

Update Reports



Planning Committee

Thu 13 Feb
2025
7.00 pm

Oakenshaw Community
Centre, Castleditch Lane



If you have any queries on this Agenda please contact

**Gavin Day
Democratic Services Officer**

Town Hall, Walter Stranz Square, Redditch, B98 8AH

Tel: (01527) 64252 (Ext. 3304)

e.mail: gavin.day@bromsgroveandredditch.gov.uk

Planning

Thursday, 13th February, 2025

7.00 pm

Oakenshaw Community Centre

Agenda

Membership:

Cllrs:

Andrew Fry (Chair)

William Boyd (Vice-Chair)

Juma Begum

Brandon Clayton

Claire Davies

Bill Hartnett

Sid Khan

David Munro

Jen Snape

4. Update Reports (Pages 5 - 22)

To note Update Reports (if any) for the Planning Applications to be considered at the meeting (circulated prior to the commencement of the meeting)

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**Redditch Borough Council
Planning Committee**

**Committee Updates
13th February 2025**

23/01388/FUL 131 - 135 Birchfield Road, Redditch

Applicant Response to Headless Cross Residents Group submission of 5th December 2024

The following comments are provided in response to the Headless Cross Resident's Group Submission in addition to the Technical Note provided by Bancroft Consulting submitted in December.

Survey Methodology - the operation of any T-junction comprises a balance of traffic turning to and from the minor arm versus the level of flow using the major arm and the gaps provided for turning vehicles. Notwithstanding the fact that December is not considered to be a neutral month, the surveys are incomplete as they appear only to consider vehicles turning to and from Feckenham Road. As such we consider no reasonable conclusions can be drawn from the incomplete source.

Queuing - on-street parking is an amenity for public use. Nevertheless, our assessment demonstrates how sufficient parking would be provided on-site for typical usage and that overspill parking would be controlled by the presence of double yellow lines parking restrictions around the junction. It is unclear from the report exactly where the survey was carried out and hence the significance of the data provided, we therefore consider that the report submitted by residents is incomplete and data cannot be relied upon.

Impact - As explained the most Technical Note submitted in December, the Birchfield Road/Feckenham Road junction is an off-site junction that (as agreed with the Highway Authority) would not experience a significant change in traffic conditions from the development proposals. Accordingly, it would not be fair and reasonable for the developer to explore any perceived existing issues any further.

Overall, we consider that the survey material is fundamentally defective and cannot be relied upon for the reasons outlined above and information/assessment contained within the Technical Note.

Query from the Applicant

The agent has sought clarification of the Highway Authority comments on Page 20 of the report (First Bullet Point) and Page 23 of the report ('Update' - First Bullet Point) - these also appeared in the main report and update report of 5th December.

These incorrectly stated that: "Deliveries to the store will not be carried during the AM & PM peaks or during the beginning and end of school hours."

Clarification from Highway Authority

Clarification has been received from the Highway Authority to statements it has made that appear on the Page 20 of the report (First Bullet Point) and Page 23 of the report ('Update' - First Bullet Point) - these also appeared in the main report and update report of 5th December.

1. Highways would like to withdraw the comment "Deliveries to the store will not be carried out during the AM & PM peaks or during the beginning and end of school hrs" since it is agreed

there may be daily deliveries as required (not HGV'S), with fresh produce deliveries needed every day to maintain supply during the AM and PM peaks or during the beginning and end of school hours, there is no Highways concern with these type of deliveries.

The Management Service Plan states:

No deliveries by HGV (including 10.35m rigid vehicle) shall be made outside the hours of 08:00 and 20:00 Monday to Sunday (including Bank Holidays).

We have been provided an operational management plan / service management plan and the above is agreed within these plans. A condition is recommended:

The development hereby permitted shall be operated in accordance with the agreed Service Management Plan Doc Ref Servicing Management Plan Rev C.

