

Planning Committee

Wed 15th June
2011
7pm

Council Chamber
Town Hall
Redditch



www.redditchbc.gov.uk

Access to Information - Your Rights

The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

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- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, most items of business before the Executive Committee are Key Decisions.
- Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:

www.redditchbc.gov.uk

If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact the following:

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REDDITCH BOROUGH COUNCIL **PLANNING COMMITTEE**



GUIDANCE ON PUBLIC **SPEAKING**

The process approved by the Council for public speaking at meetings of the Planning Committee is (subject to the discretion and control of the Chair) as follows:

in accordance with the running order detailed in this agenda (Applications for Planning Permission item) and updated by the separate Update report:

- 1) Introduction of application by Chair
- 2) Officer presentation of the report (as originally printed; updated in the later Update Report; and updated orally by the Planning Officers at the meeting).
- 3) Public Speaking - in the following order:-
 - a) Objectors to speak on the application;
 - b) Supporters to speak on application;
 - c) Applicant to speak on application.

Speakers will be called in the order they have notified their interest in speaking to the Planning Officers (by the 4.00 p.m. deadline on the Friday before the meeting) and invited to the table or lecturn.

- Each individual speaker, or group representative, will have up to a maximum of 3 minutes to speak. (Please press button on “conference unit” to activate microphone.)
 - After each of a), b) and c) above, Members may put relevant questions to the speaker, for clarification. (Please remain at the table in case of questions.)
- 4) Members’ questions to the Officers and formal debate / determination.

Notes:

- 1) It should be noted that, in coming to its decision, the Committee can only take into account planning issues, namely policies contained in the Borough of Redditch Local Plan No.2, the County Structure Plan (comprising the Development Plan) and other material considerations which include Government Guidance and other relevant policies published since the adoption of the development plan and the “environmental factors” (in the broad sense) which affect the site.
- 2) No audio recording, filming, video recording or photography, etc. of any part of this meeting is permitted without express consent (Section 100A(7) of the Local Government Act 1972).
- 3) Once the formal meeting opens, members of the public are requested to remain within the Public Gallery and may only address Committee Members and Officers via the formal public speaking route.
- 4) Late circulation of additional papers is not advised and is subject to the Chair’s agreement. The submission of any significant new information might lead to a delay in reaching a decision. The deadline for papers to be received by Planning Officers is 4.00 p.m. on the Friday before the meeting.
- 5) Anyone wishing to address the Planning Committee on applications on this agenda must notify Planning Officers by 4.00 p.m. on the Friday before the meeting.

Further assistance:

If you require any further assistance prior to the meeting, please contact the Committee Services Officer (indicated at the foot of the inside front cover), Head of Democratic Services, or Planning Officers, at the same address.

At the meeting, these Officers will normally be seated either side of the Chair.

The Chair’s place is at the front left-hand corner of the Committee table as viewed from the Public Gallery.

Welcome to today's meeting.

Guidance for the Public

Agenda Papers

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

Chair

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

Running Order

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

Refreshments : tea, coffee and water are normally available at meetings - please serve yourself.

Decisions

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

Members of the Public

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

Special Arrangements

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

Further Information

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

Fire/ Emergency instructions

If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.

If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.

Do Not stop to collect personal belongings.

Do Not use lifts.

Do Not re-enter the building until told to do so.

The emergency Assembly Area is on Walter Stranz Square.

Declaration of Interests: Guidance for Councillors

DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

OR

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

and

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



PLANNING COMMITTEE

15th June 2011

7pm

Council Chamber, Town Hall

Agenda

Membership:

Cllrs:	Michael Chalk (Chair)	Bill Hartnett
	Roger Hill (Vice-Chair)	Robin King
	Peter Anderson	Wanda King
	Andrew Brazier	Brenda Quinney
	Malcolm Hall	

