this would be a very rigid pattern of development. It was important also to consider the overall quality and sense of place.

Officers further responded to questions on the affordable housing percentage being adhered to. Members were informed that the Section 106 (s106) legal agreement sets out that each phase must provide a minimum of 30% affordable housing and a maximum of 45%, with 40% affordable housing provision overall across the whole Foxlydiat site. The s106 legal agreement did not require that each phase provided the mix in the tenure table but across the development site as a whole. Therefore, the current proposal was considered to be in accordance with

the s106 legal agreement. The required affordable housing mix was detailed on page 42 of the main agenda pack.

Officers further responded to questions raised with regard to the footpaths being on an incline, the materials to be used and if handrails would be fitted.

Members were reassured that planning conditions would address these concerns, in order to ensure that there was a series of conditions and levels to navigate footpaths on any inclines.

The Worcestershire County Council's, Highways Officer further stated that footpaths adjacent to the highway (public roads) could be offered for adoption (highways maintainable) and that any footpaths along the highway would be subject to specific widths, construction and gradients being picked up under the Highways Act 1980.

During the debate and questions to officers, some Members questioned the Recommendations as detailed on pages 31 and 44 of the main agenda pack.

Some Members requested that the following be included in Recommendation C:-

'(c) That DELEGATED POWERS be granted to the Assistant Director for Planning, Leisure and Cultural Services, **following consultation with the Planning Committee Chairman and Vice-Chairman**, to agree the final scope and detailed wording and numbering of conditions as set out on page 44 of the main agenda pack.

The Council's Legal Advisor had stated, at the time that delegated powers was a matter for the Committee, and that it was within the Committee's gift to make such a request. However, it would normally be worded '**following consultation with the Planning Committee Chairman**'. The Planning Committee Vice-Chairman would only be consulted with should the Planning Committee Chairman not be available.

At this stage in the meeting officers highlighted that page 44 of the main agenda pack also needed to be amended to include lighting, as follows:-

Suggested Condition Topics

- List of approved plans
- Details of bin collection points
- Details of materiality, gradient/accessibility and handrails of path from plots 52-55 to site entrance at Foxlydiate Lane
- Visibility splays
- Dropped kerbs/tactile paving
- Provision of car parking/cycle parking
- Protection measures to prevent pedestrian ingress to ponds
- **Lighting**

Following clarification and confirmation from the Committee on the inclusion of the amendments, as detailed in the preamble above, and on being put to the vote, it was

RESOLVED that

- a) the Reserved Matters application be approved,
- b) delegated powers be granted to the Assistant Director for Planning, Leisure and Cultural Services to determine the application following the receipt of amended play area details and layout, and
- c) delegated powers be granted to the Assistant Director for Planning, Leisure and Cultural Services, following consultation with the Planning Committee Chairman, to agree the final scope and detailed wording and numbering of conditions as set out at the end of this report.

Suggested Condition Topics

- List of approved plans
- Details of bin collection points
- Details of materiality, gradient/accessibility and handrails of path from plots 52-55 to site entrance at Foxlydiate Lane
- Visibility splays
- Dropped kerbs/tactile paving
- Provision of car parking/cycle parking
- Protection measures to prevent pedestrian ingress to ponds
- Lighting

64/25

25/00803/FUL - PROPOSED DEMOLITION OF EXISTING BUILDINGS ON SITE AND DEVELOPMENT OF 3 NEW DWELLINGHOUSES. 7 CHURCHFIELDS ROAD, BROMSGROVE, WORCESTERSHIRE, B61 8EB. ELMSVYNE LTD

This Application had been brought to the Planning Committee for consideration at the request of Councillor M. Marshall, Ward Councillor.

At this stage in the meeting Councillor M. Marshall sat in the public gallery.

It was noted that there was no Committee Update for this item.

Officers presented the report and presentation slides, as detailed on pages 76 to 83 of the main agenda pack.

Members' attention was drawn to the objections received and the principal issues raised, as detailed on pages 62 and 63 of the main agenda pack.

Members were asked to note that Worcestershire County Council (WCC), Highways and the Council's Conservation Officer had raised no

objections to the application. A Construction Environment Management Plan (CEMP) had been submitted and accepted. A bat survey had also been submitted, and biodiversity net gain had been addressed.

The site was located at 7 Churchfields Road and measured approximately 0.053 hectares. The surrounding properties were residential. The site was bound by No.5 and No.9 Churchfields Road. The site was currently a pitched roof bungalow. There was a hardstanding driveway in the form of bricked paving, as well as a front garden and rear garden. The site was located within the residential area of Sidemoor, immediately adjacent to the west of Bromsgrove Town Centre.

The proposal for this planning application was for the demolition of the existing bungalow and the erection of 3 dwellings (3 x 2 bedroom), with associated external works and car parking. The three dwellings would form a terraced block. The size and measurements of the proposed 3 dwellings were detailed on page 65 of the main agenda pack.

With regard to the proposed garden area for the future occupiers of the development, the Council's High Quality Design SPD recommended a minimum garden area of 70 square metres for all dwellings and a minimum garden length of 10.5 metres for two storey dwellings.

At the invitation of the Chairman, Mr. S. Martin, on behalf of local residents addressed the Committee in objection to the application. Councillor M. Marshall, Ward Councillor, also addressed the Committee in objection to the application.

Having addressed the Committee, Councillor M. Marshall left the meeting room.

Members then considered the application which officers had recommended be granted.