2. The data submitted by the "Headless Cross Resident's Group" [5th December 2024] was considered in detail and a response was submitted by the Highway Authority and reported in the Update report 5th December which did not raise any highway concerns. I have also responded to the points highlighted by the applicants agent below:

Survey Methodology - the operation of any T-junction comprises a balance of traffic turning to and from the minor arm versus the level of flow using the major arm and the gaps provided for turning vehicles. Notwithstanding the fact that December is not considered to be a neutral month, the surveys are incomplete as they appear only to consider vehicles turning to and from Feckenham Road. As such we consider no reasonable conclusions can be drawn from the incomplete source. **Highways agree with this statement and also that no reasonable conclusions can be drawn from the data submitted by the Headless Cross residents' group.**

Queuing - on-street parking is an amenity for public use. Nevertheless, our assessment demonstrates how sufficient parking would be provided on-site for typical usage and that overspill parking would be controlled by the presence of double yellow lines parking restrictions around the junction. It is unclear from the report exactly where the survey was carried out and hence the significance of the data provided, we therefore consider that the report submitted by residents is incomplete and data cannot be relied upon. **Car parking has been provided in accordance with WCC Car Parking Standards and parking restrictions are in force in the vicinity. Should parking occur on street in dangerous locations or on double yellow lines then this would be a matter for the police.**

Impact - As explained the most Technical Note submitted in December, the Birchfield Road/Feckenham Road junction is an off-site junction that (as agreed with the Highway Authority) would not experience a significant change in traffic conditions from the development proposals. Accordingly, it would not be fair and reasonable for the developer to explore any perceived existing issues any further. **The detailed trip calculations included by the applicant with this application concluded the proposed development would not generate a material change in traffic conditions at this junction, highways are of the same opinion and that no further assessments are required.**

Extract below from "Technical Note 2 Response to deferral" provides the justification that the impact of the proposed development would not be severe, taking into account all reasonable future scenarios and that the proposed development would not generate a material change in traffic conditions at this junction.

"2.5 The detailed calculations undertaken within the Transport Statement, and subsequently

agreed with the Highway Authority, have confirmed (using industry standard software) that the proposed development would only generate up to **8 new peak hour movements (arrivals and departures) via the Birchfield Road/Feckenham Road junction**. As set out within the Transport Statement, the NPPF "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, following mitigation, would be severe, taking into account all reasonable future scenarios" [Paragraph 116 of the NPPF, December 2024]. Accordingly, the scope of off-site impact assessment must be related to this requirement and in general terms a threshold of 30 or more two-way movements is used to define the extent of any study area for detailed consideration. Hence, in line with published policy guidance and agreed with the Highway Authority, it is reasonable to conclude that the proposed development would not generate a material change in traffic conditions at this junction and no further assessment is required. For this reason, no specific survey of peak hour turning movements was undertaken at the Birchfield Road/Feckenham Road T-junction, neither should it be required as part of any further consideration of this planning application".

There has been a further submission on behalf of residents as detailed below

Residents Submission for Planning Committee, Feckenham Road Development dated 12 Feb 2025

Introduction

We note the Developers report submitted for the consideration of the committee. We have the following comments as a residents group.

Material Considerations remain unaddressed

A report was posted in the online documents of the planning portal on 29 May 2024. It recommended rejection of this proposal on much the same grounds as the residents raised at the last meeting. We believe that this first report is correct and that despite there being a pledge of a contribution to a pedestrian crossing these concerns remain unaddressed.

Speed Survey - does not address congestion.

The Developers submission makes much of the speed survey on Birchfield Road. Our original objections to this development was on grounds of congestion rather than speed. This will be considerably worsened by the development of a convenience store on that site. Congestion and poor parking is still a real concern. See annex A

Zebra crossing

As has been stated above the first paper from the 24th May recommended this planning application be rejected.

The subsequent second paper recommending approval seems to be largely based on the developers submission that they will contribute to a Zebra crossing on this site. However the current timescale for the County Council to install any kind of crossing is roughly a decade. Moreover, Independent research shows that the commercial price for a Pelican crossing is roughly £170,000. A simple separate crossing costs roughly £60,000.

At best this application provides half the money to make the road safe and will take a decade to deliver. We maintain that until this crossing is in place it cannot be argued that the material considerations in the first report have been addressed.

Put simply the time scales involved nullify the reasons for approval of this application because the material circumstances remain dangerous

Proximity of a junction.

One of the reasons for refusal of the first application was the proximity of the access to the junction on Birchfield Road road, This was not addressed in the second report and the issue remains outstanding. Guidance says that the distance between the Feckenham Road exit and the junction should be 24 meters. The distance between the exit to the new store and the junction is clearly less than this.

The Highways report dated 24 Sept 2024 raises no objections on these grounds. Considering this matter has not been addressed and was a matter of material consideration in the previous report should it not be clarified before planning permission is granted?