<p>1. Apologies</p>	<p>To receive apologies for absence and details of any Councillor nominated to attend the meeting in place of a member of the Committee.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any interest they may have in the items on the Agenda.</p>
<p>3. Confirmation of Minutes (Pages 1 - 6)</p>	<p>To confirm, as a correct record, the minutes of the meeting of the Planning Committee held on 25th May 2011. (Minutes attached)</p>
<p>4. Planning Application 2011/094/EXT - 1 to 3 Plymouth Road, Southcrest (Pages 7 - 8) Head of Planning and Regeneration</p>	<p>To consider a Planning Application for an Extension of Time for Planning Application 2008/202/FUL for the demolition of No 3 Plymouth Road and construction of a 60 bedroomed Nursing Home with associated parking. Applicant: Mr M Dawson (Report and Site Plan attached) (Central Ward);</p>
<p>5. Exclusion of the Public</p>	<p>During the course of the meeting it may be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting on the grounds that exempt information is likely to be divulged. It may be necessary, therefore, to move the following resolution: “that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12 (A) of the said Act, as amended.</p>

PLANNING

Committee

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6. Confidential Matters (if any)	To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)
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Planning Committee

25th May 2011

MINUTES

Present:

Councillor Michael Chalk (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Peter Anderson, Michael Braley Substituting for Councillor Brenda Quinney), Brandon Clayton (substituting for Councillor Andrew Brazier), Malcolm Hall and Bill Hartnett

Also Present:

M Collins (Observer for Standards Committee)

Officers:

R Bamford, S Edden, C Felton, A Hussain, A Rutt and S Skinner

Committee Services Officer:

J Smyth

1. APOLOGIES

Apologies for absence were received on behalf of Councillors Andrew Brazier, Robin King, Wanda King and Brenda Quinney.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CONFIRMATION OF MINUTES

RESOLVED that

the minutes of the meeting of the Committee held on 27th April 2011 be confirmed as a correct record and signed by the Chair.

.....
Chair

**4. PLANNING APPLICATION 2011/054/OUT –
LAND EAST OF BROCKHILL LANE, REDDITCH**

Mixed use development of 171 dwellings,
public open space and outline application for
4,738 square metres of Class B1 (Business)
floorspace and access

Applicant: Persimmon Homes Ltd

The following people addressed the Committee under the Council's public speaking rules:

Mr R Lee – Objector representing Brockhill Action Group
Mrs M Muckle – Objector representing Batchley Support Group
Ms V Kendrick – Objector representing CPRE
Councillor B Quinney – Objector representing local residents
Councillor L Stephens – Objector representing local residents
Mr M Sackett – Agent for the Applicant.

(In view of the amount of public interest and the large number of registered public speakers for this item, for the sake of the expeditious and fair treatment of the application the Chair granted extended timings for representatives of the Brockhill Action Group, Batchley Support Group and the Commission for the Protection of Rural England (CPRE). An equivalent total time was permitted to the Applicant's Agent. Ward Members were given up to three minutes each. In view of this exceptional arrangement, most individual would-be speakers subsequently withdrew their requests to speak.)

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be REFUSED for the following reason:

“The proposed development would represent an intrusion into designated Primarily Open Space as designated within the Borough of Redditch Local Plan No. 3. Policy R1 seeks to protect such designated land and the proposal would conflict with criteria i, ii, iii and v of this Policy.”

(This decision was taken contrary to Officer recommendation, in view of the fact that, the proposed route for the access road and the siting of a small part of the development build, would encroach on an area designated as Primarily Open Space land.)

**5. PLANNING APPLICATION 2011/083/FUL –
54 JUBILEE AVENUE, CRABBS CROSS**

Extension to side of bungalow and
Loft conversion with new gable ended roof

Applicant: Mr and Mrs Luckman

Councillor Carole Gandy, supporter and Ward Councillor, and Mrs H Luckman, the Applicant, addressed the Committee under the Council's public speaking rules.

RESOLVED that

having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the following conditions:

- “1) Development to commence within three years.**
- 2) Materials to match existing**
- 3) Approved Plans specified.”**

(This decision was taken contrary to Officer recommendation, and subject to relevant conditions, in that the Committee considered that there was already a mix of house and bungalow designs and roof styles already within the street scene and therefore the proposed extension and alterations would not have a harmful effect on the character and appearance of the existing bungalow and general street scene.

**6. PLANNING APPLICATION 2011/087/FUL –
LOWANS HILL FARM, BROCKHILL LANE, REDDITCH**

This item was WITHDRAWN from the Agenda by Officers and was not discussed.