Members raised a number of questions and concerns in respect of the following issues:-

- Car parking spacing - were the spaces 4.5 metres or less than 4.5 metres? Was there sufficient space for 4.5 metre car parking spaces once the dwellings have been built? The area was a very tight area.
- Visibility Splays – some Members had serious concerns about this and were of the opinion that the visibility splays had not been assessed with due diligence. There was a telegraph pole in situ which vehicles would have to reverse around.
- Look at housing needs, were bungalows in demand?

A deferment of the application was briefly referred to, in order to enable a robust assessment, with due diligence, to be carried out.

Some Members expressed their disappointment with the WCC, Highways Officer leaving the meeting prior to this application being presented.

Officers explained that WCC Highways attended Planning Committee meetings in a strategic role.

Officers further responded and in doing so, highlighted that WCC Highways had not raised any objections to the application. WCC Highways had assessed the application, and it met the required criteria. The car parking spaces would be the standard 4.5 metres, and all three dwellings would each have 2 designated parking spaces, therefore meeting the requirements of the Streetscape Design Guide. The Local Development Plan did look at smaller dwellings, however, the need for bungalows was determined by the market.

With the agreement of the Chairman, the Council's Legal Advisor drew Members' attention to Condition 6, as detailed on page 72 of the main agenda ack, which stated that:-

'The development hereby approved shall not be occupied until the access and parking facilities have been provided as shown on drawing 25-10-01.

Reason: To ensure conformity with submitted details.'

Some Members further reiterated that they had serious concerns about the visibility splays and the severe impact on the highway, referring again to the telegraph pole in situ and the area being tight for vehicles to manoeuvre safely.

A Recommendation to defer the application was proposed and seconded and on being put to the vote, it was

RESOLVED that the planning application be deferred pending further reconsideration by Worcestershire County Council, Highways.

65/25

25/00872/FUL - CONSTRUCTION OF NEW 3-BEDROOM DWELLING ON LAND ADJACENT TO 18 BROADFIELDS. MR. D. GUEST

This Application had been brought to the Planning Committee for consideration at the request of Councillor R. E. Lambert, Ward Councillor.

Further information was included in the Committee Update, with regard to the issue of Ancient Light Law and Highways issues, and the officers response to these, as detailed on pages 3 and 4 of the Committee Update.

A copy of the Committee Update was provided to Members and published on the Council's website prior to the commencement of the meeting.

Officers presented the report and presentation slides, as detailed on pages 94 to 100 of the main agenda pack.

The proposed development would provide a 3-bedroom dwelling. The dwelling would be attached to the existing dwelling, with two parking spaces to the rear of the property. The proposal included a garden shed for cycle storage.

The proposed site had a maximum of width of 9.2m and maximum length of 29.2m. Topographically the site sloped upwards from west to east. The majority of the site was laid to turf containing hedges and shrubs forming domestic landscaping to No 18. Currently, a 1.8m high fence formed the garden boundary to No 18 fronting Eton Walk.

The closest end gable of No. 9 Eton Walk was a flank wall with a bathroom window facing the application site. The window was not a habitable room and was approximately 10m from the proposed dwelling's rear elevation.

Members were asked to note that no objections had been received from Worcestershire County Council, Highways, North Worcestershire Water Management and Worcestershire Regulatory Services (Contaminated Land).

Objections had been received from Hagley Parish Council and 5 individuals, as detailed on page 85 and 86 of the main agenda pack.

At the invitation of the Chairman, Mrs. J. Valdez and Mrs. S. Parsons, who had submitted objections, addressed the Committee.

Members then considered the application which officers had recommended be granted.

In response to Members, officers clarified that there were constraints of the site, however, 2 car parking spaces could be achieved with these constraints. Officers further confirmed that the proposed dwelling would be a 3 bedroom dwelling.

On being put to the vote, it was

RESOLVED that planning permission be granted, subject to the Conditions as detailed on pages 90 to 92 of the main agenda pack.

The Development Management Manager presented the Planning Performance Report: Quarter Three (1st October 2025 – 31st December 2025) for Members' consideration.

In doing so it was highlighted that planning performance was based on a one-year rolling assessment period and measured the speed of decision making. The speed of decision making was highlighted on page 102 of the main agenda pack.

Officers explained that the speed of decision-making for major applications over the rolling one-year period was 93.8% and 89% for non-major applications over the rolling one-year period. The Government required a minimum of 60% of major applications and 70% of non-major applications to be determined in time, or within an agreed extension of time.

In terms of the quality of the decision making, no Local Planning Authority should exceed 10% of decisions being overturned at appeal. Members were asked to note that the data detailed within the report was intentionally nine months behind the date of publication to allow a time lag for appeals in the pipeline to be determined.

The Council's speed of quality of decision making (January 2023 – December 2024) was highlighted on page 103 of the main agenda pack. This was 6.2% for major planning applications and 2.4% for non-major applications. As such the quality of decision making at Bromsgrove District Council was deemed sound.

In response to questions from Members with regard to the potential for an increase in major applications coming through and officer capacity, the Development Management Manager stated that the team were currently ok but were seeing an increase in major applications and that if needed additional resources could be arranged. There was currently no concern.

RESOLVED that the Planning Performance Report: Quarter Three be noted.

67/25

TO CONSIDER ANY URGENT BUSINESS, DETAILS OF WHICH HAVE BEEN NOTIFIED TO THE ASSISTANT DIRECTOR OF LEGAL, DEMOCRATIC AND PROCUREMENT SERVICES PRIOR TO THE COMMENCEMENT OF THE MEETING AND WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, CONSIDERS TO BE OF SO URGENT A NATURE THAT IT CANNOT WAIT UNTIL THE NEXT MEETING.

There was no Urgent Business on this occasion.

The meeting closed at 7.35 p.m.

Chairman