Site Visit

It is stated in the applicants submission site visits to the area took place. These were in order to confirm the data they submitted in their report. We have no evidence of these site visits nor any evidence of the data that they collected. Given the ambiguity in the existing data we submit that the only way to resolve this would be by a second site visit by the planning committee to the area due regard period of peak flow traffic.

Peak hour queuing

In the applicant survey they state that there is no evidence of peak hour queuing at the junction between December 2024 and now. We would refer them to annex a of this report. Here we can demonstrate both road obstruction and traffic queuing over that period. The data we have collected is from residents living on the junction and clearly demonstrates a pattern of congestion, poor parking, poor enforcement of traffic regulations and the ongoing danger to pedestrians and motorists alike. This is already a busy junction with poor parking measures that are not adequately enforced. (Annex A) The store would make this worse not better.

Consultation

The Developer says that there was robust consultation - if so this was certainly not with residents. The only consultation we have seen was facilitated by local councillors in an attempt to gauge the strength of public. The result of which was, and remains firmly against the development.

Survey timings

The developer objected to the timing of our survey. We would point out turning counts taken by the applicant were also in months not deemed favourable. MHCLG guidance "recommended" months include April May June September and October - August is not one of these , so if residents survey data is ineligible so is that of the developer.

Accordingly we would urge the committee to consider a new data survey on this junction in a month agreed by both the residents and the applicant to determine the genuine nature of traffic flow on the site.

On Street parking obstruction

As can be seen from Annex A of this report there are regular traffic violations already taking place on the junction. Both directly across from the proposed site and on Feckenham Rd.

Is evident from the photographs we have obtained on multiple occasions that this problem exists and any increased footfall to the existing facility will make these issues worse.

Freedom of Information request submitted by residents show that there have been regular but largely insufficient prosecutions of individuals parked on double yellow lines in the area. The ongoing capacity issue with traffic wardens that the council has had for some time makes any change in the rate of prosecution unlikely. This issue is likely to go on addressed. Again until this situation is mitigated we believe the original considerations in the first report remain in place.

In summary

1. The Congestion and other material considerations raised in the first report remain. This will continue to be the case until traffic calming is addressed effectively. This could take as much as a decade and cost five and a half times more than the contribution secured from developers.
2. Zebra Crossing this will not be built until 2035 at the earliest. Accordingly until these are addressed this application should be postponed.
3. The developers report suggests that there was no evidence of queuing provided. Accordingly please see. (See appendix A for Photographic evidence)
4. We request a formal site visit by the planning committee to the site at a time mutually agreed between the developer and the residents so that committee members can assess the scale of the problem for themselves and make a more informed decision.
5. Finally that until these concerns are addressed we request that this planning permission be deferred for further consideration at a time when these matters have been considered more fully.

The Highways Authority has responded the residents submission as below

Highway Authority Response to Residents Submission for Planning Committee**Speed Survey - does not address congestion:**

- o The detailed trip calculations included by the applicant with this application concluded the proposed development would not generate a material change in traffic conditions at this junction, highways are of the same opinion and that no further assessments were requested.
- o The traffic to be generated by the proposed development will not have a severe impact on the highway, since as highlighted by the calculations 70% of the trips will be pass-by trips which are already located on the highway network.
- o It should be noted should this application be refused the applicant has a fall-back position since both sites fall under the "E" user class. The vehicular trips calculated would also apply to the current proposal - existing site to be converted into a convenience store without any changes.
- o Should parking occur on street in dangerous locations or on double yellow lines then this would be a matter for the police

Zebra crossing

- o The timescales involved for a Toucan crossing being installed would depend on the findings of an initial assessments which would be carried out by WCC.
- o Highways are content that safe and suitable access to the site can be achieved at present and do not believe we could substantiate a refusal on highway grounds, and it would be a challenge for highways to argue that the development should be refused if the crossing was not installed.
- o It is agreed as highlighted in tables 10 and 11 of the applicants report there will be an increase in the number of pedestrians and cyclists due to the proposed development, however; the increase in pedestrian and cyclist numbers are not high enough to warrant the applicant paying the full contributions for the installation of Toucan crossing should it be deemed necessary by the feasibility studies. The applicant has agreed to a contribution of £30K via Unilateral Undertaking and we can confirm this is

acceptable and not an unreasonable ask in this situation. It is difficult to fully estimate the costs as we can't fully understand the implications of possible utility relocation etc.