**7. PLANNING APPLICATION 2011/093/FUL –
LAND TO THE SOUTH AND WEST OF "HIGH TREES",
DARK LANE, ASTWOOD BANK**

House type substitutions –
Plots 1 to 5 (Amendment to Scheme approved
under Application 2009/259/FUL)
Erection of five detached dwellings with
associated access and parking

Applicant: Mr A Cockayne

RESOLVED that

- 1) **having regard to the Development Plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:**
 - a) **A planning obligation ensuring that the County will be paid appropriate contributions in relation to the development for education provision, and that Redditch Borough Council receives contributions towards playing pitches, play areas and open space provision to be provided and maintained in the locality; and**
 - b) **the conditions and informatives as summarised below:**

Conditions

- “1. **Development to commence within three years.**
2. **Details of materials (walls and roofs) to be submitted.**
3. **Landscape scheme including details of boundary treatment to be submitted.**
4. **Landscape scheme including details of boundary treatment to be implemented in accordance with approved details.**
5. **Trees to be protected in accordance with tree protection plan.**
6. **Limited working hours during construction period.**
7. **Access, turning and parking.**
8. **No gates/means of enclosure on any of the access roads.**

9. Details of the tree planting belt to be provided along the western boundary of the site to be submitted approved and implemented with failure of planting to be covered under Condition number 4.
10. None of the existing hedge planting that fronts Dark Lane shall be removed.
11. All hard surfaces to be permeable and retained as such.
12. Development to be carried out in accordance with plans submitted with the application.
13. Appropriate condition to address the recommendations of the protected species survey.
14. Contamination: standard conditions.”

Informatives

- “1. Reason for approval
2. Drainage details to be in agreement with Severn Trent Water.
3. Highway Note 4 – Private apparatus within the highway.
4. Highway Note 5 – No authorisation for applicant to carry out works within the publicly maintained highway.
5. External security lighting to comply with guidance to ensure that it does not adversely affect neighbours amenities.
6. No burning on site.
7. Adequate measures to be put in place to prevent migration of dust and particulates beyond the site boundary;

and

- 2) in the event that the planning obligation cannot be completed by the 8th June 2011:
 - a) authority be delegated to the to the Head of Planning and Regeneration to REFUSE the application on the basis that without the planning obligation, the proposed development would be contrary to policy and therefore unacceptable, due owing to the resultant detrimental impacts it could cause to community infrastructure by the lack of provision for their improvements and the increase in demand for such infrastructure; and

- b) in the event of a refusal on the grounds stated at Resolution 2) a) above, and the Applicant resubmitting the same or a very similar Planning Application with a completed legal agreement attached to cover the points noted, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission, subject to the conditions and informatives stated in Resolution 1) b) above.

8. **ENFORCEMENT REPORT 2009/351/ENF –
PATCH LANE, OAKENSHAW**

Non-compliance with an Enforcement Notice

RESOLVED that

in relation to a breach of planning control, namely the failure to comply with the requirements of an Enforcement Notice, authority be delegated to the Head of Legal, Equalities and Democratic Services, in consultation with the Head of Planning and Regeneration Services, to instigate legal proceedings in the Magistrates' Court if required.

The Meeting commenced at 7.30 pm
and closed at 10.17 pm

.....
CHAIR



www.redditchbc.gov.uk

Planning Services
 Town Hall
 Walter Stranz Square
 Redditch
 Worcs B98 8AH

Project: **2011/094**

Drawn: DW

Drawing: **1-3 PLYMOUTH ROAD
 EXTENSION OF 2008/202**

Scale: 1/1250

Drawing No: **P2118/75**

Date: JUN 2011

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 Redditch Borough Council LA100024252 2011

REDDITCH BOROUGH COUNCIL

**PLANNING
COMMITTEE**

15th June 2011

PLANNING APPLICATION 2011/094/EXT

**EXTENSION OF TIME FOR APPLICATION 2008/202/FUL:
DEMOLITION OF NUMBER 3 PLYMOUTH ROAD AND CONSTRUCTION
OF A 60 BEDROOMED NURSING HOME WITH ASSOCIATED PARKING
1 TO 3 PLYMOUTH ROAD, REDDITCH**

APPLICANT: MR M DAWSON

EXPIRY DATE: 14TH JULY 2011

WARD: CENTRAL

The author of this report is Steven Edden, Planning Officer (DM), who can be contacted on extension 3206 (e-mail: steve.edden@bromsgroveandredditch.gov.uk) for more information.

