

## **DRAFT Minutes of the meeting of Dodford with Grafton Planning Committee held on 12 March 2024 at 7.30pm in Dodford Village Hall, Priory Road**

**Present:** Cllrs Scott Fuller, Lynne Griffin, Rachel Jennings (Chair), Rory Lydon (Vice Chairman), Jenni Schuett and Jonathan Shapiro

In attendance – Clerk Kay Stone plus 13 members of the public

### **1. Apologies for absence**

Cllr Scottie Sanderson

### **2. Declarations of interest**

- i. None
- ii. None

The meeting was adjourned to allow members of the public attending the meeting to raise matters of interest.

Concern was raised over the silting of the brook downstream from Sumach and proof was requested that the imported soil is clean and certified. Residents added their general concerns over the retrospective planning application and the Chair assured them their concerns will be taken into account when the Parish Council consider their response to Bromsgrove District Council (BDC) later in the meeting.

There were no other items raised and the meeting continued as follows:

### **3. To consider planning application consultation:**

- i. **22/01431/FUL – Sumach, Priory Road** – Importation of material to re profile and level land (retrospective)

The specific comments are listed below, but the summary of the Parish Council's response is that over the past three years, they have raised issues at every stage of the entire Sumach development, which have been dismissed or ignored, and that all the potential negative outcomes they raised have come to pass. Whether the issues concerned conservation (in terms of landscape, hedges, or woodland), the dumping of waste material, or water quality, there have been nothing but deleterious effects in the entire development. More specifically:

1. There is a discrepancy between the first application form dated 3 November 2022 for 'Retrospective application to seek approval for the importation of clean certified ground to re-profile and level garden area' and the consultation notice on the Bromsgrove District Council (BDC) planning web site dated 4 March 2024 which now reads 'Importation of material to re profile and level land (retrospective)'. The 'clean certified ground' has been replaced by the single word 'material', and 'garden' is now merely 'land'.

2. The application form states that the work started on 7 August 2022, but the work on the importation of soil was reported to BDC by the Parish Council on 15 May 2022. In fact, the Parish Council understands that officers from BDC itself visited the site even earlier, on 29 April 2022 whilst the land was being levelled.

3. The Environmental Plan of 18 May 2023 is now completely out of date, as so much more material has been (and continues to be) deposited. Local residents believe that upwards of 200,000 tons have been deposited, a rough estimate based on the number of lorries each week that have been seen arriving at the site full and leaving empty. The Parish Council asks to see documentary evidence that, in every load that has been delivered, the imported soil is as claimed in the original application, ie 'clean and certified'.

4. The Parish Council is concerned that as a result of the enormous amount of extra material that has been dumped at the site, there is a significant amount of silt coming through the stream up to a mile away downstream of the property. The Parish Council notes

that North Worcestershire Water Management (NWWM) have been reconsulted on 4 March as has the Council's Conservation Officer; the Council would ask to see their revised responses.

5. The Conservation Officer's comments concerning the Sumach development on the BDC website have no chronological order and are confusing. For example, a report dated 26 July 2023 states 'I have no objection to the proposed landscaping plan' whilst less than a month later, on 9 August 2023 a further comment states that 'as the proposals fail to comply with the requirements of the 1990 Act, the Historic Environment Policies in the Bromsgrove District Plan and the NPPF, it is recommended that the application in its current state is refused.' It is therefore unclear as to which comment is being considered by the District Council.

6. Moreover, as can be seen in the 'Google Earth' screen shots attached to this document, it appears that the whole notion of 'conservation' has been totally ignored. These show the natural state of the site at various times over the past 25 years, and it is quite clear that what was a verdant, flourishing wood is now no more than a bare, barren building site. The photographs were taken respectively in 1999, 2005, 2020, 2021, and 2023. (Photos available in applications folder)

7. The Amended Topographical Survey (February 2024) intended to show how the site might be restored is completely unhelpful (and indeed, incredibly basic) as it does not show where new trees are to be replanted apart from a few token representations to the rear of the property. Moreover, the Topographical Survey Plan appears to ignore the radically changed topography of the site, which has risen by upwards of seven meters (i.e. higher than a two storey house) an increase that has created a precipitous drop from the plot to the stream below, and the complete obviation of the valley that had previously existed there. The Parish Council would ask whether the Landscaping Plan (May 2023) being considered by the planning officers includes these changes, many of which have arisen in the past twelve months? Please see following, the photographic evidence of how high this land has risen. (Photos available in applications folder)

8. Further evidence that the land at Sumach is now considerably higher than neighbouring land may be shown by the fact that that National Grid have had to replace several electricity poles as contractors importing and levelling the land have brought down power lines (and actually caused power cuts in the village).

The Parish Council fully endorses the comments on the planning portal from resident Simon Norton and so will not repeat his comments here. However, the Parish Council would further like to point out a number of significant errors and inaccuracies on the application form:

9. In question 6 on the application form for Pedestrian and Vehicle Access, Roads, and Right of Way, all the responses have been marked as 'no', which is incorrect. A new vehicle access was reported to BDC on 12 April 2022, as well as the fact that a number of trees were being taken down and hedges pulled out. A third vehicle access, again entailing the removal of hedges, was reported to BDC on 10 February 2023.

10. Question 13 has been answered 'no' for a), b) and c). The Parish Council would challenge this and ask that a diversity and geological survey be carried out as there are known to be bats at a neighbouring property and at a property opposite the site. In addition, as there is a stream on the property, the presence of Great Crested Newts should also be considered.

11. Question 14 states that the current use of the site is 'garden curtilage and surrounding land to Sumach'. There is no mention of the fact that the land has included an orchard; the Parish Council is not aware of any application to change agricultural land into garden curtilage.

12. Question 15 has been answered 'no' about trees and hedges on the proposed site or land adjacent to the site. The removal of the trees and hedges was reported to BDC on 12 April 2021. The Google Earth screen shots mentioned earlier also show this, with shots taken before (21 April 2020), during (31 March 2021) and after (6 March 2023) the clearance of the site.

- ii. **24/00240/CUPRIO – Crowfields Farm, Fockbury Road** – Proposed change of use of an agricultural building to one dwellinghouse (Class C3) and associated operation development

The Parish Council would question 5.1 in the Planning Statement regarding nesting birds, bats, and the possibility of Great Crested Newts in the nearby pond. The Parish Council would appreciate sight of an Ecological and Bat Survey and would request that footpath 544 is redirected during building works if permission is granted.

**4. To consider planning appeal consultations received - None.**

**5. To note any planning decisions and appeal decisions received - None**

**6. Enforcement/Environmental issues - None**

**7. Any other planning issues**

- i. A resident has reported building work undertaken at the front of Bournham in Woodland Road and the Clerk was instructed to notify BDC.
- ii. A discussion took place regarding the inaction of BDC over Sumach and the Clerk was asked to draft a letter to the Head of BDC, copying in Sajid Javid MP, Head of Planning and Leader of BDC.
- iii. The Clerk to contact District Councillor Kit Taylor and bring to his attention that it would appear he has not been consulted on the above retrospective application and ask him to write again to BDC planning reiterating his concerns.
- iv. The Clerk was instructed to contact the Environment Agency following their response on 30 March 2023 to request sight of delivery invoices under Freedom of Information Act (FOI) as there has been more soil delivered since then.
- v. The Clerk was instructed to ask National Grid if they have any before and after photos when the poles were replaced.

The meeting closed at 9.00 pm.

Signed..... Chair