Proximity of a junction.

o A road Safety Audit has been carried by the applicant and verified by WCC which raised no highway concerns with the location of the proposed development, vehicular access or the proximity T-junction. In accordance with WCC Streetscape Design Guide 20m is minimum distance recommended, and the location of this vehicular access is in accordance with the design Guide.

Site Visit

o Applicant to confirm dates of site visit and data collected. [see Transport Statement]

Peak hour queuing

o It should be noted should this application be refused the applicant has a fallback position since both sites fall under the "E" user class. The vehicular trips calculated would also apply to the current proposal - existing site to be converted into a convenience store without any changes.

o Should parking occur on street in dangerous locations or on double yellow lines then this would be a matter for the police.

o The detailed trip calculations included by the applicant with this application concluded the proposed development would not generate a material change in traffic conditions at this junction, highways are of the same opinion and that no further assessments were requested. The traffic to be generated by the proposed development will not have a severe impact on the highway, since as highlighted by the calculations 70% of the trips will be pass-by trips which are already located on the highway network.

Survey timings

o A speed survey was conducted in August since August is an acceptable month to conduct a speed survey outside peak hours since free-flowing traffic conditions provide the best results due to less vehicles being on the road.

On Street parking obstruction

o Should parking occur on street in dangerous locations or on double yellow lines then this would be a matter for the police.

Highways Summary

o The impact of the proposed development would not be severe, taking into account all reasonable future scenarios and that the proposed development would not generate a material change in traffic conditions at this junction.

o Highways are content that safe and suitable access to the site can be achieved at present and do not believe we could substantiate a refusal on highway grounds,

and it would be a challenge for highways to argue that the development should be refused if the crossing was not installed.

o Should this application be refused the applicant has a fall-back position since both sites fall under the "E" user class. The vehicular trips calculated would also apply to the current proposal - existing site to be converted into a convenience store without any changes.

o The traffic to be generated by the proposed development will not have a severe impact on the highway, since as highlighted by the calculation 70% of the trips will be pass-by trips which are already located on the highway network.

o The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted the Highway Authority concludes that there would not be an unacceptable impact and therefore there are no justifiable grounds on which an objection could be maintained.

TRICS

o TRICS is an industry accepted tool that is used nationally. It contains a database of thousands of surveys of past commercial & residential sites, which can be used to predict the traffic associated with new sites that match or have similar criteria.

o It is a recognised software package used by many transport consultants and highways authorities.

Severe impact

o Every site is assessed on its own individual merits. In terms of our conclusion that the proposals do not have a severe impact on the local highway network, we conclude in our highways response that trip generation is low, there is sufficient car parking being provided and this is in accordance with standards. The site is also positioned within a sustainable location, with good access to public transport. The scale of the development is not believed to have a detrimental impact on the capacity of the highway network, nor on its safety. As such, we have reached the conclusion set out in our highway's recommendation.

The applicant has also responded to the residents submission as below

Applicant Response to Residents Submission for Planning Committee

Material Considerations remain unaddressed

The details raised in this submission were addressed extensively in the Technical Note 1 document, which has been agreed with the Highway Authority. Continued objection to the development on these grounds must be addressed by a specific technical response, which has not been provided despite the significant amount of time since Technical Note 1 was submitted (report dated July 2024).

Speed Survey - does not address congestion

To give these photographs any proper consideration they must be date and time stamped. We saw no such evidence of this queuing during the site visit and I would again stress that the applicant is not required to solve any existing issues. As agreed with the Highway Authority the

proposed development would not generate a significant change in traffic conditions beyond the access so, in line with published policy guidance, it is not reasonable to maintain any objection on the grounds of this vague and incomplete evidence.

Zebra crossing

It was agreed that the proposed development does not solely trigger the need for a new pedestrian crossing but that a proportional contribution towards future delivery of any scheme would be an appropriate way forward that satisfies policy guidance. The Highway Authority advised that a scheme is being developed but could not make the details available at this time. They advised the required amount and this was agreed by the applicant, to be secured by condition/obligation in line with the standard process for this matter.

Proximity of a junction

The position of the junction is addressed within Technical Note 1 and has been addressed by way of an independent Road Safety Audit. The proposed layout has been agreed with the highway authority and no reasonable technical grounds exist to change this position.