(See additional papers for Site Plan)

Site Description

The site is triangular with an area of approximately 0.69 acres (0.28 ha). It is located in Plymouth Road approximately 300m from the Town Centre. To the North-East of the site lies the bus station and to the South-West lie the memorial gardens and Cemetery Road. The land has previously been occupied by two bungalows, No's 1 and 3 Plymouth Road. Number 1 has now been demolished. The site is overgrown and unkempt, and rises steeply up from Plymouth Road, with a level difference of about 5 metres. There are a number of trees on the site many of which are conifers and have in the opinion of your Officers, little amenity value. The surrounding residential development to the South and West generally dates from the 1930s to 1950s and comprises typical detached and semi-detached properties from this era. To the South of the site lies Aspell Close, a recently constructed road leading to the residential development comprising 20 no. apartments arranged in three blocks which was granted consent in 2004.

Proposal Description

This is an 'Extension of Time' application. Due to the present economic climate, some time ago, the previous Government decided that it should be acceptable in principle for an applicant to be able to extend the length of time before commencement of that development, provided that the 'original' consent (the application to be extended) has not expired. This extension of time application relates to application reference 2008/202/FUL. Permission was granted for a 60 bedroomed Nursing Home, with associated parking at the Planning Committee of 12th August 2008 subject to the satisfactory completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990. The legal agreement was completed and the decision notice was dated 28th August 2008.

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The development proposed under that application is set out as follows:

Proposed Nursing Home providing 60 no. bedrooms. The home would have a qualified Nurse on duty 24 hours a day. The residents are likely to be people who are physically or mentally frail who need regular attention from a nurse. The proposed building would be mainly three storeys in height with a smaller four storey element around the central core. The nursing home would be cut into the bank which rises from Plymouth Road, in order to minimise the overall massing and scale of the building. It would be constructed from traditional red brick and render including timber to respect the traditional residential character of the area. A car park providing parking for 15 cars would be accessed off the existing access road (Aspall Close) at the rear of the building. Level access would be provided from the car park into the building at first floor level. A second point of access from Aspall Close is by the Plymouth Road junction, which would include 8 additional car parking spaces and a service area. 23 spaces would be provided in total. An amenity space would be located adjacent to the main car park close to the main entrance at the rear of the building. A further landscaped amenity area is to be provided at the northern corner of the site.

Relevant Key Policies

All planning applications must be considered in terms of the planning policy framework and all other relevant material considerations (as set out in the legislative framework). The planning policies noted below can be found on the following websites:

www.communities.gov.uk

www.redditchbc.gov.uk

National Planning Policy

PPS1 Delivering Sustainable Development
PPG13 Transport
PPG24 Planning and Noise

Borough of Redditch Local Plan No. 3

H.2 Homes for the Elderly
CS.5 Achieving Balanced Communities
CS.6 Implementation of Development
CS.7 The Sustainable Location of Development
E(TCR).1 Vitality and Viability of the Town Centre
E(TCR).2 Town Centre Enhancement
B(BE).13 Qualities of Good Design
B(BE).19 Green Architecture
C(T).12 Parking Standards
S.1 Designing out Crime

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SPDs

Encouraging Good Design
Designing for Community Safety

Relevant Site Planning History

Extensive planning history relates to the site and the surroundings. The earliest application of note is 2000/404 which proposed the demolition of numbers 1 and 3 Plymouth Road, and on land including the land to the south of the site (where the 20 no. apartments have since been built) the erection of 15 three and four bed roomed houses along with 8 three bed roomed flats. Although this application was refused planning permission by the Planning Committee in October 2000, the application was subsequently allowed on appeal by the Planning Inspectorate in May 2001.

