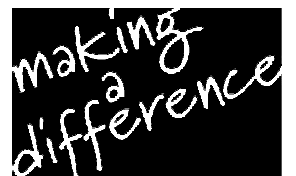


Planning Committee

Wed 4th Jan
2012
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:-

- Automatic right to attend all formal Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agendas and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees

(or summaries of business undertaken in private) for up to six years following a meeting.

- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, on request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.

A reasonable number of copies of agendas and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its, Committees etc.

- 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:

Janice Smyth

Member and Committee Support Services Assistant

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

Tel: (01527) 64252 Ext. 3266 Fax: (01527) 65216

e.mail: janice.smyth@bromsgroveandredditch.gov.uk

Minicom: 595528

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.3, 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

4th January 2012
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. Planning Application 2011/315/EXT - Homebase Ltd, Abbey Retail Park, Redditch (Pages 1 - 8) Head of Planning and Regeneration</p>	<p>To consider an extension of time application for external alterations to building and internal works to create one additional unit as approved under Application 2008/362/FUL.</p> <p>Applicant: Essex County Council Pension Fund</p> <p>(Report and Site Plan attached)</p> <p>(Abbey Ward);</p>
<p>4. Appeal Outcome - 30 Hewell Road, Redditch (Pages 9 - 10) Head of Planning and Regeneration</p>	<p>To note the outcome of an appeal against a refusal of Planning Permission relating to a change of use from a retail warehouse building into a restaurant.</p> <p>(Report attached)</p> <p>(Abbey Ward);</p>
<p>5. Appeal Outcome - Land adjacent to 656 Evesham Road, Redditch (Pages 11 - 12) Head of Planning and Regeneration</p>	<p>To note the outcome of an appeal against refusal of a Planning Permission relating to the erection of a new detached dwelling as an infill development between properties.</p> <p>(Report attached)</p> <p>(Astwood Bank & Feckenham Ward);</p>

PLANNING

Committee

4th January 2012

6. Exclusion of the Public

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.

These paragraphs are as follows:

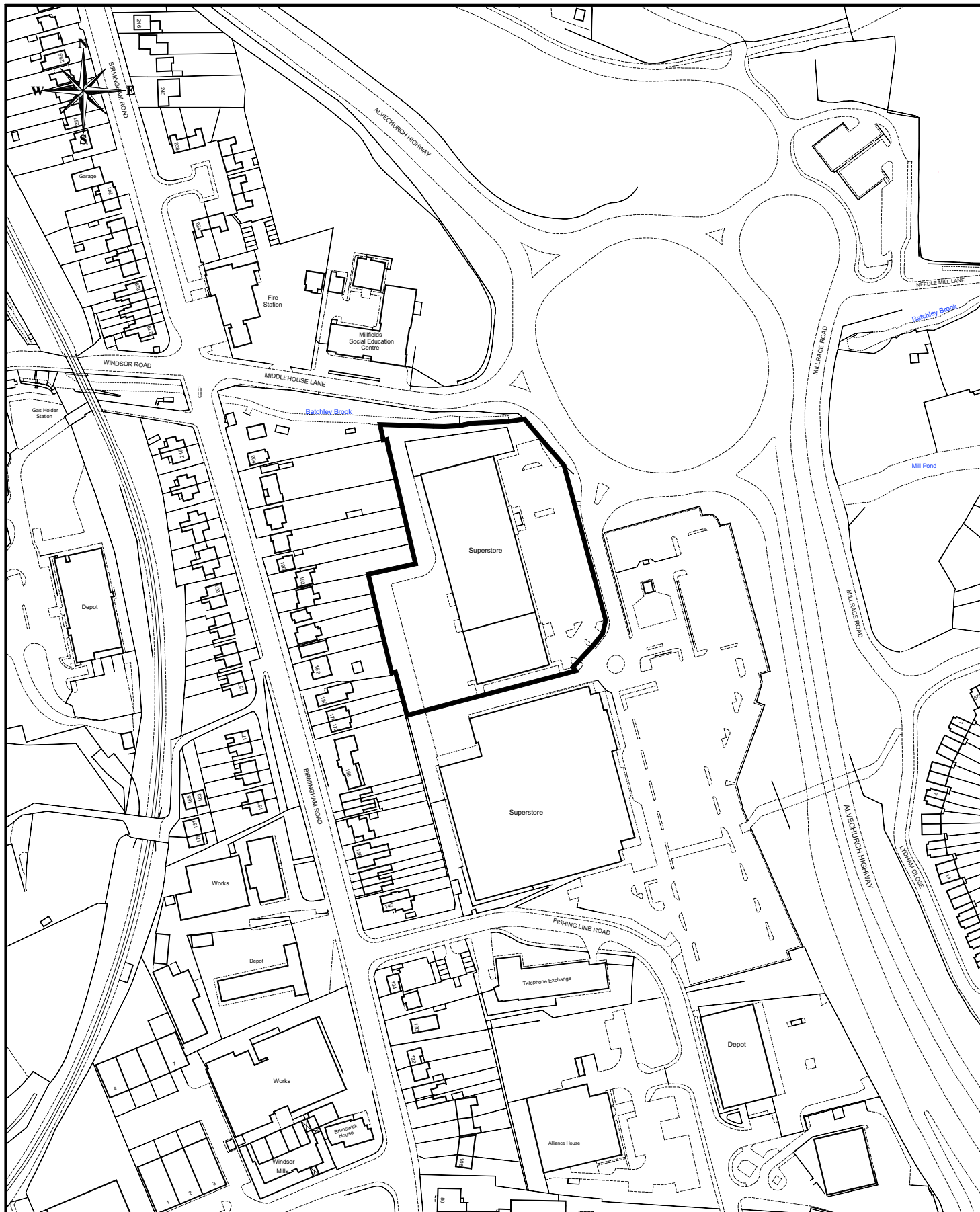
subject to the “public interest” test, information relating to:

- Para 1 - any individual;**
- Para 2 - the identity of any individual;**
- Para 3 - financial or business affairs;**
- Para 4 - labour relations matters;**
- Para 5 - legal professional privilege;**
- Para 6 - a notice, order or direction;**
- Para 7 - the prevention, investigation or prosecution of crime;**

may need to be considered as “exempt”.

7. Confidential Matters (if any)

To deal with any exceptional matters necessary to consider after the exclusion of the public (none notified to date.)



www.redditchbc.gov.uk

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

Project: **2011/315**

Drawn: DW

Drawing: **Extension of time application
 Homebase, Abbey Retail Park**

Scale: 1/2500

Drawing No: **P2118/99**

Date: JAN 2012

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 Redditch Borough Council LA100024252 2011

REDDITCH BOROUGH COUNCIL**PLANNING
COMMITTEE**4th January 2012

PLANNING APPLICATION 2011/315/EXT**EXTENSION OF TIME APPLICATION: EXTERNAL ALTERATIONS TO BUILDING AND INTERNAL WORKS TO CREATE ONE ADDITIONAL UNIT AS APPROVED UNDER APPLICATION 2008/362/FUL****HOMEBASE LTD, ABBEY RETAIL PARK, REDDITCH****APPLICANT: ESSEX COUNTY COUNCIL PENSION FUND
EXPIRY DATE: 16TH FEBRUARY 2012****WARD: ABBEY**

The author of this report is Steven Edden, Planning Officer (DC), 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**

This building forms part of the Abbey Retail Park adjacent to the Alvechurch Highway, and is accessed from a roundabout where the highway meets Middlehouse Lane. This large rectangular building currently contains the Homebase store – (approximately 2904 m²) and Argos (993 m²). Beyond this building, further to the south, lies the Sainsbury's Store. The Homebase store, subject to this planning application is of brick and tile construction with a large, sparsely landscaped surface parking area to the Eastern side of the site.

To the west of the building is the service yard. Beyond this are residential properties which front onto Birmingham Road. Their rear gardens back onto the rear of the existing store.

It is a typical retail outlet, with large pedestrian area to frontage, including trolley storage areas.

Proposal Description

This extension of time application relates to application reference 2008/362/FUL. Permission was granted for external alterations to the building and internal works to create one additional unit at the Planning Committee of 6th January 2009. The decision notice was dated 7th January 2009.

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

Sub-division of the existing Homebase unit into a smaller Homebase unit and the creation of a new retail unit. The new unit would be situated between the new, smaller Homebase store and the existing (now Argos, previously Allied Carpets store) which remains unaltered. The building would accommodate three retailers

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COMMITTEE****4th January 2012**

instead of the two at present. A new entrance feature in the style of the existing 'triangular shaped' Homebase / Argos entrance together with a new fire exit door is proposed to the Eastern facing (or front) elevation of the building which faces the customer car parking area. In addition, further fire exit doors and a single new goods / loading door are proposed to the West facing (rear) elevation of the building to serve the down-sized Homebase unit. In addition, the incorporation of the new unit entrance has resulted in modifications to the existing car park which have included an increase in disabled parking spaces and the provision of cycle parking.