Site Visit

Our involvement on this project has been undertaken in line with industry best practice and the details of our assessment agreed with the highway authority following rigorous scrutiny. The details of our site visit were fully disclosed unlike the details presented in objection

Peak hour queuing

See above response

Consultation

The consultation process has been undertaken in line with standard requirements. Policy guidance requires that the assessment of highways and transport matters are dealt with carefully under strict guidelines for design and interpretation. Technical Note 1 provided a detailed and robust response to the previous matters raised by the Residents and no further details were provided by them until the eleventh hour of the application.

Survey timings

This is an incorrect interpretation of the guidance. The advice relates to turning counts and not speed surveys, which is all that was required of the submission data.

On Street parking obstruction

As stated above, it is not the responsibility of the applicant to resolve illegal parking or other activities in the vicinity of the site.

Planning Assessment

As set out above, the applicant has provided a response to the Headless Cross Residents Group submission that was reported in the update report submitted to Planning Committee on 5th December.

The applicant also sought clarification of a statement from the highway comments reported to the Planning Meeting on from that 5th December that incorrectly stated there would be no deliveries during peak hours. The Highway Authority accepts this was incorrect and has withdrawn that statement. It has also confirmed that there are no highway objections to the proposed delivery arrangements. These are set out in the submitted Service Management Plan which states that :

No deliveries by HGV (including 10.35m rigid vehicle) shall be made outside the hours of 08:00 and 20:00 Monday to Sunday (including Bank Holidays). Your officers recommend that this be conditioned and is stated in full in the list of proposed conditions at the end of the report. The applicant has confirmed agreement to the condition.

As set out above the Headless Cross Residents Group has submitted further comments on 12th February with regard to highway matters. The Applicant and the Highway Authority have separately provided a response to these comments. The responses are included above.

Material Considerations remain unaddressed - It is correct that the initial comments made by the Highway Authority recommended refusal. During the course of a planning application Members will be aware that there is a requirement for a positive and pro-active approach to be taken. In this instance, the applicant provided additional information to which the Highway Authority submitted revised comments and confirmed the proposal is acceptable and there are no highway objections.

Speed Survey - does not address congestion - the trip calculations demonstrate that there will be no material change in traffic conditions at the junction. This has been confirmed by the Highway Authority. It is not reasonable or appropriate to require an applicant to resolve any pre-existing concerns regarding congestion. The Highway Authority has confirmed that there would be no severe impact as a result of a convenience store at this site. Members are reminded that the use class of the site is Use Class E. A convenience store is a Class E use. Thus, the site can be used as a convenience store currently i.e. without the need for any planning permission at all.

Zebra crossing - the change in the Highway recommendation was not solely based on a contribution towards a crossing facilities as evident in the Highway consultation responses. The highway data submitted and reviewed by the Highway Authority has confirmed that there is no requirement for the provision of a crossing facility prior to the grant of planning permission or the opening of the convenience store. The additional trips generated as explained in the main report generate 8 new peak hour movements (arrivals and departures). This would not have a severe impact and the Highway Authority has confirmed there is no safety concern, Your officers concur with the Highway comments. Members are reminded that the site can operate as a convenience store without the need for a planning permission and the additional trips would also be associated with any such re-use of the site.

Proximity of a junction - the first Technical Note submitted by the applicant explains the spacing of the junction. This is based on the Worcestershire Country Council Streetscape Design Guide. A Road Safety Audit was undertaken and submitted as supporting information with the application. The Road Safety Audit was verified by the Highway Authority. The HA has confirmed that there is no highway concern with the proposed development , vehicular access or the proximity of the T junction. The location of the access is in accordance with the Design Guide.

Site Visit - the Road Safety Audit includes information on when the site visit took place: Audit Team Members examined the site together in daylight hours on the morning of Friday 29th September 2023 between the hours of 0900 and 1000hrs. There is no ambiguity in the data submitted.

Peak hour queuing - The detailed trip calculations included by the applicant with this application concluded the proposed development would not generate a material change in traffic conditions at this junction, highways are of the same opinion and that no further assessments were requested. The data regarding trips generated submitted with the application uses TRICS data TRICS is an industry accepted tool that is used nationally. It contains a database of thousands of surveys of past commercial & residential sites, which can be used to predict the traffic associated with new sites that match or have similar criteria. This data is used in assessing highway matters relating to planning developments. The technical assessment has shown that there is no highway concerns. Your officers agree with the highway conclusion.

Survey timings - Members should be aware that it is a SPEED survey that was undertaken during the month of August. The trips data used is TRICS data which is the accepted method of calculating trips and is considered the appropriate data to be used in assessing this application.