This permission was never implemented. Applications for residential development (apartment schemes) were submitted on land to the immediate South of the site in 2002 and 2003 which were Withdrawn and Refused planning permission respectively, before application 2004/265/FUL was submitted proposing the erection of 20 no. apartments. This proposal was approved and has since been built and is located at the end of Aspall Close. With respect to the site itself, an application was submitted and granted consent in 2006 – ref 2006/285/FUL for the demolition of the then bungalow present on the site – number 1 Plymouth Road, and for the erection of a new dwelling – granted in July 2006. The dwelling has since been demolished, but the consent has expired due to lack of implementation within the timescales given for works to commence. In April 2008, planning permission was refused for an application to erect a 60 bed roomed nursing home – application 2008/051/FUL on grounds that the bulk, scale, massing and design of the development would be inappropriate. Application 2008/202/FUL was submitted in order to try to accommodate concerns raised by members of the Planning Committee at that time and was granted permission on 28th August 2008.

Public Consultation Responses**Responses in favour**

1 letter received. Comments summarised as follows:

- No objection to this extension of time proposal but would wish to limit time extension to a maximum of two years. The letter does not explain why the time limit should be extended to a maximum of two years.

Responses against

Three letters received. Comments summarised as follows:

- Development would be out of character with its surroundings
- Increased traffic will impact detrimentally upon amenity
- Too much development in the area already. This isn't needed

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- Impact on wildlife and trees – general concerns
- Unsightly and overpowering

Consultee Responses

County Highway Network Control

No objections. Recommends conditions relating to proper consolidation, surfacing and construction of the access and parking area

Worcestershire Regulatory Services (Environmental Health)

No objections

Severn Trent Water

No objections. Drainage to be subject to the written approval of Severn Trent Water

Police Crime Risk Manager

No comments received

Council's Drainage Officer

No comments received

Comments received in respect of application 2008/202/FUL

The Council's Urban Design Advisor was consulted on application 2008/202/FUL. The UDA has not been consulted here since the proposal is identical, but previously received comments are summarised below for Members' information:

Urban Design Advisor (UDA)

I commented on the merits of the earlier application 2008/051 in April 2008. The modifications to the original design improved the proposal and made it acceptable in terms of its massing and appearance. Although a large building, it was well related to its site and its form and articulation enabled it to relate acceptably to its context. Although there are two storey houses opposite the site in Plymouth Road, to the North stands the large bulk of the shopping centre. As this is an edge-of-town-centre development, the proposal makes a satisfactory transition in scale between the large commercial neighbour and the smaller domestic ones. However, contrary to my recommendation, the Planning Committee felt that the scale and massing of the building was inappropriate for the site. With regards to the current, amended proposal, the essentials of the proposal remain unchanged with the accommodation proposed, the same as before. What has changed is the surface treatment of the building; the pattern of fenestration and the external materials. The curved wall to the north has reverted from brick to timber cladding on its upper floors, and the southern half of the building facing Plymouth Road has reverted from being unified by one material to being a

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mixture of brickwork and render. With regards to the fenestration, bay windows have been omitted and window arrangements have become more unified and regular.

Whilst the fenestration of the building is in my view less interesting, the changes are generally superficial. In conclusion, I still consider that the scheme as a whole should be approved.

Procedural Matters

This application is being reported to the Planning Committee since two (or more) written representations in objection to the proposal have been received, and because the recommendation is that permission be granted subject to a planning obligation.

Background

As stated earlier in this report, due to the present economic climate, some time ago, the previous Government enacted legislation to allow an applicant (via a formal application) to be able to extend the length of time before commencement of that development, provided that the 'original' consent (the application to be extended) in itself is extant. Subject to the planning policy framework not changing in the intervening period, the legislation allowing 'extension of time' applications would normally consider an additional three year extension of time to be reasonable. The Council receives relatively few such applications and they are rarely presented before the Planning Committee. Application 2008/202/FUL, to which this current extension of time application relates, granted permission for the erection of a 60 bedroomed Nursing Home, with associated parking at the Planning Committee of 12th August 2008 subject to the satisfactory completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990. The legal agreement was completed and the decision notice was dated on 28th August 2008. Planning conditions were attached to the consent, some of which require the applicant to submit details to the Local Planning Authority for the Councils' approval in writing prior to any development on the site commencing. Those details have not as yet been submitted. However, providing such written approval in respect to those outstanding conditions is given; monies required to be paid under the S106 are received, and development 'starts' on site before 28th August 2011, application 2008/202/FUL would remain a 'live' application.