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
PPS4 Planning for Sustainable Economic Growth
PPG13 Transport

Borough of Redditch Local Plan No.3

CS.7 The sustainable location of development
B(BE).13 Qualities of Good Design
B(BE).14 Alterations and extensions
C(T).12 Parking standards (Appendix H)

Relevant Site Planning History

1988/242/FUL	Erection of D.I.Y unit, garden centre and non-food retail warehouse	Approved	02.06.1988
2008/352/CPL	Certificate of Lawfulness (proposed use) To confirm that the proposed occupation of a retail premises by a catalogue retailer is lawful	Approved	05.12.2008
2008/362/FUL	External alterations to building and internal works to create one additional unit	Approved	07.01.2009

REDDITCH BOROUGH COUNCIL**PLANNING
COMMITTEE****4th January 2012**

2009/082/FUL	Installation of floor space at Mezzanine level	Approved	15.07.2009
2011/053/FUL	Partial widening of service yard to rear	Approved	01.04.2011
2011/084/S73	Variation of condition 2 (ref 88/242) to allow a chemist to operate from premises	Approved	26.05.2011
2011/152/S73	Variation of condition 5 (ref 09/082) to allow retailing to public from mezzanine level	Approved	10.08.2011
2011/229/FUL	External and internal alterations to create two new units	Approved	17.10.2011

Public Consultation Responses

None

Consultee Responses***County Highway Network Control***

No objection.

Worcestershire Regulatory Services: Environmental Health

No objection

Procedural matters

As stated earlier in this report, due to the economic slowdown, 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. This application only comes before the Committee due to the fact that the site area exceeds 1hectare and is therefore classified as a 'major' application. Application 2008/362/FUL, to which this extension of time application relates, granted permission for external alterations to the building and internal works to create one additional unit. The decision notice is dated 7th January 2009.

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

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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 2009 approval. The plans which have been submitted are identical to those plans approved under application 2008/362/FUL. The issues which were considered to be relevant under application 2008/362/FUL are as follows:-

Principle of development

Under application 2008/352/CPL, which was determined under delegated powers afforded to Officers on 5.12.2008, a Certificate of Lawfulness was issued which confirms that the occupation of the building by a catalogue retailer (in this case Argos) is lawful.

The catalogue retailer use proposed would not have represented a departure from the uses permitted under Condition 1 on the 1988 consent, and the Certificate made reference to Condition 3 on the 1988 consent which stated that the minimum size of any retail unit within the building shall be 10,000 sq. ft gross floor area. The sub division of the building from 2 to 3 retail units is acceptable since submitted floor plans detailing the proposed new unit show that the unit would measure 929 sq. m or 10,000sq.ft in area. In effect, planning permission is not required for these internal alterations, with this part of the proposal complying with extant planning conditions attached to the original 1988 consent. Officers have however considered it necessary to explain this part of the proposal, as the internal alterations are directly related to the proposed external changes under consideration here.

Impact of alterations upon character and appearance of the building

The proposals, whilst they require consent as 'material alterations to the external appearance of the building' are very minor in nature. The new pitched roof entrance canopy which would serve the proposed future retail unit would have a clay plain tiled roof, profiled metal clad fascia with powder coated aluminium door frames. This feature would match exactly in terms of size, design and appearance with that of the existing entrance serving the Argos store entrance, which is located approximately 14 metres further to the South. The fire exit doors and goods entrance door would similarly match those on the existing building.

Highway Safety considerations

The incorporation of the new unit entrance has resulted in a modification to the existing car park. At present there are 155 car parking spaces, of which 6 are disabled spaces. No cycle spaces exist. The proposed layout would accommodate 151 spaces of which 8 would be reserved for disabled use. 16 cycle spaces would be created. This provision is in line with the Borough Council's parking standards and is therefore considered to be acceptable.

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4th January 2012

Conclusion

The planning policy framework under which this application should be determined has not changed in the intervening period. Similarly, the site itself and its surroundings have not changed materially, nor have any significant planning permissions been granted in the area which could change the context of the site. It is therefore considered that the proposed development would accord with policy criteria and objectives and would not 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.

Recommendation

That having regard to the development plan and to all other material considerations, planning permission be GRANTED subject to conditions and informatives as summarised below:

- 1) Development to commence within 3 years from date of consent.
- 2) Materials for walls and roofs to match existing
- 3) Development in accordance with plans (listed)

Informatives:

- 1) A separate application for Advertisement Consent may be required for signage to advertise any future business. The applicant should contact the Local Planning Authority for further advice on this matter.