On Street parking obstruction - Any pre-existing parking concerns, any illegal or dangerous parking would be a matter for the police.

CONCLUSION:

The highway matters have been thoroughly assessed by both the Highway Authority and your officers. The further comments submitted by the Headless Cross Residents Group have also been thoroughly assessed. However, the concerns by the Group do not justify a refusal of planning permission. The site can be used as a convenience store under the current use class (Use Class E) i.e. without the need for any planning permission. The highway assessment shows that there are no highway concerns. There are no highways reasons for refusal that can be substantiated to justify a refusal.

To conclude the proposal is considered acceptable with regard to planning policy and material planning considerations. The recommendation remains the same as the main report and seeks delegated authority to determine.

RECOMMENDATION:

That having regard to the development plan and to all other material considerations, authority be DELEGATED to the Assistant Director for Planning, Leisure and Culture Services to GRANT planning permission subject to:

a) The satisfactory completion of a S106 planning obligation (unilateral undertaking) ensuring a £30,000 financial contribution towards the provision of a signalised toucan crossing located on Birchfield Road in the vicinity of the proposed development:

And

b) And that DELEGATED POWERS be granted to the Assistant Director for Planning, Leisure and Culture Services to agree the final scope and detailed wording and numbering of conditions and informatives as summarised below:

- Timing
- Materials
- Landscaping details/implementation/maintenance
- Security related measures (cash point / rear access)
- No deliveries by HGV (including 10.35m rigid vehicle) shall be made outside the hours of 08:00 and 20:00 Monday to Sunday (including Bank Holidays).
- Acoustic screening
- Travel Plan Statement using Modeshift STARS Business

- Pedestrian visibility splays
- Vehicular access
- Cycle parking
- Provision of access, parking, turning facilities
- Vehicular visibility splays
- Existing access closure
- Construction Environmental Management Plan
- Demolition & Construction Phase Nuisance Management Plan
- External Lighting
- Surface water drainage
- Bird/bat boxes

24/01242/S106A 2 Grove Street, Redditch

Public Consultation

A representation has been received from the Palace Theatre Manager following publication of the committee report / agenda papers, raising concerns which are summarised as follows:

Whilst we fully appreciate the fact that the unit has been empty for some time and supporting future development is key to progress and keeping the town alive, the proposals would be damaging to the Palace Theatre if these spaces were removed as we rely on these spaces for blue badge holders to park there and for our volunteers to use in the evenings when they are on duty. The support we receive from volunteers enables us to provide the services we do and keep this historic building open for community.

The land at the side of the palace is not the Palace Theatre's and belongs to a commercial company that we have legal access rights across, giving enough space to load shows in and out of the building which then in turn means we have no disabled spaces or for our volunteers.

Would it be possible for a smaller number of spaces to be provided for disabled persons and volunteers? If the existing car park were to be increased in the future, our patrons would be open to the idea of paying to park there which would mutually benefit both ourselves and any future occupier of the site.

Officer comments

Notwithstanding the comments received, as set out within the main report, to re-iterate, the National Planning Policy Framework, December 2024, at Paragraph 58 comments that Planning obligations must only be sought where they meet all of the following tests (set out in Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010):

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

Your officers agree with the applicant's assertions that the parking obligations which currently allow staff and patrons of the Palace Theatre to use the sites car park do not meet the necessary tests set out above and that it is not for this particular car park to provide spaces for another property to make this development acceptable in planning terms.

There are a number of alternative 24-hour car parks available within the town centre many of which are within walking distance of the Palace Theatre and your officers consider that the

removal of the restrictions placed on the current or future owner of the site may mean that the currently vacant building would be more attractive to potential occupiers enhancing the vitality and viability of this part of the town centre.

In light of the above, your officers consider that there would be no justifiable planning grounds to refuse the applicants request.

If a future owner / occupier of the site were to be open to mutually agreeable arrangement with the Palace Theatre with respect to parking, this would be a private matter between both parties. Members will be aware that they must determine any application as submitted which comes before them, which in this case proposes to remove the parking obligations in their entirety, not in part (with a reduced number of disabled/ volunteer spaces for example).

The recommendation remains that the request for the removal of the Section 106 agreement attached to 2004/066/FUL be granted

24/01338/FUL Land At, Church Green East

No update Information

ANNEX A

Congestion Evidence – Poor Parking January to February 2025.







Queueing is a daily occurrence at the junction. Below is an example of a typical January morning during term time