Assessment of Proposal

In considering such applications, it is only relevant to consider what has changed since the previous approval, both in terms of the planning policy framework under which the decision should be made, and also, any significant physical changes to the site and/or its surroundings that might result in different impacts from the proposed development. In both respects, no material changes have occurred since the 2008 approval. The plans which

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have been submitted are identical to those amended plans approved under application 2008/202/FUL. The issues which were considered to be relevant under application 2008/202/FUL were as follows:-

Principle of the development

Policy H2 in the Borough of Redditch Local Plan concerns applications submitted for homes for the elderly. It states that in considering applications for the change of use of existing properties and for new development for homes for the elderly and nursing homes, each application will be treated on its individual merits subject to the consideration of requirements including; that all necessary car parking and servicing can be provided within the curtilage of the site; that the accommodation has the benefit of convenient access for pedestrians, cyclists and other users of public transport; account will be taken of the position and suitability of amenity and garden space provided as part of the development for occupants of the proposed development; preference will be given to the utilisation of detached properties as these generally have a lesser potential for the disturbance of neighbours; and the development should not compromise the local environment with regard to the form, character and existing layout of an area. Under the reasoned justification for this policy it states that from a sustainability point of view, homes for the elderly and nursing homes should be in locations where visitors and employees could travel by foot, cycle or public transport. This would allow residents who are able to, to integrate with their community. Suitable locations would therefore include the Town Centre or District Centres and other locations that are convenient to a bus route. Officers consider that the site in question, near to the town centre, railway station, and in very close proximity to the bus station, is highly sustainable and ideally suited to such a use. The Town and Country Planning (Use Classes Order) categorises this use as a C2 use which itself is suited and compatible to being located within an area such as this.

Design

The building is considered to be acceptably sited within the plot having regard to the levels present in the site, and the need to respect the existing building line and street scene. The building quite rightly fronts onto Plymouth Road, properly addressing the street frontage, with car parking mainly situated to the rear. Private amenity space for the residents is to be located to the rear which would be South facing and would provide a satisfactorily sized area for the residents to enjoy. The building itself is contemporary in design and its scale and massing is considered to address satisfactorily the context of the site and its surroundings.

The bus station is only some 60m to the north. The proposed building's scale and mass is considered to represent an appropriate transition between the height of the bus station to the more domestic scale of the adjoining residential area. The proposal is considered to accord with Policy B(BE).13 of

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the Borough of Redditch Local Plan which encourages new development to enhance the legibility of the Borough by the appropriate design and siting of distinctive corner buildings, landmarks, 'gateways' and focal points at key junctions and by the enhancement of key vistas that create visual links between places. The curved elevation has two storeys of cedar cladding veneer, which rises above the brickwork parapet at the lower ground floor to emphasise the gateway location. Site section drawings have been produced which demonstrate that the building would not harm nearby residential amenity in terms of over-dominance or overlooking. In this respect the proposals are satisfactory having regard to spacing standards / separation distances contained within the Council's adopted Supplementary Planning Guidance 'Encouraging Good Design'.

Parking and Access

A car park to the rear provides spaces for 15 No. cars – this provision complies with car parking standards tables (Appendix H) within the Borough of Redditch Local Plan. This area is satisfactorily passively surveyed by active habitable room windows in accordance with Secured by Design principles. In addition, 8 No. staff car parking spaces are to be provided, at a location nearer to the Plymouth Road junction with Aspall Close. A transport assessment carried out by the applicant's agent containing trip generation data has demonstrated that car parking provision on site would be more than adequate to cater for the development and as such the proposal would not prejudice highway safety. No objections are raised by County Highway Network Control. The building has been designed to ensure compliance with other relevant legislation. All entrance doors will have level thresholds to allow wheelchair access and a lift will provide access to all floors.

Security

Along the Plymouth Road frontage, 1.2 metre high metal railings define the boundary and provide defensible space to the building. This defensible space increases from about 2m to 3.5m where the building steps back from the road allowing for trees to be planted in this area. At the car park entrance, a change of surface treatment gives the impression of entering a private area. Many of the bedroom windows would overlook the car park providing natural surveillance. The amenity area would also be overlooked by windows from the entrance lobby and the bedrooms above. 1.2 metre high railings would surround the amenity area to provide security and safety for residents whilst allowing views through. To the rear boundary, a 2 metre high wooden fence is proposed with a light weight trellis topping. All entrance doors and car parking areas would be lit from dusk to dawn. Your Officers are satisfied in all other respects with details submitted in order to satisfy Policy S.1 of the Local Plan.