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4th January 2012

APPEAL OUTCOME REPORT FOR INFORMATION

APPEAL MADE AGAINST REFUSAL OF PLANNING PERMISSION

PLANNING APPLICATION DETAILS: 2010/275/COU

CHANGE OF USE OF RETAIL/WAREHOUSE TO A RESTAURANT

30 HEWELL ROAD, REDDITCH

WARD ABBEY

**DECISION PLANNING DECISION MADE AT PLANNING COMMITTEE
ON 4TH JANUARY 2011**

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

Discussion

The case related to a change of use from a retail warehouse building into a restaurant (place settings/covers for 108 persons). The planning application was refused for the following reasons:

1. The lack of car parking spaces to serve the proposed development would lead to ad-hoc, on-street parking, which in this location, adjacent to a busy mini roundabout, is likely to be of detriment to highway safety. As such, the proposed development would be contrary to Policy E(TCR).12 (Criteria iv and v), Policy C(T).12 and Appendix H of the Borough of Redditch Local Plan No.3 and National Planning Guidance contained within PPG13 (Transport).
2. The proposal would represent inappropriate development having regard to the sites location within an area designated for Primarily Employment generating uses under the terms of Policy E(EMP).3 of the Local Plan. In addition, the development would be contrary to Policy E(TCR).12 of the Borough of Redditch Local Plan which seeks to restrict new restaurant uses to the defined Town Centre, Peripheral Zone or District Centres due to their more sustainable location and in the interests of protecting amenity.

Officers sought to defend these reasons through written representations to the Planning Inspector.

The site lies within a Primarily Employment Area where Policy E(EMP).3 applies. The Inspector noted that little space existed at the site for the

PLANNING COMMITTEE

4th January 2012

loading, unloading and parking of vehicles such that employment (B1, B2 and B8 type) uses might find the building unattractive. He also noted that the building was not in employment use, its last use being a retail warehouse. The Inspector considered that whilst the restaurant use would not comply with the wording of Local Plan Policy E(EMP).3, the use would not conflict with the objectives of the policy, the proposed use creating 6 full time and 4 part time jobs.

He considered that the sites location was sufficiently distant from the town centre such that customers, other than from the immediate area would be likely to travel to the premises by car, contrary to the objectives of locating restaurant (A3) uses where people can access them on foot or by means of public transport. The Inspector noted that place settings for 108 persons were proposed and that the Councils maximum car parking standards require that 31 on-site car parking spaces be required as a result. Due to its relatively unsustainable location, the Inspector saw no good reason to depart from those maximum standards. He agreed with the Council that many of the 13 spaces put forward by the appellant for use within the site would either be difficult or impossible for customers to practically use. He noted that the proposal would fall well below the Councils maximum standards and that customers would be likely to park close to the site in the absence of car parking spaces being available to use. He noted that the appeal site lies close to a roundabout with four arms leading off it and like the Council considered that parking near to the roundabout would be likely to interfere with traffic flow which could result in serious hazards. He considered that the failure to provide a much greater number of off-street car parking spaces in this case would likely result in a significant risk to highway safety conflicting with Local Plan Policy C(T).12.

Appeal outcome

The planning appeal was DISMISSED. Costs were neither sought nor awarded.

Further issues

None.

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.

**PLANNING
COMMITTEE**

4th January 2012

APPEAL OUTCOME REPORT FOR INFORMATION

APPEAL MADE AGAINST REFUSAL OF PLANNING PERMISSION

PLANNING APPLICATION DETAILS: 2011/008/FUL

ERECTION OF A TWO BEDROOMED DETACHED DWELLING

LAND ADJACENT TO 656 EVESHAM ROAD, REDDITCH

WARD ASTWOOD BANK & FECKENHAM

**DECISION DECISION MADE BY OFFICERS UNDER DELEGATED
POWERS 14TH MARCH 2011**

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

Discussion

The case related to the erection of a new detached dwelling as an infill development between numbers 656 and 658 Evesham Road. The planning application was refused for the following reason:

1. The proposed dwelling, by virtue of its siting, design and appearance, would represent an incongruous form of development, failing to harmonise with the prevailing character, appearance and pattern of existing ribbon development along this part of Evesham Road. The proposals would fail to respond to local distinctiveness, and would have a harmful, adverse impact upon the visual amenities of the area. The proposals therefore conflict with Policies B(HSG).6 and B(BE).13 of the Borough of Redditch Local Plan No.3, and the Council's adopted Supplementary Planning Guidance 'Encouraging Good Design'.

Officers sought to defend that reason through written representations to the Planning Inspector.

The Inspector noted that substantial and visually significant gaps between dwellings in the immediate area exist and considered that this openness contributes to the character of the area. He considered that a sole detached dwelling set amongst semi-detached and terraced properties would appear incongruous in appearance, and that the depth of the proposed dwelling, being significantly greater than that of dwellings either side would be detrimental to the character of the area. He agreed with the Council that the failure of the scheme to reflect local distinctiveness rendered the proposal

**PLANNING
COMMITTEE**

4th January 2012

inappropriate in its context considering that to allow the appeal would be contrary to local and national planning policy.

Appeal outcome

The planning appeal was DISMISSED. Costs were neither sought nor awarded.

Further issues

None.

Recommendation

The Committee is asked to RESOLVE that the item of information be noted.