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Sustainability

The site occupies a highly sustainable location, near to the Town Centre in very close proximity to the train station, adjacent to the bus station and within a very short walk from a large number of shops and other local amenities. Policy B(BE).19 – Green Architecture, encourages new developments to maximise the use of, for example sustainable, local sourced and recycled materials and to maximise the energy efficiency of the building through its siting and orientation, through the adoption of energy conservation measures. The building is likely to achieve a BREEAM rating of very good. BREEAM assesses buildings against a set criteria and provides an overall score which will fall within a band providing either a; pass, good, very good or excellent rating. The Sustainability Statement submitted as part of the application is acceptable to your Officers, and a planning condition is recommended to be attached to any decision notice, in the event of planning permission being granted to ensure the implementation of these details.

Planning Obligation

Under Policy CS.6 of the Local Plan, where appropriate, developers can be required to make provision for related environmental works and services etc. Developers can be required to finance such provision which is fairly and reasonably related in scale and kind to the proposed development and its impact upon the local environment. The above provisions will be the subject of a planning obligation in accordance with the relevant legislation which should be secured before the issuing of any planning permission. Under application 2008/202/FUL, Officers considered it reasonable to ask for monies to cover local environment improvement works within the vicinity of the application site. The applicant signed up to this agreement in 2008 and an amended (draft) agreement relating to the current 'extension of time' application, stipulating the same terms is progressing.

Conclusion

The development plan and the planning policy framework under which an application for a nursing home such as this should be determined have not changed. Similarly, the site itself, and its surroundings have not changed, nor have any significant planning permissions been granted in the area which could change the context of the site. It is considered that the proposed development would accord with policy criteria and objectives to result in a favourable recommendation. It is not considered likely that the proposed development would result in harm to amenity or safety. It is therefore considered reasonable to allow an extension of time to implement this consent for a further three years, subject to the inclusion of conditions as summarised below, which appeared on decision notice 2008/202/FUL and which Officers consider are reasonable, necessary and meet the tests as set out under Circular 11/95 (Use of Conditions in Planning Permissions).

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Recommendation

Officers are seeking an either/or resolution from Members in this case as follows, in that Officers would carry out whichever of the two recommendations below applied:

- 1. That having regard to the development plan and to all other material considerations, authority be delegated to the Head of Planning and Regeneration to GRANT planning permission subject to:**
 - a) A planning obligation ensuring that appropriate contributions in relation to off-site improvement works in the locality are provided; and**
 - b) Conditions and informatives as summarised below:**

Conditions

1. Development to commence within three years.
2. Details of materials (walls and roofs) to be submitted.
3. Landscape scheme including details of boundary treatment to be submitted.
4. Landscape scheme including details of boundary treatment to be implemented in accordance with approved details.
5. Access, turning and parking areas to be provided
6. Limited working hours during construction period.
7. Contaminated land survey and details to be agreed
8. Any unexpected contaminants found to be dealt with in agreement with LPA.
9. Land contamination remediation measures if necessary to be agreed with LPA.
10. Development to be carried out in accordance with plans submitted with the application.
11. Cycle store details to be agreed.
12. Bin storage details to be agreed.
13. Defined use as C2 residential home only (not a general C3 Residential Use Class).
14. Further details to be submitted in respect of Sustainability Statement for prior written approval of the LPA.
15. Staff and visitor car parking area granted to be clearly demarcated and signage to be displayed at the site directing staff and visitors to the parking areas: details to be submitted for approval in writing by the LPA.

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Informatives

1. Reason for approval
 2. Drainage details to be in agreement with Severn Trent Water.
 3. The attention of the applicant is drawn to the importance of keeping Plymouth Road free of parked vehicles during the construction period in the interests of highway safety
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2. **In the event that the planning obligation cannot be completed by 14th July 2011; Members are asked to delegate authority to the Head of Planning and Regeneration to REFUSE the application on the basis that without the planning obligation the proposed development would be contrary to Policy CS.6 of the Borough of Redditch Local Plan.**